

The International Lesbian, Gay, Bisexual, Trans and Intersex Association – ILGA World and the International Service for Human Rights (ISHR) have compiled a series of factsheets highlighting the work that UN special procedures – independent human rights experts, appointed to monitor and report on human rights violations – have undertaken to defend the human rights of lesbian, gay, bisexual, trans and intersex (LGBTI) persons. The factsheets compile the references and recommendations made by these experts to LGBTI persons, sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). They cover all thematic reports, country visit reports, and communications sent to States between January 2011 and November 2020.



©: UN Photo/Jean-Marc Ferré

SPECIAL RAPPOREUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS

Mr. DIEGO GARCÍA-SAYÁN (PERU)

Since January 2017 (Until September 2022)

FORMER SPECIAL RAPPOREURS:

- Ms. Mónica PINTO (Argentina),
August 2015 – October 2016
- Ms. Gabriela KNAUL (Brazil),
August 2009 – July 2015
- Mr. Leandro DESPOUY (Argentina),
August 2003 – July 2009
- Mr. Param CUMARASWAMY (Malaysia),
1994 – July 2003



EMAIL



WEBSITE

WORK SUMMARY

COUNTRIES VISITED

ADDRESSES SOGIESC ISSUES:

No country visits have addressed SOGIESC issues.

DOES NOT ADDRESS SOGIESC ISSUES:

- Uzbekistan (September 2019)
- Honduras (August 2019)
- Poland (October 2017)
- Portugal (January/February 2015)
- Sri Lanka (April/May 2016)
- Guinea-Bissau (October 2015)
- Tunisia (November/December 2014)
- United Arab Emirates (January/February 2014)
- Qatar (January 2014)
- Russian Federation (April 2013)
- Maldives (February 2013)
- El Salvador (November 2012)
- Pakistan (May 2012)
- Turkey (October 2011)
- Romania (May 2011)
- Bulgaria (May 2011)

ANNUAL THEMATIC REPORTS

Disciplinary measures against judges/Use of "disguised" sanctions July 2020 (75th Session General Assembly (GA))	No SOGIESC references.
The impact of corruption on public prosecution services March 2020 (44th Session Human Rights Council (HRC))	No SOGIESC references.
Basic Principles on the Independence of the Judiciary, and the status of threats and challenges to the independence of judges and lawyers and the judicial system as a whole, including prosecutors, in the current global context July 2019 (74th Session GA)	No SOGIESC references.
Exercise of the rights to freedom of expression, association and peaceful assembly by judges and prosecutors June 2019 (41st Session HRC)	Brief reference to SO. (It would not be appropriate for a judge to hold membership in any organization that discriminates on the basis of, <i>inter alia</i> , sexual orientation, because such membership might give rise to the perception that the judge's impartiality is impaired) Para. 60.
Bar associations September 2018 (73rd Session GA)	No SOGIESC references.
Judicial councils June 2018 (38th Session HRC)	Brief reference to SO. (Selection of judges should be without discrimination on grounds of, <i>inter alia</i> , SO.) Para. 49.
Organized crime and its impact on the judicial system July 2017 (72nd Session GA)	No SOGIESC references.
Perspectives on the mandate of the Special Rapporteur on the independence of judges and lawyers June 2017 (35th Session HRC)	No SOGIESC references.
Protecting the independence of lawyers and the legal profession August 2016 (71st Session GA)	No SOGIESC references.
The independence of the justice system revisited - Indicators June 2016 (32nd Session HRC)	No SOGIESC references.

<p>Review and assessment of the main issues addressed over six years of mandate August 2015 (70th Session GA)</p>	<p>Brief reference to SO. (Sexual minorities as among the groups underrepresented in the judiciary.) Para. 54.</p>
<p>Protecting children's rights in the justice system June 2015 (29th Session HRC)</p>	<p>No SOGIESC references.</p>
<p>Justice and the post-2015 development agenda August 2014 (69th Session GA)</p>	<p>No SOGIESC references.</p>
<p>Judicial accountability June 2014 (26th Session HRC)</p>	<p>No SOGIESC references.</p>
<p>Military tribunals August 2013 (68th Session GA)</p>	<p>No SOGIESC references.</p>
<p>Legal aid June 2013 (23rd Session HRC)</p>	<p>No SOGIESC references.</p>
<p>Judicial corruption August 2012 (67th Session GA)</p>	<p>No SOGIESC references.</p>
<p>Independence and impartiality of prosecutors and prosecution services June 2012 (20th Session HRC)</p>	<p>Brief reference to SO. (Selection of prosecutors should be without discrimination based on, inter alia, SO. Minority groups must have adequate representation and equal access to justice.) Para. 53.</p>
<p>Advance Report on the Global Thematic Study on Human Rights Education and Training of Legal Professionals June 2012 (20th Session HRC)</p>	<p>No SOGIESC references.</p>
<p>Gender in the criminal justice system: the role of judges and lawyers August 2011 (66th Session GA)</p>	<p>Good reference to SOGI. (Encourage representation in judiciary of, inter alia, sexual minorities; Calls for sensitivity to gender norms when dealing with LGB, and esp. T, victims and perpetrators; Calls for appropriate measures for LGT prisoners, esp. trans women, to avert further victimization.) Paras. 27, 77, 81, 102.</p>
<p>Gender and the administration of justice April 2011 (17th Session HRC)</p>	<p>No SOGIESC references.</p>

