United Nations Treaty Bodies: References to sexual orientation, gender identity, gender expression and sex characteristics

Compilation and Keywords

2022
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<tr>
<td>FOE/FOAA</td>
<td>Freedom of expression / freedom of assembly and association</td>
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<td>GC/GR</td>
<td>General comment / general recommendation</td>
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<tr>
<td>HIV/AIDS</td>
<td>Human immunodeficiency virus infection and acquired immune deficiency syndrome</td>
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<td>HRD</td>
<td>Human rights defenders</td>
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<td>ILGA World</td>
<td>International Lesbian, Gay, Bisexual, Trans and Intersex Association</td>
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<tr>
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<td>Lesbian / gay / bisexual / trans / intersex / queer</td>
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<td>Legal gender recognition</td>
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<td>Men who have sex with men</td>
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<tr>
<td>PSWG</td>
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<tr>
<td>SDGs</td>
<td>Sustainable Development Goals</td>
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Mali – Concluding Observations – 23rd session, 23 September 2022, 1st review, CED/C/MLI/CO/1

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Nigeria – List of Issues – 22nd session, 28 April 2022, 1st review, CED/C/NGA/Q/1

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1. Committee on the Elimination of Discrimination against Women

General Recommendation No. 39 (2022) on name of the rights of Indigenous women and girls, CEDAW/C/GC/39

Keywords: L; B; T; I; intersecting forms of discrimination; indigenous women and girls

IV. General obligations of States parties in relation to the rights of Indigenous women and girls under articles 1 and 2 of the Convention

A. Equality and non-discrimination, with a focus on Indigenous women and girls and intersecting forms of discrimination

22. The Committee, in its general recommendation No. 34 (2016) on the rights of rural women, underscored the importance of the rights of Indigenous women to land and collective ownership, natural resources, water, seeds, forests and fisheries under article 14 of the Convention.20 These rights are also guaranteed to Indigenous women as members of their peoples and communities by the Declaration and related international legal norms. The key barriers to these rights are the incompatibility of national laws with international law; the ineffective implementation of laws at the national and local levels; discriminatory gender stereotypes and practices, in particular in rural areas; lack of political will; and the commercialization, commodification and financialization of land and natural resources. Indigenous customary laws, misogyny and existing institutions may also be barriers. Indigenous women with disabilities often face intersecting forms of discrimination on the basis of their sex; gender; disability; and Indigenous origin, status or identity, reflected in the denial of their full legal capacity, which further increases their risk exposure to exploitation, violence and abuse and undermines their rights to land, territories and resources.21 Moreover, lesbian, bisexual, transgender and intersex Indigenous women and girls regularly face intersecting forms of discrimination. The Committee is concerned about the forms of inequality, discrimination and gender-based violence that affect Indigenous women and girls in the digital space, including the Internet, social media and all technology platforms.

23. The Committee recommends that States parties:

(a) Develop comprehensive policies to eliminate discrimination against Indigenous women and girls, centred around the effective participation of those living inside and outside Indigenous territories, and pursue collaboration with Indigenous Peoples more broadly. The policies should include measures to address intersectional discrimination faced by Indigenous women and girls, including persons with disabilities and those with albinism; older women; lesbian, bisexual, transgender and intersex women; women and girls in situations of poverty; women living in rural and urban areas; forcibly displaced, refugee and migrant women inside and outside their countries; and women and girls who are widows, heads of households or orphaned owing to national and international armed conflicts. States parties should collect data, disaggregated by age and disability status, on the forms of gender-based discrimination and violence faced by Indigenous women and girls, and undertake these efforts in ways that respect the languages and cultures of Indigenous Peoples;

Keywords: L; B; T; I; health; privacy; consent; health services

E. Right to health (arts. 10 and 12)

52. The Committee recommends that States parties:
(a) Ensure that quality health services and facilities are available, accessible, affordable, culturally appropriate and acceptable for Indigenous women and girls, including those with disabilities, older women, and lesbian, bisexual, transgender and intersex women and girls, and ensure that free, prior and informed consent, confidentiality and privacy are respected in the provision of health services;
2. Committee on the Rights of Persons with Disabilities

General Recommendation No. 8 (2022) on the right of persons with disabilities to work and employment, CRPD/C/GC/8

Keywords: persons with disabilities; intersectional discrimination; SO; GI

III. Normative content

B. Prohibition of discrimination on the basis of disability (art. 27 (1) (a))

22. Persons with disabilities are often disproportionately affected by multiple and intersectional discrimination. The diversity of persons with disabilities means that they face diverse barriers to realizing the right to work and follow different pathways into employment throughout their working lives. Multiple discrimination occurs when a person experiences discrimination on two or more grounds, leading to discrimination that is compounded or aggravated, and intersectional discrimination occurs when several grounds interact with each other at the same time in such a way as to be inseparable.22 The concepts of multiple and intersectional discrimination reflect the fact that individuals do not experience discrimination as members of a homogeneous group but, rather, as individuals with multidimensional layers of identities, statuses and life circumstances. Intersecting layers of identity include age, race, indigenous, national or social origin, refugee, migrant or asylum-seeking status, political or other opinion, religion, sex, sexual orientation and gender identity.
Decisions on Individual Communications
1. Committee on Economic, Social and Cultural Rights


Keywords: SO; SI; right to housing; housing conditions

Subject matter: Eviction on foreclosure

Substantive issues: Right to adequate housing

Articles of the Covenant: 11(1)

State party’s observations on admissibility and the merits

4.5 The State party notes that housing and social assistance are the responsibility of the autonomous communities. In the present case, the author was living in the Autonomous Community of Madrid, where social housing is managed by the Madrid Social Housing Agency. Housing is granted in situations of particular need in accordance with the provisions of Decree No. 52/2016 of 31 May. In almost all cases, it is allocated on the basis of a scale designed to ensure that priority is given to those in situations of particular social vulnerability. There is also a social support quota reserved for families with a high potential for recovery and social reintegration, a system for the allocation of unassigned housing by draw and a particular need quota. Situations of particular need that are taken into consideration include facing imminent eviction; being a victim of violence based on gender, race, sexual orientation or identity, religion, belief or disability; living in poor housing conditions or in substandard housing; living in a space that is too small or for which the rent is equivalent to more than 30 per cent of the total family income; and living in precarious housing with the consent of the owner of the property.
2. Human Rights Committee


*Keywords: SO; discrimination*

*Substantive issues:* Ill-treatment and discrimination on the ground of sexual orientation

At its meeting on 4 November 2022, the Human Rights Committee decided to discontinue the consideration of communication No. 2665/2015, because contact was lost with the author.


*Keywords: FOE; FOAA; L; G; B; T; peaceful assembly; discrimination*

*Subject matter:* Right of peaceful assembly; non-discrimination

*Substantive issues:* Unjustified restrictions on the right to peaceful assembly; discrimination against lesbian, gay, bisexual and transgender people

*Articles of the Convention:* 21 and 26

**Factual background**

2.1 The authors are activists in the area of lesbian, gay, bisexual and transgender issues and human rights. In 2013 and 2014, the authors, together with other activists, tried to organize a number of rallies in Moscow, which were all banned by the municipal authorities.

**Events relating to communication (...)**

2.2 On 7 October 2013, the authors notified the Mayor of Moscow of their intention to hold a rally dedicated to the third anniversary of the European Court of Human Rights decision in a case concerning the illegality of Moscow gay pride bans. The event, with some 50 participants expected, was to take place on 21 October 2013, from 1 to 2 p.m. in the centre of Moscow. However, on 9 October 2013, the regional security and anti-corruption department had informed the authors that the rally would violate the legislation banning the promotion of non-traditional sexual relations among minors.1 The authors thus cancelled the planned rally. On 14 October 2013, the authors submitted a complaint to the Tverskoy District Court in Moscow regarding the refusal of the above mentioned department to allow the holding of a public event. The District Court rejected their complaint on 19 December 2013. The Court concluded, among other things, that the authors’ intention to hold a rally in a central location popular among families with children was aimed at disseminating gay culture among the general public, including minors, in violation of the relevant legislation banning the promotion of non-traditional sexual relations among minors. The court thus found that the decision of the regional security and anti-corruption department was lawful and justified. The authors appealed to Moscow City Court on 25 January 2014. The City Court rejected their appeal on 24 March 2014 and upheld the decision of the lower court.
2.3 On 9 October 2013, the authors submitted another notification to the Mayor of Moscow concerning a rally in support of the legal ban on discrimination against lesbian, gay, bisexual and transgender persons in the Russian Federation, scheduled for 22 October 2013. On 14 October 2013, the regional security and anti-corruption department informed the authors that the rally would violate the legislation banning promotion of non-traditional sexual relations among minors. The authors thus cancelled the planned rally. A complaint submitted by the authors to the Tverskoy District Court in Moscow, dated 16 October 2013, was rejected on 19 December 2013. Their appeal to Moscow City Court, dated 25 January 2014, was also rejected on 24 March 2014. (…)

Complaint

3.1 The authors claim that their rights under article 21 of the Covenant were violated by the consistent refusal of the Moscow authorities to allow the rallies for which they had requested permission.

3.2 The authors claim that their rights under article 26 of the Covenant were violated because the Moscow authorities denied permission to hold rallies organized by sexual minorities, under the pretext of protecting minors and avoiding possible protests from the majority of society.

3.3 As a remedy, the authors ask the Committee to find that their rights under the Covenant have been violated.

Committee’s decision on the merits

Consideration of the merits

7.1 The Committee has considered the communication in the light of all the information submitted by the parties, in accordance with article 5 (1) of the Optional Protocol.

7.2 The Committee has taken note of the authors’ claims of a violation of their rights under articles 21 and 26 of the Covenant. The Committee recalls its general comment No. 37, in which it noted that the right of peaceful assembly protects the ability of people to exercise individual autonomy in solidarity with others. Together with other related rights, it also constitutes the very foundation of a system of participatory governance based on democracy, human rights, the rule of law and pluralism. Moreover, States must ensure that laws and their interpretation and application do not result in discrimination in the enjoyment of the right of peaceful assembly, for example on the basis of sexual orientation or gender identity.

(…)

7.16 The Committee considers that the authorities were opposed to the content of the proposed event (paras. 2.8 and 4.5–4.6 above) and expressly drew a distinction based on sexual orientation and gender identity, which constituted a differentiation based on grounds prohibited under article 26 of the Covenant.

7.17 The Committee further recalls its jurisprudence that not every differentiation based on the grounds listed in article 26 of the Covenant amounts to discrimination, as long as it is based on reasonable and objective criteria and pursues a legitimate aim under the Covenant. While the Committee recognizes the role of the State party’s authorities in protecting the welfare of minors, it observes that the State party has failed to demonstrate that the restriction imposed on the proposed peaceful assembly was based on reasonable and objective criteria. Moreover, no evidence that would point to the existence of factors that might justify that restriction has been advanced by the State party.

7.18 In such circumstances, the obligation of the State party was to protect the author in the exercise of his rights under the Covenant and not to contribute to a suppression of those rights. The Committee further notes that it has previously concluded that the laws banning the promotion among minors of
non-traditional sexual relations in the State party have exacerbated negative stereotypes of individuals on the grounds of sexual orientation and gender identity and represent a disproportionate restriction of their rights under the Covenant, and it has called for the repeal of such laws. Accordingly, the Committee considers that the State party has failed to establish that the restriction imposed on the author’s right to freedom of peaceful assembly was based on reasonable and objective criteria and in pursuit of a legitimate aim under the Covenant. The prohibition therefore amounted to a violation of the author’s rights under article 26 of the Covenant.

8. The Committee, acting under article 5 (4) the Optional Protocol, is of the view that the facts before it disclose a violation by the State party of articles 21 and 26 of the Covenant. (…)

9. Pursuant to article 2 (3) (a) of the Covenant, the State party is under an obligation to provide the author with an effective remedy. This requires it to make full reparation to individuals whose Covenant rights have been violated, including adequate compensation. The State party is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future. In that regard, the Committee reiterates that, pursuant to its obligations under article 2 (2) of the Covenant, the State party should review its legislation with a view to ensuring that the rights under article 21 of the Covenant, including organizing and conducting peaceful assemblies, and article 26 may be fully enjoyed in the State party.


Keywords: FOE; FOAA; L; G; B; T; peaceful assembly; discrimination; visibility; GI; minors; dissemination of information

Subject matter: Right of peaceful assembly; freedom of expression; non-discrimination

Substantive issues: Unjustified restrictions on the right of peaceful assembly and freedom of expression; discrimination against lesbian, gay, bisexual and transgender persons; discrimination based on gender identity

Articles of the Convention: 19, 21 and 26

Facts as submitted by the author

2.1 The author is a member of the lesbian, gay, bisexual and transgender community and a human rights activist for the community in Saint Petersburg, Russian Federation. On 31 March 2013, the International Transgender Day of Visibility, the author was planning to hold several pickets in different venues in Saint Petersburg and submitted requests to the relevant authorities seeking authorization to hold the events. However, all the requests were dismissed and the pickets were therefore not held.

2.2 In particular, on 25 March 2013, the author submitted a notification to the Committee for Justice, Legal Order and Safety of the Saint Petersburg City Administration with information on a picket planned for 31 March 2013 on Pionerskaya Square, in front of the Griboyedov monument, from 3 to 4 p.m., with up to 20 participants. The purpose of the event was to draw the attention of the general public and law enforcement officials to the discrimination faced by transgender and transsexual people and other gender minorities, and to increase the visibility of the transgender community to the authorities and to society in general. The author informed the City Administration of the purpose, date, time and place of the event and also indicated in the notification that the participants were planning to use banners, posters, leaflets and other means of visual propaganda. In his notification to the authorities, the author
indicated that posters with the following slogans would be displayed during the event: “My gender - my choice”, “Transition to equality and respect” and “Anatomy doesn’t mean destiny”. (...)

2.8 The author appealed the decision of the district court to the Saint Petersburg city court. On 17 July 2013, the city court dismissed the appeal and, without providing its assessment of the grounds put forward by the City Administration in the contested response, found that the refusal to approve holding the picket at the venue and date chosen by the author was justified. The city court noted in this respect that the Griboyedov monument on Pionerskaya Square, where the event was planned, was located in the immediate proximity of a children’s theatre, which meant that children of different ages passed through the square going to or coming from the theatre. With reference to the relevant provisions of domestic legislation, including federal laws No. 124-FZ on the basic guarantees of the rights of the child and No. 436-FZ on the protection of children from information harmful to their health and development, the city court found, in particular, that “the attempt of the participants in the picket planned for 31 March 2013 to distribute leaflets and other means of visual propaganda calling for tolerance towards transgender, transsexual and other gender minorities near the [children’s theatre], while the slogans contained in the notification were not exhaustive, should be considered impossible due to its potential threat to the moral and spiritual development of children”. It further found that “the non-approval by the [City Administration] of holding the picket by the [author] at Pionerskaya Square did not violate the [author’s] rights, as it in fact prevented the dissemination, in the immediate vicinity of a cultural institution ... offering theatre performances for children, of information capable of forming distorted ideas about the social equality of traditional and non-traditional marital relationships among persons who are unable, due to their age, to critically assess such information independently”. (...)

3.2 The author further claims that the refusal to permit the holding of the picket on 31 March 2013 amounts to a violation of his rights under article 26 of the Covenant, as the refusal constituted a difference in treatment based on gender identity and, therefore, in the absence of a reasonable and objective justification of such difference in treatment, was discriminatory within the meaning of article 26 of the Covenant. The author notes, in particular, that the refusal to hold the picket in his case was related to the content and purpose of the public event and was a de facto prohibition of the dissemination of any information about transsexual and transgender persons and other gender minorities among minors. He also notes the general situation concerning public events held by the lesbian, gay, bisexual and transgender community in the State party and submits that between 2008 and 2013, the majority of notices on public events organized in support of that community that were submitted to various competent authorities were rejected.

(...)  

7.18 In such circumstances, the obligation of the State party was to protect the author in the exercise of his rights under the Covenant and not to contribute to a suppression of those rights.31 The Committee further notes that it has previously concluded that the laws banning the promotion among minors of non-traditional sexual relations in the State party have exacerbated negative stereotypes of individuals on the grounds of sexual orientation and gender identity and represent a disproportionate restriction of their rights under the Covenant, and it has called for the repeal of such laws.32 Accordingly, the Committee considers that the State party has failed to establish that the restriction imposed on the author’s right to freedom of peaceful assembly was based on reasonable and objective criteria and in pursuit of a legitimate aim under the Covenant. The prohibition therefore amounted to a violation of the author’s rights under article 26 of the Covenant. (...)

8. The Committee, acting under article 5 (4) of the Optional Protocol, is of the view that the facts before it disclose a violation by the State party of articles 21 and 26 of the Covenant.

9. Pursuant to article 2 (3) (a) of the Covenant, the State party is under an obligation to provide the author with an effective remedy. This requires it to make full reparation to individuals whose Covenant rights
have been violated, including adequate compensation. The State party is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future. In that regard, the Committee reiterates that, pursuant to its obligations under article 2 (2) of the Covenant, the State party should review its legislation with a view to ensuring that the rights under article 21 of the Covenant, including organizing and conducting peaceful assemblies, and article 26 may be fully enjoyed in the State party.

[...] v. Paraguay, communication No. 4173/2022

Keywords: T; GI; discrimination; identity; name change; LGR

Subject matter: Name change request for a transgender person
Substantive issues:
Articles of the Convention: 14, 16, 17 and 26

[...] v. Paraguay, communication No. 4174 /2022

Keywords: T; GI; discrimination; identity; name change; LGR

Subject matter: Name change request for a transgender person
Substantive issues:
Articles of the Convention: 14, 16, 17 and 26
3. Committee on the Elimination of Discrimination against Women


Keywords: Marriage; tax; homosexual couples; discrimination

Subject matter: Non-discrimination, measures including legislation to modify laws and customs that discriminate against women, non-discrimination in matters regarding marriage and family

Substantive issues: Separation of property regime, marriage, family abuse

Articles of the Convention: 2 (b), (c), (d), (e) and (f) and 16 (h)

State party's additional observations on admissibility and the merits

7.7 The State party further submits that it appears that the solution adopted by federal law, according to which the joint and several liability of the spouses for tax claims relating to the period spent in the common household ceases at the time of separation, is uncertain in nature, since the joint and several liability thus depends on the status of taxation at the time of separation. The solution adopted by the Canton of Vaud, on the other hand, treats all married couples living in a common household equally and avoids favouring couples whose tax is collected after the separation, for example, in the case of an appeal against the tax assessment decision or after a tax arrears procedure. The State party further deduces that the fact that the rule derived from article 14 (1) of the Vaud Cantonal Direct Taxes Act is also applicable to homosexual couples confirms that it does not constitute indirect discrimination against women.


Keywords: L; G; B; T; I; discrimination; SO; SI; same-sex sexual activity; criminalization; patriarchal attitudes; societal discrimination; stigmatization; sexual minorities; violence against lesbians; GR; women

Subject matter: Equality, non-discrimination, modification of social and cultural patterns, non-discrimination in matters regarding marriage and family, especially in relation to property

Substantive issues: Criminalization of female same-sex sexual activity in Sri Lanka

Articles of the Convention: 2(a) and (c)-(g), 5 (a) and 16

Facts as submitted by the author

2.1 The author is a lesbian. She dresses in what is considered "masculine" attire and wears her hair short. She is open about her sexuality and is a prominent activist for lesbian, gay, bisexual, transgender and intersex rights in Sri Lanka. She founded and is the Executive Director of Equal Ground, the only organization in Sri Lanka that represents the entire lesbian, gay, bisexual, transgender and intersex community on issues of non-discrimination.

2.2 The author has suffered discrimination and abuse due to being a lesbian. As a teenager, she suffered from stigma associated with her sexual orientation and attempted to commit suicide when she was 17 years old. Not long after, she left Sri Lanka for the United States of America, where she could be open
about her sexuality. She returned to Sri Lanka permanently in 1990. However, she found it difficult to find a job and to run her business being and dressing as who she is.

2.3 In 1997, the author discovered that same-sex sexual activity between consenting adults was a criminal offence under section 365A of the Penal Code of 1883. Previously encompassing only men, it was amended by the Penal Code (Amendment) Act No. 22 of 1995 to include sexual conduct between women, replacing the previous wording "male person" with "person".¹

2.4 In 1999, the author co-founded a support group for lesbian and bisexual women, the Women’s Support Group. She has since been threatened frequently and has faced abuse from the media and the public. When the members of the Women’s Support Group spoke about organizing a lesbian conference in 1999, a letter was published in the press calling on the police to release convicted rapists so that lesbians “might get a taste of the real thing”. A complaint about this to the Press Council by a non-governmental organization proved fruitless. During this time, the Press Council published a ruling denouncing lesbianism.²

2.5 In 2004, the author founded a new organization called Equal Ground. She has faced continual challenges running the organization. In December 2012 and February 2013, the Women and Children’s Bureau of the police made presentations asserting that child abuse was increasing mostly due to the "growing homosexual culture". The author’s picture was shown together with her name and position with Equal Ground, claiming that she and her organization were responsible for spreading homosexuality, implying that they were also responsible for spreading paedophilia. She did not submit a complaint to the police out of fear of being arrested. The Criminal Investigation Department has placed her and Equal Ground under surveillance, which forced her to move the organization’s materials to a secure location, as the Department had deemed any homosexual material to be pornography, which could provoke arrest.

2.6 In July 2013, a partner organization of Equal Ground was raided by the Criminal Investigation Department on the basis of the allegation that it was “spreading homosexuality”. The author has been subjected to discrimination, harassment, stigmatization, threats, high-profile attacks on her character and threats of violence by State officials and members of the public, including on social media. She has been targeted due to her openness about her sexual orientation, her “masculine” attire, her failure to conform to gender stereotypes and her advocacy for lesbian, gay, bisexual, transgender and intersex persons in Sri Lanka. In April and May 2018, she was verbally abused and was threatened with violence in a driving altercation and by a bread delivery man.³

2.7 According to the author, the criminalization of same-sex sexual activity has meant that the discrimination, violence and harassment faced by the lesbian, gay, bisexual, transgender and intersex community in Sri Lanka continue with impunity. Members of the community are not protected against police harassment. The law has altered how she lives and conducts herself in public and private. She has a constant fear of arrest and keeps her door locked and curtains drawn when she is at home with her girlfriend.

2.8 The author submits that she has no means to challenge section 365A of the Penal Code of 1883, as the Sri Lankan Constitution explicitly prohibits any constitutional challenge to the validity of enacted legislation,⁴ as confirmed by the State party.⁵ In 2016, the Supreme Court of Sri Lanka confirmed the validity of sections 365 and 365A of the Penal Code in SC Appeal No. 32/11 and upheld the conviction of two men.⁶ (…)

Complaint

3.1 The author argues that the criminalization of female same-sex sexual activity and the concomitant potential for arrest and prosecution amount to discrimination on the grounds of gender and sexual orientation, in violation of her right to non-discrimination under article 2 (a) and (d)–(g) of the Convention.⁷ While section 365A of the Penal Code of 1883 applies equally to men and women, it is by
virtue of the intersecting forms of discrimination they face as women and as sexual minorities that lesbian and bisexual women suffer a compounded impact from the provision.8

3.2 According to the author, the criminalization of same-sex sexual activity violates the jus cogens principle of equality and non-discrimination under article 2 (d) of the Convention.9 Lesbian and bisexual women suffer significant societal discrimination and stigmatization. The criminalization has created significant barriers to accessing justice as well as a culture where discrimination, harassment and violence against lesbians has been allowed to flourish.10 As such, the author has been subjected to threats and harassment based on her sexuality and her non-conformity with stereotypical roles and appearances for women, causing her to fear for her own safety and that of her family. As a human rights defender, she has been particularly vulnerable to discrimination, as demonstrated by the vilification, monitoring, surveillance and harassment to which she has been exposed. The failure to address this discrimination amounts to a violation of article 2 (f) and (g) of the Convention.

3.3 Under article 2 (c)–(g) of the Convention and general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the author affirms that the criminalization of same-sex sexual activity between women exacerbates gender-based violence against women, including at the hands of their community and family.11 It creates a context in which lesbians and bisexual women are forced into heterosexual marriages, in the absence of a criminal prohibition of marital rape, and suffer violations of their right to sexual and bodily autonomy. Violations of the rights of lesbian, gay, bisexual, transgender and intersex persons are underreported and are not properly investigated or prosecuted.12 The criminalization has left the author vulnerable to vilification by the authorities and threats of violence by private actors, in breach of the State party's obligation to respect and protect her right to be free from violence.13 She has been targeted as the most prominent defender of the human rights of lesbian, gay, bisexual, transgender and intersex persons in Sri Lanka, in addition to the precautions she has to take as a woman. Thus, she has put in place security protocols for her protection and that of her family, organizes events in safe spaces and ensures that the location of her work is not made public. Given her activism and known sexual orientation, she fears falling victim to the continuing practice of "white van disappearances".

3.4 Invoking article 5 (a) of the Convention, paragraph 10 of general recommendation No. 25 (2004) on temporary special measures, paragraph 18 of general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, and paragraph 8 of general recommendation No. 33 (2015) on women's access to justice, the author argues that the criminalization of same-sex sexual activity between women and discrimination against lesbians and bisexual women form part of entrenched patriarchal attitudes that fix gender roles and reduce women to a particular reproductive function. The law violates article 5 (a) of the Convention by criminalizing a sexual activity that does not conform to gender stereotypes and by legitimizing societal prejudice and gender stereotypes and roles. In addition to having faced stereotypes as a woman, including against her having a livelihood, the author has been subjected to harmful stereotyping on account of her sexual orientation, including the accusation that she is spreading paedophilia, as well as vilification, harassment and threats based on such stereotypes.

3.5 The author argues that the criminalization of same-sex sexual conduct between women violates the rights to autonomy and choice underpinning article 16 of the Convention. She affirms that sexual orientation is linked to the right to individual self-determination and sexual autonomy, in accordance with her own choice and convictions.14 The criminalization brings consensual private activity into the public domain and thus violates the rights to privacy, dignity and personal integrity, as it allows police officers to enter a household on the mere suspicion that two consenting women are in an intimate relationship, and to investigate such aspects of private life and to detain the author. This has made it difficult for her to find a Sri Lankan partner due to fears of persecution, and when she is with someone, she has to make sure the door is locked and windows and curtains are closed.
Consideration of the merits

9.2 The Committee notes the author’s claim that section 365A of the Penal Code of 1883 as amended violates her right to non-discrimination under article 2 (a) and (d)–(g) of the Convention, as the criminalization of same-sex sexual activity by women compounds discrimination against women in Sri Lanka. The Committee recalls that certain groups of women, including lesbian women, are particularly vulnerable to discrimination through civil and penal laws, regulations, and customary law and practices. The Committee notes the author’s claims that, as a well-known activist for the rights of lesbian, gay, bisexual, transgender and intersex persons and being known for being lesbian, she is under constant risk of arrest, detention and investigation of her private life and has had to modify her behaviour accordingly, as the law continues to be enforced. It further notes the author’s argument that this norm has the effect of sanctioning the threats and abuse to which she and her organization have been subjected by State and non-State actors and of obstructing access to procedures for the author to complain hereof. Under the circumstances, the Committee finds that the State party has subjected the author to direct and indirect discrimination emanating from the Penal Code of 1883 as amended. The Committee is concerned that the Code has not been repealed despite previous expressions of concern about its discriminatory effect on women. In the light of the foregoing, the Committee considers that the State party has breached the author’s rights under article 2 (a) and (d)–(g) of the Convention.

9.3 The Committee notes the author’s claim that the criminalization of same-sex sexual activity between women exacerbates gender-based violence against women, including vilification and harassment of and threats against the author. The Committee recalls that gender-based violence against women takes multiple forms, including acts or omissions intended or likely to cause or result in death or physical, sexual, psychological or economic harm or suffering to women, threats of such acts, harassment, coercion and arbitrary deprivation of liberty. The Committee further recalls its recommendation to States parties to repeal provisions that allow, tolerate or condone forms of gender-based violence against women. In the present case, the Committee notes that the author claims to have been targeted by State and non-State actors due to her activism and because of being known as being lesbian, including through frequent threats, abuse, attacks and harassment. She also claims that she has had to put in place security protocols for her protection and that of her family, that she organizes events in safe spaces and that she has to ensure that the location of her work is not made public. The Committee further notes that the State party has neither effectively refuted these allegations nor indicated any legal or other measures taken to respect and protect the author’s right to a life free from gender-based violence. Accordingly, the Committee finds that the State party has breached the author’s rights under article 2 (c)–(f) of the Convention, read in conjunction with general recommendation No. 19 (1992) on violence against women and general recommendation No. 35.

9.4 The Committee notes the author’s claim according to which the State party has failed to eliminate the prejudice and stereotypes to which she has been exposed. The author claims that, in addition to the stereotypes she has had to face as a woman, the authorities have subjected her to harmful stereotyping and accusations on account of her being lesbian, including the accusation that she spreads paedophilia. She also claims that the criminalization of same-sex sexual activity by women legitimizes societal prejudice and gender stereotypes, including through the threats and harassment she receives. The Committee notes that decriminalization of consensual same-sex relations is essential to prevent and protect against violence, discrimination and harmful gender stereotypes. However, the State party has neither effectively refuted the author’s allegations nor indicated any measures taken to eliminate the prejudices to which she has been exposed as a woman, lesbian and activist. Therefore, the Committee finds that the State party has breached its obligations under article 5 (a), read in conjunction with article 1, of the Convention.
9.5 The Committee notes the author’s claim that she has frequently been threatened and faced abuse from the police, the media and the public in connection with her leadership of the Women’s Support Group and Equal Ground, and that she has been unable to report this abuse out of fear of being arrested. The Committee also notes the author’s claim that the Criminal Investigation Department has placed her and Equal Ground under surveillance and has deemed any homosexual material to constitute pornography. This has forced her to move the organization’s materials to a secure location and subjected her to the constant threat of being arrested due to her leadership of Equal Ground. The Committee recalls that States parties should encourage the work of human rights and women’s non-governmental organizations. The Committee also recalls that women’s ability to participate as active members of civil society is among the prerequisites for creating a society with lasting democracy, peace and gender equality. In the present case, the Committee considers that the State party’s authorities have failed to protect the author against, and have partaken in, harassment, abuse and threats against the author’s work promoting the rights of the lesbian, gay, bisexual, transgender and intersex community in Sri Lanka. The Committee finds that these facts amount to a violation of the author’s rights under article 7 (c) of the Convention.

9.6 The Committee notes the author’s claim that she has been unable to approach the police and file complaints concerning the threats and harassment to which she has been subjected, given that the criminalization of same-sex sexual activity renders her vulnerable to arrest and prosecution. The Committee recalls that States parties are obliged, under articles 2 and 15 of the Convention, to ensure that women have access to the protection and remedies offered through criminal law, and that they are not exposed to discrimination within the context of those mechanisms, either as victims or as perpetrators of criminal acts. The Committee also recalls in that regard that women are disproportionately criminalized owing to their situation or status, including as lesbian women. The Committee considers that the criminalization under article 365A of the Penal Code of 1883, as amended, of same-sex sexual activity has resulted in much more significant difficulties for the author for being a lesbian woman. In particular, the Committee considers that the criminalization is incompatible with the author’s right to file complaints concerning the abuse and threats to which she has been subjected. The Committee therefore finds that the author’s rights under article 15 (1) of the Convention have been breached.

9.7 The Committee notes the author’s argument that the State party, by criminalizing same-sex sexual conduct between women, has breached her rights to autonomy and choice underpinning article 16 of the Convention, given that her fear of persecution has rendered it difficult for her to find a Sri Lankan partner, that she is subjected to the risk of her home being entered by the police and of being prosecuted on the suspicion of engaging in same-sex sexual activity, and that she has had to keep her door locked and her windows and curtains closed when she is with her partner. The Committee recalls that, whatever the form of a family, the treatment of women in the family both at law and in private must accord with the principles of equality and justice for all people. The Committee considers that the rights enshrined in the Convention belong to all women, including lesbian, bisexual, transgender and intersex women, and that article 16 of the Convention applies also to non-heterosexual relations. The Committee notes that the criminalization of same-sex sexual activity between women in Sri Lanka has meant that the author has had difficulties finding a partner, has to hide her relations and runs the risk of being investigated and prosecuted in that context. The Committee therefore finds that the State party has breached the author’s rights under article 16 of the Convention.

10. In accordance with article 7 (3) of the Optional Protocol, the Committee is of the view that the facts before it reveal a violation of the author’s rights under articles 2 (a) and (c)–(g) and 5 (a), 7 (c), 15 and 16, read in conjunction with article 1, of the Convention, in the light of general recommendations Nos. 19, 33 and 35.

11. The Committee makes the following recommendations to the State party:
(a) Concerning the author of the communication:

(i) Take immediate and effective action against the threats, harassment and abuse to which the author has been subjected, including through the adoption of preventative and protective measures and, where appropriate, initiate criminal procedures to hold those responsible to account;

(ii) Take all appropriate measures to ensure that the author and her organization can carry out their activism safely and freely;

(iii) Provide the author with appropriate reparation, including adequate compensation, commensurate with the gravity and the ongoing consequences of the violations of her rights;

(b) Generally:

(i) With respect to section 365A of the Penal Code of 1883, decriminalize consensual same-sex sexual conduct between women having passed the age of consent;

(ii) Provide effective protection against gender-based violence against women, including by adopting comprehensive legislation prohibiting discrimination against lesbian, bisexual, transgender and intersex women;

(iii) Provide adequate protection, support systems and remedies, including reparation, to lesbian, bisexual, transgender and intersex women who are victims of discrimination;

(iv) Ensure that victims of gender-based violence against women, including lesbian, bisexual, transgender and intersex women, have access to effective civil and criminal remedies and protection, including counselling, health services and financial support, in line with the guidance provided in the Committee’s general recommendation No. 33;

(v) Collect statistics on cases of hate crimes and gender-based violence against lesbian, bisexual, transgender and intersex women;

(vi) Effectively address discrimination against lesbian, bisexual, transgender and intersex women in the workplace;

(vii) Take specific and effective measures to ensure a safe and favourable environment for women human rights defenders and female activists;

(viii) Provide training to law enforcement agencies on the Convention, the Optional Protocol thereto and the Committee’s general recommendations, in particular general recommendations Nos. 19, 21, 28, 33 and 35, to raise awareness of the human rights of lesbian, bisexual, transgender and intersex women and so that crimes with homophobic undertones committed against lesbian, bisexual, transgender or intersex women will be understood as gender-based violence or hate crimes requiring active State intervention.

12. In accordance with article 7 (4) of the Optional Protocol, the State party shall give due consideration to the views of the Committee, together with its recommendations, and submit to the Committee, within six months, a written response, including information on any action taken in the light of those views and recommendations. The State party is requested to have the Committee’s views and recommendations translated into the official languages of the State party, to publish them and to have them widely disseminated, in order to reach all sectors of society.
4. Committee on the Elimination of Racial Discrimination


Keywords: GI; marriage; ancestral marriage; discrimination

Subject matter: Discrimination due to non-recognition of ancestral marriage

Substantive issues: Discrimination on the grounds of national or ethnic origin

Articles of the Convention: 1 (1), (2) ad (4); 2 (1) (a) and (2); 5 (a) and (d) (iv); and 9 (1)

State party’s observations on the merits

2.4 The State party contends that there was no violation of article 2 (1) (a) of the Convention either and recalls that, under article 11 (2) of the Constitution, no person may be discriminated against on grounds of his or her ethnicity, birthplace, age, sex, gender identity, cultural identity, civil status, language, religion, ideology, political affiliation, criminal background, socioeconomic status, migration status, sexual orientation, state of health, HIV status, disability or physical difference, or on grounds of any other distinction, whether personal or collective, temporary or permanent, whose aim or effect is to diminish or nullify the recognition, enjoyment or exercise of rights. Furthermore, article 21 of the Constitution safeguards the right to build and maintain one’s cultural identity and to decide whether to belong to one or more cultural communities.
Lists of Issues and Concluding Observations and Follow-Up Assessment
1. Committee on Economic, Social and Cultural Rights

Albania – List of Issues – 70th session, 4 April 2022, 4th review, E/C.12/ALB/Q/4

Keywords: access to services; L; G; B; T; I; public policy; legislation

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

6. Please provide information on the progress achieved, including relevant examples, in preventing and combating discrimination against minorities and marginalized individuals and groups in accessing services relating to economic, social and cultural rights. In this regard, please report on the impact of the national action plan for the integration of Roma and Egyptians, 2016–2020; law No. 96/2017 on the protection of national minorities in Albania; law No. 93/2014 on the inclusion of and accessibility for persons with disabilities; the national action plan for persons with disabilities, 2016–2020, and the national action plan for lesbian, gay, bisexual, transgender and intersex persons, 2016–2020.

Australia – List of Issues prior to reporting – 70th session, 7 April 2022, 6th review, E/C.12/AUS/QPR/6

Keywords: L; G; B; T; I; institutions; legislation; anti-discrimination legislation; access to justice

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

9. Please provide information on any steps taken to reform anti-discrimination legislation at the federal and the state levels with a view to addressing the protection gaps in the existing legislation. In particular, please also indicate any steps taken to address the discriminatory effect of section 38 of the Sex Discrimination Act against lesbian, gay, bisexual, transgender and intersex teachers and students in religious educational institutions. Please also provide information on the measures taken to improve access to justice, including complaint mechanisms and procedures, in case of discrimination in the enjoyment of economic, social and cultural rights.

Keywords: Mental health; suicide; L; G; B; T; I; measures; redress; prevention

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

23. Please provide information on the framework legislation and policy on mental health. In particular, please provide information on:

(c) The measures taken to tackle the disproportionately high incidence of suicide, particularly among men, indigenous peoples, lesbian, gay, bisexual, transgender and intersex persons, people in rural areas and children.

Bahrain – Concluding Observations – 71st session, 4 August 2022, 1st review, E/C.12/BHR/CO/1*

Keywords: Legislation; legislative framework; anti-discrimination; stereotypes; negative stereotypes; L; G; B; T; I; stigmatization; constitutional framework

C. Principal subjects of concern and recommendations

Non-discrimination
14. The Committee is concerned that:

(a) While the constitutional and legislative framework of the State party contains anti-discrimination provisions, there is no comprehensive anti-discrimination legislation and policy framework, and the prevalence of widespread discrimination in practice, stigmatization and negative stereotypes hinder the access of certain individuals and groups, such as persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons, to economic, social and cultural rights (art. 2 (2));

15. While noting that there is no provision in law that is directly discriminatory, the Committee recommends that the State party:

(e) Take all measures necessary to eliminate negative stereotypes and stigmatization of members of marginalized groups, such as persons with disabilities, persons living with HIV, lesbian, gay, bisexual, transgender and intersex persons and refugees, including through awareness-raising campaigns for the public, health-care providers, teachers, social workers and law enforcement and other public officials;

Belarus – List of Issues prior to reporting – 71st session, 14 November 2018, 7th review, E/C.12/BLR/QPR/7

Keywords: L; G; B; T; I; CSO; regulations; legislation

B. Implementation of the Covenant

Non-discrimination

10. Please provide information on the enforcement of the regulations on the registration of civil society organizations working on Covenant-related issues. Please include details on the protection of the rights of drug users, sex workers, lesbian, gay, bisexual, transgender and intersex persons, unemployed persons and single parents. Please indicate to what extent the regulations regarding civil society organizations enable them to operate freely.

