

SUMMARY

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (2011–2017)¹



ilga
ISHR



Current Special Rapporteur:

Mr. Dainius Pūras (Lithuania)
since Aug 2014 (probably until July 2020)

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Former Special Rapporteurs:

- Mr. Anand Grover (India), August 2008–July 2014
- Mr. Paul Hunt (New Zealand), August 2002–July 2008

SUMMARY OF WORK

Countries Visited

Where SOGIESC mentioned in the report	Where SOGIESC not mentioned in the report
Croatia (Nov-Dec 2016), Report , paras. 19, 67, 83) Algeria (Apr–May 2016), Report , paras. 73, 100, 102 Paraguay (Sep–Oct 2015), Report , paras. 27, 74-79, 85, 129, 131(l) Malaysia (Nov–Dec 2014), Report , paras 83-90, 92, 111 (r), 111(s) Viet Nam (Nov–Dec 2011), Report , paras. 43, 63(b), Ghana (May 2011), Report , paras. 21, 59	Nigeria (Jan 2016) Azerbaijan (May 2012) Tajikistan (May 2012) Japan (Nov 2012)

Annual Thematic Reports

March 2017 (35 th session HRC) “ Right to mental health ”	Mention of pathologization of LGBTI persons, mention of mental health services being acceptable to LGBTI persons. (paras, 48, 58)
August 2016 (71 st session GA) “ The right to health and Agenda 2030 ”	Brief mention of LGBTI experience of violence. (paras 94, 103 (k))

April 2016 (32rd session HRC) “Right to health of adolescents”	Different LGBTI/adolescence aspects such as violence, non-discrimination, health care and abusive treatment etc. (paras. 32, 36, 37, 39, 41, 51, 69, 73, 84, 87, 94)
April 2016 (32rd session HRC) “Sports and healthy lifestyles as contributing factors to the right to health”	A separate LGBTI chapter with paragraphs on transgender and intersex people (paras. 50-54, 55-57, 58-62, 101(g), 101 (i))
July 2015 (70 th session GA) “Right to health in early childhood”	Subsection on medical interventions and surgeries on intersex children. (paras 84-86, 112 (m))
April 2015 (29th session HRC) “Work of the mandate and priorities of the SR”	Brief reference to SOGIESC only (paras 26, 31, 43s)
August 2014 (69 th session GA) “Effective and full implementation of the right to health framework”	No reference to SOGIESC
April 2014 (26th session HRC) “Unhealthy foods and non-communicable diseases”	No reference to SOGIESC
August 2013 (68 th session GA) “Right to health in conflict situations”	No reference to SOGIESC
May 2013 (23rd session HRC) “Access to medicines in the context of the right-to-health framework”	No reference to SOGIESC
May 2013 (23rd session HRC) “Migrant worker’s right to health”	Mentioning transgender sex workers describing the situation of sex workers in general (para 59)
August 2012 (67 th session GA) “Health financing in the context of the right to health”	No reference to SOGIESC
April 2012 (20th session HRC) “Occupational health”	No reference to SOGIESC
August 2011 (66 th session GA) “Criminalization of sexual and reproductive health”	Mentioning censorship on discussions of homosexuality in the classroom. (para 59)
July 2011 (18th session HRC) “Right to health of older persons”	No reference to SOGIESC
April 2011 (17th session HRC) “Right to health and development”	No reference to SOGIESC (while several paragraphs on sex work in general)
March 2011 (17th session HRC) “Report on expert consultation on access to medicines”	No reference to SOGIESC

Individual Complaints		
Country/Date/IC type	SPs	Problem
Turkmenistan, JAL , 10 June 2016	Health, torture	Concerns that the new “Law on combatting the spread of diseases caused by HIV” will negatively impact the right to health of men who have sex with men.
Japan JLA , 23 May 2016	Health; Torture	Alleged abusive restrictions and discriminatory effects of certain provision contained in the Law No. 111 of 2003 regulating legal gender recognition in Japan.
Pakistan JUA , 16 March 2016	Health; Human rights defenders; Summary executions	Allegations of threats and a subsequent attempted assassination of a human rights defender and transgender activist, as well as discriminatory conduct of hospital staff members towards her.