COMMUNICATIONS

COUNTRY/DATE	EXPERTS	SITUATION
<p>United States of America 8 June 2020</p>	<p>African descent Arbitrary detention Disability Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Hazardous substances Health Housing Independent of judges and lawyers Mercenaries Minority issues Older persons Poverty Racism SOGI Torture</p>	<p>Information received concerning several recent killings of people of African descent in apparently State-endorsed operations in the United States.</p>
<p>Zambia 12 March 2020</p>	<p>SOGI Arbitrary detention Independence of judges and lawyers Privacy Torture</p>	<p>Information received concerning the conviction and sentencing of Mr. Japhet Chataba and Mr. Steven Sambo to 15 years' imprisonment for allegedly engaging in consensual same-sex relations, in violation of their right to privacy and non-discrimination, and their right to health and freedom from torture and cruel, inhuman and degrading treatment or punishment.</p>
<p>Argentina 22 November 2019</p>	<p>Independence of judges and lawyers Health Human Rights defenders SOGI Torture</p>	<p>Information received regarding the alleged reprisals and harassment suffered by attorney Mario Luis Coriolano in the exercise of his functions as Ombudsman of Cassation, as well as the alleged physical and psychological abuse and lack of medical attention with very serious consequences for his health suffered by Mónica Mego Velayresse, a trans woman who is being held in a prison in the Province of Buenos Aires.</p>
<p>Kazakhstan 22 July 2019</p>	<p>Independence of judges and lawyers Privacy SOGI Violence against women Women in law and in practice</p>	<p>Information received concerning acts of harassment and discrimination directed towards a young lesbian couple and the unauthorized filming and posting of a video in social media, affecting their right to privacy.</p>
<p>Senegal 14 December 2015</p>	<p>Arbitrary detention Health Independence of judges and lawyers</p>	<p>Allegations concerning the arrest and arbitrary detention of seven young men and their conviction for sexual relations between consenting adults of the same sex.</p>

<p>Tunisia 2 November 2015</p>	<p>Arbitrary detention Health Independence of judges and lawyers Torture</p>	<p>Allegations of physical abuse, degrading medical examination, irregular legal proceedings and criminal conviction of a 22-year-old man apparently based solely on his perceived sexual orientation.</p>
<p>Zambia 9 April 2015</p>	<p>Independence of judges and lawyers Torture</p>	<p>Alleged arbitrary arrest and prosecution of two men on the sole basis of their sexual orientation, as well as alleged unfair trial. Both men face a sentence of 15 years minimum to life in prison.</p>
<p>Egypt 8 January 2015</p>	<p>Arbitrary detention Health Independence of judges and lawyers Torture</p>	<p>Alleged arbitrary arrest, detention, torture and public stigmatization of 26 men who were tried on charges related to their alleged sexual orientation following a police raid of a public bath in Cairo on 7 December 2014.</p>
<p>Philippines 8 January 2015</p>	<p>Human rights defenders Independence of judges and lawyers</p>	<p>Allegations concerning the disbarment procedure pending against a human rights lawyer in the Philippines representing the family of a transgender woman who was allegedly killed by a U.S. marine.</p>
<p>Egypt 17 April 2014</p>	<p>Arbitrary detention Independence of judges and lawyers Torture Violence against women</p>	<p>Alleged arrest, detention, conviction and sentencing of four individuals on the sole basis of their sexual orientation and/or gender identity, and alleged physical and sexual harm inflicted on them.</p>
<p>Cameroon 5 November 2012</p>	<p>Extrajudicial executions Freedom of opinion and expression Human rights defenders Independence of judges and lawyers</p>	<p>Allegations of death threats against two lawyers and human rights defenders representing persons accused of homosexuality.</p>