Belarus – Concluding Observations – 71st session, 24 March 2022, 7th review, E/C.12/BLR/CO/7

Keywords: L; G; B; T; I; remedies; discrimination; legislation; prevention; vulnerable situations

C. Principal subjects of concern and recommendations

Non-discrimination

9. While noting that there are several sector-specific pieces of legislation in the State party that prohibit discrimination, the Committee is concerned that the sectoral approach of the State party does not provide full protection against discrimination on all the grounds prohibited by the Covenant. The Committee notes reports of discrimination against groups in socially vulnerable situations, in particular women; lesbian, gay, bisexual, transgender and intersex persons; persons with disabilities; persons living with HIV; and linguistic and religious minorities. The Committee is also concerned about the lack of effective remedies for victims of discrimination (art. 2).

Cyprus – List of Issues – 71st session, 9 November 2022, 7th review, E/C.12/CYP/Q/7

Keywords: family law; same-sex; same-sex parents; families; diversity; legislation

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)
Protection of the family and children (art. 10)

19. Please explain how the change of the Marriage Law (L.104 (I)/2003) by the enactment of Civil Union Act 184(I)/2015A has contributed to the protection of the family and children. Specifically, please provide information on the implementation of the Act since the State party's last periodic report, including statistical data on the actual take-up of the leave entitlement by each parent, also taking into account families in which the parents are of the same sex and/or gender.


Keywords: marriage; marriage bill; same-sex marriage bill; same-sex couples; gender reassignment; SO; GI; procedure; conditions

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

9. Please provide an update on: (a) the procedure and conditions of gender reassignment; (b) the status of the same-sex marriage bill, which was presented to the Chamber of Deputies in 2018; and (c) the measures taken to combat prejudice and discrimination based on sexual orientation and gender identity.

Czechia – Concluding Observations – 71st session, 28 March 2022, 3rd review, E/C.12/CZE/CO/3

Keywords: hate speech; discrimination; stereotypes; negative stereotypes; GI; SO; same-sex marriage; registered partnerships; protection; recognition; legislation; L; G; B; T; l; intersectional approach; same-sex relationships

Non-discrimination

12. While noting targeted policies and strategies adopted by the State party, the Committee is concerned about persistent discrimination, hate speech, prejudices and stereotypes directed towards certain individuals and marginalized and disadvantaged groups. The Committee is further concerned that the shift of the burden of proof does not apply in all cases of discrimination. It is also concerned that the failure to report discrimination is associated with the low degree of trust in the government institutions. Furthermore, the Committee is concerned about discrimination based on gender identity and sexual orientation, and regrets that, in the absence of the recognition of same-sex marriage, registered partnerships do not provide protection equivalent to marriage (art. 2(2)).

13. The Committee recommends that the State party:

(a) Redouble its efforts to prevent and combat discrimination, in particular against Roma, persons with disabilities, migrants, refugees and asylum seekers, lesbian, gay, bisexual, transgender and intersex persons, including by implementing strategies with an intersectional approach;

(e) Ensure that registered partnerships of those in same-sex relationships are provided with protection equivalent to marriage of people in heterosexual relationships;

Keywords: medical care; health; insurance; l; intersex children; surgical procedures; consent; informed consent; gender affirmation; gender affirmation procedure; legislation

Right to health
38. The Committee is concerned at the persistence of discrimination against migrants who do not meet the conditions for joining the public health insurance system and have to enroll in a private health insurance plan, where they are exposed to gaps in coverage, waiting times for payment of insurance indemnity and limits to the maximum amount of reimbursement. Moreover, the Committee is concerned that transgender persons are required to undergo gender reassignment and sterilization to change their names and gender. It is further concerned about the lack of regulation on the rights of intersex persons, including to prohibit

the performing of surgical procedures on intersex children that are often irreversible and medically unnecessary (arts. 9 and 12).

39. The Committee recommends that the State party:

(c) Amend legislation to ensure that sterilization is not required in the gender affirmation procedure;

(d) Ensure that medically unnecessary procedures on intersex children are not performed until they can give their informed consent;


Keywords: discrimination; L; G; B; T; I; legislation

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2)

11. Please provide information, including statistical data, on the enjoyment of the rights to health, education, housing, water and sanitation by disadvantaged groups (children, persons with disabilities, internally displaced persons and refugees, indigenous peoples, persons with albinism, and lesbian, gay, bisexual, transgender and intersex persons). Furthermore, pending the adoption of the dedicated legislation mentioned in the State party report (E/C.12/COD/6, para. 144), please specify the assistance that is provided to persons with disabilities to prevent them from having to resort to begging in order to survive. Please also specify whether the State party envisages adopting comprehensive legislation to protect against discrimination in all areas.

Democratic Republic of the Congo – Concluding Observations – 71st session, 28 March 2022, 6th review, E/C.12/COD/CO/6

Keywords: SO; GI; criminalization; criminalization of same-sex relationships; same-sex relationships; stigmatization; health care; medical care; discrimination; awareness; awareness-raising campaigns; health services; education; housing

C. Principal subjects of concern and recommendations

Discrimination on grounds of sexual orientation and gender identity

28. The Committee is concerned that the Criminal Code, and particularly article 176, is often used to criminalize same-sex relationships. It notes with concern that lesbian, gay, bisexual, transgender and intersex persons face stigmatization and discrimination in the enjoyment of their economic, social and cultural rights, including in access to work, housing, health care and education (art. 2 (2)).
29. The Committee recommends that the State party combat the discrimination and stigmatization that lesbian, gay, bisexual, transgender and intersex persons experience, including by conducting awareness-raising campaigns, and that it ensure that no one is discriminated against in the enjoyment of economic, social and cultural rights, and in access to health services, education and housing in particular, on the basis of their sexual orientation or gender identity. The Committee requests the State party to ensure that article 176 of the Criminal Code is not used to criminalize relations between persons of the same sex.


Keywords: discrimination; prohibited grounds of discrimination; equality; L; G; B; T; I; legislation; violence; manifestations of violence; list of prohibited grounds of discrimination

C. Principal subjects of concern and recommendations

Non-discrimination

25. The Committee is concerned about the absence of a general law establishing a comprehensive list of prohibited grounds of discrimination. The Committee is also concerned about the inefficiency of the social expenditure classification system in gauging equality. Lastly, it is concerned about the persistence of de facto systemic discrimination and manifestations of violence against some population groups, in particular women, indigenous peoples, people of African descent, Montubio people, rural populations, migrants and lesbian, gay, bisexual, transgender and intersex persons, among others (art. 2 (2)).

El Salvador – List of Issues – 72nd session, 5 November 2020, 6th review, E/C.12/SLV/Q/6

Keywords: sexual diversity; discrimination; GI; SO; civil service; elimination of all forms of discrimination

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

9. Please indicate what measures the State party has taken to ensure that the abolition of the Directorate for Sexual Diversity does not have a negative impact on the monitoring and effective implementation of Executive Decree No. 56 on the elimination of all forms of discrimination in the civil service on the grounds of gender identity or sexual orientation.

Guatemala – List of Issues – 72nd session, 9 November 2020, 4th review, E/C.12/GTM/Q/4

Keywords: GI; SO; intersectional discrimination; non-discrimination; affirmative action; inequality gaps; structural discrimination; negative impact; public policy; legislation

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

9. Please give details of the specific measures that have been adopted to combat structural discrimination, and explain their concrete impact. In the context of the exercise of economic, social and cultural rights, please describe any programmes in place to reduce inequality gaps, discrimination on the basis of gender identity and/or sexual orientation, and multiple and intersectional discrimination against Maya, Xinca and Garifuna indigenous peoples, Afro-Guatemalans, women, persons with disabilities and migrants. Please provide information on the steps taken to establish mechanisms for the reporting, investigation
and punishment of discrimination, in particular discrimination against indigenous peoples. Please also provide details of any affirmative action to promote non-discrimination and equal treatment in the State party.

Keywords: family; children; violence; sexual violence; physical violence; psychological violence; all forms of violence; T; support; state of emergency; pandemic

Protection of the family and children (art. 10)

20. Please describe the measures taken by the State party to prevent physical, sexual, psychological and all other forms of violence, especially when perpetrated against women and girls, women with disabilities and transgender persons, and to protect victims of violence and provide them with the support they require, with a particular focus on the state of emergency declared in response to the COVID-19 pandemic.

Guatemala – Concluding Observations – 72nd session, 11 November 2022, 4th review, E/C.12/GTM/CO/4

Keywords: African descent; indigenous peoples; persistence of discrimination; L; G; B; T; I; stigmatization; discrimination; GI; gender identity disorders; stigma; reinforcement of stigma; legislation; children; adolescents; protection; SO; GI

Non-discrimination

18. The Committee is concerned at the persistence of discrimination against Indigenous Peoples and persons of African descent in the enjoyment of their economic, social and cultural rights. It is also concerned that persons with disabilities, as well as lesbian, gay, bisexual, transgender and intersex persons, continue to be subjected to stigmatization and discrimination, thus preventing them from enjoying their economic, social and cultural rights on an equal basis with others. The Committee is further concerned that bill No. 5940 on guaranteeing comprehensive protection for children and adolescents against gender identity disorders, which was submitted to the Congress, will contribute to reinforcing the stigma faced by lesbian, gay, bisexual, transgender and intersex persons (art. 2 (2)).

19. The Committee recommends that the State party:

(c) Remove from its legal order all legislation and bills that might generate discrimination on account of sexual orientation or gender identity.

D. Other recommendations

60. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months of the adoption of the present concluding observations, information on the implementation of the recommendations contained in paragraphs 15 (a) (right of Indigenous Peoples to prior consultation), 19 (c) (non-discrimination) and 53 (a) and (b) (right to education) above.

Honduras – List of Issues – 71st session, 7 December 2022, 3rd review, E/C.12/HND/Q/3

Keywords: SO; GI; non-discrimination; public sphere; private sphere

Non-discrimination (art. 2, para. 2)

12. Please indicate whether, in addition to the provisions prohibiting discrimination in the Criminal Code.2 the State party has considered adopting a comprehensive anti-discrimination law that defines direct and
indirect discrimination and prohibits discrimination in both the public and private spheres. Please provide information on the impact of the implementation of measures to prevent and combat discrimination in relation to the enjoyment of economic, social and cultural rights by groups most exposed to discrimination. In particular, please provide information on concrete measures taken to combat discrimination based on sexual orientation and gender identity.

Iceland – List of Issues – 71st session, 14 November 2022, 5th review, E/C.12/ISL/Q/3

Keywords: SO; GI; non-discrimination; draft constitution; legislation

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

9. Please indicate whether, as part of the ongoing constitutional review process, the State party intends to include in the draft constitution a full list of the rights contained in the Covenant. Taking note of the information provided by the State party on legislative measures taken in relation to the entry into force of the Act on Equal Treatment on the Labour Market, No. 86/2018, please provide updates on the implementation of the Act and data regarding the equal treatment of individuals on the labour market, irrespective of their race, ethnic origin, religion, socioeconomic background, disability, working capacity, age, sexual orientation or gender identity. Please also provide information on: (…)

Indonesia – List of Issues – 70th session, 5 April 2022, 2nd review, E/C.12/IDN/Q/2

Keywords: legislation; discriminatory provisions; discrimination; SO; GI

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

11. Please provide information on:

(b) The progress made in reviewing and repealing provisions in local laws and by-laws that contain discriminatory provisions, particularly based on sex, sexual orientation, gender identity and religion;

Iraq – List of Issues – 70th session, 6 April 2022, 5th review, E/C.12/IRQ/Q/5

Keywords: direct discrimination; indirect discrimination; multiple discrimination; intersectional forms of discrimination; discrimination; prohibited grounds of discrimination; L; G; B; T; I; statistical data; anti-discrimination legislation; marginalized groups

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

9. Please provide information on steps taken to enact comprehensive anti-discrimination legislation to prohibit direct, indirect, multiple and intersecting forms of discrimination in the exercise of economic, social and cultural rights, on all prohibited grounds and in both the public and the private spheres. Please also provide information, including statistical data, on the progress made in tackling de facto discrimination against disadvantaged and marginalized groups whose access to economic, social and cultural rights has been hindered, paying attention to the situations of women, ethnic and religious minorities, refugees, internally displaced persons, persons with disabilities, and lesbian, gay, bisexual, transgender and intersex persons.
Israel – Concluding Observations – 72nd session, 12 November 2019, 4th review, E/C.12/ISR/CO/4

Keywords: anti-discrimination; anti-discrimination legislation; legislation; direct discrimination; indirect discrimination; multiple forms of discrimination; SO; remedies; GC

Non-discrimination

19. The Committee recommends that the State party review existing anti-discrimination legislation or adopt comprehensive anti-discrimination legislation with a view to ensuring that such legislation prohibits all direct, indirect and multiple forms of discrimination, on all grounds, including language, colour, social origin, property, sexual orientation, birth or other status, and provides for effective remedies for victims of discrimination. The Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

Italy – Concluding Observations – 72nd session, 7 December 2022, 6th review, E/C.12/ITA/CO/6

Keywords: hate speech; SO; animosity; race-based communities; migrant communities; religious communities

Discrimination

27. The Committee is concerned about recent instances of hate speech inciting animosity on the basis of sexual orientation and towards migrant, religious and race-based communities, including proposals to deprive these communities of their economic, social and cultural rights (art. 2 (1)).

Kyrgyzstan – List of Issues – 70th session, 4 April 2022, 4th review, E/C.12/KGZ/Q/4

Keywords: statistical data; SO; public sector; law implementation; labour law; work; workplace discrimination; quota

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

12. Please provide statistical data disaggregated by sex, race, origin, sexual orientation, disability and HIV status on workplace discrimination in hiring, promotions and demotions, including in the public sector, and explain how the measures currently in place have contributed to the prohibition of such discrimination. Please provide information on the steps taken to ensure the effective implementation of the law on the rights of and guarantees for persons with disabilities and the Labour Code regarding the 5 per cent quota of employees with disabilities. Please also indicate the percentage of companies that have implemented the employment quota for persons with disabilities on a comparative basis for the past five years and provide information on the penalties available for those that do not meet the requirement.

Keywords: legislation; public policy; housing policy; L; G; B; T; I; landlords; forced evictions; civil society participation; adequate housing; ethnic minorities

Right to an adequate standard of living (art. 11)

22. Please provide information on measures taken to develop a comprehensive housing policy that includes various forms of homeownership, including leased/rented housing and housing acquired through equity
construction. Please inform the Committee about the steps envisaged to guarantee the right to adequate housing in cases of forced eviction and the participation of civil society in the process of developing housing laws and policies. Please also comment on current or planned regulations aimed at protecting lesbian, gay, bisexual, transgender and intersex individuals from discrimination by private landlords and at preventing forced evictions targeted at ethnic minorities. Please indicate the steps taken to support internally displaced persons affected by the April 2021 border conflict in terms of access to adequate housing, to education and to water.

Keywords: medical care; social care; T; gender non-conforming persons; physical health; mental health; L; G; B; I; health-care services

Right to physical and mental health (art. 12)

26. With reference to the Committee’s previous concluding observations, please provide information on the implementation and dissemination of the manual on the provision of medical and social care for transgender, transsexual and gender non-conforming persons (2017) and the guidelines on working with vulnerable groups on HIV prevention to guarantee adequate access to health care for lesbian, gay, bisexual, transgender and intersex persons and HIV-positive people without discrimination. Please report on the impact of article 143 of the Criminal Code (on infection with a venereal or incurable infectious disease) on HIV-positive people's access to health care and HIV-prevention services and provide information on the steps taken to ensure access to health-care services for sex workers. With reference to the information supplied by the State party, please provide additional information on any measures taken to ensure access to health-care services for refugees, asylum seekers, returning migrants and members of minority groups and to psychosocial support for communities in Batken and Leilek districts affected by the border conflict.

Luxembourg – Concluding Observations – 72nd session, 15 November 2022, 4th review, E/C.12/LUX/CO/4

Keywords: L; G; B; T; I; children; surgical interventions; sexual characteristics

37. The Committee recommends that the State party

(b) Ensure that, in practice, surgical interventions on the sexual characteristics of intersex children are not carried out in the absence of medical necessity or emergency until they are capable of forming their own views and giving informed consent, and expedite the adoption of a law to this effect, as foreseen in the National Plan of Action for the Promotion of the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons; (…)

Mongolia – Concluding Observations – 72nd session, 10 November 2022, 5th review, E/C.12/MNG/CO/5

Keywords: L; G; B; T; I; SO; GI; discrimination; access to justice; awareness; health-care issues; awareness-raising; awareness-raising campaigns; law enforcement; negative stereotypes; stigmatization; public officials; capacity-building; labelling; mental health conditions

C. Principal subjects of concern and recommendations

Rights of lesbian, gay, bisexual, transgender and intersex persons

18. The Committee is concerned about reports that discrimination, stigmatization and harassment against lesbian, gay, bisexual, transgender and intersex persons is widespread, including in employment and
education, which hinders their enjoyment of economic, social and cultural rights. The Committee is also concerned that, in spite of the prohibition of discrimination based on sexual orientation and gender identity, victims of such discrimination face challenges in gaining access to justice. The Committee is further concerned about the lack of awareness among health professionals of health-care issues specific to transgender persons (art. 2 (2)).

19. The Committee recommends that the State party:

(a) Take all the measures necessary to prevent and address discrimination, stigmatization and harassment against lesbian, gay, bisexual, transgender and intersex persons in all areas of life, including by conducting awareness-raising campaigns for the general public, health-care providers, teachers, employers, social workers, and law enforcement and other public officials with a view to eliminating negative stereotypes and stigmatization in this context;

(b) Ensure that the prohibition of discrimination based on sexual orientation and gender identity is effectively implemented and continue capacity-building for judges, prosecutors, lawyers and law enforcement officials to this end;

(c) Raise awareness among health-care providers of health-care issues specific to transgender persons and adopt and implement the eleventh revision of the International Statistical Classification of Diseases and Related Health Problems, which, inter alia, removes the labelling of certain such issues as mental health conditions.

Norway – List of Issues prior to reporting – 72nd session, 12 November 2018, 6th review, E/C.12/NOR/QPR/6

Keywords: health-care; transphobia; T; discrimination; transphobia at school; access to public health-care services; SO; GI; proving SO and/or GI; transgender youth

B. Implementation of the Covenant

16. Please provide information on the measures taken to address the situation of transgender young persons who have reportedly been facing discrimination and transphobia at school and in accessing public health-care services. Please also provide information on the measures to assist persons who are seeking asylum on the grounds of their sexual orientation or gender identity in proving their sexual orientation or gender identity without obstacles.

Poland – List of Issues – 71st session, 11 November 2022, 7th review, E/C.12/POL/Q/7

Keywords: LGBTQI+; same-sex couples; same-sex; discrimination; discrimination on all grounds

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

7. Please provide an update on the implementation to date of the national action programme for equal treatment for the period 2021–2030 and indicate how it is linked to the consultations on the Equal Treatment Act that will be conducted by the end of 2024. Please describe the steps being taken to prohibit discrimination on all the grounds, including race, political and other opinions, property, birth and other status. Please provide data on cases of discrimination in relation to the enjoyment of economic, social and cultural rights examined by domestic courts, and their outcome. Please provide more specific information on the impact of measures taken, including updated numbers on the programme for the integration of the Roma community in Poland for the period 2014–2020. Please provide information on
and measures taken to combat discrimination, including against LGBTQI+ persons, persons from minority groups, persons with disabilities and refugees, in particular refugees of African descent, also in the context of the increase in the number of refugees in the State party. Please also provide information on steps taken to ensure equal rights for same-sex couples.

**Senegal – List of Issues – 72nd session, 23 April 2019, 3rd review, E/C.12/SEN/Q/3**

**Keywords:** criminalization; direct discrimination; indirect discrimination; prohibited grounds of discrimination; homosexuals; sexual minorities; gender minorities; sex work; sex workers

**II. Issues relating to the general provisions of the Covenant (arts. 1–5)**

**Non-discrimination (art. 2 (2))**

5. Please provide information on steps taken to adopt comprehensive legislation that: (a) clearly defines and criminalizes direct and indirect discrimination; (b) gives a comprehensive list of prohibited grounds of discrimination, including national extraction and colour, sexual orientation, gender identity, disability and legal status; and (c) provides effective remedies for victims. Please state the number of complaints of discrimination recorded and prosecutions brought in the State party. Please indicate the measures taken to combat and prevent acts of discrimination, stigmatization and violence against: (a) persons with albinism; (b) persons living with HIV/AIDS, especially sex workers, drug users and homosexuals; and (c) persons belonging to sexual or gender minorities. Please also indicate the measures designed to ensure in practice non-discrimination against persons with disabilities in all areas, including education, employment and participation in public affairs and in connection with Social Policy Act No. 2010-15 of 6 July 2010 regarding the promotion and protection of the rights of persons with disabilities.

**Senegal – Concluding Observations – 72nd session, 13 November 2019, 3rd review, E/C.12/SEN/CO/3**

**Keywords:** SO; persistence of discrimination; SO; GI; remedies; decriminalization; decriminalization of homosexual relations

**C. Principal subjects of concern and recommendations**

**Non-discrimination**

12. The Committee notes with concern the existence of discriminatory legal provisions in Senegalese law. It also notes the lack of a general law prohibiting all forms of direct and indirect discrimination. The Committee is concerned about the persistence of discrimination against certain individuals on the basis of their sex, skin colour (albinism), descent or sexual orientation (art. 2).

13. The Committee recommends that the State party adopt comprehensive legislation on non-discrimination that: (a) clearly defines and criminalizes direct and indirect discrimination; (b) gives a comprehensive list of prohibited grounds of discrimination, including descent and colour, sexual orientation, gender identity, disability, residence status and other status; and (c) provides effective remedies for victims. The Committee urges the State party to decriminalize consensual homosexual relations and repeal article 319 (3) of the Criminal Code, along with all other legal provisions that are discriminatory with regard to sexual orientation or gender identity. The Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

**D. Other recommendations**
49. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide within 24 months from the adoption of the present concluding observations, information on the implementation of the recommendations made by the Committee in paragraphs 13 (non-discrimination), 27 (forced begging and exploitation of children) and 44 (sexual abuse in schools) above.


Keywords: L; G; B; T; I; employment; health; education; family life; measures; discriminatory acts and attitudes

Non-discrimination (art. 2 (2))

7. Please provide information on the impact of measures taken to counter discriminatory acts and attitudes against persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons and people living with HIV, specifically in the areas of employment, health, education and family life.

Serbia – Concluding Observations – 71st session, 6 April 2022, 3rd review, E/C.12/SRB/CO/3

Keywords: L; G; B; T; I; equality; promotion of equality; combatting discrimination

C. Principal subjects of concern and recommendations

Non-discrimination

29. The Committee urges the State party to intensify its efforts to promote equality and combat discrimination against Roma and persons belonging to national minority groups, persons with disabilities, refugees, asylum seekers, internally displaced persons, and lesbian, gay, bisexual, transgender and intersex persons. In particular, it recommends that the State party:


Keywords: GI; SO; discrimination

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

6. Please provide information on the impact of the measures taken to combat discrimination on the grounds of gender identity and/or sexual orientation, particularly with respect to the exercise of economic, social and cultural rights.

Slovakia – Concluding Observations – 71st session, 14 November 2019, 3rd review, E/C.12/SVK/CO/3*

Keywords: same-sex marriage; registered partnership; civil union; same-sex relationship; GI; SO; awareness-raising; consultation; discrimination

C. Principal subjects of concern and recommendations

Discrimination based on sexual orientation and gender identity

44
14. The Committee is concerned about discrimination based on gender identity and sexual orientation and regrets that, in the absence of the recognition of same-sex marriage, there exists no legal institution, such as registered partnerships or civil unions, that provides protection equivalent to marriage to those in same-sex relationships (art. 2 (2)).

15. The Committee recommends that the State party develop and implement dedicated legal provisions, policies and programmes to ensure protection from discrimination based on gender identity and sexual orientation. Furthermore, it recommends that the State party initiate societal awareness-raising and consultations to overcome discrimination based on sexual orientation, and develop a legal institution, such as registered partnerships or civil unions, that provides protection equivalent to marriage to those in same-sex relationships.

**Switzerland – List of Issues – 71st session, 15 November 2018, 4th review, E/C.12/CHE/Q/4**

Keywords: SO; GI; legislation; measures; discrimination

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

9. Please provide information on the impact of specific measures taken to combat discrimination on the grounds of sexual orientation or gender identity and to address gaps in the law in that respect.

Keywords: statistical data; surgical operations; I; intersex infants; intersex children; physical integrity; mental integrity; autonomy; freedom; choice; intersex persons

Right to physical and mental health (art. 12)

29. Please provide statistical data on the number of surgical operations conducted on intersex infants and children. Please indicate the measures taken to ensure the protection of the physical and mental integrity, autonomy and freedom of choice of intersex persons.

**Switzerland – Concluding Observations – 71st session, 18 November 2019, 4th review, E/C.12/CHE/CO/4**

Keywords: legislation; prohibited grounds of discrimination; L; G; B; T; I; anti-discrimination law; remedies; effective remedies; SI; multiple discrimination; awareness-raising campaigns; GC

C. Principal subjects of concern and recommendations

Non-discrimination

20. The Committee takes note of the explanations provided by the State party concerning progress made in respect of policies and strategies to combat discrimination. Nevertheless, it regrets that the lack of a general anti-discrimination law continues to make it difficult for victims to access effective remedies and adequate protection against all prohibited grounds for, and multiple forms of, discrimination. The Committee also remains concerned about the discrimination that, in practice, some individuals and groups continue to experience, such as lesbian, gay, bisexual, transgender and intersex persons, persons with disabilities, migrants, and persons living in poverty (art. 2).

21. The Committee reminds the State party of the recommendations in its previous concluding observations (para. 7) and recommends that it pass a general anti-discrimination law, enforceable uniformly throughout the Confederation, that: (a) covers all prohibited grounds of discrimination, including discrimination based on economic and social status and sexual identity; (b) defines multiple
discrimination; (c) prohibits direct and indirect discrimination; and (d) provides judicial or administrative remedies for victims, so that they are able to enjoy effective protection. Furthermore, the Committee recommends that the State party continue its efforts to prevent and combat persistent discrimination against certain individuals and groups, including through awareness-raising campaigns, in order to ensure their full enjoyment of the rights recognized under the Covenant. In this connection, the Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

Keywords: wrongful dismissal during pregnancy; sexual harassment; discrimination linked to sexual orientation; discrimination linked to gender identity; SO; GI; protection; workplace; legal proceedings

Discrimination and harassment in the workplace

34. The Committee notes with concern reports that cases of wrongful dismissal during pregnancy and cases of sexual harassment and discrimination linked to sexual orientation and gender identity continue to occur and that existing mechanisms do not guarantee effective protection from such acts (arts. 7 and 10).

35. The Committee recommends that the State party take all necessary legislative and administrative measures, including labour inspections, to prohibit employers from dismissing, not recruiting or not renewing fixed-term labour contracts for women on the basis of pregnancy, childbirth or maternity leave. The Committee recommends that the State party implement effective measures to protect victims of wrongful dismissal, sexual harassment and discrimination linked to sexual orientation and gender identity, including through the reversal of the burden of proof in legal proceedings.

Keywords: keyword grounds, keyword grounds; keyword population, keyword population; keyword topic, keyword topic, keyword topic

Mental health

48. The Committee remains concerned that, despite the measures taken, the suicide rate continues to be high in the State party, in particular among lesbian, gay, bisexual, transgender and intersex youth (art. 12).

Tajikistan – List of Issues – 72nd session, 4 November 2020, 4th review, E/C.12/TJK/Q/4

Keywords: CSO; non-governmental associations; L; G; B; T; I; reprisals; HRD; direct discrimination; indirect discrimination; multiple discrimination; intersectional discrimination; prohibited grounds of discrimination; SO; GI

A. General information

4. In light of the Committee’s previous concluding observations (E/C.12/TJK/CO/2-3, para. 10), please indicate the measures taken to ensure that the amendments to the Public Associations Act are not misinterpreted or abused to obstruct the activities of civil society organizations. Please also provide information on the application of article 14 of the Law on non-governmental associations, and on the measures taken not to abuse or misinterpret the article to impede the registration of civil society organizations, especially those working for the rights of lesbian, gay, bisexual, transgender and intersex persons. Furthermore, please provide information on the status of a draft law on non-commercial organizations, and indicate the measures taken to ensure that civil society organizations and human rights defenders can work without fear of reprisals.

Non-discrimination (art. 2 (2))
9. With reference to the information provided by the State party (E/C.12/TJK/4, para. 44), please clarify whether the bill on protection against discrimination provides for a definition of direct, indirect, multiple and intersectional discrimination, as noted by the Committee, and whether it gives a comprehensive list of prohibited grounds of discrimination, including age, birth, disability, sexual orientation and gender identity, and other status, and indicate the timeline for the adoption of the bill. Please also provide information on the progress made by the interministerial working group in harmonizing non-discrimination provisions in legislation relating to economic, social and cultural rights. Furthermore, please indicate any steps taken to adopt legislation and procedures for legal recognition of gender of transgender persons and the efforts made to combat social stigma, misconceptions and discrimination against lesbian, gay, bisexual, transgender and intersex persons.

Keywords: Physical health; mental health; homosexual persons; HIV/AIDS

Right to physical and mental health (art. 12)

25. Please provide information on:

(d) Efforts undertaken to combat discrimination against persons with HIV/AIDS, persons who inject drugs and homosexual persons, particularly by medical professionals.

Uzbekistan – List of Issues – 71st session, 6 April 2020, 3rd review, E/C.12/UZB/Q/3

Keywords: legislation; anti-discrimination law; GC; L; G; B; T; I; healthcare; employment; housing; education; homosexuality; decriminalization; decriminalization of homosexuality; raising awareness

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Non-discrimination (art. 2 (2))

7. Please indicate whether the State party intends to adopt a comprehensive anti-discrimination law, taking into account general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights. Describe the steps taken to combat discrimination against the most disadvantaged and marginalized groups, such as Roma/Lyuli, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons, regarding access to health care, employment, housing and education. Please specify what steps have been taken, if any, to decriminalize homosexuality. Please provide information on the measures taken to raise awareness, especially among marginalized and disadvantaged persons, to prevent human trafficking, including the budgetary allocation for this purpose.

Uzbekistan – Concluding Observations – 71st session, 31 March 2022, 3rd review, E/C.12/UZB/CO/3*

Keywords: legislation; L; G; B; T; I; anti-discrimination; awareness-raising campaigns; health-care providers; law enforcement; negative stereotypes; stigma

C. Principal subjects of concern and recommendations

Non-discrimination

20. The Committee notes the information by the State party on the prohibition of discrimination in the Constitution and the legislative framework, as well as the information on the drafting of the Equality and Non-Discrimination Bill, which is being considered by Parliament. The Committee is concerned about:
(b) The criminalization of sexual relations between consenting male adults, under article 120 of the Criminal Code, and the prevalence of intimidation, harassment, violence and stigma against lesbian, gay, bisexual, transgender and intersex persons, which hinder their enjoyment of economic, social and cultural rights;

21. The Committee recommends the State party to:

(e) Conduct awareness-raising campaigns targeting the public, health-care providers, and law enforcement and other public officials to eliminate negative stereotypes and stigma against members of marginalized groups, such as persons living with HIV, and lesbian, gay, bisexual, transgender and intersex persons;

D. Other recommendations

64. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months of the adoption of the present concluding observations, information on the implementation of the recommendations contained in paragraphs 13 (corruption), 21 (non-discrimination) and 33 (youth unemployment) above.
2. Human Rights Committee

Brazil – List of Issues – 134th session, 25 August 2022, 3rd review, CCPR/C/BRA/Q/3

Keywords: legislation; intersecting forms of discrimination; anti-discrimination legal framework; SO; hate speech; people of African descent; L; G; B; T; I; indigenous peoples

Fight against impunity and past human rights violations (arts. 2, 6–7 and 14)

3. Please indicate the legislative and other measures that have been taken to combat discriminatory laws and social practices based on sex, sexual orientation, race, religion, membership of an indigenous group, disability, albinism, socioeconomic status or ethnicity. Please describe the measures taken to protect individuals facing intersecting forms of discrimination. Please provide additional information on the expansion of the anti-discrimination legal framework, including whether this expansion includes steps to develop dedicated anti-discrimination legislation.

4. Please respond to allegations of increasing hate speech, including by high-level politicians and online, against people of African descent, lesbian, gay, bisexual, transgender and intersex individuals and indigenous peoples. Please describe the measures taken by the State party to protect those at risk, including additional information about the scope and outcomes of the Humaniza Redes programme. Please outline the legal framework in place to prevent and punish hate speech, clarify whether hate speech is criminalized in domestic law and provide data on the number of complaints, investigations, prosecutions and convictions for such offences during the reporting period.

Keywords: homicide; people of African descent; L; G; B; T; I; indigenous peoples; homophobia; criminalization of homophobia; prevention; violence; intimidation; threats; harassment

Right to life (art. 6)

12. Please respond to reports of high levels of homicide within the State party and to allegations that people of African descent, indigenous peoples and lesbian, gay, bisexual, transgender and intersex persons are disproportionately victimized. Please provide information about the legal framework in place to punish all forms of hate crime, including details as to whether the State party intends to introduce specific legislation to criminalize homophobia. Please provide any available disaggregated data about the number of complaints, investigations, prosecutions and convictions in cases concerning such crimes, and the remedies, including compensation, provided to victims and their families. Please also describe any measures taken to prevent such violence.

28. Please respond to reports of violence, intimidation, threats and harassment directed at political candidates and politicians in the run-up to the 2018 general elections and the 2020 municipal elections. Please provide information about the steps taken to protect political candidates and politicians, including women, people of African descent and lesbian, gay, bisexual, transgender and intersex persons, from such attacks. Please provide information about the investigations undertaken into acts of violence against politicians and political candidates, including Marielle Franco, and clarify the steps that have been taken to hold perpetrators to account and to provide access to remedies for victims. Please include information about the measures taken by the State party to ensure the non-repetition of such human rights violations and to prevent a chilling effect on political representation, particularly in light of the upcoming 2022 general elections.
Cambodia – List of Issues – 134th session, 28 August 2020, 3rd review, CCPR/C/KMH/Q/3

Keywords: SO; Gl; minority groups; marginalized groups; legislation; access to government services; discriminatory laws; discriminatory social practices

Non-discrimination (arts. 2 and 25)

7. In light of the Committee's previous recommendations (CCPR/C/KHM/CO/2, paras. 7-9), please describe the legislative and other measures taken during the current reporting period to combat discriminatory laws and social practices based on sex, sexual orientation, gender identity, race and ethnicity, religion, disability and indigenous status. Please include information on steps taken to collect information on minority and marginalized groups and their needs and to develop comprehensive anti-discrimination legislation, including provisions that prohibit discrimination on all relevant grounds, and measures taken to ensure equal access to government services.

Cambodia – Concluding Observations – 134th session, 18 May 2022, 3rd review, CCPR/C/KMH/CO/3

Keywords: L; G; B; T; identity documents; denial of identity documents; systemic exclusion; multiple discrimination; direct discrimination; indirect discrimination; remedies

Non discrimination

14. The Committee remains concerned about the discrimination and systemic exclusion faced by ethnic minorities, in particular Khmer Krom and Cambodians of Vietnamese origin, including the denial of identity documents, which limits their access to other rights. The Committee is also concerned about the discrimination, segregation and stigma faced by persons with disabilities, as well as by lesbians, gays, bisexuals and transgender persons, which often entails violence (arts. 2 and 26).

15. The State party should:

(a) Adopt comprehensive legislation prohibiting discrimination, including multiple, direct and indirect discrimination, in all spheres, in both the public and the private sectors, on all the grounds prohibited under the Covenant, including race, colour, sex, political or other opinion, national or social origin, sexual orientation and gender identity, disability, or any other status, and ensure access to effective and appropriate remedies for victims of discrimination; (...) (c) Prevent discrimination and violence against lesbians, gays, bisexuals and transgender persons, as well as against persons with disabilities, including by conducting public awareness-raising campaigns to combat their social Stigmatization. (...)

Colombia – List of Issues – 135th session, 31 August 2022, 8th review, CCPR/C/COL/Q/8

Keywords: conflict; internal armed conflict; L; G; B; T; I; threats; homicides

Combating impunity and human rights violations in the context of the internal armed conflict (arts. 2, 6, 7, 9, 12 and 14)

3. Pursuant to the Committee's previous concluding observations (para. 9), and in light of the information provided by the State party in its periodic report (CCPR/C/COL/8, paras. 22-34), please (a) indicate whether the State party has taken any measures to combat impunity and human rights violations in the context of the internal armed conflict. 22-34), please (a) indicate the number of investigations into ongoing violations of Covenant rights, the penalties imposed and reparations provided to victims, with an emphasis on cases of corruption among judicial officials; (b) report on the implementation of measures to ensure protection and care for persons and communities that may be more vulnerable, in particular
women, children, older persons, persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons, migrants and asylum seekers, Afro-Colombians and indigenous persons; (c) provide information on measures taken to ensure comprehensive reparation to all victims, especially with regard to the effective implementation of Law 1448 of 2011 by all government entities involved, indicating the number of applications submitted by victims to the Land Restitution Unit, the number of cases that have been denied and the reasons for the denials, as well as information on the number of resolved cases that have resulted in land restitution.

Non-discrimination (arts. 2, 19, 20 and 26)

6. With reference to the information provided by the State party (paras. 224-227) and in light of the Committee’s concluding observations (para. 17), please provide information on the number of cases that have resulted in land restitution. 17), please provide information on (a) activities carried out under Decree 762 of 2018 and Decree 410 of 2018 to ensure the implementation of the principle of non-discrimination and eradicate stereotypes and prejudices that persist in society, particularly against lesbian, gay, bisexual, transgender and intersex persons including the high rate of threats and homicides, (b) measures taken to prevent, investigate and punish all acts of discrimination and violence against persons on the basis of their sexual orientation or gender identity, including cases of discrimination and violence by law enforcement officials. In addition, please provide disaggregated statistical information for the period under review on: the number of criminal complaints of acts of racism or discrimination received, indicating the grounds of discrimination; investigations conducted, including convictions of perpetrators; and redress provided to victims.
including in the private sphere, and on all the grounds prohibited under the Covenant, including sexual orientation and gender identity; and (b) provides for effective remedies in judicial and administrative proceedings for victims of discrimination. Please indicate if the State party intends to adopt comprehensive anti-discrimination legislation to address the above requirements.

6. Bearing in mind the Committee’s previous concluding observations (para. 12), please indicate whether the State party intends to consider decriminalizing sexual relations between consenting adults of the same sex. Please report on the measures taken to: (a) address social stigmatization, harassment, violence and discrimination against lesbian, gay, bisexual and transgender persons and persons living with HIV/AIDS; (b) combat and prevent homophobic and transphobic rhetoric by politicians and other public officials; and (c) encourage the reporting of acts of violence and discrimination against lesbian, gay, bisexual and transgender individuals, investigate all allegations of such acts and prosecute and punish perpetrators.

**Ethiopia – Concluding Observations – 136th session, 7 December 2022, 2nd review, CCPR/C/ETH/CO/2**

Keywords: anti-discrimination; multiple discrimination; direct discrimination; indirect discrimination; mass arbitrary detention; criminalization of same-sex relations; indecent acts; hate speech; L; G; B; T

**Non-discrimination**

11. The Committee is concerned at the absence of a comprehensive anti-discrimination law that provides full and effective protection against direct, indirect and multiple discrimination in all forms, and the seemingly low number of discrimination cases brought before competent tribunals. The Committee also expresses its concern that the broad powers granted to law enforcement authorities during the state of emergency under Proclamation No. 05/2021 resulted in ethnic profiling and mass arbitrary detention, particularly targeting Tigrayans living outside of the Tigray Region, some of whom had their private companies forcibly closed down. Recalling its previous recommendations, the Committee remains concerned by the criminalization of same-sex relations or any “other indecent acts” between consenting adults, and acts of discrimination, violence and hate speech against lesbian, gay, bisexual and transgender persons within society (arts. 2, 19–20 and 26).