Indonesia JLA , 19 Apr 2016	Freedom of expression; Health; Human rights defenders; Torture	Alleged harassment, arbitrary detention and risk of torture and ill-treatment suffered by LGBT people from Indonesia's Aceh province due to the enforcement of Islamic criminal by-laws.
Senegal JLA , 14 Dec 2015	Arbitrary detention; Health; Independence of judges and lawyers	Allegations concerning the arrest and arbitrary detention of seven individuals and their conviction for sexual relations between consenting adults of the same sex.
Tunisia JLA , 2 Nov 2015	Arbitrary detention; Health; Independence of judges and lawyers; Torture	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.
Ireland JLA , 17 Apr 2015	Discrimination against women; Health	Allegations regarding the discriminatory effects of certain provisions contained in the Gender Recognition Bill (Number 116 of 2014).
Egypt JUA , 8 Jan 2015	Arbitrary detention; Health; Independence of judges and lawyers; Torture	Alleged arbitrary arrest, detention, torture and public stigmatization of 26 men who were tried on charges related to their alleged sexual orientation.
Kyrgyz Republic JLA , 6 May 2014	Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders	Alleged discriminatory consequences and negative impact on the peaceful and legitimate work of human rights defenders of the draft Bill "On the formation of a positive attitude toward non-traditional forms of sexual relations".
Uganda JLA , 4 Feb 2014	Arbitrary detention; Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders	Alleged passing by Parliament of a revised version of the Anti-Homosexuality Bill, 2009, now referred to as the Anti-Homosexuality Act, 2013, on 20 December 2013.
Nigeria JLA , 13 Jan 2014	Arbitrary detention; Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders	Alleged upcoming signature of the Same Sex Marriage (Prohibition) Bill, 2011, by the Senate on 18 December 2013.
Republic of Moldova JLA , 29 July 2013	Discrimination against women in law and in practice; Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders; Adequate housing	Alleged risk of restrictions on the rights to freedom of expression, association and peaceful assembly.
Nigeria JLA , 13 June 2013	Arbitrary detention; Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders	Alleged restrictions on the rights to freedom of association and peaceful assembly of groups defending the rights of LGBT (The Same Sex Marriage (Prohibition) Bill).
Nepal JUA , 28 March 2013	Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders; Violence against women	Alleged undue delays in registration proceedings of a non-governmental organisation, and alleged instances of harassment and arbitrary arrest on the part of the authorities against LGBT individuals.

Uganda JLA , 21 Feb 2013	Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders;	Allegations that the draft “anti-homosexuality legislation” in Uganda would criminalize “any form of homosexual act” or “attempt to commit a homosexual act, including consensual sex between same-sex individuals”.
Russian Federation JLA , 12 Dec 2012	Freedom of expression; Health; Human rights defenders	Alleged impending first reading of the draft federal law No. 44554-6 introducing amendments to the Code of the Russian Federation on Administrative Offences regarding the “propaganda of homosexuality”.
Nepal JUA , 14 Sep 2012	Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders; Violence against women	Alleged undue delays in registration proceedings of a non-governmental organization, and alleged instances of harassment and arbitrary arrest on the part of the authorities against LGBT individuals.
Cameroon JLA , 8 May 2012	Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders	Allegations of undue restrictions on the right to freedom of peaceful assembly. According to the information received, a meeting to discuss the problems of AIDS and the human rights of minorities based on sexual orientation was prevented by the authorities.
Uganda JLA , 29 March 2012	Arbitrary detention; Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders; Summary executions	Alleged re-tabling of the Anti-Homosexuality Bill, which would violate fundamental principles and norms of international human rights law if enacted.
Nigeria JLA , 20 Dec 2011	Freedom of expression; Freedom of peaceful assembly and of association; Health; Human rights defenders	Alleged restrictions on the rights to freedom of association and of peaceful assembly of groups defending LGBT rights (the “Same-Gender Marriage” Bill).
USA JUA , 19 Aug 2011	Health; Migrants; Torture; Violence against women	Alleged torture and ill-treatment towards 16 gay and transgender individuals in immigration facilities.
Mexico JUA , 14 Feb 2011	Freedom of expression; Health; Human rights defenders; Torture	Alleged arrest of LGBT human rights activists.

JLA – Joint letter of allegation JUA – Joint urgent appeal

¹ Although the mandate was established in 2002, this summary does not cover work reported before 2011.