Keywords: awareness; awareness campaigns; stigmatization; hate speech; harassment; violence; discrimination; L; G; B; T; access to justice

12. The State party should:

(c) Carry out awareness campaigns, including campaigns targeting religious institutions, to address social stigmatization, hate speech, harassment, violence and discrimination against the lesbian, gay, bisexual and transgender community;

(d) Decriminalize sexual relationships between consenting adults of the same sex and ensure that lesbian, gay, bisexual and transgender persons have effective access to justice.

**Georgia – List of Issues – 135th session, 19 January 2021, 5th review, CCPR/C/GEO/Q/5**

Keywords: L; G; B; T; I; human rights defenders; defenders; FOE; FOAA; extremist groups; SO; GI; hate crimes; social stigmatization; homophobia; transphobia; homophobic and transphobic rhetoric; civil status

**Non-discrimination (arts. 2, 19–20 and 26)**

5. Bearing in mind the Committee’s previous concluding observations (para. 8), please report on the measures taken to address the social stigmatization and harassment of, and violence and discrimination against
Discrimination and violence on the grounds of sexual orientation and gender identity

17. While noting the 2020 policy document on sexual orientation and gender identity rights and the legislative efforts under way to strengthen protection, the Committee remains concerned about the reported prevalence of discrimination, harassment, intimidation and attacks against lesbian, gay, bisexual and transgender persons, advocates for their rights and journalists, in particular the violent attacks committed during the Tbilisi Pride march on 5 and 6 July 2021. It is further concerned by reports of homophobic and transphobic rhetoric being conducted with impunity by politicians, other public officials and religious figures. Furthermore, it regrets the lack of definition of legal recognition of gender reassignment and reports that individuals are required to undergo gender reassignment surgery in order to change their civil status (arts. 2, 7, 17, 21 and 26).

18. The State party should step up its efforts to: (a) Provide effective protection against all forms of discrimination and violence on the basis of sexual orientation and gender identity, both in law and in practice, and ensure that such violations are promptly and effectively investigated, that perpetrators are held accountable, with penalties commensurate with the seriousness of the crime, and that victims have access to full reparation; (b) Take adequate measures to prevent homophobic and transphobic discourse by politicians, other public officials and religious figures; (c) Review and amend its legislation and procedure for the change of civil status with respect to gender identity, with a view to providing a quick, transparent and accessible gender-recognition procedure on the basis of self-identification by applicants.

Hate speech and hate crimes

19. While noting the monitoring of hate crimes by the Human Rights Protection and Quality Monitoring Department of the Ministry of Internal Affairs and the development of a unified methodology to collect data on those crimes, the Committee is concerned by continuing allegations of intolerance, prejudice, hate speech and hate crimes against members of vulnerable and minority groups, including women, ethnic and religious minorities, lesbian, gay, bisexual and transgender persons and migrants, often perpetrated by extreme right-wing groups. It is also concerned by reports of the underreporting of hate
crimes and the low number of investigations into and convictions for these crimes (arts. 2, 19–20 and 26).

20. The State party should step up its efforts to: (a) Combat intolerance, stereotypes, prejudice and discrimination towards vulnerable groups, including ethnic and religious minorities and lesbian, gay, bisexual and transgender persons, by, inter alia, increasing training for law enforcement officials, prosecutors and the judiciary and conducting awareness-raising campaigns promoting sensitivity and respect for diversity among the general public; (b) Ensure that any advocacy of hatred, hostility or violence on the grounds of ethnic, national, racial or religious identity or of sexual orientation and gender identity is prohibited by law, in accordance with articles 19 and 20 of the Covenant and the Committee’s general comment No. 34 (2011) on the freedoms of opinion and expression;

Keywords: L; G; B; T; I; human rights defenders; journalists; pride; pride march; parade

Peaceful assembly

45. The Committee is gravely concerned at the excessive use of force by law enforcement officials against protestors, activists and journalists in dispersing assemblies, including in June and November 2019 in Tbilisi, and at the delay in investigating such abuse and bringing the perpetrators to justice. It is also concerned about the incidents on 5 and 6 July 2021, when members of radical groups attacked lesbian, gay, bisexual, transgender and intersex persons, human rights defenders and journalists, resulting in the disruption of the Tbilisi Pride march, and about the failure of the competent authorities to provide adequate protection for those individuals and to bring all perpetrators, including the organizers of the attacks, to justice in a timely manner (arts. 6–7 and 21).

Hong Kong, China – List of Issues – 135th session, 26 August 2020, 4th review, CCPR/C/CHN-HKG/Q/4

Keywords: same-sex couples; same-sex partnerships; gender reassignment; legal recognition; gender confirmation; gender confirmation surgery; reproductive ability; L; G; B; T; I; speech crimes; hate crimes; full-body searches; solitary confinement; hormone treatment; access to hormone treatment

Non-discrimination and equality between men and women (arts. 2, 3, 25 and 26)

8. With reference to the Committee’s previous concluding observations (CCPR/C/CHN-HKG/CO/3, para. 23), please indicate any steps taken to recognize same-sex partnerships and to address discrimination faced by same-sex couples. Please provide an update on any legislative developments for the recognition of transgender persons and clarify the compatibility with the Covenant of certain requirements for the legal recognition of gender reassignment, such as deprivation of reproductive ability and gender confirmation surgery. Please indicate the measures taken to protect lesbian, gay, bisexual, transgender and intersex persons, particularly from hate speech and hate crimes; to facilitate their right to hold events such as gay pride parades; and to respond to reports of inhumane and degrading treatment experienced by transgender persons in custody, including intrusive and humiliating full-body searches, solitary confinement and lack of access to hormone treatment.

Hong Kong, China – Concluding Observations – 135th session, 11 November 2022, 4th review, CCPR/C/CHN-HKG/CO/4

Keywords: legislation; anti-discrimination legislation; SO; GI; racial discrimination; prohibited grounds of discrimination;

Non-discrimination
8. The Committee notes the efforts made by Hong Kong, China, to improve its anti-discrimination legislation, including the adoption of the Discrimination Legislation (Miscellaneous Amendments) Ordinance 2020 and the Sex Discrimination (Amendment) Ordinance 2021. The Committee, however, remains concerned about the persisting lacuna in the existing anti-discrimination framework with regard to protection against all forms of discrimination based on all prohibited grounds of discrimination, including age, sexual orientation and gender identity, in all spheres, and the fragmentary approach of Hong Kong, China, to addressing it. In this context, the Committee regrets the explicit intention of Hong Kong, China, not to adopt comprehensive anti-discrimination legislation. Furthermore, the Committee is concerned that a minimal number of racial discrimination complaints have been filed with the Equal Opportunities Commission despite the reportedly frequent incidents of racial discrimination experienced by migrant workers, and that none of the discrimination claims brought before the Commission under the four anti-discrimination ordinances has been successful (arts. 2, 3, 25 and 26).

9. The Committee urges Hong Kong, China, to reconsider its position and to take concrete steps to adopt comprehensive anti-discrimination legislation that prohibits all forms of direct, indirect and multiple discrimination, based on all prohibited grounds of discrimination, including age, sexual orientation and gender identity in all public and private spheres. Hong Kong, China, should enhance the capacity and effectiveness of the Equal Opportunities Commission to competently carry out its complaints-handling and other mandates.

Keywords: SO; GI; legal framework; hate speech; hate crimes; L; G; B; T; I; gender recognition; surgery; gender marker; change of gender marker; identity documents; awareness-raising campaigns; legal framework; remedies; legal gender recognition; gender-reassignment surgery

Discrimination against lesbian, gay, bisexual, transgender and intersex persons

10. The Committee is concerned about the lack of effort made by Hong Kong, China, to raise awareness among its population of the effects of discrimination based on sexual orientation and gender identity on victims. It is also concerned about the absence of a legal framework to address the discrimination, harassment, hate speech and hate crimes that lesbian, gay, bisexual, transgender and intersex persons continuously face. It is further concerned that, despite an interdepartmental working group on gender recognition having been established in 2014, no progress has been made towards drafting a law on gender recognition, and transgender persons continue to be required to undergo surgery in order to have their gender marker changed in their identity documents (arts. 2, 25 and 26).

11. Hong Kong, China, should:

(a) Intensify its efforts to combat discrimination against lesbian, gay, bisexual, transgender and intersex persons, including by conducting public awareness-raising campaigns;

(b) Adopt a legal framework to explicitly prohibit and prevent discrimination, harassment, hate speech and hate crimes against lesbian, gay, bisexual, transgender and intersex persons, ensure that all such cases are thoroughly investigated, prosecuted and sanctioned, and provide access to effective remedies for victims;

(c) Put in place a quick, transparent and accessible procedure for the legal gender recognition of transgender persons and immediately discontinue the policy of requiring medically unnecessary gender-reassignment surgery.
Iran – List of Issues – 136th session, 30 November 2022, 4th review, CCPR/C/IRN/Q/4

Keywords: legislation; multiple discrimination; direct discrimination; indirect discrimination; redress; L; G; B; T; same-sex relations; discriminatory attitudes; discriminatory practices; employment; housing; education; SO; GI; police brutality

Non-discrimination (arts. 2, 20 and 26)

5. Please indicate whether the State party intends to adopt comprehensive anti-discrimination legislation and amendments to existing legislation in order to provide full and effective protection against direct, indirect and multiple discrimination in all spheres, including the private sphere, on all the grounds prohibited under article 26 of the Covenant, and effective remedies in judicial and administrative proceedings for victims of discrimination. Please provide disaggregated data on complaints of discrimination brought before national courts and before any other complaints bodies during the reporting period, and include information about the basis of discrimination, the nature of the investigations conducted and their outcomes, and any forms of redress provided to victims. Please describe all measures taken to prevent and combat hate crimes and hate speech, particularly against members of religious minorities and lesbian, gay, bisexual and transgender individuals.

6. With reference to the Committee’s previous concluding observations, please report on steps taken or planned to decriminalize sexual relations between consenting adults of the same sex and to abolish the death penalty for such acts, as well as to refrain from imposing the death penalty on human rights defenders who advocate for the rights of lesbian, gay, bisexual and transgender individuals, including on the charge of “corruption on Earth”. Please indicate the measures taken to: (a) eliminate and combat discriminatory attitudes and practices towards lesbian, gay, bisexual and transgender individuals, including with respect to access to employment, housing, education and health care; and (b) ensure that all cases of discrimination or violence against persons based on their sexual orientation or gender identity, including cases of police brutality, are properly investigated and sanctioned, including information on the outcomes of such cases.

Iraq – List of Issues – 134th session, 17 August 2020, 6th review, CCPR/C/IRQ/Q/6

Keywords: violence; SO; GI; perceived sexual orientation or gender identity

Non-discrimination and equality between men and women (arts. 2, 3, 18, 23 and 26)

7. With reference to the Committee’s previous concluding observations (paras. 11-12) and the information provided by the State party (paras. 39-40), please comment on reports of persistent allegations of acts of discrimination and violence against persons on the basis of their real or perceived sexual orientation or gender identity, as well as the social stigmatization and social exclusion of those persons. In that regard, please provide updated information on the investigation into the killing of the actor and model, Karar Nushi, in Baghdad on 2 July 2017. Please also provide information on any awareness-raising campaigns to promote sensitivity and tolerance among law enforcement officers, prosecutors, courts and the general public with regard to sexual orientation and gender identity. Please indicate whether the State party is considering revising articles 394 and 401 of the Criminal Code.

Iraq – Concluding Observations – 134th session, 16 August 2022, 6th review, CCPR/C/IRQ/CO/6

Keywords: SO; GI; crime; stigmatization; social exclusion; prohibited grounds of discrimination; legislation; criminalization
Non-discrimination

12. While taking note of the State party’s indication that Iraqi law has no provisions that discriminate against persons of any specific category on the basis of sexual orientation or gender, the Committee is nevertheless concerned about continuing reports of discrimination and violence, including abduction, rape, torture and murder, against persons on the basis of their real or perceived sexual orientation or gender identity, as well as the social stigmatization and social exclusion of these persons and the fact that these serious crimes are not investigated and punished. Furthermore, the Committee notes with regret that the State party is not considering revising articles 394 and 401 of the Criminal Code which, it is alleged, have been used to prosecute persons due their sexual orientation or gender identity (arts. 2–3, 7 and 26).

13. In line with the Committee’s previous recommendations,6 the State party should ensure that all persons can, regardless of their real or perceived sexual orientation or gender identity, fully enjoy all the human rights enshrined in the Covenant. In particular, the Committee recommends that the State party: (a) Consider enacting comprehensive anti-discrimination legislation that provides full and effective protection against discrimination in all spheres and contains a comprehensive list of prohibited grounds for discrimination, including sexual orientation and gender identity; (b) Take steps to combat stereotypes about and negative attitudes towards persons on the basis of their sexual orientation or gender identity; (c) Adopt concrete measures, including the provision of training and awareness-raising programmes for the police and the judiciary, including the public prosecution, to effectively prevent acts of discrimination and violence against such persons; (d) Ensure that all acts of violence against persons due to their sexual orientation or gender identity are promptly and effectively investigated, perpetrators brought to justice and victims compensated; (e) Take steps to ensure that existing legislation alluding to vague notions of morality and decency is not used to criminalize acts of persons on the basis of their sexual orientation and gender identity.

Ireland – List of Issues – 135th session, 14 January 2021, 5th review, CCPR/C/IRL/Q/5

Keywords: SO; LGBTI+; equality; legislation; discriminatory practices

Non-discrimination (arts. 2–3, 14, 20, 23 and 26–27)

7. Bearing in mind the Committee’s previous recommendations (CCPR/C/IRL/CO/4, para. 23), please indicate the legislative and other measures taken within the reporting period to combat laws and social practices which are discriminatory on the basis of sex, Roma and Traveller status, race, sexual orientation, religion, disability and/or nationality status. Please include information on: (a) how the effective application of the Equal Status Act 2000 is ensured, including a summary of complaints brought under this legislation during the reporting period and their outcomes; (b) the outcomes of equality-related strategies, such as the National Traveller and Roma Integration Strategy 2017–2021, the LGBTI+ National Youth Strategy 2018–2020 and the Migrant Integration Strategy 2017–2020, as well as when the National LGBTI+ Inclusion Strategy will be in place; (c) any measures taken by the State party to ensure that the COVID-19 pandemic does not exacerbate inequality, discrimination and exclusion, including among older persons, women, persons living in poverty, persons with disabilities and persons experiencing homelessness.

Ireland – Concluding Observations – 135th session, 26 January 2023, 5th review, CCPR/C/IRL/CO/5

Keywords: L; G; B; T; I; education; health care; employment; systemic discrimination; racial profiling; hate-based crimes
Non-discrimination, hate speech and hate crime

15. The Committee welcomes the various legislative and policy measures taken by the State party to combat discrimination, as well as the establishment of the Independent Anti-Racism Committee in 2020, but it remains concerned about: (a) the persistent discrimination suffered by women, persons of African descent, the Traveller and Roma communities, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons, especially in the areas of education, health care and employment; (b) members of the Traveller and Roma communities, as well as persons of African descent, being particularly targeted by systemic discrimination and racial profiling; and (c) the shortcomings in comprehensive data collection, including the lack of ethnic identifiers, specifically related to the activities and actions of law enforcement, as well as the investigations, prosecutions and sanctions of discriminatory and hate-based crimes (arts. 2, 7, 18, 20 and 26).

16. The State party should: (a) Continue to monitor and assess legislative and policy measures on racism and non-discrimination, guaranteeing swift and full implementation of updated national strategies and the National Action Plan against Racism;

17. The Committee is concerned about reports of increases in hate crime and discriminatory incidents, especially in the context of the coronavirus disease (COVID-19) pandemic. It notes the efforts taken by the State party to publish and review the General Scheme of the Criminal Justice (Hate Crime) Bill 2021, but the Committee remains concerned about the reports that the proposed legislation may not be in line with international standards, specifically with regard to, inter alia, the proposed definitions of "hatred" and "incitement", as well as the scope of exceptions. Furthermore, the Committee regrets reports that specific communities, inter alia, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons, were not included in the consultation process (arts. 2, 19–20 and 26).

18. The State party should redouble its efforts to combat hate speech and incitement to discrimination or violence on the grounds of, inter alia, race, ethnicity, religion or sexual orientation and gender identity, in accordance with articles 19 and 20 of the Covenant and the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression. It should also, inter alia: (c) Strengthen its awareness-raising efforts aimed at promoting respect for human rights and tolerance for diversity, eradicating stereotypical prejudices based on race, ethnicity, religion or sexual orientation and gender identity;

Sexual orientation, gender identity and intersex persons

19. The Committee is concerned about social stigmatization and discrimination against persons based on their sexual orientation or gender identity. While noting the information provided on the ongoing review of conversion practices, the Committee is concerned about reports of the continued practice of conversion therapy. The Committee is also concerned that irreversible and invasive medical interventions continue to be performed on intersex children. It notes with concern that such actions are often based on a stereotyped vision of gender roles and carried out before children are of an age to allow them to give their full, free and informed consent (arts. 3, 7, 9, 17, 24 and 26).

20. The State party should: (a) Consider taking the necessary steps to prohibit the practice of so-called conversion therapy against lesbian, bisexual and transgender persons; (b) Take all steps necessary to ensure that all acts relating to the assignment of a sex to intersex children performed without their free and informed consent are specifically prohibited, except in cases in which such interventions are absolutely necessary for medical reasons and the best interests of the child have been duly considered.
Refugees and asylum-seekers

37. The Committee welcomes the measures taken to protect refugees and asylum-seekers, including through the creation of a single protection determination procedure under the International Protection Act 2015, as well as the establishment of national legislation on reception conditions through the transposition of Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 (the Reception Conditions Directive) and the extension of the remit of the Ombudsman and the Ombudsman for Children to include those living in asylum-seeker accommodation. The Committee, however, remains concerned about the significant and increasing delays in processing international protection applications determined at first instance, as well as for appeals before the International Protection Appeals Tribunal. It is also concerned about: (a) the reception conditions for asylum-seekers and the increased use of emergency accommodation; (b) issues faced by asylum-seekers under direct provision, exacerbated by the COVID-19 pandemic, including overcrowding, difficulty in accessing medical services and social protection payments, feelings of insecurity due to sharing communal areas and, at times, bedrooms with non-family members, as well as harassment and threats experienced by lesbian, gay, bisexual, transgender and intersex asylum-seekers; and (c) reports on the disappearance of unaccompanied minors, making them vulnerable to many forms of exploitation, as well as trafficking in persons (arts. 2 and 13).

Japan – List of Issues prior to reporting – 136th session, 11 December 2017, 7th review, CCPR/C/JPN/QPR/7

Keywords: homophobic discourse; transphobic discourse; L; G; B; T; I; employment; access; healthcare; education; welfare; legal service; gender confirmation surgery; transgender prisoners; detention; detention facilities

Non-discrimination and prohibition of advocacy of national, racial or religious hatred (arts. 2, 20 and 26)

5. With reference to the previous concluding observations (para. 11), please indicate whether steps have been or are being taken to adopt comprehensive anti-discrimination legislation that addresses discrimination, including in the private sphere; prohibits direct, indirect and multiple discrimination; and contains a comprehensive list of prohibited grounds of discrimination, including colour, language, political or other opinion, national origin, property, birth, sexual orientation, gender identity and other status. Please also report on measures to eliminate all discriminatory provisions regarding the status of children born out of wedlock.

7. In the light of the previous concluding observations (para. 11), please report on progress made in combating homophobic and transphobic discourse by politicians and discrimination and stigma against lesbian, gay, bisexual, transgender and intersex individuals, particularly in their access to employment, education, health care, welfare and legal services, including through the education system. Please also: (a) report on measures taken to address the higher than average suicide rate among those individuals; (b) clarify whether steps have been taken towards official recognition of same-sex unions at the national level; (c) explain how certain requirements for legal recognition of gender reassignment, such as deprivation of reproductive organs or reproductive ability, gender confirmation surgery and unmarried status, are compatible with the Covenant; and (d) address reports that transgender prisoners have been mistreated in detention facilities.
Anti-discrimination legal framework

9. The State party should take all the measures necessary, including by adopting comprehensive anti-discrimination legislation, to ensure that its legal framework provides adequate and effective substantive and procedural protection against all forms of direct, indirect and multiple discrimination, including in the private sphere, on all the prohibited grounds under the Covenant, including colour, opinion, sexual orientation, gender identity, birth or other status, and access to effective and appropriate remedies for victims of discrimination.

Discrimination based on sexual orientation and gender identity

10. The Committee notes the measures taken by the State party to combat discrimination based on sexual orientation and gender identity and to raise awareness regarding equal treatment. It is nonetheless concerned at the absence of legislation that explicitly prohibits discrimination based on sexual orientation and gender identity. Furthermore, it is concerned at reports indicating that lesbian, gay, bisexual and transgender persons face discriminatory treatment, particularly in the contexts of public housing, change of gender in the family register, access to legal marriage and treatment in correctional facilities (arts. 2 and 26).

11. In accordance with the Committee’s previous recommendations, the State party should: (a) Intensify its awareness-raising activities to combat stereotypes and prejudice against lesbian, gay, bisexual and transgender persons; (b) Ensure that same-sex couples can enjoy all rights enshrined in the Covenant, including access to public housing and same-sex marriage, throughout the State party’s territory; (c) Consider eliminating unwarranted requirements for the legal recognition of gender reassignment, including deprivation of reproductive organs or reproductive ability, and unmarried status; (d) Take the steps necessary to ensure the fair treatment of lesbian, gay, bisexual and transgender inmates in correctional facilities, including by reviewing the 2015 guidelines for the treatment of transgender inmates and their implementation to ensure that solitary confinement is not used as the standard treatment for transgender inmates.

13. Reiterating its previous recommendations, the Committee urges the State party: (b) In accordance with articles 19 and 20 of the Covenant and the Committee’s general comment No. 34 (2011), to consider amending the Criminal Code to introduce a separate definition and prohibition of hate crime and to explicitly criminalize acts of hate speech online and offline on all prohibited grounds under the Covenant, including on the grounds of sexual orientation and gender identity; and to encourage the reporting of hate crimes and hate speech and ensure that such crimes are identified and registered, including through the establishment of a comprehensive disaggregated data-collection system; (c) To combat intolerance, stereotypes, prejudice and discrimination towards vulnerable groups, including ethnic and religious minorities and lesbian, gay, bisexual and transgender persons, by, inter alia, increasing training for law enforcement officials, prosecutors and the judiciary and conducting awareness-raising campaigns promoting sensitivity and respect for diversity among the general public;
**Kuwait – List of Issues – 136th session, 29 November 2022, 4th review, CCPR/C/KWT/Q/4**

Keywords: sexual activity; decriminalization of same-sex sexual activity; same-sex sexual activity; L; G; B; T; symbols; slogans; consent

**Non-discrimination (arts. 2, 7, 9, 17, 20 and 26)**

6. In the light of the Constitutional Court ruling of 16 February 2022 which found that article 198 of the Penal Code criminalizing “imitating the opposite sex” is unconstitutional, please indicate what measures the State party has taken to amend its legislation accordingly. Also in the light of that ruling, based on personal liberty guarantees under article 30 of the Constitution, please provide information on any plans to amend the State party’s legislation to decriminalize same-sex sexual activity among consenting adults. Please comment on reports that, on 20 June 2022, the Ministry of Commerce and Industry launched a censorship campaign against lesbian, gay, bisexual and transgender symbols and slogans, and inform the Committee about any measures that have been taken or are planned to put an end to the social stigmatization of people based on their sexual orientation or gender identity.

**Kyrgyzstan – List of Issues – 136th session, 18 June 2021, 3rd review, CCPR/C/KGZ/Q/3**

Keywords: hate speech; hate speech legislation; legislation; measures; GI; direct discrimination; indirect discrimination; multiple discrimination

**Non-discrimination and equality (arts. 2–3, 19–20 and 26)**

4. With reference to the Committee’s previous concluding observations (para. 8), please clarify whether there are any plans to adopt comprehensive anti-discrimination and hate speech legislation. Please report on measures taken to ensure that domestic legislation: (a) provides full and effective protection against direct, indirect and multiple discrimination in all spheres and on all grounds prohibited under the Covenant, including on grounds of sexual orientation and gender identity, sex, race, language, disability and ethnic origin; and (b) provides for access to effective remedies in judicial and administrative proceedings for victims of discrimination.

Keywords: SO; GI; prevention; stigmatization; L; G; B; T; I; State officials; private individuals; extortion; arbitrary arrest; arbitrary detention; law enforcement officials; hate speech

**Discrimination on the grounds of sexual orientation and gender identity (arts. 2, 7, 9, 17, 19, 21 and 26)**

8. Please report on measures taken or planned to: (a) prevent and combat all forms of discrimination based on sexual orientation and gender identity, including in employment, housing, health and family law; (b) address harassment and violence against lesbian, gay, bisexual, transsexual and intersex persons; and (c) raise awareness about principles of non-discrimination among State officials and the population at large. Please respond to reports of social stigmatization, harassment, violence and discrimination against lesbian, gay, bisexual, transsexual and intersex persons by State officials and private individuals, including extortion and arbitrary arrest and detention by law enforcement officials. Please report on measures taken to investigate interference in the private life of, and hate speech and discrimination against, representatives of lesbian, gay, bisexual, transsexual and intersex persons in connection with the 2020 parliamentary elections.
Kyrgyzstan – Concluding Observations – 136th session, 9 December 2022, 3rd review, CCPR/C/KGZ/CO/3

Keywords: ant-discrimination legislation; direct discrimination; indirect discrimination; multiple discrimination; public sector; private sector; education; health care; SO; GI

Non-discrimination

11. The Committee welcomes the information provided by the State party that the draft National Human Rights Action Plan for 2022–2024 includes the proposals for the adoption of comprehensive anti-discrimination legislation. However, the Committee remains concerned that the existing legal framework does not afford full and effective protection against direct, indirect and multiple discrimination in the public and private sectors and on all the grounds prohibited under the Covenant. Particularly, it is concerned that article 24 of the Constitution does not explicitly mention sexual orientation and gender identity as grounds of discrimination, and its applicability to discrimination in the private sphere, including education and health care. The Committee is also concerned that article 330 of the Criminal Code, while penalizing incitement to racial, ethnic, religious or interregional hostility or hatred, does not include sexual orientation and gender identity (arts. 2 and 26).

Keywords: legislation; anti-discrimination legislation; remedies; SO; GI; hate crimes; hate speech; stigmatization; violence; impunity; training; awareness-raising

12. In line with the Committee’s previous recommendations, the State party should: (a) Adopt comprehensive anti-discrimination legislation that provides full and effective protection against discrimination in all spheres and that contains a comprehensive list of prohibited grounds for discrimination, including sexual orientation and gender identity, and provides for effective remedies in cases of violation;

Discrimination on the grounds of sexual orientation and gender identity

13. The Committee remains concerned about continued reports of hate crimes and hate speech based on sexual orientation and gender identity. It is further concerned by reports of stigmatization, harassment, violence and discrimination against individuals conducted with impunity by politicians and State officials on the grounds of sexual orientation and gender identity, particularly during the parliamentary elections in 2020. While taking note of the information on training courses, which are regularly organized for the benefit of civil servants, the Committee is concerned about the lack of comprehensive training programmes for all State officials and of awareness-raising campaigns for the entire population (arts. 2, 7, 17, 21 and 26).

Keywords: SO; GI; all forms of discrimination; training of State officials; prevention

14. The State party should adopt a comprehensive approach to prevent and address all forms of discrimination on the grounds of sexual orientation and gender identity, and:

(a) Provide effective protection against all forms of discrimination and violence based on sexual orientation and gender identity, both in law and in practice, and ensure that such acts are promptly and thoroughly investigated;

(b) Reinforce training of State officials, including the judiciary, the public prosecution service and the police, on preventing and combating violence based on sexual orientation and gender identity.
**Luxembourg – List of Issues – 135\textsuperscript{th} session, 11 December 2020, 4\textsuperscript{th} review, CCPR/C/LUX/Q/4**

Keywords: L; G; B; T; I; legal ban; ban; medical treatment; free consent; informed consent; blood donation; SO; sex-change surgery; survivors; redress

**Discrimination against lesbian, gay, bisexual, transgender and intersex persons (arts. 2 and 26)**

7. Please provide updated information on the implementation of the National Plan of Action to Promote the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons, particularly with regard to the introduction of a legal ban on non-emergency “sex normalizing” medical treatment without the free and informed consent of the intersex person and the amendment of legislation that results in the restriction of the right to donate blood on the basis of sexual orientation alone. Furthermore, pending the adoption of relevant legislation, please indicate what mechanisms are in place to stop non-consensual sex-change surgery and to enable survivors of such surgery to obtain redress.

**Luxembourg – Concluding Observations – 135\textsuperscript{th} session, 14 September 2022, 4\textsuperscript{th} review, CCPR/C/LUX/CO/4**

Keywords: L; G; B; T; I; bill; self-determination; intersex children; invasive medical procedures; irreversible medical procedures; stereotypes; informed consent; rehabilitation; statistics; interventions; surgical operations; SO; GI

**Sexual orientation, gender identity and intersex persons**

11. While welcoming the adoption of the National Plan of Action to Promote the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons, dated 13 July 2018, and the fact that a draft bill is being prepared on the right to self-determination of intersex children, the Committee notes with concern that children with variations in sexual development at birth sometimes undergo invasive and irreversible medical procedures aimed at assigning them a sex, that these procedures are often based on a stereotypical view of gender roles and that they are performed before the persons concerned are of an age to give their free and informed consent. The Committee is also concerned about the lack of centralized statistics on interventions of this nature and on the rehabilitation and compensation measures that have been provided to persons who have undergone such interventions (arts. 2, 7, 24 and 26).

12. The State party should strengthen the measures to end the performance of irreversible medical acts, especially surgical operations, on intersex children who are not yet capable of giving their free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. In this regard, the State party should expedite the adoption of a law to this effect, as foreseen by the above-mentioned plan of action. The State party should also accelerate the establishment of a centralized system for the collection of relevant statistics, including on rehabilitation and compensation measures.

D. Dissemination and follow-up

28. In accordance with rule 75 (1) of the Committee’s rules of procedure, the State party is requested to provide, by 28 July 2025, information on the implementation of the recommendations made by the Committee in paragraphs 12 (sexual orientation, gender identity and intersex persons), 16 (female genital mutilation) and 26 (right of peaceful assembly), above.
Macao, China – List of Issues – 135th session, 26 August 2020, 2nd review, CCPR/C/CHN-MAC/Q/2

Keywords: identity documents; T; gender marker; birth records; identity documents; reform; same-sex couples; legal recognition

Non-discrimination and equality between men and women (arts. 2, 3, 25 and 26)

5. Please indicate any steps taken to legally recognize transgender persons and to enable them to change the gender marker on their birth records and identity documents, and provide information on the outcome of the study conducted by the Legal Reform Advisory Committee in this regard. Please also indicate the extent to which Macao, China, has taken steps to provide legal recognition of and protection for same-sex couples, and the measures taken or envisaged to extend the purview of Law No. 2/2016 to protect same-sex couples under the law.

Macao, China – Concluding Observations – 135th session, 11 November 2022, 2nd review, CCPR/C/CHN-MAC/CO/2

Keywords: anti-discrimination laws; legislation; prohibited grounds of discrimination; L; G; B; T; direct discrimination; indirect discrimination; multiple discrimination; SO; GI; remedies; awareness-raising; prejudice; sensitivity; diversity

Non-discrimination

10. The Committee is concerned that the existing anti-discrimination laws do not provide protection against all forms of discrimination based on all the prohibited grounds of discrimination under the Covenant, and regrets the explicit intention of Macao, China, not to adopt comprehensive anti-discrimination legislation. In particular, it notes with concern reports of stigmatization of and discriminatory attitudes towards multiple groups, including migrant workers and lesbian, gay, bisexual and transgender persons (art. 2, 3, 25 and 26).

11. Macao, China, should:

(a) Reconsider its position and take concrete steps to adopt comprehensive anti-discrimination legislation that prohibits all forms of direct, indirect and multiple discrimination, based on all prohibited grounds of discrimination, including colour, language, political or other opinion, national or social origin, property, disability, sexual orientation, gender identity, and other status, in all public and private spheres, in accordance with the Covenant, and that provides for effective remedies in cases of violations;

(b) Develop and conduct awareness-raising campaigns and activities to address stigmatizations of and discriminatory attitudes towards minority and vulnerable groups, particularly migrant workers and lesbian, gay, bisexual and transgender persons, promote sensitivity and respect for diversity and eradicate prejudices against members of such groups among the general public.

Discrimination against lesbian, gay, bisexual and transgender persons

12. The Committee regrets that, despite the establishment in 2017 of a working group on gender identity recognition, Macao, China, still does not allow transgender persons to change the gender marker on their birth records and identity documents, reportedly for lack of social consensus. It is further concerned that Law No. 2/2016 on Preventing and Combating Domestic Violence does not apply to same-sex intimate partners, thereby limiting their protection against domestic violence (art. 2, 3 and 26).
13. Macao, China, should put in place a simple, transparent and accessible procedure for the legal gender recognition of transgender persons. It should also refrain from any discriminatory treatment on the basis of sexual orientation and gender identity and afford equal protection to all, in law and in practice, including against domestic violence.

**Palestine – List of Issues – 135th session, 19 September 2022, 1st review, CCPR/C/PSE/Q/1**

**Keywords:** legislation; anti-discrimination legislation; remedies; hate crimes; hate speech; stigmatization; violence; L; G; B; T; disaggregated data; redress

**Non-discrimination (arts. 2, 20 and 26)**

4. With reference to the information provided by the State party, please indicate whether the State party intends to adopt comprehensive anti-discrimination legislation and amendments to existing legislation that provide full and effective protection against all forms of discrimination as prohibited under the Covenant, and effective remedies in judicial and administrative proceedings for victims of discrimination. Please indicate all measures, including awareness-raising campaigns, taken to ensure respect for the principle of non-discrimination and to combat and prevent hate crimes, hate speech and other acts of discrimination, stigmatization and violence, particularly against women and girls, members of the Bedouin communities, persons with disabilities, especially women and girls with disabilities, and lesbian, gay, bisexual and transgender persons. Please provide disaggregated data on complaints of discrimination brought before national courts and before any other complaints bodies during the past five years, and include information about the basis of discrimination, the nature of the investigations conducted and their outcomes, and any forms of redress provided to victims.

**Keywords:** surveillance regime; cybercrime; journalists; HRD; L; G; B; T; detention; SO; GI

**Right to privacy (art. 17)**

18. Please describe the legal safeguards applied to the State party’s surveillance regime and any existing independent oversight mechanisms in this regard, and discuss the compatibility with the Covenant of Decree-Law No. 10 of 2018 regarding cybercrime. Please provide up-to-date statistics on the number of complaints alleging violations of the right to privacy that have been received during the past five years, and information on the legal basis and outcomes thereof, the sanctions imposed and any remedies provided to the victims, including details about allegations of: (a) surveillance and hacking of online activities of journalists, political opponents and human rights defenders; (b) confiscation of mobile phones of female protestors and journalists during demonstrations, including the protest that took place in Ramallah between 24 and 27 June 2021, and subsequent hacking of the phones and associated accounts; and (c) interference with the right to privacy of lesbian, gay, bisexual and transgender individuals in the context of arrests and detention, including by exposing their sexual orientation and gender identity.

**Philippines – List of Issues – 136th session, 30 June 2020, 5th review, CCPR/C/PHL/Q/5**

**Keywords:** SO; GI; HIV/AIDS; legislation; discriminatory laws

**Non-discrimination (arts. 2 and 25)**

6. Please indicate legislative and other measures taken during the current reporting period to combat discriminatory laws and social practices based on sex, sexual orientation, gender identity, religion, ethnicity, disability, indigenous status, socioeconomic status, HIV/AIDS status, and political affiliation. Please include information about steps taken to develop comprehensive anti-discrimination legislation,
including provisions that prohibit discrimination on the basis of sexual orientation and gender identity in line with the Committee’s previous recommendation (CCPR/C/PHL/CO/4, para. 10).

Philippines – Concluding Observations – 136th session, 30 November 2022, 5th review, CCPR/C/PHL/CO/5

Keywords: legislation; anti-discrimination; SO; GI; L; G; B; T; stereotypes; stereotypes; public officials; indigenous peoples; redress

Non-discrimination

15. The Committee takes note of several anti-discrimination bills pending at different stages in the State party, including comprehensive anti-discrimination bills and anti-discrimination bills on the basis of race, ethnicity, religion, sexual orientation, gender identity and expression and sex characteristics. It remains concerned, however, by the delay in adopting those bills and continuing reports of discriminatory practices and attitudes towards persons with disabilities, lesbian, gay, bisexual and transgender persons, Muslims and Indigenous Peoples. In particular, it is concerned about reports of the living situations of and stigma faced by persons with disabilities, in particular children with psychosocial disabilities, the “grave scandal” provision in the Revised Penal Code, which may expose lesbian, gay, bisexual and transgender persons to police harassment and extortion, stereotypes perpetrated by public officials linking Muslims to terrorism, discrimination against young Muslims in the area of employment and discrimination against Indigenous Peoples in accessing health care, education and social services (arts. 2 and 26).

16. The State party should:

(a) Expedite the adoption of comprehensive legislation prohibiting discrimination, including multiple, direct and indirect discrimination, in all spheres, in both the public and the private sectors, on all the grounds prohibited under the Covenant, and ensure access to effective and appropriate remedies for victims of discrimination;

(b) Take effective measures to combat stereotypes about and negative attitudes towards persons on the basis of disability, sexual orientation and gender identity and ethnicity;

(c) Ensure that all acts of discrimination and violence against persons with disabilities, lesbian, gay, bisexual and transgender persons, members of minority groups and Indigenous Peoples are promptly and effectively investigated, perpetrators are brought to justice and victims are provided with redress.

Plurinational State of Bolivia – List of Issues – 134th session, 2 December 2019, 4th review, CCPR/C/BOL/Q/4

Keywords: SO; GI; violence; non-discrimination; stereotypes; prejudices; indigenous persons; persons of African descent

Non-discrimination (arts. 2, 3, 17, 26 and 27)

5. With regard to paragraphs 90 to 92, 97, 101, 104 and 107 of the report and the Committee's previous concluding observations (para. 7), please provide additional information on: (a) the resources allocated for the effective implementation of Act No. 045 and the mechanisms developed for this purpose; (b) the programmes mentioned in paragraph 92 of the report and the impact of the Plan of Action 2012–2015; (c) the content of the Multisectoral Plan of the Plurinational State of Bolivia to Combat Racism and All Forms of Discrimination 2016–2020, the resources allocated for its implementation and the results achieved; (d) any public education and awareness-raising campaigns carried out; (e) the units for
combating racism and all forms of discrimination; and (f) the content of Act No. 807, on gender identity, mentioned in paragraph 104 of the report. With regard to paragraph 107 of the report, please provide up-to-date statistics on complaints of discrimination filed, including complaints of acts of violence based on sexual orientation or gender identity, and on their outcome. Please also describe the steps taken to ensure respect for the principle of non-discrimination and to eradicate the stereotypes and prejudices that persist in Bolivian society, in particular against indigenous persons and persons of African descent.

Keywords: GI; L; G; B; T; I; discrimination; violence; trans men; prejudice; SO; GI; same-sex couples

B. Positive aspects

3. The Committee welcomes the following legislative and institutional measures taken by the State party during the reporting period in the area of civil and political rights:

(f) Act No. 807 of 21 May 2016 on Gender Identity; * Adopted by the Committee at its 134th session (28 February–25 March 2022). 1 CCPR/C/BOL/4. 2 See CCPR/C/SR.3849, CCPR/C/SR.3851 and CCPR/C/SR.3853. 3 See CCPR/C/SR.3869. 4 CCPR/C/BOL/RQ/4. 5 CCPR/C/BOL/Q/4.

Discrimination and violence based on sexual orientation and gender identity

12. The Committee is concerned by reports that lesbian, gay, bisexual, transgender and intersex persons continue to be the object of discrimination and violence, even murder. While it welcomes the adoption of Act No. 807 on Gender Identity, the Committee notes with concern that, in Plurinational Constitutional Decision No. 0076/17 and Constitutional Judgment No. 0028/17, the Constitutional Court declared unconstitutional the part of article 11 (II) of the Act that reads “individuals [who have changed their name, sex and image] may exercise all their fundamental political, labour, civil, economic and social rights”. The Committee is also concerned about the reported barriers faced by trans men in registering the birth of their children. It notes with interest that in 2020 and 2021, through the remedy of amparo, two same-sex couples were granted leave to register their cohabitation or de facto union. However, it notes that such matters remain on the docket of the Constitutional Court and regrets that other same-sex couples have been denied registration (arts. 2, 6–7, 17, 24 and 26).

13. The State party should redouble its efforts to combat stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons and should: (a) Ensure that offences motivated by the victim’s sexual orientation or gender identity are investigated promptly, that those responsible are brought to justice and appropriately punished and that the victims receive comprehensive reparation; (b) Adopt as soon as possible the necessary measures to ensure that trans persons can fully exercise all their rights under the Covenant; (c) Take the necessary steps to ensure that all children born in the State party, irrespective of the gender identity of their parents, are registered immediately after their birth and are issued with an official birth certificate; (d) Adopt the necessary measures to guarantee that same-sex couples can enjoy the rights enshrined in the Covenant.

Keywords: femicide; sexual violence; impunity; minors; T; transsexual women; violence against women

14. The Committee notes the measures taken by the State party to prevent and combat violence against women. It is nonetheless concerned by reports that violence against women and girls, including femicide and sexual violence, remains widespread in the country. Although it notes the progress, described during the dialogue, in investigating the 113 femicides committed since November 2020, the Committee is concerned at the low conviction rate in cases of violence against women. It is also concerned that the definition of the offence of rape is not in line with international standards and that, according to the
available information, the definition of the offence of statutory rape in effect allows for impunity in cases of rape or sexual abuse of a minor. In addition, the Committee is concerned by reports that the measures taken to combat violence against women do not encompass trans women, although it welcomes the fact that, according to the information provided by the State party, the amendments to Comprehensive Act No. 348 on Guaranteeing a Violence-Free Life for Women will extend the scope of protection to transgender and transsexual women (arts. 2–3, 6–7, 14, 24 and 26).

15. The State party should intensify its efforts to prevent, combat and eradicate all forms violence against women and girls. In particular, it should take the necessary measures to: (...) (b) Ensure that all measures taken to combat violence against women also protect trans women;

Russian Federation – List of Issues – 136th session, 14 August 2020, 8th review, CCPR/C/RUS/Q/8

Keywords: statistics; abduction; extrajudicial killings; torture; ill-treatment; L; G; B; T; I; HRD; disappeared persons

Accountability for alleged human rights violations committed in the North Caucasus federal area (arts. 2, 6, 7, 9, 14, 16 and 17)

3. Please provide up-to-date information, including statistics, on the progress in the investigation of the serious past and ongoing human rights violations, including abduction, extrajudicial killings, torture and ill-treatment, secret detention and acts of violence against women and lesbian, gay, bisexual, transgender and intersex individuals, in the North Caucasus, including the murder of human rights defender Natalia Estemirova. Inform the Committee about the status of the investigation of cases of enforced disappearance in the region and whether family members of disappeared persons are informed of the progress of investigations and on the identification of their remains.

Keywords: L; G; B; T; I; hate crimes; SO; GI; prevention; all forms of discrimination; housing; peaceful assembly; homophobic attitudes

Discrimination on the grounds of sexual orientation and gender identity (arts. 2, 7, 9, 17, 19, 21 and 26)

6. Please report on recent measures taken or planned to prevent and combat all forms of discrimination based on sexual orientation and gender identity, including in employment, housing, health and family law, and to address harassment and violence against such individuals. Indicate whether attacks against lesbian, gay, bisexual, transgender and intersex individuals are defined in domestic law as “hate crimes”. Respond to allegations of mass detention, raids, harassment and torture perpetrated against individuals due to their sexual orientation and gender identity by the Chechen authorities, the reported so-called “honour killings” of lesbian, gay, bisexual, transgender and intersex individuals by families in Chechnya and measures taken to address such allegations. Provide information about cases in which the laws prohibiting the promotion of non-traditional sexual relations to minors have been applied and whether the State party is considering repealing those laws, including in view of the decision of the European Court of Human Rights in the case Bayev and others v. Russia. Clarify the measures taken to ensure for lesbian, gay, bisexual, transgender and intersex persons the right to peaceful assembly, including in view of the decision of the European Court of Human Rights in the case Alekseyev v. Russia. Please respond to concerns that the recent amendments to the Constitution limit the rights of same-sex couples and may contribute to homophobic attitudes in society.
Accountability for alleged human rights violations committed in the North Caucasus federal area

8. The Committee is seriously concerned about significant human rights violations, including abductions, arbitrary detentions, enforced disappearances, torture and ill-treatment; the ongoing harassment of human rights defenders, such as Marina Dubrovina, of political opponents, and of journalists, such as Elena Milashina, and even the killing of some; the persistent persecution of lesbian, gay, bisexual and transgender persons, such as Salekh Magamedov and Ismail Isaev; and the practice of collective punishments, including of relatives and suspected supporters of alleged terrorists, human rights defenders and journalists in the North Caucasus federal area. The Committee is further concerned about the lack of investigation of these past and ongoing serious violations, including the murder of human rights defender Natalia Estemirova, and the absence of support to victims and their families, which contributes to a culture of impunity. The Committee expresses its concern about reports of forced conscriptions for the war in Ukraine and violent suppression of peaceful protests against these conscriptions in the North Caucasus federal area (arts. 2, 6–7, 9 and 15–17).

Racism, xenophobia and racial profiling

10. The Committee is concerned about:

(a) Manifestations of hate speech, particularly during electoral campaigns, by politicians and religious leaders, in particular against migrants, refugees, Roma, and lesbian, gay, bisexual and transgender persons;

Keywords: institutionalized discrimination; stigmatization; L; G; B; T; sexual relations; minors; violence; harassment; LGBT organizations; peaceful assembly

Discrimination on the ground of sexual orientation and gender identity

12. The Committee reiterates its substantial concern about institutionalized discrimination and stigmatization of lesbian, gay, bisexual and transgender persons in the State party, including as a result of the 2013 law banning the dissemination of “propaganda” on non-traditional sexual relations among minors, as well as the amendment thereto, approved by the Parliament on first reading, to ban the “denial of family values” and the “promotion”, among persons of all ages, of non-traditional sexual orientations. It is concerned that lesbian, gay, bisexual and transgender persons are not recognized in the Criminal Code as a social group for the purpose of determining the aggravating circumstances of an offence, and by the consequent failure to provide such persons with an adequate protection against violence and attacks. It is also concerned about persistent harassment of lesbian, gay, bisexual and transgender organizations and their members, including excessive restrictions on their right to peaceful assembly, and the complete shutdown of their activities (arts. 2, 7, 9, 17, 19, 21 and 26).

Keywords: measures; social stigmatization; harassment; hate speech; discrimination; violence; SO; GI; diversity; freedom of peaceful assembly; propaganda; non-traditional sexual relations

13. The State party should:

(a) Take effective measures to combat all forms of social stigmatization and harassment of, and hate speech, discrimination and violence against, persons based on their sexual orientation or gender identity, including by providing adequate training for law enforcement officials, prosecutors and members of the judiciary; amending the Criminal Code to include lesbian, gay, bisexual and transgender persons as
a group for the purpose of determining the aggravated circumstances of an offence; and raising awareness to promote respect for diversity among the general public;

(b) Ensure that cases of discrimination and violence against lesbian, gay, bisexual and transgender persons are investigated, that perpetrators are prosecuted, and, if convicted, punished with commensurate sanctions, and that victims are provided with effective remedies, in accordance with article 2 (3) of the Covenant;

(c) Repeal the 2013 law banning the dissemination of “propaganda” on non-traditional sexual relations among minors and any other legislation stigmatizing or discriminating against lesbian, gay, bisexual and transgender persons;

(d) Ensure the full exercise of the freedom of expression and the rights to freedom of peaceful assembly and of association for lesbian, gay, bisexual and transgender persons.

Turkmenistan – List of Issues – 134th session, 25 August 2022, 3rd review, CCPR/C/TKM/Q/3

Keywords: anti-discrimination legislation; decriminalization of sexual relations; same-sex couples; same-sex relations; L; G; B; T; I; SO; GI; police brutality

Non-discrimination (arts. 2, 20 and 26)

5. With reference to the Committee’s previous concluding observations 4 and the information provided by the State party,5 please update the Committee on the steps taken to adopt comprehensive anti-discrimination legislation that provides full and effective protection against direct, indirect and multiple discrimination in all spheres, including in the private sphere, on all the grounds prohibited under article 26 of the Covenant, including sexual orientation and gender identity, and provides for access to effective remedies in judicial and administrative proceedings for victims of discrimination. Please provide statistical data on complaints of discrimination brought before the domestic courts and any other complaints bodies during the reporting period, and include information on the basis of discrimination, the nature of the investigations conducted and their outcomes, and any forms of redress provided to victims. In light of the information provided by the State party,6 please describe all the measures taken to combat hate crimes and hate speech, including online hate speech, and include statistics on reported cases of hate crimes and hate speech and their outcomes.

6. With reference to the information provided by the State party,7 please provide updated information on the steps taken or envisaged to decriminalize sexual relations between consenting adults of the same sex, and on the number of convictions under article 135 of the Criminal Code, during the reporting period. Please report on the measures taken: (a) to eliminate and combat discriminatory attitudes towards lesbian, gay, bisexual, transgender and intersex individuals; and (b) to ensure that all cases of discrimination or violence against persons based on their sexual orientation or gender identity, including cases of police brutality, such as the case of Kasymberdy Garayev, are properly investigated and sanctioned, including information on the outcomes of such cases.

Qatar – List of Issues – 134th session, 24 August 2020, 1st review, CCPR/C/QAT/Q/1

Keywords: SO; anti-discrimination legislation; same-sex relations; detention; adultery; intimate relations

Non-discrimination (arts. 2, 3, 14, 20, 23, 26 and 27)

6. Please indicate the legislative and other measures taken, since the State party’s accession to the Covenant, to combat laws and social practices that are discriminatory on the basis of sex, sexual orientation,
religion, race, ethnicity, disability and nationality status. Please include information about the steps taken to develop comprehensive anti-discrimination legislation, including provisions that prohibit discrimination on the above grounds.

15. Please respond to reports about individuals having been detained in Qatar on the basis of the criminalization of non-violent acts, including adultery, intimate relations outside wedlock, same-sex relations, absconding from an employer, sorcery, disobedience to parents, begging, the consumption of alcohol and substance abuse. Please provide disaggregated data on the number of people held on such a basis, including the number and percentage of women among those detained for offences relating to adultery and intimate relations outside marriage and the percentage, and indicate whether the State party intends to decriminalize such acts or develop alternatives to detention.

Qatar – Concluding Observations – 134th session, 25 April 2022, 1st review, CCPR/C/QAT/CO/1

Keywords: SO; GI; framework; legislation

Non-discrimination framework

12. While noting that the State party’s Constitution proclaims the principle of equality in article 18 and of no discrimination on the grounds of sex, race, language or religion in article 35, the Committee is concerned that the existing national legal framework does not afford comprehensive protection against discrimination on all the grounds covered by the Covenant, including on the grounds of sexual orientation and gender identity. The Committee is also concerned that, by law, naturalized Qatari do not enjoy certain rights on an equal basis with Qatari nationals, including certain political rights (arts. 2 and 26).

13. The State party should take all measures necessary to ensure that its national legal framework contains a comprehensive list of prohibited grounds of discrimination in line with the Covenant, including sexual orientation and gender identity. The State party should also guarantee all rights to naturalized Qatari on an equal basis with Qatari nationals. (…)

Keywords: same-sex relations; adultery; alcohol; substance; pretrial detention; same-sex relations; substance abuse

Liberty and security of person

30. The Committee is concerned about: (a) the criminalization of various non-violent acts, including adultery, intimate relations outside wedlock, same-sex relations, begging, consumption of alcohol and substance abuse; (b) certain provisions of the Code of Criminal Procedure, in particular article 117 which allows for the possibility of prolonged pretrial detention, and allegations that many prisoners are being held in pretrial detention for lengthy periods; and (c) reports of individuals being detained due to the inability to repay a debt, in particular foreign nationals (arts. 9 and 11).

31. The State party should bring its legislation and practices into compliance with article 9 of the Covenant, taking into account the Committee’s general comment No. 35 (2014) on liberty and security of person, and with article 11 of the Covenant. It should, inter alia: (a) Decriminalize non-violent acts such as adultery, intimate relations outside wedlock, same-sex relations, begging, consumption of alcohol and substance abuse;
Uganda – List of Issues – 135th session, 31 August 2022, 2nd review, CCPR/C/UGA/Q/2

Keywords: direct discrimination; indirect discrimination; multiple discrimination; legal framework; legislation; anti-discrimination; same-sex relationships; stigmatization; harassment; SO; GI

Non-discrimination (arts. 2, 19, 20 and 26)

5. Please provide further information on the steps taken to ensure that the State party’s legal framework:
   (a) provides full and effective protection against direct, indirect and multiple discrimination in all spheres, including in the private sphere, and on all the grounds prohibited under the Covenant, including sexual orientation and gender identity; and (b) provides for effective remedies in judicial and administrative proceedings for victims of discrimination. Please indicate if the State party intends to adopt comprehensive anti-discrimination legislation to address the above requirements.

6. Please provide information on the number of arrests, prosecutions, convictions and sanctions imposed for same-sex sexual relations in the past five years, and indicate whether the State party intends to repeal the criminalization of consensual same-sex relationships between adults to ensure compliance with its obligations under articles 2, 17 and 26 of the Covenant. Please respond to reports of discrimination, stigmatization, harassment and violence, including while in police custody, on the basis of sexual orientation or gender identity, and provide information on the measures taken to prevent and combat such acts, and the impact of such measures.

Uruguay – List of Issues prior to reporting – 135th session, 27 April 2018, 6th review, CCPR/C/URY/QPR/6

Keywords: L; G; B; T; I; LGBTI children; acts violence; SO; GI; transsexual; right to an identity; surgery; normalization surgery

Sexual orientation and gender identity (arts. 6, 7, 17 and 26)

7. With reference to the most recent concluding observations (CCPR/C/URY/CO/5, para. 12), please describe the steps taken to:

   (a) Combat discrimination and incitement to hatred against lesbian, gay, bisexual, transgender and intersex persons, including children, and ensure that they have access to health services;

   (b) Protect such persons and ensure that any and all acts of violence motivated by a person’s sexual orientation or gender identity are investigated and that the perpetrators of such acts are prosecuted and punished appropriately;

   (c) Guarantee transsexual persons’ right to an identity;

   (d) Address the issue of the performance of so-called “normalization” surgery upon intersex persons.

Uruguay – Concluding Observations – 135th session, 3 October 2022, 6th review, CCPR/C/URY/CO/6

Keywords: redress; stigmatization of transgender people; discrimination; T

B. Positive aspects

(d) The enactment of Act No. 19.684 of 26 October 2018, which sets out measures of prevention, care, protection and redress with the aim of eradicating discrimination against and stigmatization of transgender people;
Discrimination based on sexual orientation and gender identity

10. Despite many legislative and policy initiatives, the Committee is concerned about stigmatization and discriminatory attitudes towards lesbian, gay, bisexual, transgender and intersex persons in the State party, particularly as manifested in bullying and violence in schools (arts. 7, 17 and 26).

11. The State party should redouble its efforts to combat stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons and should ensure that the gap between legislation and practice is effectively addressed, in particular in regard to education, health, the workplace and the public space, and that offences motivated by the victim’s sexual orientation or gender identity are investigated promptly, that those responsible are brought to justice and appropriately punished and that the victims receive full reparation.
3. Committee on the Elimination of Discrimination against Women

**Albania** – List of issues – 83rd session, 7 March 2022, 5th review, CEDAW/C/ALB/Q/5

Keywords: TSM; measures; gender equality; discrimination; substantive equality; intersecting forms of discrimination; L; B; T; I; underrepresented; disadvantaged

**Temporary special measures**

8. Please provide details of any temporary special measures adopted in follow-up to the 2019 study on gender equality and discrimination in appointed bodies of local government carried out by the Commissioner for Protection from Discrimination, and as part of local gender equality plans. In the light of the Committee's previous recommendations (CEDAW/C/ALB/CO/4, para. 19), please provide comprehensive information on the use of temporary special measures, in line with article 4 (1) of the Convention and general comment No. 25 (2004) on temporary special measures, to accelerate the achievement of substantive equality for women facing intersecting forms of discrimination, in particular Roma and Egyptian women, women with disabilities and lesbian, bisexual and transgender women and intersex persons, in all areas in which women are underrepresented or disadvantaged.

Keywords: social protection; social protection schemes; marginalized groups; L; B; T; I

**Employment**

17. Please provide information on the measures taken to reduce horizontal and vertical occupational segregation, to address the concentration of women in part-time and low-paid jobs and to increase women's access to social protection schemes, including non-contributory schemes for women with disabilities and women belonging to marginalized groups. Please indicate the measures taken to eliminate discrimination in the labour market against mothers and pregnant women in relation to hiring, career advancement, conditions of employment, pay and denial of paid maternity leave, in particular in the private sector, including measures for Egyptian and Roma women, women with disabilities, lesbian, bisexual and transgender women and intersex persons, and women in rural and remote areas.

Keywords: L; B; T; I; intersecting forms of discrimination; marginalized groups of women

**Disadvantaged and marginalized groups of women**

21. In view of the intersecting forms of discrimination faced by disadvantaged and marginalized groups of women in the State party, please provide information on the situation of the following groups of women: older women, Roma and Egyptian women, women with disabilities, migrant and returnee women, lesbian, bisexual and transgender women and intersex persons, women in detention, secluded women and asylum-seeking women.

**Armenia** – List of issues – 83rd session, 16 July 2021, 7th review, CEDAW/C/ARM/Q/7

Keywords: L; B; T; I; legislation; human rights; anti-discrimination; women’s rights

**National human rights institution**

5. In March 2019, the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions encouraged the office of the Human Rights Defender to strengthen the implementation of its anti-discrimination mandate, in particular regarding lesbian, bisexual, transgender and intersex
persons’ rights and women’s rights, and advocated for legislative amendments for the formalization and application of a clear, transparent and participatory selection and appointment process. It also recommended that the office of the Human Rights Defender continue to advocate for the funding necessary to ensure that it could effectively carry out its mandate. Please indicate the steps taken by the State party to implement those recommendations and how it ensures that the office of the Human Rights Defender is able to effectively and independently discharge its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Keywords: domestic work; care work; stereotypes; discriminatory gender stereotypes; L; B; T; I; access to justice

**Stereotypes**

9. In its report, the State party acknowledged the persistence of discriminatory gender stereotypes concerning the roles and responsibilities of women and men in the family and in society, undermining women’s social status and their educational and professional careers (paras. 37–54). According to information received by the Committee, gender norms and stereotypes continue to contribute to gender-biased, sex-selective abortions, gender bias in education, lower levels of labour market participation among women, gender segregation in the labour market, the gender pay gap, the feminization of poverty, a disproportionate burden of unpaid domestic and care work being placed on women, gender-based violence against women and limited sexual and reproductive choices for women and girls in the State party. Please provide information on the implementation and monitoring of policies and programmes aimed at eliminating gender stereotypes. Please also provide information on measures taken to counter stereotypical attitudes towards women and girls who experience intersecting forms of discrimination, including on the basis of their ethnicity, age or disability, and towards people who experience intersecting forms of discrimination for being lesbian, bisexual, transgender or intersex. Please provide information on measures taken to criminalize hate speech and gender-based violence against lesbian, bisexual and transgender women and intersex persons and to ensure that victims of such acts have effective access to justice.

Keywords: marginalized groups of women; L; B; T; I; consent; medical procedure; sterilization

**Health**

15. In its report (paras. 130–132), the State party referred to measures taken from 2016 to 2019 to improve access to health-care services at the marz level. According to information before the Committee, however, the need for family planning services in the State party remains unmet, and there is currently no separate line for contraceptive procurement in the State budget. Please indicate the measures taken to ensure a dedicated budget line for family planning, as well as to make modern contraceptives accessible and affordable for marginalized groups of women. Please also provide information on periodic and mandatory training for health workers on women’s and girls’ sexual and reproductive health and rights, paying particular attention to lesbian, bisexual and transgender women and intersex persons, women with disabilities and women with HIV. Please provide information on measures taken to ensure full consent for any medical procedure, such as sterilization, conducted on women and girls, specifically women with disabilities and transgender women.

**Armenia – Concluding Observations – 83rd session, 1 November 2022, 7th review, CEDAW/C/ARM/CO/7**

Keywords: peacebuilding; pandemic; gender-based violence; L; B; T; I; socioeconomic development; armed conflict; GR; intersecting forms of discrimination; girls belonging to ethnic minorities
E. Principal areas of concern and recommendations General context

9. The Committee welcomes the State party’s efforts on and commitment to peacebuilding, the consolidation of human rights, democratic institutions and the rule of law, and sustainable development. It acknowledges the complex political, economic and security constraints on the State party during the reporting period, which were aggravated by the coronavirus disease (COVID-19) pandemic and the impact of the Nagorno-Karabakh conflict and continued armed hostilities, notwithstanding the trilateral statement of 9 November 2020 by the Prime Minister of Armenia, the President of Azerbaijan and the President of the Russian Federation, and which pose a challenge to the implementation of the Convention. In this regard, it notes that the State party has been facing a volatile situation marked by human suffering, forced displacement, economic instability and the rise of violence and insecurity, including sexual and gender-based violence. The State party has also experienced the hardening of traditional and patriarchal attitudes that limit the enjoyment by women and girls of their rights, particularly in the case of disadvantaged groups of women, such as internally displaced women, women in a refugee-like situation, rural women, older women, women with disabilities, women belonging to ethnic minorities, and lesbian, bisexual, transgender and intersex women. Nevertheless, it considers that implementation of the Convention, especially at times of conflict, is the most effective means of safeguarding full respect for, and the realization of, women’s rights, given that women are a driving force of the country’s socioeconomic development.

12. The Committee highlights as critical the meaningful and inclusive participation of women at all stages of peace and reconstruction processes so that women’s priorities and experiences of the armed conflict are fully integrated into those processes, as required under the Convention and Security Council resolution 1325 (2000), with a view to achieving a lasting peace. The Committee recalls its general recommendation No. 30 and recommends that the State party:

(e) Address in a sustainable manner the specific needs of internally displaced women and girls and of those in a refugee-like situation, who often face intersecting forms of discrimination, including widows, women and girls with disabilities, older women, women and girls belonging to ethnic minorities, and lesbian, bisexual, transgender and intersex women;

Keywords: L; B; T; I; resources; women’s rights

National human rights institution

19. The Committee notes with appreciation that the Armenian Human Rights Defender has been accredited with “A” status by the Global Alliance of National Human Rights Institutions since 2006, which was reviewed and confirmed in 2021, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It also welcomes the Human Rights Defender’s intervention during the constructive dialogue with the State party. However, the Committee is concerned that the Human Rights Defender’s mandate does not comprehensively address protection of the rights of lesbian, bisexual, transgender and intersex women.

20. The Committee recommends that the State party implement the recommendations of the Global Alliance of National Human Rights Institutions by providing the Office of the Human Rights Defender with adequate human, technical and financial resources to discharge its mandate effectively, independently and in compliance with the Paris Principles, and to strengthen its efforts aimed at promoting women’s rights and combating discrimination, including with regard to lesbian, bisexual, transgender and intersex women. It also recommends that the State party support the Office in implementing the recommendations of the Subcommittee on Accreditation of the Global Alliance, and that it seek technical assistance to that end from the Office of the United Nations High Commissioner for Human Rights.
Lesbian, bisexual, transgender and intersex women

49. The Committee is concerned about reports of discrimination, harassment and hate speech against lesbian, bisexual, transgender and intersex women, and about the absence of legal provisions regulating gender reassignment surgery and gender marker change, as well as the lack of training for medical personnel on the rights of lesbian, bisexual, transgender and intersex women.

50. The Committee recommends that the State party:

(a) Adopt legislative and policy measures to combat gender-based violence and discrimination against lesbian, bisexual, transgender and intersex women, including hate speech and physical, verbal and emotional abuse;

(b) Protect the human rights of lesbian, bisexual, transgender and intersex women in all areas covered by the Convention and conduct awareness-raising activities to address their stigmatization in society;

(c) Ensure that transgender persons, including women, can exercise the right to change the gender marker in their passport and other identity documents;

(d) Ensure that lesbian, bisexual, transgender and intersex women can freely participate in political and public life by exercising their right to freedom of peaceful assembly without intimidation or reprisals.

Azerbaijan – List of Issues – 82nd session, 11 March 2020, 6th review, CEDAW/C/AZE/Q/6

Disadvantaged groups of women

21. Please provide information on the measures taken to address intersecting forms of discrimination faced by women with disabilities, refugee and internally displaced women, older women, Lezgin women and women belonging to other ethnic minority groups, women heads of household and lesbian, bisexual and transgender women in legislation, policies and programmes related to gender equality. Please provide more information on the impact, including details regarding the 500 beneficiaries, of the project on the prevention of sexual and gender violence in communities of internally displaced persons and response measures (para. 29) and on whether the State Committee for Family, Women and Children’s Affairs continued that project after 2018. Please outline the measures adopted by the State party to ensure that women and girls belonging to other disadvantaged groups who are victims of gender-based violence are provided with support services.

Belarus – List of Issues prior to reporting – 83rd session, 7 March 2022, 9th review, CEDAW/C/BLR/QPR/9

Disadvantaged groups of women

23. In line with the Committee’s previous concluding observations (paras. 41, 43 and 47), please provide information on the measures taken to:
(c) Adequately combat discrimination, harassment and violence against lesbian, bisexual, transgender and intersex persons, and ensure that every crime against them is promptly investigated, prosecuted and adequately punished, including if the perpetrator is a member of the security forces.

Belgium – List of Issues prior to reporting – 83rd session, 18 November 2019, 8th review, CEDAW/C/BEL/QPR/8

Keywords: education; health; housing; L; B; T; TSM; political life; public life

Disadvantaged groups of women

22. Please provide updated information and data on the human rights situation of women facing intersecting forms of discrimination, including migrant women, women with disabilities and lesbian, bisexual and transgender women, and specify the measures, including temporary special measures, taken to ensure that they have effective access to education, health, housing, employment and participation in political and public life. Please provide information on measures taken to guarantee compliance with the obligations of the State party towards refugee and asylum-seeking women and girls, including the protection of their fundamental rights and the provision of basic services, and on training and guidelines for law enforcement officials and border guards on the gender-sensitive treatment of those groups at all stages of the asylum and immigration procedure.

Belgium – Concluding Observations – 83rd session, 1 November 2022, 8th review, CEDAW/C/BEL/CO/8

Keywords: violence; L; G; B; T; I; LGBTI; distress; sterilization; consent; medical treatment; intervention; change in registered sex; sexual identity; recognition

B. Positive aspects

5. The Committee welcomes the State party’s efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(c) An interfederal action plan to counter discrimination and violence against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons for the period 2018–2019 and a federal action plan for an LGBTI-friendly Belgium for the period 2021–2024, in 2021;

Health

45. The Committee welcomes the amendments made to the right to voluntary termination of pregnancy by eliminating the test for distress and by removing abortion from the Criminal Code, in 2018. The Committee also welcomes the statement by the delegation of the State party that only the woman concerned but not a legal guardian can give consent to sterilization. It further notes the information given by the delegation during the dialogue that, since 2022, health-care coverage for psychological services has improved in the State party, including for women and girls, and that there is no need to go through a general practitioner; and that mental health prevention programmes have been established. The Committee nevertheless notes with concern:

(c) The lack of free, prior and informed consent given by women, particularly women with intellectual or psychosocial disabilities and migrant women, and intersex children for any medical treatment or intervention.

Lesbian, bisexual, transgender and intersex women
57. The Committee welcomes the adoption of a federal action plan for an LGBTI-friendly Belgium for the period 2021–2024 and notes the adoption of the Act of

June 2017 reforming the regulations applicable to transgender persons concerning references to a change in registered sex in civil status records and their effects. However, it notes with concern that the Constitutional Court declared the Act “partially unconstitutional” in 2019.

58. The Committee recommends that the State party amend the law relating to the registration of the sex of transgender persons in civil status documents in conformity with the Constitution to ensure that transgender women can obtain recognition of their sexual identity.

Bolivarian Republic of Venezuela – List of issues – 84th session, 11 July 2022, 9th review, CEDAW/C/VEN/Q/9

Keywords: same-sex relationships; criminalization

Legislative framework and definition of discrimination

5. In accordance with the State party’s obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on the following:

(d) Steps taken to amend article 565 of the Organic Code on Military Justice, which criminalizes consensual same-sex relationships in the armed forces;

Keywords: gender-based violence; indigenous women and girls; African descent; L; B; T; I; HRD

Gender-based violence against women

12. In particular, please indicate the measures taken to:

(b) Prevent all forms of gender-based violence against indigenous women and girls, women and girls of African descent, women and girls with disabilities, lesbian, bisexual and transgender women, intersex persons and women human rights defenders;

Keywords: T; transgender women; transgender girls; disaggregated statistics

 Trafficking and exploitation of prostitution

13. Please provide information on:

(b) The prosecutorial and judicial authorities and type of criminal offence under which trafficking in transgender women is investigated and prosecuted, indicating also the number of criminal sentences relating to trafficking in transgender women and girls that have been handed down, providing statistics disaggregated by year, type of offence and type of sentence issued;

Central African Republic – List of Issues – 84th session, 11 July 2022, 6th review, CEDAW/C/CAF/Q/6

Keywords: gender-based stereotypes; harmful practices; L; B; T; I; education; health; justice; media

Stereotypes and harmful practices

12. Recalling the Committee’s previous concluding observations (CEDAW/C/CAF/CO/1-5, para. 26), and in line with joint general recommendation No. 31 of the Committee/general comment No. 18 of the
Committee on the Rights of the Child (2019) on harmful practices, please provide detailed information on steps taken to:

(a) Analyse and address gender-based stereotypes as a root cause of gender-based violence against women, including lesbian, bisexual, transgender and intersex women, and put in place measures to combat stereotypes in the education, health and justice sectors and in the media;

**Costa Rica** – List of Issues – 83rd session, 7 March 2022, 8th review, CEDAW/C/CRI/Q/8

Keywords: L; B; T; I; HRD; women HRD; national policy

**Gender-based violence against women**

12. In particular, while the adoption of the national policy for addressing and preventing violence against women (2017–2032) has been noted (para. 5), please indicate the measures taken to:

(a) Prevent all forms of gender-based violence against indigenous women, women of African descent, women and girls with disabilities, lesbian, bisexual and transgender women, intersex persons and women human rights defenders;

**Dominican Republic** – List of Issues prior to reporting – 81st session, 13 March 2019, 8th review, CEDAW/C/DOM/QPR/8

Keywords: legislation; prevention; redress; punishment; violence against women; GI

**Definition of discrimination and legislative framework**

3. Please provide information on the current status of the draft legislation on a comprehensive system for preventing, addressing, punishing and eradicating violence against women, on sexual and reproductive rights and on gender identity, including information on major content, the timeline for adoption and any obstacles to approval. Please also provide information on plans to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

Keywords: stereotypes; harmful practices; long-term measures; gender equality; media; L; B; T; I

**Stereotypes and harmful practices**

6. Please provide information on sustained long-term measures taken to address the stereotyped portrayal of women, in particular women of Haitian descent, lesbian, bisexual and transgender women and intersex persons and women with disabilities, including in the media and the business sector, as provided for in the national gender equality and equity plan and as recommended by the Committee in its previous concluding observations (para. 23 (a) and (b)). Please also provide information on efforts to monitor the impact of such measures and on the trends of changing attitudes relating to the traditional roles of women and men in the family and society.

Keywords: L; B; T; I; access to health care; health personnel; training

**Health**

20. Please provide information on training provided to health personnel to eliminate prejudice and stereotypes against women in prostitution and lesbian, bisexual and transgender women and intersex persons, as well as on measures taken to ensure equal access to health care.
Dominican Republic – Concluding Observations – 81st session, 1 March 2022, 8th review, CEDAW/C/DOM/CO/8

Keywords: L; B; T; I; gender-based violence against women; medical assistance; psychosocial assistance; legal assistance; witness protection; victim protection

Gender-based violence against women

22. In line with its general recommendation No. 35 (2017) on gender-based violence against women updating general recommendation No 19 (1992), and with the recommendations contained in its previous concluding observations (CEDAW/C/DOM/CO/6-7, para. 25), the Committee urges the State party to:

(d) Ensure that women and girls, including women with disabilities, refugee, asylum-seeking and migrant women, lesbian, bisexual, transgender women and intersex persons, who are victims of gender-based violence against women, have adequate access to medical, psychosocial and legal assistance and to victim and witness protection programmes;

Keywords: education; L; B; T; I; GR; education

Education

31. The Committee notes that the illiteracy rate among women is 13.5 per cent lower than among men. It also notes the introduction of extended school days, which is reaching 68 per cent of children and is resulting in a considerable increase in school enrolment rates and improved grades. It further notes the free meals policy. It welcomes the increased salaries, retirement pensions and health-care benefits for preschool, primary-level and secondary-level teachers, as well as the approval of the national plan for inclusive education (2019). However, the Committee remains concerned about gender stereotypes and discriminatory educational practices, including among teachers, gender-biased pedagogical resources and methodologies, and school culture, which have led to gender gaps in girls’ performance in certain subjects, including mathematics. The Committee also notes with concern that the planned measures related to age-appropriate sexuality education in schools, such as the development of curricula for comprehensive sexuality education from the preschool to the lower secondary level, the design and implementation of protocols for detecting and managing adolescent pregnancies and of related guidelines and training for teachers and psychologists, have not been implemented. It is also concerned about discrimination in schools against pregnant girls and teenagers, teenage mothers and girls who do not possess birth certificates, as well as about discrimination against lesbian, bisexual, transgender and intersex students.

32. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party promote the importance of girls’ education at all levels as a basis for their empowerment, and recommends that the State party:

(b) Develop policies to end discrimination in schools against pregnant girls and teenagers, teenage mothers and girls who do not possess birth certificates, as well as discrimination against lesbian, bisexual, transgender and intersex students to ensure that they can successfully complete their education;

Fiji – List of Issues prior to reporting – 85th session, 4 November 2022, 6th review, CEDAW/C/FJI/QPR/6

Keywords: GR; T; gender-based violence

Gender-based violence against women
9. In the light of the Committee's previous recommendations (para. 28), and taking into account its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, please describe the efforts Fiji has made to combat gender-based violence against women and its underlying causes. In particular, please provide information on:

(c) Specific measures to address violence against transgender women;

Keywords: L; B; T; I; awareness raising

Disadvantaged groups of women

22. Please provide information on measures taken by the State party to adopt legislation, temporary special measures and awareness-raising measures to combat intersecting forms of discrimination against disadvantaged groups of women, such as women with low income, women with disabilities, and lesbian, bisexual, transgender and intersex women.

Finland – List of Issues – 83rd session, 16 July 2021, 8th review, CEDAW/C/FIN/Q/8

Keywords: discrimination; discriminatory gender stereotypes; harmful practices; sexist hate speech; SO; GI; hate speech; mass media

Discriminatory gender stereotypes and harmful practices

10. With regard to the Committee’s previous recommendations (CEDAW/C/FIN/CO/7, para. 15), and in view of the reported sharp increase of all forms of hate speech against women in the State party (para. 130), please inform the Committee of any amendment to the Penal Code to criminalize sexist hate speech (para. 135) and other forms of gender-related hate speech, including against migrant women and women belonging to national minority groups. Noting the various efforts reported by the State party to address discriminatory gender stereotypes with regard to women and girls, including those experiencing multiple and intersecting forms of discrimination relating to religion, ethnicity, language, age, disability, sexual orientation, gender identity or other characteristics (paras. 131–142), please provide further information on measures taken to tackle the phenomenon, including awareness-raising and educational campaigns, in particular since 2018, in follow-up to the research undertaken as mentioned in the report (para. 140). Please also provide data, disaggregated by sex and other characteristics, on the number, nature and outcome of complaints received by the Consumer Ombudsman since 2014 concerning negative, stereotypical and sexualized images of women and stereotypical attitudes regarding the roles of women and men in the family and society in marketing and the mass media (para. 142).

Keywords: L; B; T; I; sexual harassment; violence; prevention

Education

19. Please provide detailed information on decisive measures taken to reverse the reported worrying trend in Finland of high rates of sexual harassment, in particular with regard to the following: (a) occurrences in educational institutions, which according to the State party affects in particular women and girls who are non-nationals, women and girls with disabilities, and lesbian, bisexual and transgender women and girls and intersex persons; (b) women and girls in care institutions; and (c) women in the Finnish Defence Forces. In addition, please provide detailed information on decisive measures taken to remedy the lack of support the victims receive (para. 251). Please provide information about the State party’s plans to include age-appropriate sexual and reproductive health and rights education in curricula at all levels of education, especially education designed to prevent violence. Please elaborate on structural reform of education of adult migrants, and on any gender-sensitive measures included (para. 211).
Health

22. In the light of the Committee's previous recommendations (CEDAW/C/FIN/CO/7, para. 29), please provide information on the following: (a) measures taken to strengthen access for women and adolescent girls to health services, in particular for migrant women, including those who are undocumented (paras. 33–37), women with disabilities, women with low income, Roma women, women living in rural areas and Sami women; (b) the incidence of unsafe abortion and its impact on women's health, including maternal mortality (para. 199); (c) whether free contraceptives are available in all municipalities (para. 244); (d) the number of midwives in the State party; (e) the mental health situation, and the prevalence of eating disorders, substance and alcohol abuse, and suicide among women and girls, in view of the measures taken by the State party to address these phenomena (paras. 245–252); (f) the number of women living with HIV/AIDS in the State party, disaggregated by age, disability, national minority group status and nationality, as well as ethnicity, if permitted (para. 23); and (g) occurrence of other sexually transmitted diseases. Please provide information and data on the health situation of Sami women, and measures taken to improve their access to health care and social services (para. 54). Please also inform the Committee about the reform of the Act on Legal Recognition of the Gender of Transsexuals (para. 253) and provide justification for why the Sterilization Act, which permits the sterilization of women with disabilities without their consent, has not been repealed (para. 256).

Finland – Concluding Observations – 83rd session, 1 November 2022, 8th review, CEDAW/C/FIN/CO/8

Keywords: GI; GE; discrimination

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2014 of the State party’s previous report in undertaking legislative reforms, in particular the adoption of the following:


Keywords: intersex children; T; verification of gender; sterilization; requirement of proof of sterilization; genitalia

Harmful practices

21. The Committee notes the proposed amendment of the law on verification of gender to remove the requirement of proof of sterilization for a transsexual person. It also notes that a working group was established to prepare best practice guidance to help health-care professionals advise parents with intersex children. The Committee further notes that forced marriage is punishable as human trafficking or as coercion. The Committee notes with concern, however:

(b) The performance of surgical interventions on intersex children with the aim of “normalizing” their genitalia;
**Gabon** – Concluding Observations – 81st session, 1 March 2022, 7th review, CEDAW/C/GAB/CO/7

Keywords: marginalized groups of women; L; B; T; I; gender-based violence; discrimination; access to justice; investigation; perpetrators; compensation

37. The Committee recommends that the State party:

(e) Provide effective protection to lesbian, bisexual, transgender and intersex women from gender-based violence and discrimination and ensure their access to justice through the appropriate investigation of their complaints, punishment of perpetrators and provision of compensation to survivors;

**Gambia** – Concluding Observations – 83rd session, 1 November 2022, 6th review, CEDAW/C/GMB/CO/6

Keywords: L; B; T; I; criminalization; intersecting forms of discrimination

Women human rights defenders and civil society

17. The Committee is concerned about reports that women human rights defenders are subject to serious online and other threats, intimidation and harassment for their work on women’s human rights, noting in particular those advocating on behalf of lesbian, bisexual, transgender and intersex women, who face criminalization and intersecting forms of discrimination in the State party.

**Guatemala** – List of issues – 85th session, 4 November 2022, 10th review, CEDAW/C/GTM/Q/10

Keywords: SDGs; L; B; T; I; indigenous women; women of African descent; women with disabilities; asylum-seeking women; older women; rural women and girls; remedies; compensation

Legislative framework and definition of discrimination

3. In accordance with the State party’s obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on the following:

(d) Legal remedies and compensation available to women who are subjected to any form of gender-based discrimination, in particular Indigenous women; women of African descent; women with disabilities; lesbian, bisexual, transgender and intersex women; migrant, refugee and asylum-seeking women; older women and rural women and girls.

Keywords: access to justice; disadvantaged women; L; B; T; I; effective legal remedies

Access to justice and legal complaint mechanisms

4. Please provide information on the following:

(e) Steps taken to design a strategy aimed at guaranteeing access to justice of groups of women who are disadvantaged and discriminated against, such as Indigenous women; women of African descent; women with disabilities; lesbian, bisexual, transgender and intersex women; migrant, refugee and asylum-seeking women; older women and rural women and girls, which addresses linguistic, accessibility and
other cultural barriers and establishes and disseminates information about effective legal remedies and procedures enabling women to claim their rights.

Keywords: L; B; T; I gender-based violence; women HRD

Women human rights defenders

6. Information received by the Committee indicates that there has been an increase in gender-based violence, including killings, threats, intimidation, criminalization and violent attacks, perpetrated against women human rights defenders, in particular journalists, justice operators, community and union leaders and Indigenous women defending land rights and environmental resources, and women defending the human rights of lesbian, bisexual, transgender and intersex women.

Keywords: L; B; T; I; gender-based violence; specific measures; femicides; disappearances; psychological violence; sexual violence

Gender-based violence against women

9. Information received by the Committee indicates that there is a high prevalence of gender-based violence against women in the State party, including femicides, disappearances and psychological and sexual violence, that disproportionately affects Indigenous women, women of African descent, rural women and lesbian, bisexual, transgender and intersex women. In the light of the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, please provide information on:

(c) Specific measures taken to prevent all forms of gender-based violence against Indigenous women and girls, women and girls of African descent, women and girls with disabilities and lesbian, bisexual, transgender and intersex women;

Keywords: intersecting forms of discrimination; L; B; T; I; women in detention; marginalized groups of women

Disadvantaged groups of women

18. In view of the intersecting forms of discrimination faced by disadvantaged and marginalized groups of women, please provide information on the situation of migrant and internally displaced women; women with disabilities; older women; lesbian, bisexual, transgender and intersex women; and women in detention.

Keywords: gender diversity; identity disorder; legislation; public policy

Marriage and family relations

20. Please provide information on the following:

(d) Measures taken to ensure that legislation and public policy, specifically the Public Policy on Protection of Life and the Institution of the Family 2021–2023, and draft law No. 5940, which qualifies gender diversity as an identity disorder, are in conformity with the Constitution and international human rights treaties, including the Convention.
Honduras – List of Issues – 83rd session, 16 July 2021, 9th review, CEDAW/C/HND/Q/9

Keywords: legislation; legislative framework; SDGs; intersecting forms of discrimination; criminalization; SO; GI

Legislative framework and definition of discrimination

4. In accordance with the State party’s obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on the following:

(b) Legislative and policy measures taken to address intersecting forms of discrimination faced by women under the new Criminal Code, which criminalizes discrimination on several grounds, including ethnicity or race, indigenous or African descent, sex, sexual orientation and gender identity, gender, marital status, family or economic situation, age and disability (para. 23);

Keywords: L; B; T; I; forced sterilization; harmful and derogatory language

Stereotypes and harmful practices

10. Reports received by the Committee indicate that there is discrimination against women with disabilities, including through derogatory language and discriminatory provisions in public policies, isolation, abuse, forced sterilization and neglect, as well as harmful and derogatory language used against lesbian, bisexual and transgender women and intersex persons. In the light of the Committee’s previous recommendations (CEDAW/C/HND/CO/7-8, para. 21), please provide information on measures taken to address intersecting forms of discrimination against women and girls with disabilities, lesbian, bisexual and transgender women and intersex persons.

Keywords: gender-based violence; femicides; L; B; T; I; women HRD

Gender-based violence against women

11. Information received by the Committee indicates that there is a high prevalence of gender-based violence against women in the State party, including femicides, disappearances, psychological and sexual violence and hate crimes, disproportionately affecting indigenous women, women of African descent, rural women, lesbian, bisexual and transgender women, intersex persons and women human rights defenders, and that there have been high numbers of reports of domestic violence during the COVID-19 pandemic. In the light of the Committee’s general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, please provide information on the measures taken to develop a comprehensive, long-term strategy to combat gender-based violence against women. In particular, please indicate the measures taken to:

(a) Prevent all forms of gender-based violence against indigenous women, women of African descent, women and girls with disabilities, lesbian, bisexual and transgender women, intersex persons and women human rights defenders;

Keywords: marriage; L; B; T; I; registered partnerships

Marriage and family relations

23. Please provide information on the following:

(c) Measures taken to enable lesbian, bisexual and transgender women and intersex persons to register their partnerships and to repeal article 112 of the Constitution insofar as it bans de facto and marital unions
by lesbian, bisexual and transgender women and intersex persons (CEDAW/C/HND/CO/7-8, para. 49 (d));

**Honduras** – Concluding Observations – 83rd session, 1 November 2022, 9th review, CEDAW/C/HND/CO/9

Keywords: **equality; non-discrimination; women HRD; legislative framework; legislation; discriminatory laws**

**Constitutional and legislative framework and discriminatory laws**

12. The Committee notes that the principles of equality and non-discrimination are enshrined in the Constitution. However, it remains concerned about intersecting forms of discrimination against disadvantaged and marginalized groups of women in the State party, in particular women living in poverty, women with disabilities, rural women, Indigenous women, Afro-Honduran women, lesbian, bisexual and transgender women, and women human rights defenders.

Keywords: **TSM; L; B; T; intersecting forms of discrimination; electoral quotas; GR; targeted measures**

**Temporary special measures**

20. The Committee remains concerned that the information provided by the State party indicates a lack of adequate understanding of the nature, scope and necessity of temporary special measures aimed at accelerating the substantive equality of women and men, in accordance with article 4 (1) of the Convention. It also notes with concern the absence of temporary special measures other than electoral quotas, in particular to address intersecting forms of discrimination against rural women, Indigenous women, Afro-Honduran women, women with disabilities and lesbian, bisexual and transgender women.

21. Recalling its previous recommendation (CEDAW/C/HND/CO/7-8, para. 19) and drawing attention to its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party take targeted measures, including temporary special measures in accordance with article 4 (1) of the Convention, to accelerate substantive equality of women and men, in particular rural women, Indigenous women, Afro-Honduran women, women with disabilities and lesbian, bisexual and transgender women, in all areas under the Convention where women are underrepresented or disadvantaged, including political and public life, education, employment and health.

Keywords: **L; B; T; hate crimes; gender-based violence; killings; GR; SDGs; insecurity; organized crime; due diligence**

**Gender-based violence against women**

24. The Committee reiterates its concern about the persistence of gender-based violence against women in the State party, including sexual violence. It regrets that the persistence of high levels of insecurity, violence and organized crime in the State party is negatively affecting the enjoyment by women and girls of their human rights. It is particularly concerned that, according to the Economic Commission for Latin America and the Caribbean, Honduras had the highest femicide rate in Latin America in 2019. It also notes with concern:

(f) The persistence of gender-based violence and discrimination against lesbian, bisexual and transgender women, exacerbated by widespread impunity for perpetrators of hate crimes, including gender-based violence against and killings of lesbian, bisexual and transgender women.
25. Recalling its previous recommendations (CEDAW/C/HND/CO/7–8, para. 23) and in line with its
general recommendation No. 35 (2017) on gender-based violence against women, updating general
recommendation No. 19, and with target 5.2 of the Sustainable Development Goals on the elimination
of all forms of violence against all women and girls in the public and private spheres, the Committee
recommends that the State party strictly enforce and monitor the enforcement of legislation
criminalizing gender-based violence against women and strengthen its public security strategy to
combat organized crime and to eliminate the related high levels of insecurity and violence that continue
to affect women and girls. It also recommends that the State party:

(f) In line with its general recommendation No. 28 (2010) on the core obligations of States parties under
article 2 of the Convention, exercise due diligence to protect lesbian, bisexual and transgender women
from discrimination and gender-based violence;

Keywords: structural barriers; participation; L; B; T; I

Equal participation in political and public life

28. The Committee notes with concern:

(a) The persistence of structural barriers to participation in political and public life faced by women, in
particular rural women, Indigenous women, Afro-Honduran women, lesbian, bisexual, transgender and
intersex women, and women with disabilities;

Keywords: GR; women in political life; women in public life; SDGs; TSMs; statutory quotas; gender parity
system; L; B; T; I; decision-making; civil service

29. Recalling its general recommendation No. 23 (1997) on women in political and public life, as well as
target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Adopt temporary special measures, such as statutory quotas and a gender parity system, in line with
article 4 (1) of the Convention and the Committee’s general recommendation No. 25 (2004) on
temporary special measures, to ensure the equal representation of women, including rural women,
Indigenous women, Afro-Honduran women, lesbian, bisexual, transgender and intersex women, and
women with disabilities, at the decision-making level, in the National Congress, regional and municipal
legislative bodies, the Government, the civil service and the foreign service;

Keywords: access to education; quality education; L; B; T

Education

34. The Committee notes the increase in the budget allocated to the Ministry of Education and welcomes
the initiatives to ensure equal access to quality education for Indigenous and Afro-Honduran children
and adolescents. The Committee nevertheless notes with concern:

(g) Harassment, corporal punishment and bullying of girls and women, in particular lesbian, bisexual and
transgender women, in educational environments and the limited information on the number of
complaints and investigations in such cases and on the penalties imposed.

Keywords: L; B; T; I; measures; workplace

Employment

36. The Committee appreciates the information provided by the delegation during the interactive dialogue
that a time-use survey was conducted to facilitate understanding of gender differences in the use of
time and activities and the strategies women and men use to sustain livelihoods in the State party.
However, the Committee notes with concern:
(e) The lack of measures to address sexual harassment in the workplace, especially of young women and lesbian, bisexual, transgender and intersex women.

Keywords: same-sex marriage; recognition of same-sex marriage; recognition of registered unions; adoption; adoption by same-sex marriages; adoption by same-sex de facto unions

Marriage and family relations

48. The Committee notes with concern:

(a) That Decree No. 3-2021, which amends article 112 of the Constitution, prohibits same-sex marriage and the recognition of same-sex marriages and registered unions entered into under private international law;

(b) That article 22 of the Special Act on Adoption (2018) prohibits the adoption of children by women in same-sex marriages or de facto unions;

49. The Committee recommends that the State party:

(b) Amend article 22 of the Special Act on Adoption (2018), to allow the adoption of children by women in same-sex marriages or de facto unions;

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Iceland – List of Issues – 84th session, 11 July 2022, 9th review, CEDAW/C/ISL/Q/9

Keywords: L; B; T; I; training; orientation; medical staff; health workers

Health

16. In the light of the Committee’s previous recommendations (CEDAW/C/ISL/CO/7-8, para. 36), please provide information on the following:

(d) Efforts to provide a safe environment for lesbian, bisexual and transgender women and intersex persons in hospitals and other medical environments by providing adequate training and orientation to medical staff and health workers.

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Liechtenstein – List of Issues prior to reporting – 85th session, 4 November 2022, 6th review, CEDAW/C/LIE/QPR/6

Keywords: sex-reassignment surgery; I; intersex children; health-care protocol; unnecessary sex-reassignment surgery

Health

21. In view of the Committee’s previous recommendations (para. 36), please provide information on:

(b) Measures taken to prohibit medically unnecessary sex-reassignment surgery on intersex persons and develop and implement a rights-based health-care protocol for intersex children;

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Luxembourg – List of Issues prior to reporting – 85th session, 4 November 2022, 8th review, CEDAW/C/LUX/QPR/8

Keywords: bullying; cyberbullying; L; B; T; girls; adolescents; intersex children

Education
18. Please provide information on the State party's efforts to:

(e) Address school bullying and cyberbullying, including against migrant and lesbian, bisexual and transgender girls and adolescents, and intersex children and adolescents; enable victims to confidentially report cases of bullying and expressions of discriminatory sentiments in educational institutions; and ensure that those responsible receive appropriate sanctions.

Keywords: consent; non-consensual surgical intervention; medical interventions; sex reassignment; intersex children; redress; damages; irreversible

Health

(e) Prevent and prohibit non-consensual surgical or other medical interventions, including sex reassignment surgery, for intersex children, unless medically necessary; adopt legal provisions to provide redress for victims of surgical interventions performed without their free, prior and informed consent; and repeal time limits on the ability to claim compensatory damages for medically irreversible sex reassignment surgery and related consequences;

Keywords: marriage; family relations; same-sex relationships; medically assisted procreation

Marriage and family relations

23. In view of the Committee's previous recommendations (para. 52) and in line with its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, please provide information on measures taken by the State party to harmonize the treatment of all women, including those in de facto unions and same-sex relationships, with regard to:

(a) The distribution of property upon dissolution of their union or relationship;

(b) The recognition of paternity in cases of medically assisted procreation;

(c) The adoption of stepchildren, regardless of their civil status.

Monaco – List of Issues prior to reporting – 84th session, 11 July 2022, 4th review, CEDAW/C/MRO/QPR/4

Keywords: L; B; T; I; intersecting forms of discrimination

Disadvantaged groups of women

22. Please provide information on measures taken to address and combat the aggravated and intersecting forms of discrimination faced by women belonging to disadvantaged groups, such as lesbian, bisexual, transgender and intersex women, women with disabilities and migrant women.

Mongolia – List of Issues prior to reporting – 82nd session, 13 March 2019, 10th review, CCPR/C/MNG/QPR/10

Keywords: domestic violence; gender-based violence; L; B; T; I; NGO; shelter

Gender-based violence against women

7. In the light of the Committee’s previous concluding observations (para. 19) and the related follow-up report submitted by the State party (CEDAW/C/MNG/CO/ 8-9/Add.1, para. 28), please specify measures taken to increase financial resources for the effective implementation, monitoring and enforcement of the revised Law on Combating Domestic Violence (2016) and subsequent relevant
procedures. Please indicate whether those measures are targeted at all groups of women, including women with disabilities, lesbian, bisexual and transgender women, intersex persons and migrant women. With regard to redress and protection, please provide data on the number of additional shelters and one-stop service centres that provide assistance to women and girls who are victims of gender-based violence that have been established, in particular in rural areas, and on whether those shelters and centres provide adequate health and safety conditions and are accessible to women with disabilities. Please provide information on progress made towards the implementation of the procedure for the accreditation of non-governmental organizations offering services to victims, of 2017, and to strengthen partnership with non-governmental organizations that provide shelters and rehabilitation services.

**Mongolia – Concluding Observations – 82nd session, 12 July 2022, 10th review, CEDAW/C/MNG/CO/10**

Keywords: L; B; T; I; legislation; treaties

**Implementation and visibility of the Convention**

10. The Committee notes that the Constitution of the State party provides that international treaties and conventions should be enforced in the same manner as national legislation once a treaty has been ratified. However, it notes the absence of registered court cases making reference to the provisions of the Convention. It also notes with concern that women, in particular rural women and women herders, lesbian, bisexual, transgender and intersex women and women with disabilities, are often not aware of their rights under the Convention and the remedies available to them.

11. Recalling its previous recommendation (CEDAW/C/MNG/CO/8-9, para. 9), the Committee recommends that the State party:

(b) Enhance awareness among women of their rights under the Convention and the legal remedies available to them to claim violations of such rights and ensure that information on the Convention and the Committee’s general recommendations is accessible to all women, including women belonging to disadvantaged and marginalized groups such as rural women and women herders, lesbian, bisexual, transgender and intersex women and women with disabilities.

Keywords: SDGs; SO; GI; intersecting forms of discrimination; legislation; anti-discrimination legislation

**Legal framework for prohibition of discrimination against women**

13. Recalling the links between articles 1 and 2 of the Convention and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, the Committee calls upon the State party to:

(a) Adopt, without delay, comprehensive anti-discrimination legislation that prohibits discrimination against women, including direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, including on grounds of sexual orientation and gender identity;

Keywords: GR; gender-based violence; SDGs; L; B; T; I; criminalization of violence; legislation

**Gender-based violence against women**

23. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and in line with target 5.2 of the Sustainable Developments Goals, to eliminate all forms of violence against women and girls in the public and private spheres, the Committee urges the State party to:
(b) Strengthen mandatory capacity-building programmes for judges, prosecutors, police, social workers, psychologists, health-care workers and governors on gender-sensitive investigation and interrogation procedures in cases of gender-based violence against women, in particular lesbian, bisexual, transgender and intersex women and women with disabilities, and on the strict application of legislation criminalizing such violence;

Keywords: awareness-raising; medical personnel; L; B; T; I; health system; discrimination; health care; stigmatization

Health

32. The Committee notes with concern:

(g) The lack of awareness-raising among medical personnel on discrimination against lesbian, bisexual, transgender and intersex women in the health system.

33. The Committee recalls its general recommendation No. 24 (1999) on women and health and recommends that the State party:

(f) Sensitize health-care providers to the physical and psychological health issues that lesbian, bisexual, transgender and intersex women experience, the discrimination and stigmatization that they face, and the need for equality and non-discrimination in the provision of health care.

Keywords: intersecting forms of discrimination; L; B; T; I; promotion of human rights; education; health care; employment

Disadvantaged and marginalized groups of women

40. The Committee welcomes the adoption of the Law on the Rights of Persons with Disabilities (2016), the national programme on the promotion of human rights and the participation and development of persons with disabilities (2017), and the establishment of the General Agency for Development of Persons with Disabilities. However, it is concerned about the lack of information on the situation of women and girls with disabilities, including their access to inclusive education, health care, employment and participation in political and public life, as well as about intersecting forms of discrimination and gender-based violence faced by them. The Committee also regrets the lack of information on the situation of other disadvantaged groups of women in the State party, including lesbian, bisexual, transgender and intersex women, women living in poverty, single mothers and older women.

41. The Committee recommends that the State party collect information on the situation of disadvantaged groups of women in the State party, including women and girls with disabilities, lesbian, bisexual, transgender and intersex women, women living in poverty, single mothers and older women, particularly on their access to political and public life, education, employment health care, including sexual and reproductive health services, as well as about intersecting forms of discrimination and gender-based violence faced by them.

Montenegro – List of Issues – 84th session, 11 July 2022, 3rd review, CEDAW/C/MNE/Q/3

Keywords: L; B; T; I; marginalized groups; disadvantaged groups

Disadvantaged groups of women

20. Please provide comprehensive disaggregated statistical data on the situation of disadvantaged and marginalized groups of women, in particular older women, women with disabilities, Roma and Egyptian women, and lesbian, bisexual, transgender and intersex women. Please indicate the measures taken, including through legislation, policies and programmes, to address the needs of women belonging to
disadvantaged and marginalized groups and to eliminate all forms of discrimination against them. Please provide detailed information on the types of support services provided to migrant and asylum-seeking women.

**Morocco** – Concluding Observations – 82nd session, 12 July 2022, 5-6th review, CEDAW/C/MAR/CO/5-6

**Keywords:** gender-based violence; L; B; T; I; stigmatization

**Gender-based violence against women**

23. The Committee notes with appreciation that new provisions were introduced to Act No. 103-13, on combating violence against women, creating new offences relating to the violation of privacy and providing increased penalties if the violation was gender-based. It notes with interest that a draft criminal act strengthening legal protections for women and children, particularly against violence, is before Parliament. The Committee also notes the State party’s indication that marital rape is covered under article 486 of the Penal Code. However, the Committee expresses its concern about reports that:

(b) Article 489 of the Penal Code puts lesbian, bisexual, transgender and intersex women at risk of penal sanctions, which could result in stigmatization and instances of violence;

**Keywords:** SDGs; sexual harassment; L; B; T; I

**Employment and economic empowerment**

34. Recalling its previous concluding observations (CEDAW/C/MAR/CO/4, para. 29), the Committee draws attention to target 8.5 of the Sustainable Development Goals, to achieve by 2030 full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, and recommends that the State party take measures to:

(d) Take measures to prevent and monitor sexual harassment in the workplace, especially of young women, women with disabilities, and lesbian, bisexual, transgender and intersex women;

**Namibia** – List of Issues – 82nd session, 10 March 2021, 6th review, CEDAW/C/NAM/Q/6

**Keywords:** education; employment; health; L; B; T; disadvantaged groups of women

**Disadvantaged groups of women**

18. Information received by the Committee indicates that San women and girls continue to register poor outcomes in education, employment and health. Please provide information on the specific measures designed to improve access to social and economic services such as education, employment, health care, housing, sanitation, electricity and credit facilities for San women, particularly in rural areas. Please also provide information on specific measures taken to ensure access to education, health care, including sexual and reproductive health care, basic services, housing, food and employment for other disadvantaged groups of women and girls such as asylum-seeking, refugee and indigenous women, women with disabilities and lesbian, bisexual and transgender women.

**Namibia** – Concluding Observations – 82nd session, 12 July 2022, 6th review, CEDAW/C/NAM/CO/6

**Keywords:** GR; L; B; T; I; health services; HIV/AIDS
Health

41. The Committee notes the progress reported in decreasing the mother-to-child transmission of HIV/AIDS and the high availability of HIV/AIDS test kits. However, the Committee notes with concern:

(e) The limited access for women, including women with disabilities, indigenous women and lesbian, bisexual, transgender and intersex women, to sexual and reproductive health care;

42. The Committee recalls its general recommendation No. 24 (1999) on women and health and recommends that the State party:

(e) Ensure safe and appropriate access to sexual and reproductive health services free from discrimination, and disseminate information and clinical resource material to medical practitioners and to women, including women with disabilities, indigenous women and lesbian, bisexual, transgender and intersex women;

New Zealand – List of Issues prior to reporting – 84th session, 11 July 2022, 9th review,
CEDAW/C/NZL/QPR/9

Keywords: GI; E; SC

Definition of equality and non-discrimination

4. In light of the Committee’s previous concluding observations (para. 12), please describe the steps taken by the State party to:

(a) Amend section 21 (1) (a) of the Human Rights Act 1993, with a view to including specific prohibitions of discrimination on the grounds of gender identity, gender expression and sex characteristics;

Keywords: L; B; T; I; family violence; sexual violence

Gender-based violence against women

10. Recalling the Committee’s previous concluding observations (para. 26), please explain the steps taken to:

(b) Implement the Te Aorerekura national strategy to eliminate family violence and sexual violence and its associated action plan and ensure its effectiveness in combating gender-based violence against women, including Maori women, women of ethnic minority groups, lesbian, bisexual, transgender and intersex women, and women with disabilities;

Panama – List of Issues prior to reporting – 81st session, 13 March 2019, 8th review,
CEDAW/C/PAN/QPR/8

Keywords: L; B; T; I; legislation; gender-neutral; provision; right to marry of transgender women

Constitutional, legislative and institutional framework

3. With reference to the Committee’s previous concluding observations (para. 13) and the follow-up report (CEDAW/C/PAN/CO/7/Add.1), please provide information on measures taken to ensure effective implementation of the legal framework guaranteeing gender equality and non-discrimination, both de jure and de facto, including through the allocation of sufficient human and financial resources to monitor and evaluate such implementation. The Constitution of the State party (art. 19) recognizes the principle of non-discrimination on grounds of race, birth, disability, social class, gender, religion or political views. Please provide information on legislation, public policies, and strategies adopted in the past five years to address and combat all forms of gender-based discrimination against women and girls, including multiple
and intersecting forms of discrimination. Please inform the Committee about measures taken to combat discriminatory practices and stigma against lesbian, bisexual, transgender and intersex women, as well as migrant, asylum-seeking and refugee women and women living with HIV/AIDS, in all areas covered by the Convention. Please provide information on reviews of legislation, such as the Civil, Labour, Criminal and Procedure Codes, in order to identify and amend gender-neutral provisions that discriminate against women and girls, including with respect to inheritance rights. Please also provide information on measures to adopt provisions for the recognition of identity and the right to marry of transgender women.

Keywords: HIV/AIDS; social workers; employment; education; health care

**Disadvantaged groups of women**

23. Please indicate measures taken to address discrimination against asylum seekers, refugees and migrant women in the State party and to enforce the principle of non-refoulement in asylum-seeking procedures concerning transsexual women, women living with HIV/AIDS and young women from neighbouring countries. Please indicate the number of women who have been granted international protection on the grounds of gender-based persecution, specifying the forms of persecution feared, and provide details of the training provided to caseworkers on gender-sensitive treatment of cases. Please provide information on the situation of migrant women and girls in temporary humanitarian reception centres, in particular whether they are accommodated separately from men and attended by female social workers. Please also provide information on the number of qualified medical officers, the sanitary and health-care conditions in the centres, the duration of administrative detention, integration policies and family reunification options available to migrant women and girls. Please further provide information on measures taken to ensure access to employment, education and health care for migrant, asylum-seeking and refugee women.

**Panama** - Concluding Observations – 81st session, 1 March 2022, 8th review, CEDAW/C/PAN/CO/8

Keywords: pandemic; social assistance; gender equality; recovery

**E. Principal areas of concern and recommendations**

**Women’s rights and gender equality in relation to the coronavirus disease pandemic and recovery efforts**

9. The Committee welcomes the information provided by the delegation during the dialogue indicating the adoption of a national emergency and social assistance plan that includes digital transfers and covers 51.58 per cent women out of the total number of beneficiaries. It also notes the information on programmes to ensure universal vaccination, in which 51.53 per cent of the beneficiaries are women. The Committee, nonetheless, remains concerned that women have been extremely affected by the coronavirus disease (COVID-19) pandemic and measures taken to contain it, in particular due to: the loss of jobs, including for domestic workers; the reduction of wages; recourse to the informal economy; or the loss of livelihoods for indigenous women in areas where tourism was the main income-generating activity before the pandemic, exacerbating situations of hunger and malnutrition faced by indigenous women. It is also concerned about information indicating the spread of gender stereotypes that overemphasize women’s role as housewives and caregivers during the pandemic and about discrimination against transgender women during the confinement periods, when activities outside the home were allowed on the basis of sex. It is furthermore concerned about the limited participation of women in the high-level government commissions established to address the impacts of the pandemic and about the absence of measures to ensure gender equality and women’s empowerment in the recovery period.
Legislative protection from discrimination

11. The Committee takes note of the State party’s efforts to develop its legislative and policy framework concerning gender equality and non-discrimination, including recognizing sexual or other types of harassment, bullying in the workplace, racism and sexism as criminal offences. Nonetheless, it remains concerned about:

(c) The lack of provisions in the legislative framework to protect lesbian, bisexual and transgender women and intersex persons against discrimination on the basis of gender and sexual orientation, including the lack of remedies and mechanisms to file complaints;

(d) Intersecting and de facto discrimination faced by: indigenous and Afrodescendant women; women with disabilities; women living with HIV/AIDS; migrant, asylum-seeking and refugee women; and lesbian, bisexual and transgender women and intersex persons.

12. In line with article 1 of the Convention and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, and recalling its assessment of the follow-up report issued on 13 May 2016 (CEDAW/C/PAN/CO/7/Add.1) and its recommendations therein, the Committee recommends that the State party:

(c) Amend Law No. 7 of 14 February 2018 on anti-discrimination to ensure that it encompasses gender as a ground of discrimination, and ensure that lesbian, bisexual and transgender women and intersex persons have access to complaint mechanisms in cases of gender-based discrimination and are targeted by concrete programmes and policies to ensure equality in all areas covered by the Convention;

(d) Establish comprehensive statistical databases and systems for collecting data disaggregated by sex and gender, to identify and address multiple and intersecting forms of discrimination against women, and in particular against women belonging to specific, most marginalized groups.

Gender-based violence against women

21. The Committee welcomes the legislation in the State party recognizing femicide as a criminal offence as well as reforms to increase penalties for different forms of sexual violence, including rape, sexual exploitation and child pornography. It also takes note of the measures included in the Public Policy for Equal Opportunities for Women (Executive Decree No. 244 of 18 December 2012) to prevent gender-based violence against women. However, the Committee remains concerned about:

(b) Hate speech and sexual harassment against lesbian, bisexual and transgender women and intersex persons and xenophobia affecting migrant, asylum-seeking and refugee women;

(c) The low conviction rates for perpetrators of gender-based violence against women, compared with the number of complaints received, and limited information about redress and remedies available to victims of gender-based violence against women;

22. The Committee, in the light of its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, recommends that the State party:

(c) Conduct prompt and impartial investigations into hate crimes and xenophobia affecting migrant women and lesbian, bisexual and transgender women and intersex persons, and provide reparations, including compensation, to victims of such crimes;
Employment

35. The Committee welcomes the legislation enacted by the State party to address and prevent sexual harassment and other forms of discrimination in the workplace, and information about the establishment of a minimum wage for all workers. Nonetheless, it is concerned about:

(c) The continuous practice of requiring pregnancy tests for women to access jobs in the public and private sectors, the absence of labour legislation to protect pregnant women from dismissal, and the continuous discrimination against refugee applicants, indigenous women, women living with HIV/AIDS, and lesbian, bisexual and transgender women and intersex persons in the workplace;

Marriage and family relations

49. The Committee is concerned about:

(b) The fact that lesbian, bisexual and transgender women and intersex persons do not enjoy equality concerning marriage and family relations, including parental responsibilities;

50. The Committee recommends that the State Party:

(b) Protect the rights of lesbian, bisexual and transgender women and intersex persons concerning marriage and family relations;

Peru – List of Issues – 81st session, 27 July 2020, 9th review, CEDAW/C/PER/Q/9

Gender-based violence against women

10. Please clarify the status, time-bound goals and targets of the national plan to combat gender violence for the period 2016–2021, in addition to the human, technical and financial resources allocated for its effective implementation and coordination across all sectors and levels of the State party. Information before the Committee indicates the prevalence of several forms of gender-based violence against women, together with forms of violence targeting specific groups, such as indigenous women, women of African descent, women deprived of liberty, women human rights defenders, lesbian, bisexual, transgender and intersex women and women with disabilities. Please elaborate on measures taken to address the root causes and combat all forms of gender-based violence against women, including physical, psychological and sexual violence and femicide.

11. With reference to the legislative framework governing gender-based violence against women and in particular to Plenary Agreement No. 001-2016/CJ-116, please provide information about: (a) measures taken to harmonize the definition and scope of femicide with international standards; (b) measures taken to encourage and facilitate reporting of cases of gender-based violence against women, including sexual violence against women with disabilities in institutions, women living in rural areas and lesbian, bisexual, transgender and intersex women; (c) the number and location of shelters for women who are victims of gender-based violence throughout the country and measures taken to ensure that such shelters are accessible by women with disabilities; and (d) redress and rehabilitation services for women facing all forms of violence. Please provide updated statistical data on prosecutions and convictions of perpetrators of gender-based violence against women, including femicide, in the past five years, disaggregated by the age of the victim, the relationship between the perpetrator and the victim, the type
of sentence imposed and other relevant characteristics, and report on the reparations, rehabilitation and compensation provided.

Peru – Concluding Observations – 81st session, 1 March 2022, 9th review, CEDAW/C/PER/CO/9

Keywords: pandemic; disproportionate levels of violence; L; B; T; I; indigenous women; Afro-Peruvian women; lack of visibility; exclusion; TSM; targets; indicators; redress

E. Principal areas of concern and recommendations General context and historical discrimination

9. The Committee acknowledges the efforts by the State party to mainstream gender equality and women's rights in its legislative, regulatory and policy frameworks. The Committee is concerned, however, about the high levels of gender-based violence against women, which have been exacerbated since the onset of the coronavirus disease (COVID-19) pandemic. It notes with concern the inadequate progress made in addressing the disproportionate levels of violence experienced by disadvantaged and marginalized groups of women and girls in all areas of their lives and who are also facing historical and intersecting forms of discrimination, namely indigenous and Afro-Peruvian women, women with disabilities, lesbian, bisexual and transgender women and intersex persons, rural women, refugee and migrant women and women and girls in detention. The Committee regrets the lack of visibility and priority given to women and girls belonging to those groups in all initiatives of the State party to achieve gender equality and women's rights, thereby perpetuating their social and economic exclusion, and denying the rights guaranteed to them under the Convention.

10. The Committee calls upon the State party to actively promote the use of temporary special measures, including through the adoption of quotas, targets and indicators, in all areas of the Convention, to provide urgent redress for women and girls who are subjected to historical and intersecting forms of discrimination, such as indigenous and Afro-Peruvian women, women with disabilities, lesbian, bisexual and transgender women and intersex persons, rural women and refugee and migrant women and women and girls in detention. It further recommends that the State party develop a strategic and holistic response in cooperation with women's groups and civil society organizations to ensure the timely implementation of such temporary special measures.

Keywords: L; B; T; I; access to justice; structural barriers; institutional barriers; practical barriers

Access to justice

13. The Committee welcomes the efforts made by the State party to strengthen access to justice for women, including the National Programme on Access to Justice for Vulnerable Persons, 2016–2021. It notes with concern, however, the persistent institutional, structural and practical barriers to women's access to justice, including the following:

(c) That young women are unable to access the courts or to personally report cases of gender-based violence against women without an adult present, and that indigenous women, rural women, women land right defenders, women with disabilities and lesbian, bisexual and transgender women and intersex persons are often harassed and denied services when seeking to access justice;

Keywords: stereotypes; harmful practices; justice system; GR; GC; public policy; gender perspective; discriminatory attitudes; discriminatory stereotypes; L; B; T; I;

Discriminatory stereotypes and harmful practices

21. The Committee welcomes the efforts made by the State party to eliminate patriarchal attitudes, deeply rooted stereotypes and harmful practices. It nevertheless remains concerned at the pervasiveness of
such attitudes and the social legitimization of harmful practices against women and girls in the State party, as manifested in:

(b) Gender-based violence against women and discrimination against women with disabilities, lesbian, bisexual and transgender women and intersex persons, refugee or asylum-seeking and migrant women and indigenous and Afro-Peruvian women, in particular in the delivery of health services and in their engagement with the justice system.

22. In line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party:

(a) Develop and implement a comprehensive strategy across all sectors to eliminate discriminatory stereotypes on the roles and responsibilities of women and men in the family and in society, working with a broad range of stakeholders, including women's organizations, to ensure that all public policies integrate a gender perspective, with a view to dismantling discriminatory attitudes that perpetuate gender-based violence against women and discrimination, as well as harmful practices against women and girls, and, in particular, against those who are lesbian, bisexual, transgender, intersex, refugees, asylum-seekers, migrants or with disabilities;

Keywords: L; B; T; I; gender-based violence; pandemic; intercultural perspective; femicides; sexual violence; GR; criminalization; SO; GI

Gender-based violence against women

23. The Committee welcomes the strengthening of legal provisions to combat gender-based violence against women in the State party, including the adoption of Act No. 30364 on the prevention of violence against women and members of the family group, in 2015; the National Plan against Gender-Based Violence 2016–2021; and the guidelines for an intercultural perspective on the prevention, protection, and support for cases of violence against women, children, adolescents, and indigenous women, lesbian, bisexual and transgender women and intersex persons and women with disabilities, published in 2019. It remains deeply concerned, however, about the high incidence of intimate partner violence against women, exacerbated by the ongoing COVID-19 pandemic, noting that over the past two years the numbers of femicides, sexual violence and disappearances of young women increased exponentially.

24. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) Enhance mechanisms to monitor the enforcement of laws criminalizing gender-based violence against women and providing for victim support services, in particular with regard to disadvantaged and marginalized groups of women, such as young women, indigenous, Afro-Peruvian and other Afrodescendants, lesbian, bisexual and transgender women and intersex persons and women with disabilities;

(b) Prevent, register, investigate and sanction discrimination and gender-based violence against lesbian, bisexual and transgender women and intersex persons, indigenous and Afro-Peruvian women and uphold their rights to dignity, equality and non-discrimination and to ethnic and cultural identity;

(i) Ensure the provision of appropriate, accessible and quality support services responding to the needs of survivors of gender-based violence against women, especially indigenous women, Afro-Peruvian and other Afrodescendent women, women with disabilities, refugee, asylum seeking and migrant women, women living with HIV/AIDS, and lesbian, bisexual and transgender women and intersex persons;

(j) Approve a disaggregated case registration system, with variables such as ethnic and linguistic self-identification, disability, nationality, sexual orientation and gender identity;
Equal participation in political and public life

30. Recalling its general recommendation No. 23 (1997) on women in political and public life, as well as target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:

(c) Adopt measures to address discriminatory gender stereotypes and practices within political parties that discourage women, in particular indigenous, Afro-Peruvian and other Afrodescendants, lesbian, bisexual and transgender women and intersex persons and women with disabilities, from standing for election at the federal, state or municipal levels;

Keywords: harassment; gender-based violence; workplace; L; B; T; I; intersecting forms of discrimination; GR; SDGs; formal employment

Employment

35. The Committee welcomes the ongoing efforts by the State party to promote the integration of women into the labour market, including through the adoption of the National Action Plan on Business and Human Rights (2021–2025), which seeks to reconcile work and family life, training on good practices and gender equality, fighting harassment and gender-based violence against women in the workplace, and ensuring equal and decent conditions of work for lesbian, bisexual and transgender women and intersex persons. It notes with concern, however:

(a) That women facing intersecting forms of discrimination, including indigenous and Afro-Peruvian and other Afrodescendent women, lesbian, bisexual and transgender women and intersex persons and women with disabilities, have limited access to employment opportunities;

36. The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals and recommends that the State party:

(b) Establish hiring quotas and employment retention schemes specifically targeted at promoting access by women facing intersecting forms of discrimination, including indigenous, Afro-Peruvian and lesbian, bisexual and transgender women and intersex persons and women with disabilities, to formal employment;

Keywords: detention; L; B; T; I; HIV/AIDS; disaggregated data;

Women and girls in detention

47. The Committee is concerned about the conditions of detention faced by women deprived of their liberty, in particular the lack of adequate services to address the needs of pregnant women and women with children, girls, lesbian, bisexual and transgender women and intersex persons, migrant women, indigenous women, Afro-Peruvian and other Afrodescendent women, women with disabilities, women living with HIV/AIDS and women with other illnesses, such as tuberculosis, in detention.

48. The Committee recommends that the State party:

(e) Collect data on women deprived of liberty disaggregated by age, ethnicity, disability, nationality, geographical location and socioeconomic background, with a focus on the system of registration and treatment of lesbian, bisexual and transgender women and intersex persons in prisons.

Keywords: marriage; family relations; recognition of marriage

Marriage and family relations and economic consequences of divorce
49. The Committee welcomes the laws on the adoption of minors by unmarried couples, free DNA testing and the rationalization of the proceedings for establishing paternity and the provisional payment of maintenance, waiver of court fees in relation to children born out of wedlock, and the recognition of the inheritance rights of unmarried partners and those in common law unions. The Committee acknowledges the progress made in recognizing marriages of lesbian, bisexual and transgender women and intersex persons, including those entered into abroad.

**Philippines** – List of Issues – 84th session, 11 July 2022, 9th review, CEDAW/C/PHL/Q/9

Keywords: bullying; sexual violence; harassment; L; B; T; I

**Education**

13. Please provide information on the following:

(d) Measures taken to investigate and prosecute cases of bullying, sexual violence and harassment against girls and lesbian, bisexual, transgender women and intersex persons in schools, and concrete measures taken to adequately punish perpetrators;

**Plurinational State of Bolivia** – List of Issues – 82nd session, 27 July 2020, 7th review, CEDAW/C/BOL/Q/7

Keywords: L; B; T; I; GI; SO; teacher training; gender equality

**Lesbian, bisexual, transgender and intersex women**

20. According to the information before the Committee, an article of Act No. 807 on Gender Identity (2016), which established an administrative procedure for changing the name, sex and image of transsexual and transgender persons, was declared unconstitutional after the law entered into force. Please provide updated information on the measures taken to remedy this situation and ensure the rights of lesbian, bisexual, transgender and intersex women. Please also provide information on measures taken to systematically include issues on gender equality, non-discrimination and non-violence based on sexual orientation and gender identity in teacher training, as provided for in the Productive Socio-Community Education Model established in the Avelino Siñani-Elizardo Pérez Education Act No. 070.

Keywords: marriage; same-sex marriage; GI

**Marriage and family relations**

23. With regard to the minimum legal age of marriage in the Family and Family Procedure Code (CEDAW/C/BO/7, para. 145), please provide information on types of redress that have been provided to girls who have entered into child and/or forced marriages. Please also elaborate on measures taken to ensure that the legal framework concerning marriage and family relations guarantees that women and men have the same rights and responsibilities during marriage, at its dissolution and in all family matters, including inheritance, property rights and child custody, and that it is applicable to all women. Please also indicate if Act No. 603 (Family and Family Procedure Code) places any restriction on the grounds of disability on entering into marriage or taking custody of one’s children. Please also clarify if same-sex marriage is recognized in Act No. 807 on Gender Identity (2016) and whether the same rights and responsibilities are afforded as for spouses in heterosexual marriages.
Women facing other intersecting forms of discrimination

37. The Committee is concerned about the following:

(b) The prevalence of hate speech and online violence against lesbian, bisexual, transgender and intersex women, as well as reports of gender-based violence, arbitrary detention and violations of their right to privacy by law enforcement personnel.

38. The Committee recommends that the State party:

(b) Investigate, prosecute and adequately punish hate speech and online violence against lesbian, bisexual, transgender and intersex women, as well as other forms of gender-based violence against them, arbitrary detention and violations of their right to privacy, including when committed by law enforcement officials.

Marriage and family relations

39. The Committee notes the adoption of Law No. 807 (2016), on gender identity, which established an administrative procedure for changing the name, sex and photograph of transsexual and transgender persons. It welcomes the efforts to address the disparities in relation to land inheritance. However, it notes with concern:

(a) Article 11 (II) of Law No. 807, on gender identity, was declared unconstitutional, by Plurinational Constitutional Court Ruling No. 0076/2017 of 9 September 2017 and Plurinational Constitutional Order No. 0028/17 of 22 November 2017, which in effect deprives transsexual and transgender women of a number of rights;

(b) The denial of registration of free or de facto unions of same-sex couples, based on a decision that has been appealed to the Constitutional Court;

40. The Committee recommends that the State party:

(a) Review existing laws to ensure that lesbian, bisexual, transgender and intersex women have equal access to the rights under the Convention, including equal rights in marriage or family relations;

Legislative and policy framework

2. Information before the Committee indicates that legislation prohibiting sex-based discrimination has been superseded by gender-neutral legislation and policies and measures to address discrimination on the basis of sexual orientation and gender identity. Please provide information about the effects of that approach on the recognition of de facto discrimination against women, and indicate the measures taken to promote substantive equality between women and men, in accordance with the State party’s obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, and
Please inform the Committee about measures to develop gender impact assessments for legislation and to what extent the outcomes of those assessments have led to amendments to legislation under consideration. Please provide information on legislative provisions recognizing discrimination against women by association and intersecting and multiple forms of discrimination against women and on measures to redress multiple and intersecting forms of discrimination, in particular against Roma women, migrant, refugee and asylum-seeking women, women with disabilities, older women and rural women. Please describe the measures taken to identify and eliminate indirect discrimination based on sex (para. 3). Please also provide information on how the national strategy for equality and non-discrimination, 2018–2030, addresses the rights and situations of disadvantaged and marginalized groups of women.

**Portugal – Concluding Observations – 82nd session, 12 July 2022, 10th review, CEDAW/C/PRT/CO/10**

**Keywords:** SO; lesbian couples; legislation; reform; same-sex couples; GI; SC; E

**B. Positive aspects**

4. The Committee welcomes the progress achieved since the consideration in 2015 of the State party's combined eighth and ninth periodic reports (CEDAW/C/PRT/8-9) in undertaking legislative reforms, in particular the adoption of the following:

(i) Law No. 38/2018, on the rights of lesbian, gay, bisexual, transgender and intersex persons, in August 2018;

(m) Law No. 17/2016, expanding access to medically assisted procreation to all women, regardless of infertility diagnosis, marital status or sexual orientation, including lesbian couples, in June 2016;

(o) Law No. 2/2016, eliminating legal obstacles to adoption, civil sponsorship and all other legal family relationships for same-sex couples, in February 2016.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

(e) National strategy for equality and non-discrimination for the period 2018–2030, “Portugal mais Igal”, which includes three action plans: to ensure equality between women and men; to prevent and combat violence against women and domestic violence; and to combat discrimination based on sexual orientation, gender identity and expression, and sex characteristics, in 2018.

**Saint Kitts and Nevis – Concluding Observations – 83rd session, 5 November 2022, 5-9th review, CEDAW/C/KNA/CO/5-9**

**Keywords:** same-sex intimacy; criminalization; legislation; reform

**B. Positive aspects**

4. The Committee welcomes the progress achieved since the consideration in 2002 of the State party's combined initial to fourth periodic reports (CEDAW/C/KNA/1-4) in undertaking legislative reforms, in particular the adoption of the following:

(a) The ruling of the Eastern Caribbean Supreme Court (known as the High Court in the State party) on 29 August 2022 rendering unconstitutional all laws that criminalize same-sex intimacy;
Keywords: discrimination; same-sex intimacy; unconstitutionality

Definition of equality and non-discrimination

10. The Committee notes that the State party's Constitution prohibits discrimination of any kind, including on the basis of sex. It also notes that the State party is currently discussing the formation of an interministerial committee to review and adjust the constitutional definition of discrimination. It notes with appreciation the landmark ruling by the High Court declaring all laws criminalizing same-sex intimacy unconstitutional. However, the Committee notes with concern:

Keywords: same-sex intimacy; criminalization

Disadvantaged groups of women

38. The Committee welcomes the High Court ruling on 29 August 2022 rendering unconstitutional all laws that criminalize same-sex intimacy. It also welcomes the establishment of a dedicated officer in the Department of Community Development and Social Services within the Ministry of Social Development and Gender Affairs to work with persons with disabilities and older persons. However, the Committee notes with concern:

Sao Tome and Principe – List of Issues – 83rd session, 7 March 2022, 5th review, CEDAW/C/STP/Q/1-5

Keywords: L; B; T; I; HIV; consent; medical procedure; sterilization

Health

17. Please indicate the measures taken to ensure a dedicated budget line for family planning and to make modern contraceptives available, accessible and affordable, particularly for marginalized groups of women (ibid., para. 97). Please also provide information on periodic and mandatory training for health workers on women's and girls' sexual and reproductive health and rights, paying particular attention to lesbian, bisexual and transgender women and intersex persons, women with disabilities, and women with HIV. Please provide information on measures taken to ensure full, pre-informed and free consent for any medical procedure, such as sterilization, conducted on women and girls, specifically women with disabilities and transgender women.

Senegal – List of Issues – 81st session, 11 March 2020, 8th review, CEDAW/C/SEN/Q/8

Keywords: L; B; T; I; basic services; infrastructure; intersecting forms of discrimination

Disadvantaged groups of women

19. Please provide up-to-date data, disaggregated by relevant factors, on the enjoyment by disadvantaged groups of women, including women and girls with disabilities, lesbian, bisexual and transgender women, intersex persons and older women, of their rights and of access to basic services and accessible infrastructure, for example schools, workplaces and public spaces, and on measures to tackle the intersecting forms of discrimination and violence that such persons face.

Senegal – Concluding Observations – 81st session, 1 March 2022, 8th review, CEDAW/C/SEN/CO/8

Keywords: L; B; T; I; legal aid; sexual violence; disadvantaged groups of women
Women’s access to justice

13. The Committee appreciates the increase in the budgetary allocation for the provision of judicial aid and the efforts made to provide such aid through decentralized legal support centres (“justice houses”). It also welcomes the translation of the Convention into six national languages and its dissemination at the local level. The Committee is concerned, however, that women continue to face multiple barriers to obtaining access to justice, owing to the following:

(a) The limited access to legal aid and support of disadvantaged groups of women, including rural women, women living in poverty, women with disabilities, lesbian, bisexual, transgender and intersex women, and women who are victims of sexual violence;

Keywords: intersecting forms of discrimination; violence; L; B; T; I; abuse; arbitrary detention; law enforcement personnel; statistical data; prosecution

Women facing intersecting forms of discrimination

39. The Committee is concerned about the following:

(c) The prevalence of hate speech and discourse inciting violence against lesbian, bisexual, transgender and intersex women, as well as reports of acts of violence, abuse, arbitrary detention and violence of the right to privacy, particularly by law enforcement personnel;

(d) The lack of statistical data on the situation of disadvantaged groups of women, including women and girls with disabilities, lesbian, bisexual, transgender and intersex women and older women.

40. The Committee recommends that the State party:

(c) Adopt the legislative and policy measures necessary to combat hate speech against lesbian, bisexual, transgender and intersex women, increase the level of their protection, provide them with access to shelters and fully investigate and, if appropriate, prosecute all cases of violations of their rights;

(d) Improve the collection, dissemination and analysis of up-to-date data, disaggregated by relevant factors, on the enjoyment by disadvantaged groups of women, including women and girls with disabilities, lesbian, bisexual, transgender and intersex women and older women, of their rights and on the measures taken to address the intersecting forms of discrimination and violence that such persons face.

Singapore – List of Issues – 85th session, 4 November 2022, 6th review, CEDAW/C/SGP/Q/6

Keywords: L; B; T; I; women in vulnerable situations; women in marginalized situations; gender equality; policy

Legislative framework and definition of discrimination against women

4. Please indicate whether the white paper on Singapore Women’s Development, which outlines policy recommendations with a road map towards gender equality, includes specific provisions that will address the circumstances of women in vulnerable and marginalized situations, notably migrant women, women belonging to ethnic minority groups, women belonging to religious minorities, domestic workers, lesbian, bisexual, transgender and intersex women and undocumented women.
Gender-based violence against women

13. Please provide information on the measures taken to encourage the reporting of incidents of domestic and other forms of gender-based violence against women, including women with disabilities and migrant, asylum-seeking and refugee women. Please also provide statistical data on the number of reported cases of gender-based violence against women, including women in detention, women with disabilities, women belonging to ethnic minority groups, lesbian, bisexual, transgender women and intersex persons, disaggregated by age, type of violence and relationship between the victim and the perpetrator. Please provide information on the measures taken to strengthen the services, including shelters, for women victims of gender-based violence, including psychosocial counselling and rehabilitation, also indicating whether the services are accessible to women with disabilities in all cantons (para. 27 (d)).

Keywords: barriers; access to health; health care; discrimination; gender reassignment; I; surgical treatment

Health

19. Please provide information on the measures taken to: (a) remove all barriers, including financial barriers faced by women and girls in acquiring access to health-care services without discrimination; (b) raise awareness among medical professionals on the cultural and linguistic barriers faced by migrant women in acquiring access to health-care services, including sexual and reproductive health services; (c) facilitate the legal recognition of gender reassignment and prevent any intrusive medical or surgical treatment from being conducted on intersex persons without their prior, free and informed consent and compensate victims of non-consensual treatment; (d) ensure the availability and accessibility of health-care services, including confidential treatment and services, for women living with HIV/AIDS and other sexually transmitted infections.

Keywords: same-sex unions; GR; marriage; divorce

Marriage and family relations

24. Please provide information on measures taken to: (a) address economic disparities between women and men upon divorce or separation; (b) introduce minimum levels of child maintenance; (c) monitor the implementation of shared custody in practice; (d) ensure that non-traditional forms of family relations, including de facto and same-sex unions, are fully recognized by law, in line with the Committee’s general recommendation No. 21 (1994) on equality in marriage and family relations and general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2016 of the State party’s combined fourth and fifth periodic reports (CEDAW/C/CHE/CO/4-5 and CEDAW/C/CHE/CO/4-5/Corr.1) in undertaking legislative reforms, in particular the adoption of the following:
(a) Legal amendments recognizing same-sex marriage in 2022, following an overwhelming majority in a popular vote in 2021;

Keywords: L; B; T; I; allocation of financial resources; gender equality; resource allocations

National machinery for the advancement of women

31. The Committee notes the allocation of financial resources to projects and bodies for the protection of women’s rights and gender equality, including the adoption of specific budgets for the implementation of equality action plans in the cantons of Zug, Ticino and Jura and a budget increase in the canton of Glarus. It notes with concern, however, that:

(b) The expansion of cantonal competencies in relation to the implementation of rights of lesbian, gay, bisexual, transgender and intersex women has not systematically been matched with additional resource allocations.

32. The Committee recommends that the State party:

(b) Ensure that the expansion of cantonal competencies for the implementation of rights of lesbian, gay, bisexual, transgender and intersex women is matched with adequate additional resources.

Thailand – List of Issues prior to reporting – 85th session, 4 November 2022, 8th review, CEDAW/C/THA/QPR/8

Keywords: L; B; T; I; status; curricula; teaching materials; gender stereotypes

Education

15. Please inform the Committee about measures taken to retain girls at all levels of education and to remove any obstacles to their enrolment in non-traditional fields of study. Please provide information on specific measures targeting girls from groups in vulnerable and marginalized situations, who face intersectional discrimination based on poverty, disability, racism, lesbian, bisexual, transgender or intersex status, religion and migrant status. Please also provide information about:

(a) Progress made in removing any content from curricula and teaching materials that perpetuates gender stereotypes;

(b) Measures taken to prevent discrimination and stigmatization of pregnant girls;

(c) Measures taken to prevent and eliminate violence occurring at school;

(d) Any investigations of attacks on schools and their outcomes.

Timor-Leste – List of Issues – 83rd session, 7 March 2022, 4th review, CEDAW/C/TLS/Q/4

Keywords: L; B; T; I; legislation; policies; programmes; protection; promotion of rights

Disadvantaged groups of women

22. Please describe any progress in implementing the second phase of the national action plan on the rights of persons with disabilities 2021–2030, in adopting the draft law on the establishment of a national disability council (A/HRC/WG.6/40/TLS/1, paras. 9 and 10) and in collecting disaggregated data on cases of violence against women and girls with disabilities. Please also provide information on the situation of lesbian, bisexual and transgender women and intersex persons and the legislation, policies and programmes in place to protect and promote their rights.
Türkiye – List of Issues – 82nd session, 16 July 2021, 8th review, CEDAW/C/TUR/Q/8

Keywords: GR; SDGs; L; B; T; I; hate crimes; prohibited grounds of discrimination; data collection; intersex adults; intersex children

Gender-based violence against women

9. In line with the Committee’s general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and with target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, please provide information on specific steps taken to:

(i) Exercise due diligence to protect lesbian, bisexual and transgender women against discrimination and violence, by including sexual orientation and gender identity in the legislation on hate crimes and among the grounds for prohibited discrimination in Law No. 6701, and ensure that perpetrators of violence against lesbian, bisexual and transgender women do not benefit from the mitigating circumstances provided for in article 29 of the Penal Code;

(k) Ensure that child support centres consistently collect data and provide specialized services to children who are survivors and/or witnesses of domestic violence, pregnant children and lesbian, bisexual and transgender women and girls and intersex adults and children;

Uganda – List of Issues – 81st session, 10 March 2021, 8-9th review, CEDAW/C/UGA/Q/8-9

Keywords: SO; GI; arbitrary detention; L; B; T; I; stigma; law enforcement officials; same-sex relations; provisions

Lesbian, bisexual, transgender and intersex women

20. The State party has reported that there are no data indicating that women have been discriminated against on the basis of their sexual orientation and gender identity (para. 162), and yet, according to information before the Committee, lesbian, bisexual and transgender women, including refugees, continue to face extreme stigma, discrimination and violence and are subject to arbitrary detention and harassment by law enforcement officials. Please explain the measures taken or envisaged to implement the Committee’s previous recommendations (CEDAW/C/UGA/CO/7, para. 44) to provide effective protection from violence and discrimination against women based on their sexual orientation and gender identity and prohibit and combat all forms of discrimination against women on account of their sexual orientation and gender identity, including through public awareness-raising and the provision of training to relevant actors, including law enforcement officials. In view of the fact that same-sex relations and marriages remain illegal under the Penal Code, please clarify what steps are being taken to revise this provision.

Uganda – Concluding Observations – 81st session, 1 March 2022, 8-9th review, CEDAW/C/UGA/CO/8-9

Keywords: recovery; 2030 Agenda; pandemic; L; B; T; I;

E. Principal areas of concern and recommendations

General context
10. In line with its guidance note on the obligations of States parties to the Convention in the context of the COVID-19 pandemic, the Committee recommends that the State party:

(a) Implement measures to redress long-standing inequalities between women and men by placing women at the centre of COVID-19 recovery strategies, in accordance with the 2030 Agenda, paying particular attention to unemployed women, women living in poverty, women belonging to ethnic and national minority groups, indigenous women, women in humanitarian settings, older women, women with disabilities, migrant, refugee and asylum-seeking women, lesbian, bisexual and transgender women and intersex persons;

Keywords: GR; awareness-raising; stigma; L; B; T; I; gender-based violence

Gender-based violence against women

26. With reference to its general recommendation No. 35 (2017), and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 24), the Committee urges the State party to:

(a) Intensify efforts to raise awareness among both women and men, including through educational and media campaigns, with the active participation of women's organizations and women human rights defenders, of the criminal nature of gender-based violence against women, in order to challenge its social acceptance and to destigmatize and protect women from reprisals so as to encourage them to report incidents of gender-based violence against women, and of the specific risk of gender-based violence posed to women and girls facing intersecting forms of discrimination, such as lesbian, bisexual, and transgender women and girls, intersex persons, migrant, refugee and asylum-seeking women and girls, women and girls with disabilities and women and girls with albinism;

Keywords: women HRD; L; B; T; I; HRD; risk; homosexuality; legislation; FOE; FOAA

Women human rights defenders and journalists

33. The Committee takes note of the information provided by the State party that the rights to freedom of opinion, expression, association and peaceful assembly are guaranteed under the Constitution. It is concerned, however, that the work of women human rights defenders and women journalists continues to be restricted and that they are often victims of arrest, physical, including sexual, assault, threats, intimidation, harassment and the freezing of assets. In that regard, it notes with concern that women human rights defenders advocating for the rights of lesbian, bisexual and transgender women and intersex persons are at particular risk, due to the ripple effects of the Anti-Homosexuality Act of 2014, although it was struck down by the Constitutional Court.

Keywords: corruption; discriminatory provisions; SO; GI; prohibited grounds

Employment

39. The Committee welcomes the Leadership Code (Amendment) Act, which provides women with protection from sexual harassment at public workplaces, and the establishment of the Leadership Code Tribunal, which is mandated to adjudicate breaches of the Code, including by combating corruption in the public sphere. The Committee is nevertheless concerned about the following:

(a) Discriminatory provisions on access for women to employment and the lack of legislation prohibiting discrimination based on sexual orientation or gender identity in employment

40. Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 34), the Committee recommends that the State party:

(a) Intensify efforts to fully implement the existing laws and regulations on the equal rights of women and men to, and in, employment, reduce unemployment among women by promoting access for women to
formal employment, remove all discriminatory labour law provisions and amend section 6 of the Employment Act to add discrimination on the basis of sexual orientation or gender identity as prohibited grounds;

Keywords: budget allocation; health; HIV/AIDS; L; B; T; I; prostitution

Health

42. With reference to its general recommendation No. 24 (1999) on women and health, and recalling its previous recommendations (CEDAW/C/UGA/CO/7, paras. 36 and 38), the Committee recommends that the State party increase the proportion of the national budget allocated to health and:

(c) Continue to implement the national policy guidelines on ending HIV stigma and other strategies, policies and programmes on HIV/AIDS, to address the high prevalence of HIV and AIDS among women, and ensure access to antiretroviral treatment free of charge, with a particular focus on the prevention of mother-to-child transmission and targeting lesbian, bisexual and transgender women and intersex persons, women living in a humanitarian settings and women in prostitution;

Ukraine – List of Issues prior to reporting – 83rd session, 11 March 2020, 9th review, CEDAW/C/UKR/QPR/9

Keywords: access to justice; financial barriers; L; B; T; I

Access to justice

6. Please provide information on the measures taken to ensure that women, including internally displaced women, Roma women, women with disabilities, rural women, older women, lesbian, bisexual and transgender women and women living with HIV, are aware of their rights under the Convention and of the legal remedies available to them. In the light of the Committee's previous concluding observations (para. 19), please also provide information on the measures taken to eradicate barriers impeding women's effective access to justice, including financial barriers, corruption and the gender stereotypes employed by law enforcement officials, and indicate the number of beneficiaries of free legal aid.

Keywords: L; B; T; I; hate crimes; legislation; gender reassignment; shelter; law enforcement

Lesbian, bisexual and transgender women and intersex persons

23. Please clarify whether the State party’s anti-discrimination laws, in particular Act No. 5207-VI of 6 September 2012 on the principles of preventing and combating discrimination in Ukraine, explicitly protect lesbian, bisexual and transgender women and intersex persons, whether the prohibition of hate crimes in the State party's national legislation covers hate crimes committed against those persons, whether gender reassignment is legally recognized and which steps have been taken to prevent intrusive medical or surgical treatment without prior, free and informed consent. In the light of the Committee's previous concluding observations (para. 46), please indicate any measures taken to provide training and guidelines to law enforcement officials on non-discrimination and the protection of lesbian, bisexual and transgender women and intersex persons, in particular during public protests and events, to ensure the investigation and prosecution of any acts of hate speech and violence against lesbian, bisexual and transgender women and intersex persons and to provide shelter and assistance to lesbian, bisexual and transgender women and intersex persons who are victims of violence.
E. Factors and difficulties preventing the effective implementation of the Convention

10. The Committee is similarly concerned that the military attack against Ukraine has resulted in grave violations of human rights of Ukrainian women and girls, who are victims of attacks against civilians and civilian objects such as schools, kindergartens, medical and other essential civilian infrastructures, through the use of cluster munitions, air strikes and artillery, as well as of torture and other cruel, inhuman or degrading treatment, arbitrary and extrajudicial executions, enforced disappearances, gender-based violence, including sexual violence, forced transfers and forced displacements of populations. It notes that the military attack by the Russian Federation against Ukraine has a particularly severe impact on women and girls in disadvantaged situations, such as internally displaced women, rural women, older women, women with disabilities, Roma women, lesbian, bisexual, transgender and intersex women and women from other minorities, including Crimean Tatar women. The Committee recalls that some of these violations may amount to crimes against humanity, war crimes and other crimes under international law (see Human Rights Council resolution S-34/1).

40. With reference to its previous recommendations (CEDAW/C/UKR/CO/8, para. 37), the Committee recommends that the State party:

(a) Reduce unemployment among women, including through targeted measures by the State Employment Service and the Ministry for Development of Economy, Trade and Agriculture (CEDAW/C/UKR/9, paras. 185–188), with an emphasis on unemployed internally displaced women, single mothers, young mothers, older women, rural women, women with disabilities, Roma women, lesbian, bisexual, transgender and intersex women, women who use drugs, Roma women and women living in conflict-affected areas of the State party;

Uzbekistan – List of Issues – 81st session, 27 July 2020, 6th review, CEDAW/C/UZB/Q/6

Keywords: legislation; direct discrimination; indirect discrimination; SO; GI; intersecting forms of discrimination

Definition of non-discrimination

4. Please indicate how the State party plans to incorporate into national legislation, including the Act on the Guarantees of Equal Rights and Opportunities for Women and Men (2019), a definition of discrimination against women that prohibits direct and indirect discrimination in the public and private spheres, including intersecting forms of discrimination, in accordance with articles 1 and 2 of the Convention, including on the basis of sexual orientation and gender identity.

Keywords: measures; education; SO; GI;

Education

16. Please describe the measures taken to ensure that girls have access to and stay in secondary and higher education, particularly in non-traditional fields of study, with particular attention to rural girls and girls with disabilities. Please indicate the impact of such measures and provide relevant statistics on: (a) the enrolment rate of girls in technical and scientific studies in vocational institutions and universities; and (b) women’s access to employment in these areas. Please elaborate on the results of the review of school textbooks and curricula (para. 103) and the availability of gender equality education and age-appropriate
sexuality education (CEDAW/C/UZB/CO/5, para. 24 (b)), including education to promote tolerance and non-discrimination based on sexual orientation and gender identity.

Keywords: access to inclusive education; stigma; discrimination; HIV/AIDS; L; B; T; I

Disadvantaged groups of women

23. Please specify the measures taken to: (a) ensure access to inclusive education and employment and phase out institutionalization for girls and women with disabilities; (b) eliminate stigmatization and discrimination against women living with HIV/AIDS and ensure their access to health care and employment; (c) investigate reports of lesbian, bisexual, transgender and intersex women being subjected to gender-based violence, correctional rape, forced marriage, arrest and discrimination and take remedial action, ensure their access to health care, including reproductive technologies and gender reassignment, repeal article 120 of the Criminal Code criminalizing homosexual intercourse and criminalize hate crime; (d) improve the situation of Mugat (Luli) women and girls and protect them from discrimination and harmful practices; and (e) reintegrate women and girls returning from conflict areas in Iraq and the Syrian Arab Republic.

Uzbekistan – Concluding Observations – 81st session, 1 March 2022, 6th review, CEDAW/C/UZB/CO/6

Keywords: L; B; T; I; GR; gender-based violence

Gender-based violence against women

22. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(b) Review the Law on Protection of Women from Harassment and Violence and other relevant national legislation to cover all forms of gender-based violence and take into account the special needs of disadvantaged and marginalized groups of women, including women with disabilities, migrant women, women living with HIV/AIDS, and lesbian, bisexual and transgender women;

Keywords: marginalized women; L; B; T; I; intersecting forms of discrimination; specific needs

Disadvantaged and marginalized groups of women

39. The Committee remains concerned that: older women; women with disabilities; women belonging to ethnic minority groups, in particular women and girls belonging to Mughat/Luyli communities; refugee and asylum-seeking women; migrant women; women living with HIV/AIDS; and lesbian, bisexual and transgender women continue to face intersecting forms of discrimination in the State party.

40. The Committee recommends that the State party adopt targeted measures, including temporary special measures, to ensure access to justice, employment and health care, including sexual and reproductive health services, respecting the confidentiality of patient information, social protection and food security for disadvantaged groups of women such as: older women; women with disabilities; women belonging to ethnic minority groups, in particular women and girls belonging to Mughat/Luyli communities; refugee and asylum-seeking women; migrant women; women living with HIV/AIDS; and lesbian, bisexual and transgender women, taking into account their specific needs.
4. Committee on the Rights of the Child

Albania – List of Issues – 93rd session, 21 October 2022, 5-6th review, CRC/C/ALB/Q/5-6

Keywords: implementation; national agenda; L; B; G; T; I

Part I

3. Please provide updated information on the implementation and impact of the national agenda for children’s rights for the period 2017–2020 and the social protection strategy for the period 2015–2020 and on the steps taken to provide adequate human, technical and financial resources for the effective implementation of all national strategies relevant to children and to strengthen anti-corruption systems. Please also specify measures taken or envisaged to:

(b) Assess the implementation of laws and policies related to the prevention of and protection of persons against discrimination, including children belonging to ethnic minority groups, children with disabilities and lesbian, gay, bisexual, transgender and intersex children;

Cambodia – List of Issues – 90th session, 30 October 2019, 4-6th review, CRC/C/KMH/Q/4-6

Keywords: L; B; G; T; I; children; children with HIV/AIDS

Part I

2. Please provide information on measures taken to eliminate discrimination against girls and boys, including children in rural areas and children in vulnerable situations, such as (a) children with disabilities, (b) lesbian, gay, bisexual, transgender and intersex children, (c) children without parents, (d) children living in poverty, (e) children living in street situations, (f) children belonging to ethnic minorities and (g) children with HIV/AIDS.

Cambodia – Concluding Observations – 90th session, 27 June 2022, 4-6th review, CRC/C/KMH/CO/4-6

Keywords: gender stereotypes; SDGs; discriminatory gender stereotypes; L; B; G; T; I; children

B. General principles (arts. 2–3, 6 and 12) Non-discrimination

15. The Committee remains deeply concerned about the persistence of disparities in the enjoyment of rights among children in vulnerable situations and discriminatory gender stereotypes, as reflected in the code of conduct for women (Chbap Srey). Taking note of target 10.3 of the Sustainable Development Goals, the Committee reiterates its previous recommendations8 and urges the State party to:

(a) Address disparities in access to all public services by girls, children in rural areas, children with disabilities, lesbian, gay, bisexual, transgender and intersex children, children without parents, children living in poverty, children in street situations, children belonging to minority or indigenous groups, children of Vietnamese origin, Khmer Krom children and children with HIV/AIDS, and regularly evaluate the enjoyment by these children of their rights;
Canada – Concluding Observations – 90th session, 23 June 2022, 5-6th review, CRC/C/CAN/CO/5-6

Keywords: GC; SDGs; L; B; G; T; I

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Abuse and neglect

27. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and recalling targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee urges the State party to:

(b) Ensure that the recommendations of the Special Rapporteur on violence against women, its causes and consequences, emanating from her visit to Canada in 2018, on the need for a national action plan on violence against women and girls, in particular against indigenous girls, are implemented and that the calls for justice for girls, women and lesbian, gay, bisexual and transgender persons of the National Inquiry into Missing and Murdered Indigenous Women and Girls are also implemented;

Harmful practices

29. In the light of the reports that Canadian legislation allows for unnecessary medical interventions and surgical treatment on intersex children, the Committee recommends that the State party:

(a) Amend its legislation, in particular section 268 (3) of the Criminal Code, to ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination, and initiate a national consultation with intersex persons, including children, to inform amendments to the Criminal Code to prohibit non-consensual and medically unnecessary surgeries on intersex children;

(b) Undertake investigations of incidents of surgical and other medical treatment of intersex children without their informed consent and adopt legal provisions in order to provide redress to the victims of such treatment, including adequate compensation;

(c) Educate and train medical and psychological professionals on the range of sexual diversity, and the related biological and physical diversity, and on the consequences of unnecessary surgical and other medical interventions for intersex children.

Keywords: SDGs; SO; GI

H. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

40. In line with its previous recommendations and taking note of targets 4.1, 4.6, 4.a, 4.b and 4.c of the Sustainable Development Goals, the Committee recommends that the State party:

(d) Collect data, disaggregated by race, age, gender identity, sexual orientation, geographical location, ethnicity, immigration status, disability, and socioeconomic background, on disciplinary measures across provincial and territories, in order to monitor and track the impact of measures to reduce the discriminatory effects of disciplinary procedures and develop targeted measures to address systemic discrimination in all levels of compulsory education;

IV. Implementation and reporting

A. Follow-up and dissemination
51. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including the ones in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

Chile – List of Issues prior to reporting – 90th session, 31 March 2020, 6-7th review, CRC/C/CHL/QPR/6-7

Keywords: L; B; G; T; I; discrimination against children; harmful practices; intersex children; surgery; treatment; unnecessary surgery or treatment

B. General principles (arts. 2, 3, 6 and 12) Non-discrimination

9. Please provide information on measures taken to address and eliminate discrimination against girls, indigenous children, children with disabilities, migrant children and lesbian, gay, bisexual, transgender and intersex children, particularly in accessing education and health services. Please provide information on the number of cases filed for discrimination against children under Law No. 20.609. Please inform the Committee as to how the draft law that would provide for “preventive identity checks”, allowing the police to check the identity documents of children older than 14 years, will not discriminate against adolescents, particularly those from disadvantaged backgrounds. Please also provide information on the reported 70,317 preventive identity checks carried out on children under the age of 18 under Law No. 20.931 of 5 July 2016.

Harmful practices

15. Please provide information on the measures taken to raise awareness of the negative consequences of child marriage with a view to ending this harmful practice. Please also provide information on the finalization and implementation of a rights-based health-care protocol for intersex children to ensure that no child is subjected to unnecessary surgery or treatment.

Chile – Concluding Observations – 90th session, 22 June 2022, 6-7th review, CRC/C/CHL/CO/6-7*

Keywords: LGBTI; GI; legislation; gender change; counselling; education; health services

C. General principles (arts. 2–3, 6 and 12)

Non-discrimination

13. Recalling target 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(d) Ensure that children can effectively in practice access education and health services, particularly children with disabilities, and indigenous, asylum-seeking, migrant and LGBTI children;

(e) In the context of enacting the gender identity law, allocate sufficient budget for professional counselling programmes for children considering gender change;

Keywords: intersex children; medical treatment; surgical treatment; bodily integrity; autonomy; self-determination; consent

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)
Harmful practices

22. While noting steps taken regarding the eradication of harmful treatment of intersex children, the Committee recommends that the State party:

(a) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination;
(b) Investigate incidents of surgical and other medical treatment of intersex children without informed consent and provide redress to victims of such treatment, including appropriate compensation.

IV. Implementation and reporting
A. Follow-up and dissemination

46. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined sixth and seventh periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

Croatia – List of Issues prior to reporting – 90th session, 3 December 2018, 5-6th review, CRC/C/HRV/QPR/5-6

Keywords: L; B; G; T; I; children; access to education; access to health-care services

C. General principles (arts. 2, 3, 6 and 12) Non-discrimination

11. Please inform the Committee about the measures taken to prohibit and eradicate all forms of de jure and de facto discrimination and hate speech against children of ethnic minorities, including Serbian and Roma children, and children of religious minorities, children with disabilities, lesbian, gay, bisexual, transgender and intersex children, and migrant, asylum-seeking and refugee children, with particular regard to their access to education and health-care services.

Croatia – Concluding Observations – 90th session, 22 June 2022, 5-6th review, CRC/C/HRV/CO/5-6

Keywords: L; B; G; T; I; harassment; children; educational settings; awareness-raising

C. General principles (arts. 2-3, 6 and 12)

Non-discrimination

15. The Committee is seriously concerned about:

(b) Discrimination and harassment against lesbian, gay, bisexual, transgender and intersex children in educational settings.

16. The Committee urges the State party to:

(a) Ensure full implementation of relevant existing laws prohibiting discrimination, including by strengthening public education campaigns to address negative social attitudes towards children of ethnic minorities, particularly minority Serbian and Roma children, children with disabilities, refugee, migrant and asylum-seeking children, and lesbian, gay, bisexual, transgender and intersex children;
(c) Systematically undertake awareness-raising and education on the issues of discrimination, intolerance and hate speech against children belonging to ethnic minorities, refugee, asylum-seeking and migrant children, children with disabilities and lesbian, gay, bisexual, transgender and intersex children;

Keywords: harmful practices; redress; bodily integrity; autonomy; self-determination; intersex children

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Harmful practices

26. The Committee recommends that the State party:

(b) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination;

(c) Investigate incidents of surgical and other medical treatment of intersex children without informed consent, and provide redress to victims of such treatment, including appropriate compensation.

Keywords: SDGs; education; SO; GI; sexually transmitted infections; family planning;

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Adolescent health

35. The Committee notes the efforts of the State party to prevent substance abuse and the measures taken under several action plans and strategies. Recalling its general comment No. 4 (2003) on adolescent health, its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, and targets 3.5 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure that all adolescents have access to comprehensive, age-appropriate, scientifically based and gender-stereotype-free education on sexual and reproductive health and rights, including information on preventing adolescent pregnancy and high-risk sexual behaviour, and on the issues of sexual orientation and gender identity, family planning, and contraceptives, as well as on the prevention and treatment of sexually transmitted infections;

IV. Implementation and reporting

A. Follow-up and dissemination

51. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.
disabilities, and lesbian, gay, bisexual, transgender and intersex children, and to effectively prevent irreversible medical interventions on intersex children;

(f) To ensure the right of children to legal recognition of their gender identity, and to reform the Transgender Person Act and ensure the right of self-determination for transgender children.

5. Please explain the measures taken:

(d) To guarantee, in legislation, the right of intersex children to self-determination, and the criminalization of female genital mutilation.

Keywords: intersex children; statistical data; surgical treatment; medical treatment; unnecessary medical or surgical treatment

Part III

Data, statistics and other information

15. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographical location and socioeconomic status, for the past three years, on the following:

(c) Cases of unnecessary medical or surgical treatment of intersex children;

Germany – List of Issues – 91st session, 4 March 2021, 5-6th review, CRC/C/DEU/Q/5-6

Keywords: L; B; G; T; I; children; surgical treatment; medical treatment; unnecessary medical or surgical treatment

Part I

4. Please explain the measures taken:

(b) To assess the impact of action plans and awareness-raising programmes aimed at combating discrimination against children with a migration background, children with disabilities and lesbian, gay, bisexual, transgender and intersex children;

7. Please describe the measures taken:

(c) To take legislative measures to prevent the unnecessary medical or surgical treatment of intersex children.

Germany – Concluding Observations – 91st session, 13 October 2022, 5-6th review, CRC/C/DEU/CO/5-6

Keywords: L; G; B; T; I; children; implementation; policy; SDGs; awareness-raising

A. General measures of implementation (arts. 4, 42 and 44 (6))

Comprehensive policy and strategy

7. While noting the various sectoral strategies and measures at the federal, Land and municipal levels on children’s rights, the Committee considers that a comprehensive children’s rights policy and strategy at the federal level could serve as a basis for plans and strategies at the Land and municipal levels. Recalling its previous recommendation,4 the Committee recommends that the State party:

(b) Ensure that such a policy provides guidance for the Länder on implementing the Convention and includes a special focus on children in disadvantaged situations, including asylum-seeking, refugee and
migrant children, children belonging to minority groups, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and socioeconomically disadvantaged children.

B. General principles (arts. 2–3, 6 and 12) Non-discrimination

15. The Committee welcomes efforts to combat discrimination against children in disadvantaged situations but is concerned about the disproportionate effect of de facto discrimination on such children, including in terms of access to education and health. Recalling target 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Strengthen policies and awareness-raising measures aimed at addressing the root causes of de facto discrimination, with a view to eliminating discrimination against children in disadvantaged situations, including asylum-seeking, refugee and migrant children, Sinti and Roma children and children of other minority groups, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and socioeconomically disadvantaged children;

Greece – List of Issues – 90th session, 12 March 2020, 4-6th review, CRC/C/GRC/Q/4-6

Keywords: SO; GI; intersex children; prevention; different forms of violence

Part I

5. Please provide information on: progress made in implementing the actions on bullying and the plans to strengthen teacher training to prevent, detect and address different forms of violence, including violence based on sexual orientation and gender identity, and to toughen sanctions for abuse by teachers; any mechanisms monitoring the implementation of Laws No. 3500/2006 and No. 4322/2015; any complaints mechanisms and support services for children; and efforts made to improve the collection of data on children victims of violence.

7. Please specify how the measures taken have contributed to improving access to health care and quality education for all children. Also, please inform the Committee on progress made in strengthening the teaching capacity and integrating children's rights and sexual education into school curricula and teacher training courses. Please specify what efforts have been made: to improve school infrastructure and transportation; ensure safe access to schools; provide and maintain a sufficient number of certified playgrounds for young children and spaces for adolescents; and increase the provision of early childcare. Please provide information on the measures taken to address the issues related to intersex children.

Greece – Concluding Observations – 90th session, 28 June 2022, 4-6th review, CRC/C/GRC/CO/4-6

Keywords: SDGs; same-sex couples; citizenship

D. Civil rights and freedoms (arts. 7–8 and 13–17) Birth registration, name and nationality

21. While welcoming the adoption of Law No. 4554/2018 and Law No. 4332/2015, the Committee recalls Sustainable Development Goals target 16.9 and recommends that the State party:

(c) Establish legal safeguards to prevent statelessness of children born to foreign parents and of children born to same-sex couples and facilitate their access to Greek citizenship;

Keywords: SO; GI; violence against children; GR; GC; intersex children

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39) Violence against children, including sexual violence, abuse and neglect
26. The Committee welcomes the introduction of more severe penalties for sexual violence against children, the adoption of Law No. 4322/2015 and Law No. 4823/2021, the establishment of 72 domestic violence agencies, and the setting up of “children's houses” to examine child victims and witnesses of sexual violence and human trafficking in a way that avoids traumatization (see Law No. 4478/2017). However, the Committee remains seriously concerned about:

(c) The reported bullying in schools, including based on sexual orientation and gender identity;

27. Recalling its general comment No. 13 (2011), the Committee urges the State party to:

(d) Establish mechanisms, procedures and guidelines to ensure and promote mandatory reporting and multi-agency intervention in all cases of violence against children; and strengthen teachers’ and health professionals’ training to prevent, detect and address different forms of violence, including based on sexual orientation and/or gender identity;

Harmful practices

28. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014), and Sustainable Development Goals target 5.3, the Committee urges the State party to:

(c) Ensure that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, and provide social, medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and their families.

F. Family environment and alternative care (arts. 5, 9 – 11, 18 (1) – (2), 20 – 21, 25 and 27 (4))

Adoption

32. The Committee recommends that the State party:

(e) Consider extending adoption to same-sex couples.

IV. Implementation and reporting

A. Follow-up and dissemination

48. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fourth to sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.
(c) Conduct a study on the extent and forms of discrimination against children, including discrimination based on residence and against migrant children, children belonging to minority groups, children of a parent with an irregular residence status, children living in poverty, lesbian, gay, bisexual, transgender and intersex children and children with disabilities.

Keywords: informed consent; unnecessary medical or surgical treatment; intersex children

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Harmful practices

26. Noting with concern that the Act on Sterilization Procedures of 2019 allows for the sterilization of children if it is considered that continued fertility would have negative effects on their lives and health, the Committee recommends that the State party:

(b) Ensure that the performance of unnecessary medical or surgical treatment on intersex children is safely deferred until children are able to provide their informed consent, in line with the prohibition of such procedures under the Act on Gender Autonomy, and provide reparations for children who received unnecessary treatment;

(c) Provide adequate social, medical and psychological services, counselling and support to intersex children and their families.

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Keywords: mental health; SDGs; L; G; B; T; I; children

Mental health

32. Recalling target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Strengthen mental health services and programmes for children, including by: (i) improving coordination between municipalities and relevant ministries, including the Ministry of Social Affairs and Labour and the Ministry of Education and Children, to provide therapeutic mental health services in schools at all levels and within communities; (ii) ensuring that the number of qualified medical professionals, including child psychologists and psychiatrists, is sufficient to meet children's mental health needs in a timely manner; (iii) providing mental health services that are tailored to address the specific needs of migrant children, lesbian, gay, bisexual, transgender and intersex children and children with disabilities; and (iv) having a better overview of the waiting list to improve the efficiency of interventions;

IV. Implementation and reporting A. Follow-up and dissemination

51. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

Ireland – List of Issues prior to reporting – 93rd session, 18 November 2020, 5-6th review, CRC/C/IRL/QPR/5-6

Keywords: L; G; B; T; I; young people

B. General principles (arts. 2, 3, 6 and 12)
Non-discrimination

10. Please provide information on:

(a) The impact of relevant strategies in eliminating discrimination against children, such as the national strategy for the inclusion of Travellers and Roma, 2017–2021, the migrant integration strategy, the strategy on lesbian, gay, bisexual, transgender and intersex young people, 2018–2020, and the national strategy for the inclusion of persons with disabilities, 2017–2021;

(c) Measures taken to eliminate, in practice, discrimination against children belonging to ethnic minority groups, including Traveller and Roma children, children of minority faith or non-faith backgrounds, children with disabilities, children living in poverty, including those experiencing homelessness, lesbian, gay, bisexual, transgender and intersex children, refugee, asylum-seeking and migrant children, children with an irregular migration status and children of unmarried parents.

Keywords: unnecessary medical or surgical treatment; I; children; remedies

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Harmful practices

19. Please inform the Committee about the measures taken to:

(a) Prevent the unnecessary medical or surgical treatment of intersex children, investigate related cases and provide adequate counselling, support and access to effective remedies for children subjected to such treatment;

Keywords: SO; GI; gender stereotypes; irreversible surgical procedures; procedures

H. Education, leisure and cultural activities (arts. 28–31)

Education

27. Please inform the Committee about the measures taken to:

(e) Revise the content of sexual and reproductive health education to include material on non-discrimination, contraception, gender stereotypes, sexual orientation and gender identity;

38. Please provide data, disaggregated as described in paragraph 33 above, on:

(c) Intersex children who have received non-urgent and irreversible surgical or other procedures.

Kingdom of the Netherlands – Concluding Observations – 89th session, 9 March 2021, 3-6th review, CRC/C/NLD/CO/5-6

Keywords: prohibited grounds of discrimination; SO; SDGs L; G; B; T; I; children; violence

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State party to implement the Convention, including the addition of sexual orientation and disability to the list of prohibited grounds of discrimination under article 1 of the Constitution, the adoption of the Child Labour (Duty of Care) Act and the prohibition of corporal punishment in the home in Aruba, Bonaire, Saba and Sint Eustatius. The Committee notes with appreciation the ratification of the Convention on the Rights of Persons with Disabilities.

B. General principles (arts. 2–3, 6 and 12)
Non-discrimination

15. Recalling target 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(g) Develop policies and awareness-raising measures aimed at addressing the root causes of de facto discrimination, with a view to eliminating stereotyping of, and prejudice and discrimination against, inter alia, children belonging to ethnic and religious minority groups (including Muslims, Jews and children of African descent), refugee, asylum-seeking, migrant and undocumented children, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and children living in poverty.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Violence against children

22. Taking note of targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:

(f) Develop initiatives aimed at protecting children with disabilities and transgender and gender-diverse children from all forms of violence, including physical and mental abuse, maltreatment and sexual exploitation;

Harmful practices

23. The Committee recommends that the State party:

(a) Prohibit the performance of unnecessary medical or surgical treatment on intersex children where those procedures may be safely deferred until children are able to provide their informed consent, and provide reparations for children who received unnecessary treatment;

(b) Provide adequate social, medical and psychological services, counselling and support to intersex children and their families;

Kiribati – List of Issues – 90th session, 8 April 2020, 2-4th review, CRC/C/KIR/Q/2-4

Keywords: L; G; B; T; I; children; adolescents

Part I

4. Please provide information on the measures taken to:

(a) Combat discrimination against children in marginalized and disadvantaged situations, including children living in poverty, children with disabilities, and lesbian, gay, bisexual and transgender adolescents and intersex children;

Kiribati – Concluding Observations – 90th session, 12 September 2022, 2-4th review, CRC/C/KIR/CO/2-4

Keywords: criminalization; homosexuality; L; G; B; T; I; children; stigma; violence

C. General principles (arts. 2–3, 6 and 12) Non-discrimination

19. The Committee welcomes the legislative measures to eradicate discrimination, such as the Education Act of 2013, which prohibits discrimination against pregnant girls in school. The Committee is concerned, however, about the following:
(b) The criminalization of homosexuality and lack of protection of lesbian, gay, bisexual, transgender and intersex children from discrimination, stigma and violence.

20. Taking note of target 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(b) Repeal the criminalization of homosexuality and other discriminatory provisions in its legislation, to ensure respect for the rights set forth in the Convention, and take active measures to protect lesbian, gay, bisexual, transgender and intersex children from discrimination, stigma and violence.

C. Next report

65. The Committee invites the State party to submit its combined fifth to seventh periodic reports by 9 January 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines17 and should not exceed 21,200 words.18 In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

Kuwait – List of Issues – 91st session, 17 November 2020, 3-6th review, CRC/C/KWT/Q/3-6

Keywords: L; G; B; T; I; children

Part I

4. Please indicate measures taken:

c) To ensure that all children, including non-Kuwaiti (Bidoon and migrant) and lesbian, gay, bisexual and transgender children, can enjoy their rights under the Convention without discrimination and can access all services, including those related to health and education;

Netherlands – List of Issues prior to reporting – 89th session, 11 November 2019, 5-6th review, CRC/C/NLD/QPR/5-6

Keywords: L; G; B; T; I; children; ill

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

12. Please provide information on the measures taken to:

(c) Address discrimination against children belonging to ethnic and religious minority groups (including those of African descent), Muslims and Jews, refugee, asylum-seeking, migrant and undocumented children, children with disabilities, chronically ill children and lesbian, gay, bisexual, transgender and intersex children.

New Zealand – List of Issues prior to reporting – 93rd session, 21 July 2020, 6th review, CRC/C/NZL/QPR/6

Keywords: L; G; B; T; I; children; negative attitudes; vulnerable situations; violence; unnecessary medical interventions
C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

9. Please provide information on the measures taken to:

(b) Combat negative attitudes towards children in vulnerable situations, in particular Maori and Pasifika children, children belonging to ethnic minority groups, asylum-seeking, refugee and migrant children, children with disabilities, lesbian, bisexual, gay, transgender and intersex children and children living with persons belonging to those groups, including any affirmative action taken;

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Harmful practices

17. Please provide information on the measures taken to:

(b) Develop and implement a rights-based health-care protocol for intersex children to ensure that no child is subjected to unnecessary surgery or treatment and that the child's free, prior and informed consent is obtained for necessary interventions and educate medical and psychological professionals on the negative consequences of unnecessary medical interventions on intersex children.

North Macedonia – List of Issues – 91st session, 9 March 2021, 3-6th review, CRC/C/MKD/Q/3-6

Keywords: L; G; B; T; I; discrimination; children; access to services; stereotypes; social norms

Part I

4. Please explain the measures taken or envisaged to:

(b) Implement the Law on the prevention of and the protection of persons against discrimination, 2020, and combat stereotypes and social norms that perpetuate discrimination against children, in particular Roma children, children with disabilities and lesbian, gay, bisexual, transgender and intersex children, in exercising their rights and with regard to their access to various services;

North Macedonia – Concluding Observations – 91st session, 20 October 2022, 3-6th review, CRC/C/MKD/CO/3-6

Keywords: L; G; B; T; I; children; social status; stereotypes; discrimination; social norms

C. General principles (arts. 2, 3, 6 and 12) Non-discrimination

17. The Committee notes the establishment of the Commission for the Prevention of and Protection against Discrimination under the Law on the Prevention of and Protection of Persons against Discrimination. However, the Committee remains seriously concerned at the existence of stereotypes and social norms that perpetuate discrimination against children, in particular Roma children, children with disabilities and lesbian, gay, bisexual, transgender and intersex children, and on the basis of children’s social status.

Keywords: L; G; B; T; I; children; violence; violence in school; systematic efforts; GC; SDGs; harmful practices; social support; counselling; medical or surgical treatment

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

24. The Committee welcomes the measures taken to combat violence against children, including legal reforms that criminalize acts of physical, psychological and any other type of violence towards a child;
the adoption of the new national action plan for preventing and addressing the abuse and neglect of children and the strategy for the prevention and protection of children from violence 2020–2025; the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention); and the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). However, the Committee is concerned about:

(i) The insufficiently systematic efforts aimed at addressing peer violence in schools, online bullying and violence against lesbian, gay, bisexual, transgender and intersex children, children with disabilities and Roma children;

25. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:

(i) Conduct comprehensive research on the prevalence of peer violence based on sexual orientation, gender identity and ethnic origin, especially regarding Roma children, and strengthen educational measures aimed at preventing such violence;

Harmful practices

26. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:

(b) Not subject intersex children to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination, provide redress to victims of such treatment, including appropriate compensation, and provide adequate social, medical and psychological services, counselling and support to intersex children and their families.

Keywords: health; welfare; SDGs; legislation; implementation; SO; GI

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Adolescent health

33. The Committee notes the State party’s efforts to address sexual and reproductive health in a comprehensive manner, in cooperation with civil society and United Nations agencies. Recalling its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, and targets 3.5 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Promote greater access to comprehensive, age-appropriate, science-based education on sexual and reproductive health and rights, including information on the prevention of adolescent pregnancy and high-risk sexual behaviour, and on the issues of sexual orientation and gender identity, family planning and contraceptives, as well as on the prevention and treatment of sexually transmitted infections. In the implementation of these measures, special consideration should be given to children in vulnerable situations;

IV. Implementation and reporting

B. National mechanism for reporting and follow-up

47. The Committee recommends that the State party strengthen its national mechanism for reporting and follow-up as a standing government structure that is mandated to coordinate and prepare reports to
and engage with international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff, should develop effective tools for tracking and collecting information and should have the capacity to consult systematically with the national human rights institution and civil society.

**Philippines – List of Issues – 91st session, 16 November 2020, 5-6th review, CRC/C/PHL/Q/5-6**

Keywords: discrimination; L; G; B; T; I; children; conflict; armed conflict; street situations

**Part I**

3. Please specify the measures taken to:

(b) Prevent and address discrimination regarding children born to unmarried couples, children in street situations, lesbian, gay, bisexual and transgender children, indigenous children, children affected by armed conflict and children in conflict with the law;

**Philippines – Concluding Observations – 91st session, 26 October 2022, 5-6th review, CRC/C/PHL/CO/5-6**

Keywords: L; G; B; T; I; children; children in vulnerable situations

C. General principles (arts. 2–3, 6 and 12) Non-discrimination

14. Noting the programme on diversity and inclusion and the dedicated inter-agency committee, the Committee recommends that the State party:

(a) Strengthen its efforts to combat discriminatory attitudes and ensure access to health care, education and basic services for girls, children living in poverty, children born to unmarried couples, children in street situations, lesbian, gay, bisexual and transgender children, children belonging to indigenous groups, children living in rural and conflict-affected areas, children in conflict with the law and other children in vulnerable situations;

Keywords: health; sexual health; reproductive health; SO; GI

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Adolescent health

32. Welcoming the adoption of the Mental Health Act (Republic Act No. 11036) in 2018, the implementation of the Adolescent Health and Development Programme and the introduction of sex education in schools, the Committee recommends that the State party:

(e) Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure sexual and reproductive health education at school, with special attention to preventing early pregnancy, sexually transmitted infections and HIV/AIDS and on sexual orientation and gender identity;

**South Sudan – Concluding Observations – 91st session, 27 October 2022, 1st review, CRC/C/SSD/CO/1**

Keywords: sexual violence; same-sex relations; prosecution
E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Child sexual abuse and gender-based violence

38. The Committee is seriously concerned that:

(f) Boys are deterred from reporting acts of sexual violence perpetrated against them for fear of prosecution under section 248 of the Penal Code (2008) prohibiting same-sex relations;

Sweden – List of Issues prior to reporting – 93rd session, 23 July 2020, 6-7th review, CRC/C/SWE/QPR/6-7

Keywords: L; G; B; T; I; children; suicide; root causes; discrimination

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

11. Please provide information on the measures taken to:

(b) Eliminate, in practice, discrimination against children in marginalized and disadvantaged situations, including children in disadvantaged socioeconomic situations, children in alternative care, asylum-seeking, refugee and migrant children, Roma and Sami children, children of African descent and lesbian, gay, bisexual, transgender and intersex children;

Right to life, survival and development

13. Please provide information on the measures taken to prevent and address the root causes of suicide among children with disabilities, children who do not identify with the gender given to them at birth, transgender children and unaccompanied asylum-seeking children.

Keywords: unnecessary medical or surgical treatment of intersex children; adequate counselling; adequate support; effective remedies

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Harmful practices

20. Please inform the Committee about the measures taken to:

(a) Prevent the unnecessary medical or surgical treatment of intersex children and provide adequate counselling, support and access to effective remedies for children subjected to such treatment during childhood, including the statute of limitations for raising a claim against such treatment;

Ukraine – List of Issues – 91st session, 17 November 2020, 5-6th review, CRC/C/UKR/Q/5-6

Keywords: intersex children; unnecessary medical or surgical treatment of intersex children

Part I

5. Please describe the steps taken:

(e) To ensure that intersex children are not subjected to unnecessary medical or surgical procedures.
Uzbekistan – Concluding Observations – 91st session, 27 October 2022, 5th review, CRC/C/UZB/CO/5

Keywords: SDGs; awareness-raising; discrimination; SO; GI

C. General principles (arts. 2–3, 6 and 12) Non-discrimination

17. Recalling Sustainable Development Goal targets 5.1 and 10.3, the Committee recommends that the State party adopt, implement, monitor and evaluate a comprehensive anti-discrimination law and a strategy comprising measures, including awareness-raising and media campaigns, to change social norms and behaviours that contribute to discrimination, in particular on the basis of gender, disability, sexual orientation and gender identity. It also recommends that the State party implement targeted policies and programmes to address discrimination against girls, children with disabilities, children belonging to minority groups, refugee, asylum-seeking and internally-displaced children, children in alternative care, children in street situations and other children in vulnerable situations.

Viet Nam – List of Issues – 91st session, 17 November 2020, 5-6th review, CRC/C/VNM/Q/5-6

Keywords: L; G; B; T; I; children; children in vulnerable situations

Part I

5. Please describe the concrete measures taken to:

(a) Eliminate discrimination against girls and children in vulnerable situations, including:

(5) Lesbian, gay, bisexual, transgender and intersex children;

Viet Nam – Concluding Observations – 91st session, 21 October 2022, 5-6th review, CRC/C/VNM/CO/5-6

Keywords: L; G; B; T; I; children

C. General principles (arts. 2–3, 6 and 12)

17. Recalling target 10.3 of the Sustainable Development Goals, the Committee reiterates its previous recommendations7 and urges the State party:

(a) To address disparities in access to all public services by girls, children in remote areas, children with disabilities, lesbian, gay, bisexual and transgender children, children living in poverty, children belonging to ethnic or religious minority or indigenous groups, including Hmong and Khmers-Krom children, and migrant children, and regularly evaluate the enjoyment by these children of their rights;

Keywords: SDGs; L; G; B; T; I; prevention; violence; intervention; empowerment; street situation; best interest of the child

I. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

44. Recalling targets 4.1 and 4.2 of the Sustainable Development Goals, the Committee recommends that the State party:
(d) Combat violence, including bullying and cyberbullying, in schools, especially of children in disadvantaged socioeconomic situations, children belonging to ethnic or religious minority or indigenous groups, children with disabilities, and lesbian, gay, bisexual and transgender children, and ensure that such measures encompass prevention, early detection mechanisms, the empowerment of children and intervention protocols;

Children in street situations

49. Noting with concern reports of lesbian, gay, bisexual and transgender children, children with disabilities, child victims of trafficking and other children in disadvantaged situations who are living on the street, the Committee recalls its general comment No. 21 (2017) on children in street situations and recommends that the State party:

(a) Conduct a study on the number of children in street situations and on the root causes of their situations, and develop a strategy and programmes to provide protection for the rights of children in street situations;

(b) Develop programmes that facilitate the reunification of children in street situations with their families when possible, taking into account the best interests of the child, and support their long-term education and developmental needs, including through the provision of psychological support.

National mechanism for reporting and follow-up

59. The Committee recommends that the State party establish a standing government structure to coordinate and prepare reports to and engage with international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution, when established, and civil society.

Zambia – List of Issues prior to reporting – 90th session, 27 March 2020, 5-7th review, CRC/C/ZMB/QPR/5-7

Keywords: L; G; B; T; I; children; early childhood education

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

9. Please provide information on initiatives taken to eliminate, in practice, discrimination against children in marginalized and disadvantaged situations, namely in accessing education and health, particularly for children with disabilities, children with albinism, girls, children belonging to religious minorities, children living with HIV/AIDS, children with a migrant background and refugee, asylum-seeking and undocumented children. Please also provide information on the measures taken to eliminate discrimination against lesbian, gay, bisexual, transgender and intersex children.

G. Children with disabilities (art. 23)

19. Please provide information on the measures taken to:

(b) Ensure that children with disabilities have access to early childhood education and care, early development programmes and inclusive vocational training opportunities;
Zambia – Concluding Observations – 90th session, 27 June 2022, 5-7th review, CRC/C/ZMD/CO/5-7

Keywords: L; G; B; T; I; children; awareness-raising; children in marginalized and disadvantaged situations

C. General principles (arts. 2–3, 6 and 12)

Non-discrimination

18. The Committee recalls its previous concluding observations and recommends that the State party:

(a) Strengthen its efforts to eliminate discrimination against children in marginalized and disadvantaged situations, including girls, children with disabilities, children living with HIV/AIDS, children with no legal identity, children with albinism, migrant and unaccompanied children and lesbian, gay, bisexual, transgender and intersex children;

(b) Systematically conduct awareness-raising and education on the issues of discrimination, intolerance and hate speech against children in marginalized and disadvantaged situations, particularly lesbian, gay, bisexual, transgender and intersex children.

Keywords: SDGs; intersex children; bodily integrity; autonomy; self-determination; access to justice

Harmful practices

25. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and taking note of target 5.3 of the Sustainable Development Goals, the Committee recalls its previous recommendation and recommends that the State party:

(c) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment without their consent, in line with the rights of the child to bodily integrity, autonomy and self-determination, and that victims of such treatment have access to justice, reparation and indemnity.

IV. Implementation and reporting

A. Follow-up and dissemination

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth to seventh periodic reports and the present concluding observations be made widely available in the languages of the country.

Finland – Follow up progress report on individual communications – 90th session, 26 August 2022, 2nd review, CRC/C/90/2

Keywords: L; G; B; T; I; parents; screenings; sexual minorities

The author submits that the State party must not pay closer attention to the specific circumstances in the author’s case, and that it should commit itself to recognizing the adverse effects on children of the lack of legal recognition of the families of lesbian, gay, bisexual and transgender parents. The author wishes that the State party would consider how hostile legal and social climates can affect those families. The author alleges that the State party must carry out more comprehensive screenings of sexual minorities and that it should provide comprehensive training to its agents to address that element in legal cases.
5. Committee against Torture

Australia – List of Issues prior to reporting – 75th session, 9 January 2017, 6th review, CAT/C/AUS/QPR/6

Keywords: *same-sex relationships; consenting adults; criminalization*

**Follow-up questions from the previous reporting cycle**

**Article 3**

9. With reference to the previous concluding observations (para. 17) on the offshore processing of asylum claims, please provide information on:

(b) Whether asylum seekers to be transferred to regional processing centres in Nauru and Papua New Guinea, or to other third countries, may challenge in the State party the decision to be transferred to those countries when they face a real risk of torture or ill-treatment in those or in other third countries to which they could be removed, for example, because same-sex relationships between consenting adults are criminalized in the country of destination, as is the case in Papua New Guinea, or because those countries do not have a fair, efficient and expeditious asylum procedure;

Keywords: *I; informed consent; free consent; sterilization*

**Article 16**

26. In the light of the Committee's concluding observations (para. 20), please provide information on the efforts made to prohibit the use of sterilization without the prior, free and informed consent of the person concerned in all Australian jurisdictions. Please clarify whether non-urgent and irreversible medical or surgical treatment aimed at determining the sex of a child is permitted and performed on children and how the State party guarantees that the full, free and informed consent of the persons concerned is ensured. In that regard, please indicate what action has been taken by the State party to implement the recommendations of a 2013 Senate Community Affairs References Committee report on the involuntary or coerced sterilization of intersex people in Australia. In addition, please indicate which criminal or civil remedies are available for people who underwent involuntary sterilization or unnecessary and irreversible medical or surgical treatment aimed at determining their sex when they were children and whether those remedies are subject to any statute of limitations.

Australia – Concluding Observations – 75th session, 5 December 2022, 6th review, CAT/C/AUS/CO/6

Keywords: *inmate; same-sex; deprivation of liberty*

**Conditions of detention**

32. The State party should:

(f) Ensure that strip-searches of persons deprived of their liberty are not performed routinely and are conducted in private and in a manner that respects the inmate's dignity by appropriately trained staff members of the same sex as the inmate. Search and admission procedures for visitors should not be degrading and should be subject, at a minimum, to the same rules as those applied to inmates;
Benin – List of Issues prior to reporting – 73rd session, 9 June 2022, 4th review,
CAT/C/BEN/QPR/4

Keywords: L; G; B; T; I; defenders

Issues identified for follow-up in the previous concluding observations

Article 16

25. Please detail the measures taken by the State party to finalize and adopt the bill on human rights defenders, in line with international standards, particularly the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. Please explain how the State party intends to ensure that civil society and human rights defenders are adequately consulted in the drafting of this bill. In addition, please provide statistics on complaints, investigations, prosecutions, guilty verdicts, sentences handed down and compensation awarded to victims in cases where there were acts or omissions on the part of public authorities or other bodies which engage the international responsibility of the State party under the Convention, and describe any legislative or other measures that have been taken to combat:

(a) Crimes motivated by hatred or intolerance of lesbian, gay, bisexual, transgender and intersex persons or their defenders;

Botswana – List of Issues prior to reporting – 74th session, 20 December 2020, 1st review,
CAT/C/BWA/QPR/1

Keywords: SO; GI; training programmes; torture; gender-based violence

Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee’s previous recommendations

Article 10

13. Please provide information on training programmes conducted by the State party with a view to ensuring that all public officials, including, in particular, members of the armed forces, police officers, law enforcement officials, prison officers and immigration and border control officers: (a) have a full understanding of the provisions of the Convention and are aware that violations will not be tolerated and will be investigated, and that those responsible will be prosecuted; (b) treat persons in a vulnerable situation appropriately, with due regard for their age, gender, cultural or ethnic affiliation and sexual orientation or gender identity; and (c) are aware of the principle of non-refoulement and the provisions guaranteeing the right to asylum and facilitating the identification of applicants who may be victims of torture, human trafficking and gender-based violence. Please indicate whether this training is mandatory or optional, how often it is provided, how many officers and public officials, as a proportion of their total number, have received the training, whether there are plans to provide training for officers who have yet to receive it, and whether the State party has developed a methodology to assess the effectiveness and impact of its training programmes in terms of reducing the number of cases of torture and ill-treatment. If so, please provide information on the methodology’s content and application.

Keywords: living conditions; hygiene; same-sex

Article 11

16. Please indicate what steps have been taken to ensure adequate living conditions, hygiene and sanitation in all places of detention, and to provide sufficient and appropriate food, a minimum number of
educational and leisure activities and adequate medical assistance and access to medicines in prisons. Please also indicate whether medical examinations are routinely carried out upon admission to detention centres and describe the procedure by which medical personnel can document and report signs of ill-treatment without risk of reprisals. Please provide information on the efforts taken by the State party to prevent HIV/AIDS, tuberculosis, hepatitis and other infectious diseases in places of detention. Please also provide information on the efforts made to address the specific needs of children in conflict with the law in detention centres, particularly with respect to, inter alia, educational services, access to adequate food and medicines and protection against violence. Please indicate the measures taken to address the needs of women deprived of their liberty, in particular pregnant women and women with children, and clarify whether women are guarded by personnel of the same sex in all places of detention.

**Cyprus – List of Issues prior to reporting – 75th session, 19 December 2022, 6th review, CAT/C/CYP/QPR/6**

**Keywords:** L; G; B; T; I; life sentences; rehabilitation programmes; social reintegration

**Issues identified for follow-up in the concluding observations on the fifth periodic report of the State party**

**Article 11**

17. Please provide information on the State party’s efforts to meet the specific needs of women and minors in detention, including vocational and rehabilitation programmes. Please also indicate whether protocols are in place to meet the requirements of other groups of prisoners with particular needs, such as persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons. Please indicate the measures taken to guarantee the periodic review of life sentences, with a view to their commutation, and to provide the prisoners concerned with rehabilitation programmes to prepare for their social reintegration in the event of parole.

**El Salvador – Concluding Observations – 75th session, 19 December 2022, 3rd review, CAT/C/SLV/CO/3**

**Keywords:** L; G; B; T; I; human rights protection

**B. Positive aspects**

6. The Committee also welcomes the initiatives undertaken by the State party to amend its policies and procedures in order to afford greater human rights protection and to apply the Convention, in particular:

(d) The establishment by the Attorney General's Office of the National Directorate for Women, Children, Adolescents, Lesbian, Gay, Bisexual, Transgender and Intersex Persons and Other Vulnerable Groups, in 2018;

**Keywords:** L; G; B; T; I; persons deprived of liberty; health care; resources

**Conditions of detention**

22. While noting the information provided by the State party on the implementation of a new prison management model and on investment made in improving prison infrastructure, the Committee remains concerned about overcrowding in the country’s prisons, which has been aggravated by a significant increase in the prison population – from 39,500 inmates in March 2022 to more than 94,000 in October 2022, according to information available to the Committee. The Committee regrets that the State party has not provided up-to-date information in this regard. It is concerned at reports of failure to execute release orders, the lack of strict separation of untried prisoners and convicted prisoners and the il-
treatment of persons deprived of their liberty. Also of concern are reports documenting inadequate water supply, sanitation and hygiene in some prisons and police stations, with a consequent risk to the health of persons deprived of their liberty. The Committee takes note of the resources allocated to medical and health care in prisons and of the existing programmes for the prevention and treatment of diseases among the prison population; however, it is concerned about reports of inadequate medical care. The absence of social reintegration policies is another cause for concern. Furthermore, the Committee regrets that the State party has provided scant information on protocols to address the specific needs of women, persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons deprived of their liberty (arts. 2, 11 and 16).

23. The State party should:

(d) Continue to improve medical and health care in detention centres, including programmes for the prevention, detection and treatment of infectious diseases such as tuberculosis, hepatitis and HIV among the prison population. The State party should also ensure that the specific needs of women, persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons deprived of their liberty are addressed;

Keywords: violence; transgender women; male prisons; deprivation of liberty

Violence in places of detention and deaths in custody

24. The Committee notes the information provided by the State party regarding the violent deaths in 2018 of nine persons deprived of their liberty, but regrets that it has not received full disaggregated statistical data on deaths in custody and violent incidents during the period under review. The Committee has received no information on the outcomes of investigations into those deaths or on measures taken to prevent the recurrence of such cases. In this regard, the Committee expresses its concern at reports of more than 90 deaths in custody since the entry into force of the state of emergency. It takes note of the investigations opened by the authorities, but remains concerned that the causes of these deaths reportedly included a lack of timely medical care, inadequacies in the supply of medicines, and homicide. Also of concern are complaints of sexual assaults and violence committed by prison officers and inmates against transgender women incarcerated in male prisons. Finally, the Committee notes that no information has been provided on the training of medical personnel in contact with persons deprived of their liberty in the detection of torture and ill-treatment (arts. 2, 11 and 16).

25. The Committee urges the State party to:

(c) Take steps to prevent and reduce violence in prisons, including suicide and sexual violence against transgender women, and document such incidents in order to investigate complaints and punish those responsible;

Greece – List of Issues prior to reporting – 73rd session, 15 June 2022, 8th review, CAT/C/GRC/QPR/8

Keywords: L; G; B; T; I; rehabilitation programmes; social reintegration

Issues identified for follow-up in the previous concluding observations

Article 11

15. Please provide statistical data, disaggregated by sex, age and ethnic origin or nationality, on the number of pretrial detainees and convicted prisoners and the occupancy rate in all places of detention. Please provide information on the State party’s efforts to meet the specific needs of women and minors in detention, including vocational and rehabilitation programmes. Please also indicate whether protocols
are in place to meet the requirements of other groups of prisoners with particular needs, such as persons with disabilities, older persons, and lesbian, gay, bisexual, transgender and intersex persons. Please indicate the measures taken to guarantee the periodic review of life sentences with a view to their commutation, and to provide the prisoners concerned with rehabilitation programmes to prepare for their social reintegration in the event of parole.

**Iraq – List of Issues – 73rd session, 23 December 2020, 2nd review, CAT/C/IRQ/Q/2**

**Keywords:** L; G; B; T; I; killings; investigation; prosecution; acts of violence

**Follow-up questions from the previous reporting cycle**

**Article 16**

25. Regarding paragraphs 176 and 178 of the periodic report, please provide information on the steps taken to investigate and criminally prosecute acts of violence and killings of lesbian, gay, bisexual, transgender and intersex persons.40

**Kenya – List of Issues prior to reporting – 73rd session, 11 January 2016, 3rd review, CAT/C/KEN/QPR/3**

**Keywords:** L; G; B; T; I; legislation; prevention; ill-treatment

**Specific information on the implementation of articles 1-16 of the Convention, including with regard to the Committee’s previous recommendations**

**Article 16**

33. Please provide information on the measures taken to address the reported discrimination and ill-treatment, including acts of sexual violence, of lesbian, gay, bisexual and transgender persons. Please indicate whether the State party has repealed any legal provisions that foresee penalties against such persons.

**Kenya – Concluding Observations – 73rd session, 30 May 2022, 3rd review, CAT/C/KEN/CO/3**

**Keywords:** SO; GI; L; G; B; T; I; refoulement; risk

**Treatment of refugees, asylum seekers, migrants and stateless persons**

25. While taking note of the adoption of the Refugees Act (No. 10 of 2021), the Committee is concerned about the provisions of clause 19 (2), which allows for broad exceptions to the principle of non-refoulement on the basis of public morality. The Committee is particularly concerned that lesbian, gay, bisexual, transgender and intersex refugees and asylum seekers could be subjected to refoulement on the de facto basis of their sexual orientation and gender identity. Other issues of concern include the inclusion of prisons, police stations and remand homes in the definition of refugee transit centres; the detention of non-citizens solely for irregular entry into the country; the intention of the State party to close both the Dadaab and Kakuma refugee camps by June 2022, citing alleged security risks, which may result in mass expulsions, involuntary repatriations and the refoulement of a very large number of Somali and South Sudanese refugees, which may put them at risk of being detained, tortured or killed upon their return to their country of origin (arts. 3 and 11).
Sexual orientation, gender identity and intersexuality

43. The Committee welcomes the adoption of the Registration of Persons (Amendment) Act of 2019, which provides for the legal recognition of intersex persons. It is, however, concerned about:

(a) Sections 162 and 165 of the Penal Code criminalizing same-sex relations, and the High Court ruling in 2019 that declared those provisions to be constitutional;

(b) Reports of lesbian, gay, bisexual, transgender and intersex individuals experiencing harassment, discrimination and violence, including violations perpetrated by law enforcement officers and vigilante groups, and facing barriers to access to justice and remedies;

(c) Cases of non-urgent, irreversible surgical procedures, undertaken without full, free and informed consent, infanticide and abandonment among intersex children (arts. 2 and 16).

44. The State party should:

(a) Amend all relevant laws, including sections 162 and 165 of the Penal Code, to decriminalize consensual sexual relations between adults of the same sex;

(b) Intensify its efforts to eradicate all forms of discrimination, harassment and violence on the basis of sexual orientation and gender identity and provide access to justice and remedies for victims;

(c) Strengthen measures to end the performance of irreversible medical acts, especially surgical operations, on intersex children who are not yet capable of giving their full, free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. Access to effective remedies for victims of such interventions should also be ensured.
based on racist, xenophobic, ethnic or sexual orientation or gender identity grounds since 2019, disaggregated by type of motive or basis of discrimination, and by the sex, gender, age group and ethnic origin or nationality of the victim. Please indicate whether the perpetrator was a public official. Please provide information on results of such investigations. Please indicate whether the State party has taken any steps to condemn any form of discrimination and hate crime.25

**Malawi** – List of Issues prior to reporting – 75th session, 27 December 2017, 1st review, CAT/C/MWI/QPR/1

Keywords: SO; E; prosecution; crimes; acts of violence

Specific information on the implementation of articles 1–16 of the Convention

**Article 16**

30. Please provide information on the measures taken to ensure that all crimes and acts of violence that target persons on the basis of their sexual orientation or gender expression or identity are properly and promptly investigated and prosecuted.27

**Malawi** – Concluding Observations – 75th session, 9 December 2022, 1st review, CAT/C/MWI/CO/1

Keywords: prosecution; same-sex acts; consensual same-sex acts; LGBT+; E; GI; SO

Sexual and gender-based violence

29. The Committee raises the following concerns:

(c) Sections 137A, 153 (a) and (c), 154 and 156 of the Penal Code criminalize consensual same-sex activities, with a prison sentence of up to 14 years. The reports received indicate that such criminalization renders LGBT+ persons particularly vulnerable to violence by both public officials and private persons and such violence is generally underreported to the national authorities due to fear of reprisals, prosecution and further discrimination. In this regard, the Committee notes the moratorium in place since 2012 on the prosecution for consensual same-sex acts but remains concerned about the information received that a transgender woman was charged under article 153 (c) of the Penal Code in 2021 (arts. 2, 12–14 and 16).

30. The State party should ensure that all cases of gender-based violence, especially those involving actions or omissions by State authorities or other entities that engage the international responsibility of the State party under the Convention, are thoroughly investigated with a gender-sensitive and culturally sensitive approach, that alleged perpetrators are prosecuted and, if found guilty, punished appropriately, and that the victims or their families receive redress, including adequate compensation. In particular, the Committee recommends that the State party:

(d) Take measures to prevent violence and discrimination against LGBT+ persons on the basis of their sexual orientation and gender expression or identity, including by repealing the above-mentioned sections of the Penal Code and ensuring that its complaints mechanisms are accessible to and capable of facilitating effective protection for victims of or at risk of violence;

(e) Collect and share with the Committee data, disaggregated by age, sex and type of crime, on the number of complaints, investigations, convictions and sentences imposed for sexual and gender-based violence, including domestic violence, rape, marital rape, and violence targeting persons based on their
sexual orientation or gender expression or identity, on the protection measures, legal and medical services and redress provided to victims.

Keywords: LGBT+; LGBT+ asylum seekers; non-refoulement

Asylum system and non-refoulement

37. While welcoming the State party's efforts to afford protection to asylum-seekers, the Committee is concerned that, according to section 11 of the Refugee Act, a negative decision of the Refugee Committee concerning an application for refugee status can be only appealed to the appropriate Minister and that there is no judicial review of such an outcome. It is further concerned about reports that perceived LGBT+ asylum-seekers are often refused registration and processing of their applications. Furthermore, the Committee notes with concern the absence of a procedure to identify vulnerability among asylum-seekers, including torture, trafficking and sexual and gender-based violence, which heightens the risk of violating the principle of non-refoulement. It is also seriously concerned about the situation of persons in Dzaleka refugee camp, notably the severe overcrowding, the lack of access to basic services, as well as allegations of gender-based violence and restrictions on movement. It is further concerned about reports suggesting that migrant children are placed in detention, often with adults, in poor living conditions and with no access to appropriate assistance to take account of their vulnerable situation (arts. 2–3 and 16).

Maldives – List of Issues prior to reporting – 75th session, 12 December 2022, 2nd review, CAT/C/MDV/QPR/2

Keywords: L; G; B; T; I; measures; body searches; persons deprived of their liberty; body searches

Article 11

13. Taking note of the Committee's previous concluding observations and the State party’s follow-up replies, please provide additional information about the findings and the implementation status of the recommendations contained in the Prisons Audit Report regarding conditions of detention. Please inform the Committee about the measures taken to reduce overcrowding and improve material conditions in all places of detention, including about any measures to increase the use of alternatives to imprisonment and about the extent to which these are used, both before and after trial. Please indicate measures that have been taken to address concerns about inadequate infrastructure, poor conditions of hygiene and insufficient quality and quantity of food. Please also provide information on concrete measures taken by the State party to ensure appropriate health-care services and medication, including mental health care, in places of detention, and prompt referrals for specialist health care outside detention facilities. Please inform the Committee about the impact of measures taken to ensure that detainees have access to educational, recreational, vocational, physical or intellectual activity. Please provide information on the State party’s efforts to meet the specific needs of women and minors in detention. Please also indicate whether protocols are in place to meet the requirements of other groups of prisoners with particular needs, such as persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons. Please also provide information on measures taken during the period under review to ensure that body searches of persons deprived of their liberty and visitors are not degrading. Please provide information on the regulations governing invasive body searches.

Mexico – List of Issues prior to reporting – 73rd session, 20 June 2022, 8th review, CAT/C/MEX/QPR/8

Keywords: L; G; B; T; I; medical care; protocols; material resources
Article 11

16. Please provide information on the measures taken by the State party during the period under review to address the needs of women and minors in detention. Please indicate whether the State party has adopted clear guidelines regarding children who live with their mothers in detention centres and their living conditions there. Please indicate how the State party ensures that prisons are allocated the human and material resources needed for the provision of proper medical care, including obstetric and gynaecological care. Please also indicate whether there are protocols in place for the treatment of certain groups of prisoners, such as persons with disabilities, foreigners, older persons and lesbian, gay, bisexual, transgender and intersex persons.

Keywords: SO; GI; L; G; B; T; I; prevention; violence; perceived SO; perceived GI

Article 16

28. Please indicate the specific steps that the State party has taken to combat and prevent violence based on actual or perceived sexual orientation or gender identity. In particular, please provide statistical data, disaggregated by the age, sex and ethnic origin or nationality of the victims, on complaints, investigations, prosecutions and convictions in cases of hate crimes committed against lesbian, gay, bisexual, transgender and intersex persons.

Montenegro – List of Issues prior to reporting – 73rd session, 24 January 2017, 3rd review, CAT/C/MNE/QPR/3

Keywords: L; G; B; T; I; prevention; violence; harassment

Follow-up questions from the previous reporting cycle

Article 16

26. In the light of the Committee’s previous concluding observations (para. 23), please provide information on:

(a) The steps taken to prevent violence, threats, harassment and intimidation against lesbian, gay, bisexual and transgender persons;

(b) The number of complaints and police reports, investigations, prosecutions, convictions and punishments handed down for such crimes during the period under review, broken down by type of offence and investigating authority, and the reparations provided to victims. In that regard, please provide information on the outcome of the investigations into the attack on the social centre for lesbian, gay, bisexual and transgender persons in Podgorica in December 2014, despite the presence of police officers.

Montenegro – Concluding Observations – 73rd session, 2 June 2022, 3rd review, CAT/C/MNE/CO/3

Keywords: LGBTI; legislative measures; administrative measures; institutional measures

B. Positive aspects

4. The Committee welcomes the following legislative, administrative and institutional measures taken by the State party in areas of relevance to the Convention:
(g) The adoption of the strategy to improve the quality of life of LGBTI persons in Montenegro, for 2019–2023.

Nicaragua – List of Issues – 74th session, 23 December 2020, 2nd review, CAT/C/NIC/Q/2

Keywords: L; G; B; T; I; international standards; cells; GI; strip searches; deprivation of liberty

Issues identified for follow-up in the previous concluding observations

Article 11

16. In connection with the previous concluding observations (paras. 22 and 24) and paragraphs 204 to 213, 228 and 229 of the periodic report, please clarify whether the State party intends, as required by domestic law, to establish separate correctional facilities for women and adolescents in addition to those it already has. Please also indicate what steps have been taken to eliminate the practice of holding convicted and accused persons in police lock-ups. As transgender women deprived of their liberty are held in the same cells as men – transgender persons’ gender identity is not recognized under the laws on the prison system – and as degrading treatment of transgender women during strip searches in wards with men has been documented, please indicate whether the State party has taken the necessary measures, including legislative ones, to ensure that lesbian, gay, bisexual and transgender persons in detention are treated in accordance with international standards and without discrimination.

Nicaragua – Provisional Concluding Observations – 74th session, 1 September 2022, 2nd review, CAT/C/NIC/PCO/2

Keywords: transgender women; incarceration in men’s prisons

C. Principal subjects of concern and recommendations

Conditions of detention

13. While noting the information provided by the State party on investments made in new prison infrastructure, the Committee regrets that it does not have current information on the implementation of the plan to build five new prisons. The Committee also notes the information provided by the State party on occupancy rates in police cells (3.38 per cent) but regrets the lack of official and up-to-date statistical data, broken down by place of detention and occupancy rate, on the prison population. The Committee is also concerned about:

(c) Reports of assault and sexual violence in detention facilities, with a particularly high incidence in the case of detained women, including transgender women incarcerated in men’s prisons.

Keywords: strip search; same-sex;

Solitary confinement, disciplinary sanctions and punishment

16. The State party should ensure that solitary confinement is used only in exceptional cases as a last resort, for as short a time as possible (no more than 15 consecutive days) and subject to independent review, and only pursuant to the authorization by a competent authority, in accordance with rules 43 to 46 of the Nelson Mandela Rules. The State party should also respect the prohibition on imposing solitary confinement and similar measures on minors (see also rule 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty). In addition, rule 43 (3) of the Nelson Mandela Rules provides that disciplinary sanctions or restrictive measures must not include the prohibition of family contact and that the means of family contact may only be restricted for a limited time period and as strictly required for the maintenance of security and order, and never as a disciplinary measure. There
must also be a clear distinction between involuntary separation from the general prison population for administrative reasons and such separation on disciplinary grounds. The State party should investigate arbitrary or unjustified restrictions of the rights of detained persons. It should also ensure that strip searches are done only in exceptional cases, in the least invasive way possible, by trained staff of the same sex as the person being searched and while fully respecting the person’s dignity.

Nicaragua – Concluding Observations – 74th session, 7 December 2022, 2nd review, CAT/C/NIC/CO/2

Keywords: transgender women; incarceration in men’s prisons

Conditions of detention

13. While noting the information provided by the State party on the investments made in new prison infrastructure, the Committee regrets the lack of updated information on the implementation of the plan for the construction of five new prisons. The Committee also notes the information provided by the State party on the occupancy rates in police cells (3.38 per cent), but regrets the lack of official and updated statistical data on the number of inmates in police cells. The Committee also notes the information provided by the State party on occupancy rates in police cells (3.38 per cent) but regrets the lack of official and updated statistical data on the prison population, disaggregated by place of detention and occupancy rate. Furthermore, the Committee is concerned about:

(c) Reports of sexual assault and violence in detention facilities, with a particularly high incidence for women detainees, including transgender women incarcerated in male prisons;

Poland – List of Issues prior to reporting – 73rd session, 8 June 2022, 8th review, CAT/C/POL/QPR/8

Keywords: SO; GI; hate crimes; prevention; prosecution

Article 10

With reference to the Committee’s previous concluding observations (paras. 27–28), please provide information on the training programmes delivered since 2019, indicating whether they are mandatory or optional, how often they are given and how many officials have already completed them in relation to the total number of such officials, in particular on the following:

(d) Preventing, detecting and combating hate-motivated crimes, including those motivated by sexual orientation or gender identity, and on domestic violence, as well as training on the treatment of persons in situations of vulnerability and on a trauma-informed, victim-centred approach to conducting trials, for law enforcement personnel, prosecutors, lawyers, judges and others who interact with victims and the public at large;

Keywords: L; G; B; T; I; detention; protocols; special needs; involuntary conversion therapy

Article 11

13. Please describe the procedures in place for ensuring compliance with article 11 of the Convention, and provide information on any interrogation rules, instructions, methods and practices or arrangements for custody that may have been introduced since the consideration of the previous periodic report. Please indicate the frequency with which they are reviewed.

14. Please indicate what steps have been taken since 2019 to improve conditions in all places of detention, including with regard to exercise in the open air for persons held in police detention and remand facilities,
and concerning living space, hygiene and sanitation in all places of detention. Please provide information on programmes of educational and recreational activities. Please indicate what measures have been taken to prevent overcrowding and to establish non-custodial forms of detention in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules). Bearing in mind the Committee’s previous concluding observations (paras. 29–30), and the State party’s follow-up report,10 please explain the measures taken to ensure medical staff capacity; to offer a proper medical examination to remanded or sentenced detainees as promptly as possible after their admission to the place of detention; to provide adequate health-care services free of charge, particularly psychiatric and psychological care and interpretation services during medical consultations or examinations, if needed; and to properly record all medical examinations. Please also indicate whether the State party will consider placing medical staff in prisons under the responsibility of the Ministry of Health. Please indicate whether protocols are in place to meet the needs of groups of prisoners with special needs, including in terms of safety and security, as well as the prevention of the spread of and protection against COVID-19, such as persons with disabilities, persons with drug-related problems, older persons and lesbian, gay, bisexual, transgender and intersex persons.

20. With reference to the Committee’s previous recommendations (para. 36), please inform the Committee about measures adopted to ensure that persons, including juveniles, with intellectual and psychosocial disabilities are not placed and detained in psychiatric hospitals and other public care institutions, such as psychiatric wards, arbitrarily and for prolonged periods. Please specify legal safeguards at their disposal concerning deprivation of their legal capacity and enforcement of their involuntary hospitalization. Please describe measures to protect lesbian, gay, bisexual, transgender and intersex persons with disabilities from involuntary conversion therapy.

Keywords: L; G; B; T; I; HRD defenders; investigations; demonstrations

Articles 12 and 13

22. Please indicate any concrete steps that have been taken to investigate promptly and thoroughly the accounts of violence towards, and arrests, harassment and intimidation of, women human rights defenders, lesbian, gay, bisexual, transgender and intersex persons and defenders,13 journalists and other persons and civil society organizations in the context of demonstrations concerning the tightening of the legislation on abortion, COVID-19 pandemic-related restrictions, and their work related to the recent migration situation,14 including by law enforcement agencies; the public prosecution service; and military officers, and the members under their command, of the Territorial Defence Forces. Please provide information on the number of investigations carried out in the reports of such acts, including the excessive use of force; violent arrests; disproportionate use of handcuffs during transport in police vehicles, interrogation and medical examinations; spraying gas or using service batons; invasive body searches of detained persons; and other alleged brutality inflicted by unidentified uniformed and non-uniformed officers. Please also provide information on the outcome of such investigations. Please indicate how many persons have been suspended from their official duties in connection with above-mentioned allegations pending investigation and how many disciplinary investigations have been launched.

Keywords: hate crimes; racially motivated violence; L; G; B; T; I; discrimination

Article 16

26. Bearing in mind the Committee’s previous concluding observations (paras. 35 and 36 (e)), please provide information on steps taken to combat racially motivated violence and other hate crimes.15 Please provide data on reported and investigated instances of hate crimes based on racist, anti-Semitic, xenophobic, religious, ethnic or sexual orientation or gender identity grounds since 2019, disaggregated by type of motive or basis of discrimination, and by the sex, gender, age group and ethnic origin or nationality of
the victim. Please indicate whether the perpetrator was a public official. Please provide information on results of such investigations.

**Somalia** – List of Issues prior to reporting – 75th session, 9 January 2018, 1st review, CAT/C/SOM/QPR/1

Keywords: SO; GI; crimes; violence; measures

**Specific information on the implementation of articles 1–16 of the Convention**

**Article 16**

31. Please provide information on the measures taken to ensure that all crimes and acts of violence that target persons on the basis of their sexual orientation or gender identity are properly and promptly investigated and prosecuted.20

**Somalia** – Concluding Observations – 75th session, 2 December 2022, 1st review, CAT/C/SOM/CO/1

Keywords: hate crime; SO; GI; perceived; real

**Hate crimes**

35. The Committee regrets that the State party has not presented information on measures taken to prevent and combat hate crime, including violence against individuals on grounds of their real or perceived sexual orientation or gender identity (art. 16)

**South Africa** – List of Issues prior to reporting – 73rd session, 30 August 2022, 3rd review, CAT/C/ZAF/QPR/3

Keywords: L; G; B; T; I; protocols; prisoners; particular needs

**Issues identified for follow-up in the previous concluding observations**

**Article 11**

14. Further to the Committee’s previous concluding observations,18 please provide statistical data, disaggregated by sex, age and ethnic origin or nationality, on the number of pretrial detainees and convicted prisoners, including those serving life sentences, and the occupancy rates of all places of detention. Please provide information on the State party’s efforts to meet the specific needs of women and minors in detention. Please also indicate whether protocols are in place to meet the requirements of other groups of prisoners with particular needs, such as persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons.

**Togo** – List of Issues prior to reporting – 73rd session, 14 June 2022, 4th review, CAT/C/TGO/QPR/4

Keywords: L; G; B; T; I; body search procedures; degrading; inmates

**Issues identified for follow-up in the previous concluding observations**

**Article 11**
16. Please provide information on the measures taken to meet the particular needs of women and minors in detention. Please also indicate whether protocols are in place to meet the needs of other groups of prisoners with particular requirements, such as persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons. Please describe the measures taken to ensure that body search procedures in prisons are not degrading to inmates or visitors. Please indicate whether the mechanism under which payments were required of prison visitors has been abolished.

Keywords: SO; GI; actual or perceived; legislation

Articles 12-13

22. Please indicate the specific steps that the State party has taken to prevent and combat police violence based on actual or perceived sexual orientation or gender identity. In particular, please provide statistical data, disaggregated by the age, sex and ethnicity or nationality of the victims, on complaints, investigations, prosecutions and convictions in cases involving police violence against lesbian, gay, bisexual and transgender persons.

23. Please provide information about the legislative or regulatory measures and judicial practice intended to ensure that allegations of torture and ill-treatment always result in the immediate initiation of an investigation into the allegations. Please also provide information about the judicial procedures applicable when the judicial authority conducting an ongoing criminal case becomes aware of an allegation of torture or ill-treatment. Please also provide information about the mechanism for ordering forensic medical assessments in criminal cases. Please indicate the number of doctors, throughout the territory of the State party, who are available to participate in judicial procedures through forensic medical assessments relating to the investigation and documentation of allegations of torture and ill-treatment. Please specify the extent to which the national code of conduct or ethics applicable to health professionals is compatible with the Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Please also describe the legislative or regulatory measures and judicial practice intended to ensure effective forensic medical monitoring in line with the Istanbul Protocol. Please indicate whether the results of forensic medical assessments are fully accessible and visible to the persons entitled to use them, including alleged victims of torture and their legal representatives.

United Kingdom of Great Britain and Northern Ireland – List of Issues prior to reporting – 73rd session, 8 June 2022, 7th review, CAT/C/GBR/QPR/7

Keywords: L; G; B; T; I; protocols; particular needs; prisoners

Issues identified for follow-up in the previous concluding observations

Article 11

12. Taking note of the Committee’s previous concluding observations, please describe the measures taken by the State party to reduce prison overcrowding and improve the material conditions in all places of detention, including any measures to increase the use of alternatives to imprisonment both before and after trial. Please provide information on concrete measures taken to address concerns about deficiencies in access to appropriate health care, including mental health care, in places of detention. Please also indicate the steps taken to ensure that persons in pretrial detention are segregated from convicted persons and are subject to separate treatment, in conformity with their status as unconvicted persons. Moreover, please provide statistical data, disaggregated by sex, age and ethnic origin or nationality, on the number of pretrial detainees and convicted prisoners and the occupancy rate of all places of detention. Please indicate further steps taken to address the causes of the overrepresentation
of persons from ethnic minorities in the criminal justice system. Please provide information on the State party’s efforts to meet the specific needs of women and children in detention. Please also indicate whether protocols are in place to meet the requirements of other groups of prisoners with particular needs, such as persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons.

Keywords: awareness-raising; homophobic hate crimes; transphobic hate crimes

**Article 16**

28. With respect to the Committee’s previous concluding observations, please provide information on measures taken to address the reported increase in the incidence of racist, xenophobic, anti-Semitic, anti-Muslim, anti-disabled, homophobic and transphobic hate crimes. Please also comment on information received regarding underreporting and very low conviction rates related to hate crimes, especially with an enhanced sentence for hostility on the basis of a protected characteristic. Please indicate the steps taken to intensify awareness-raising and training activities on hate crimes for police officers in order to improve their initial handling of these cases.

**Uruguay – List of Issues prior to reporting – 73rd session, 1 June 2016, 4th review, CAT/C/URY/QPR/4**

Keywords: SO; GI; transgender women; prosecution; violence

**Issues identified for follow-up in the previous concluding observations**

**Article 16**

31. With reference to the Committee’s previous concluding observations (para. 21), please indicate the practical measures taken by the State party to combat violence against individuals based on their sexual orientation or gender identity, in particular murders of transgender women. In this regard, please include information on the prosecution of alleged perpetrators.
6. Committee on the Rights of Persons with Disabilities

**Bolivarian Republic of Venezuela** – List of Issues – 26th session, 29 October 2019, 1st review, CRPD/C/VEN/Q/1*

**Keywords:** SO; measures; parenthood; right to adopt

**B. Specific rights (arts. 5–30)**

**Respect for home and the family (art. 23)**

25. Please provide information on:

(b) The measures taken to ensure that persons with disabilities can exercise their rights in respect of parenthood and the adoption or fostering of children on an equal basis with others. Please also indicate whether the Family Orientation and Training Programme of the National Council for Disabilities includes counselling for persons with disabilities on personal relations, marriage, sexual orientation and reproduction, their right to custody of their children (with or without disabilities) and their right to adopt.

**China** – Concluding Observations – 27th session, 10 October 2022, 2-3rd review, CRPD/C/CHN/CO/2-3

**Keywords:** GI; data collection; SO

**C. Specific obligations (arts. 31–33)**

**Statistics and data collection (art. 31)**

59. The Committee recalls the Washington Group short set of questions on functioning and recommends that the State party develop systems to collect data on the situation of persons with disabilities, ensuring that the data is disaggregated by a range of factors, such as age, sex, sexual orientation and gender identity, place of residence, socioeconomic status and ethnicity. These systems should cover all areas of life and should include information on violence against persons with disabilities. The Committee also recommends that the State party promote participatory research projects in cooperation with persons with disabilities on matters concerning them.

**European Union** – List of Issues prior to reporting – 26th session, 20 April 2022, 2-3rd review, CRPD/C/EU/QPR/2-3

**Keywords:** L; G; B; T; I; measures; intersectional forms of discrimination; multiple forms of discrimination; employment

**B. Specific rights (arts. 5–30)**

**Equality and non-discrimination (art. 5)**

6. Please provide information on the measures taken to:

(c) Recognize multiple and intersectional forms of discrimination faced by persons with disabilities and to provide access to remedies in case of discrimination. Please also report on the situation of older persons with disabilities; migrants, refugees and asylum seekers with disabilities; persons with disabilities belonging to ethnic and minority groups, such as Roma persons with disabilities and lesbian, gay,
Work and employment (art. 27)

28. Please inform the Committee on measures taken to:

(b) Ensure that lesbian, gay, bisexual, transgender and intersex persons with disabilities benefit from employment opportunities, including self-employment initiatives;

Ghana – List of Issues – 15th session, 25 April 2022, 1st review, CRPD/C/GHA/Q/1

Keywords: SO; statistical data

Freedom from exploitation, violence and abuse (art. 16)

15. Please provide information on:

(c) Statistical data on cases of exploitation, violence and abuse, including sexual abuse, against persons with disabilities, disaggregated by gender, age, sexual orientation and geographical location.

Hong Kong, China – List of Issues – 27th session, 21 April 2020, 2-3rd review, CRPD/C/CHN-HKG/Q/2-3

Keywords: L; G; B; T; I; disabilities; remedies; discrimination

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please provide information on:

(e) The measures taken to combat multiple and intersectional forms of discrimination, to ensure de facto equality of persons with disabilities belonging to ethnic minorities, English-speaking persons with disabilities, persons with rare diseases, and lesbian, gay, bisexual, transgender and intersex persons with disabilities, and to ensure their access to effective remedies in case of discrimination.

Keywords: I; T; disabilities; physical integrity; mental integrity

Protecting the integrity of the person (art. 17)

16. Please provide information on the measures taken to ensure the right of persons with disabilities to respect for their physical and mental integrity on an equal basis with others, including protection against forced sterilization and mandatory conversion surgery, particularly with respect to transgender and intersex persons with disabilities.

Hungary – Concluding Observations – 26th session, 20 May 2022, 2-3rd review, CRPD/C/HUN/CO/2-3

Keywords: I; disabilities

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

9. The Committee recalls its general comment No. 7 (2018) and urges the State party to:
(a) Strengthen mechanisms for the effective involvement of persons with disabilities through their representative organizations in public decision-making processes by adopting measures to safeguard their independence from public authorities and with the participation of the full range of organizations of persons with disabilities, including children with disabilities, persons with intellectual disabilities, persons with psychosocial disabilities, intersex persons, women with disabilities, persons with disabilities living in rural areas, autistic persons, Roma and gender diverse persons with disabilities, those requiring high levels of support and refugees and migrant persons with disabilities;

IV. Follow-up

Dissemination of information

66. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the State party’s attention to the recommendations contained in paragraphs 9, on participation of persons with disabilities, and 41 on living independently and being included in the community.

Indonesia – Concluding Observations – 27th session, 12 October 2022, 1st review, CRPD/C/IDN/CO/1

Keywords: GI; SO; data collection

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

65. The Committee recommends that the State party:

(b) Broaden data collection on persons with disabilities to include disaggregated fields, such as age, sex, race, ethnicity, gender identity, sexual orientation and indigenous status;

Jamaica – Concluding Observations – 26th session, 20 May 2022, 1st review, CRPD/C/JAM/CO/1

Keywords: SO; GI; data collection

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

57. The Committee recalls the Washington Group short set of questions on disability and the Development Assistance Committee of the Organisation for Economic Co-operation and Development policy marker on the inclusion and empowerment of persons with disabilities and recommends that the State party:

(a) Develop a system and procedures for collecting data on persons with disabilities disaggregated by age, sex, sexual orientation, gender identity, race, ethnicity, income, migration status, level of education, employment situation and place of residence. The system and procedures should ensure confidentiality and respect the privacy of persons with disabilities;

Japan – Concluding Observations – 27th session, 7 October 2022, 1st review, CRPD/C/JPN/CO/1

Keywords: LGBTIQ+ persons; disabilities; GC; GI; SO
III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

10. Recalling its general comment No. 7 (2018) on articles 4 (3) and 33 (3) of the Convention, the Committee recommends that the State party:

(a) Ensure active, meaningful and effective consultations with the diverse range of representative organizations of persons with disabilities at the national and municipal levels, including by means of alternative communication, accessibility and reasonable accommodation, in public decision-making processes, paying attention to self-advocates with disabilities, to organizations of persons with intellectual disabilities, of persons with psychosocial disabilities, of autistic persons, of women with disabilities, of LGBTIQ+ persons with disabilities, and of persons with disabilities living in rural areas, and to those requiring more intensive support, including in the implementation and monitoring of and reporting on the Sustainable Development Goals;

14. The Committee, in line with its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

(a) Review the Act for Eliminating Discrimination against Persons with Disabilities in order to prohibit disability-based discrimination, in accordance with the Convention, including multiple and intersectional forms of discrimination on the grounds of disability, sex, age, ethnicity, religion, gender identity, sexual orientation and any other status, and denial of reasonable accommodation;

Keywords: SO; GI; data collection

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

66. Recalling the Washington Group short set of questions on disability, and the Development Assistance Committee of the Organisation for Economic Co-operation and Development policy marker on the inclusion and empowerment of persons with disabilities, the Committee recommends that the State party develop a data-collection system on persons with disabilities in all areas of life, disaggregated by a range of factors, such as age, sex, type of impairment, type of support required, sexual orientation and gender identity, socioeconomic status, ethnicity, and place of residence, including residential institutions and psychiatric hospitals.

Keywords: GC; GI; SO; multiple discrimination; intersectional discrimination

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

9. The Committee, in line with its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

(b) Prohibit multiple and intersectional discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, sexual orientation and any other status, and adopt strategies to eliminate multiple and intersectional discrimination;
**Netherlands** – List of Issues – 15th session, 25 April 2022, 1st review, CRPD/C/NLD/Q/1

Keywords: I; free consent; informed consent

B. Specific rights (arts. 5–30)

Protecting the integrity of the person (art. 17)

15. Please inform the Committee about measures taken to ensure that any sterilization, abortion or other irreversible treatment or intervention carried out on persons with disabilities – in particular on intersex persons, persons under substitute decision-making regimes and deaf children, with regard to cochlear implants – is not made without their free and informed consent.

Keywords: GI; data collection; statistics

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

29. Please inform the Committee on:

(a) Efforts to increase the systematic collection of, reporting on and dissemination of data, as well as on coordination among all public bodies, State agencies and representative organizations of persons with disabilities in that regard. Data should encompass the entire State party, including the Caribbean territory of the State party, and should be disaggregated by type of impairment; sex; gender identity; age; rural and urban areas; type of residence, including institutional settings; ethnicity and national background; socioeconomic status; level of poverty among persons with disabilities; violence against persons with disabilities; employment status; migration status; and participation in various areas of life;

**New Zealand** – List of Issues prior to reporting – 27th session, 23 March 2018, 2-3rd review, CRPD/C/NZL/QPR/2-3

Keywords: framework; legislation; discrimination; L; G; B; T; I; disabilities

C. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

5. Please provide information about:

(a) Measures taken to ensure that the anti-discrimination framework in the State party encompasses all forms of discrimination on the basis of disability, including the denial of reasonable accommodation, discrimination by association and multiple and intersectional discrimination faced by children, women, migrants, refugees, asylum seekers, Māori and Pacific and lesbian, gay, bisexual, transgender and intersex persons with disabilities;

Keywords: I; conversion surgeries; genital mutilation; disabilities

Protecting the integrity of the person (art. 17)

16. Please provide information on:

(a) Measures taken to enact legislation prohibiting and preventing the practice of non-consensual treatments on persons with disabilities, including forced sterilization, genital mutilation and conversion surgeries of intersex persons, with particular attention to children with disabilities;
Keywords: L; G; B; T; I; protection; multiple and intersectional forms of discrimination; legislation

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

8. The Committee, recalling its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

(b) Adopt the legal and other measures necessary to provide for explicit protection from multiple and intersectional forms of discrimination, including discrimination based on the intersection between disability and other identities and life status, such as age, sex, gender, race, indigenous status, lesbian, gay, bisexual, transgender and intersex status, ethnicity, migratory status and national origin;

Keywords: I; intersex infants; intersex children; interventions; medical interventions; hormonal procedures; self-determination; autonomy

Protecting the integrity of the person (art. 17)

35. The Committee is seriously concerned about:

(b) The lack of a prohibition on non-urgent, intrusive and irreversible medical interventions or the imposition of hormones on intersex infants and children before an age at which they can provide informed consent;

(c) The lack of legislative provisions to prohibit Ashley Treatment or growth attenuation treatment for children with disabilities, including to prohibit accessing these procedures outside New Zealand;

(d) The lack of data in relation to sterilization and abortion procedures performed on persons with disabilities without their personal consent, non-urgent medical interventions on intersex children without their consent and growth attenuation treatment.

36. The Committee urges the State party to:

(b) Adopt clear legislative provisions that explicitly prohibit the performance of unnecessary, invasive and irreversible medical interventions, including surgical, hormonal or other medical procedures on intersex children before an age at which they can provide informed consent;

(c) Recalling previous recommendations made by the Committee on the Rights of the Child, develop and implement a child rights-based health-care protocol for intersex children, setting the procedures and steps to be followed by health teams, ensuring that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guaranteeing the rights of children to bodily integrity, autonomy and self-determination, and provide families with intersex children with adequate counselling and support;

(f) Develop measures to ensure reporting and data collection on sterilization, contraception and abortion procedures performed without personal consent, on non-urgent medical interventions performed on intersex children and on growth attenuation treatment.

Keywords: L; G; B; T; I; disabilities; children; women; support; sustainable organizations

Participation in political and public life (art. 29)

55. The Committee is concerned about the lack of support for persons with disabilities to form their own sustainable organizations and build their capacity to represent persons with disabilities, and in particular
the lack of organizations to represent Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities and women and girls with disabilities.

56. The Committee recommends that the State party develop strategies and measures, including financial resources to support persons with disabilities to form sustainable representative organizations, including to support the development of organizations of Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities, and women and girls with disabilities.

Keywords: data; statistics; L; G; B; T; I; disabilities; measures; data framework

C. Specific obligations (arts. 31–33) Statistics and data collection (art. 31)

57. The Committee notes with concern the serious shortcomings with regard to data and statistics on the situation of persons with disabilities across all life domains, including in health, education, employment and justice. It also notes with concern the lack of disaggregated data, including in relation to the situation of Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities and women and girls with disabilities.

58. The Committee recommends that the State party, in conjunction with Statistics New Zealand, develop a national disability data framework to ensure appropriate, nationally consistent measures for the collection and public reporting of disaggregated data on the full range of obligations contained in the Convention, especially with regard to Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities and women and girls with disabilities.

Republic of Korea – Concluding Observations – 27th session, 6 October 2022, 2-3rd review, CRPD/C/KOR/CO/2-3

Keywords: L; G; B; T; I; disabilities; organizations; mechanisms; involvement

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

10. The Committee recalls its general comment No. 7 (2018) and recommends that the State party strengthen and implement mechanisms for the effective involvement of persons with disabilities, through their representative organizations, in public decision-making processes, and ensure that meaningful consultations are held with the whole range of organizations of persons with disabilities, including children with disabilities, persons with psychosocial disabilities and/or intellectual disabilities, intersex persons with disabilities, women with disabilities, refugees and migrants with disabilities, autistic persons, lesbian, gay, bisexual, transgender and gender-diverse persons with disabilities and persons with disabilities requiring higher levels of support.

Keywords: L; G; B; T; I; SO; GI; multiple forms of discrimination; intersecting forms of discrimination; GC

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

12. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:
(a) Review the existing anti-discrimination legislation, in particular the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of their Rights, and enact comprehensive anti-discrimination legislation to recognize multiple and intersectional forms of discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, sexual orientation or any other status, and adopt strategies to eliminate multiple and intersecting forms of discrimination;

Keywords: SO; GI; data collection; system

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

(a) Expeditiously develop a system and procedures for collecting data on persons with disabilities disaggregated by age, sex, sexual orientation, gender identity, race, ethnicity, income, migration status, level of education, employment situation and place of residence. The system and procedures should ensure confidentiality and respect the privacy of persons with disabilities;

Singapore – Concluding Observations – 27th session, 5 October 2022, 1st review, CRPD/C/SGP/CO/1*

Keywords: GC; SDGs; SO; definition

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

10. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Adopt a comprehensive definition of discrimination on grounds of disability, including multiple and intersectional discrimination encompassing age, race, gender, ethnicity, religion, language, sexual orientation, nationality and migration status, or any other status, and ensure that persons with disabilities are comprehensively protected from discrimination;

Keywords: SO; data collection

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

58. The Committee recommends that the State party reinforce its use of the Washington Group short set of questions on disability and the Development Assistance Committee of the Organisation for Economic Co-operation and Development policy marker on the inclusion and empowerment of persons with disabilities in all its data-collection programmes, taking into consideration the local context, and providing training for the interpretation of data, and:

(a) Strengthen its system for collecting data on persons with disabilities, disaggregated by age, sex, sexual orientation, gender, race, ethnicity, income, migration status, level of education, employment situation and place of residence, in all areas of life, ensuring confidentiality and respect for the privacy of persons with disabilities;

Switzerland – List of Issues – 26th session, 29 October 2019, 1st review, CRPD/C/CHE/Q/1

Keywords: SO; diverse SO; GI; disabilities; l
A. Purpose and general obligations (arts. 1–4)

1. Please provide information on:

(b) Mechanisms established and the human and financial resources available at the federal, cantonal and municipal levels for meaningful consultation with persons with disabilities, including persons with disabilities with diverse sexual orientations and gender identities and intersex persons with disabilities, through their representative organizations, regarding the design and monitoring of legislation and policies aimed at implementing the Convention;

Keywords: L; G; T; I; discrimination; legal protection; discrimination

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

2. Please provide information on:

(c) Measures taken by the Federal Council to respond to the recommendations of the Swiss Centre of Expertise in Human Rights in its study about access to legal protection in cases of alleged discrimination, including gaps in the field of private law and with regard to the rights of lesbian, gay, transgender and intersex persons (CRPD/C/CHE/1, para. 35).

Keywords: I; disabilities; sterilization; medical treatment; surgical treatment

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please provide information on:

(e) Criminal and civil remedies available to persons with disabilities, including intersex persons with disabilities, who have undergone involuntary sterilization or unnecessary and irreversible medical or surgical treatment, procedures to access medical records and whether remedies are subject to any statutes of limitations.

Keywords: involuntary procedures; I; rehabilitation; children; parental consent

Freedom from exploitation, violence and abuse (art. 16)

13. Please provide information on:

(e) Measures taken to promote the physical, cognitive and psychological recovery and rehabilitation and social reintegration of intersex persons who have undergone involuntary procedures, including those who underwent irreversible surgical procedures as children with parental consent, and steps taken to ensure that such measures are covered by medical insurance.

Keywords: medical treatment; surgical treatment; infancy; childhood; I; children

Protecting the integrity of the person (art. 17)

14. Please provide information on:

(b) Measures taken to ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood (CRC/C/CHE/CO/2-4, para. 43 (b); CAT/C/CHE/CO/7, para. 20 (a); CEDAW/C/CHE/CO/4-5, para. 25 (c); and CCPR/C/CHE/CO/4, para. 25), and data on the number of irreversible surgical and other procedures that are performed on intersex children, disaggregated by age and geographic location.
III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

10. Recalling its general comment No. 7 (2018), the Committee recommends that the State party:

(a) Strengthen mechanisms at the federal, cantonal and municipal levels to ensure effective support and consultations with diverse organizations of persons with disabilities – including organizations of persons with intellectual disabilities, autistic persons, persons with psychosocial disabilities, women with disabilities, children with disabilities and lesbian, gay, bisexual, transgender and intersex persons with disabilities – in design, reporting and monitoring with respect to legislation and policies aimed at implementing the Convention and achieving the Sustainable Development Goals;

B. Specific rights (arts. 5–30)

Protecting the integrity of the person (art. 17)

35. The Committee notes with concern:

(c) That intersex persons can be subjected to unnecessary and irreversible medical and/or surgical interventions, including during infancy or childhood; and that there is a lack of ongoing health care, psychosocial support and social reintegration for intersex persons who have been subjected to intersex genital mutilation and a lack of access to redress.

36. The Committee recommends that the State party:

(c) Adopt clear legislative provisions that explicitly prohibit the performance of unnecessary and irreversible medical interventions, including surgical, hormonal or other medical procedures, on intersex infants and children; provide adequate counselling and support for families of intersex children; extend the statute of limitations to enable criminal and civil remedies; and provide health care and psychosocial support to intersex persons who have been subjected to intersex genital mutilation.

Viet Nam – List of Issues – 16th session, 11 October 2022, 1st review, CRPD/C/VNM/Q/1

Keywords: LGBTQI+; disabilities; data collection; statistics

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

28. Please indicate the measures and plans adopted to:

(c) Implement the concluding observations of the Committee on the Elimination of Discrimination against Women on the State party’s combined seventh and eight periodic reports,1 which included a recommendation on enhancing the collection, analysis and dissemination of comprehensive data, in particular with respect to women and girls with disabilities, including those who are from ethnic minority groups, migrants or internally displaced, LGBTQI+ or living with or affected by HIV, to assess progress among all women.
7. Committee on the Elimination of Racial Discrimination

Brazil – List of Issues – 108th session, 28 September 2022, 18-20th review, CERD/C/BRA/Q/18-20

Keywords: SO; anti-discrimination; legislation; racial discrimination

Note by the Country Rapporteur

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 5 & 6)

2. Measures to adopt anti-discrimination legislation which defines and prohibits racial discrimination in all its forms at the federal and state levels, including indirect discrimination, covering all fields of law and public life and grounds for discrimination, in accordance with article 1 of the Convention, taking into account intersectional discrimination based on grounds, such as religion, sex, gender, age, disability and sexual orientation.

Brazil – Concluding Observations – 108th session, 19 December 2022, 18-20th review, CERD/C/BRA/CO/18-20

Keywords: LGBTQI+ persons; intersectional forms of discrimination; disaggregated data collection

C. Concerns and recommendations Disaggregated demographic data collection

5. The Committee notes the information provided by the State party about the collection of data on the racial and ethnic composition of the population that is disaggregated to reveal their disparate social, economic, political and civil status within society. It is nevertheless concerned about gaps and weaknesses in mechanisms for coordinating, integrating and verifying data collected at the federal, state and municipal levels, inter alia, due to cuts to the budgets of agencies responsible for data collection. It is also concerned that current data collection methods do not accurately capture the situation of those facing intersectional discrimination, including Afro-Brazilians, indigenous peoples and Quilombolas with disabilities and/or who identify as LGBTQI+ persons (arts. 1–2).

6. The Committee recommends that the State party carry out a thorough assessment of all its mechanisms for collecting demographic data at the federal, state and municipal levels and promptly address any gaps or weaknesses in the collection, verification and integration of such data. Such an assessment should include a focus on the data collected on the situation of Afro-Brazilians, indigenous peoples and Quilombolas facing intersectional forms of discrimination, including those with disabilities and/or who identify as LGBTQI+ persons. The State party should also provide adequate funding to all State entities responsible for disaggregated data collection.

Keywords: health; LGBTQI+ women; women with disabilities; sexual and reproductive health services; femicide

Right to health and the impact of the COVID-19 pandemic

16. The Committee is particularly concerned by:

(d) The reports of undignified and violent obstetric practices experienced by Afro-Brazilian women, including women with disabilities and those who identify as LGBTQI+ women, during the provision of sexual and reproductive health services;
(e) High levels of violence against Afro-Brazilian, indigenous and Quilombola women, including those who identify as LGBTQI+ persons, particularly in the form of femicide, and weaknesses in the measures taken by the State, including the national plan to combat femicide;

17. The Committee recommends that the State party take all necessary measures to ensure the full and effective implementation of the National Comprehensive Health Policy for the Afro-Brazilian Population, including the provision of adequate funding and institutional structures. It should also consult with Afro-Brazilian, indigenous and Quilombola women to identify and address current policies and services that have been ineffective in eliminating health inequalities. The State party should also:

(e) Increase anti-racism and human rights-based training of all health-care professionals involved in the provision of sexual and reproductive health care to Afro-Brazilian, indigenous and Quilombola women, including those with disabilities and who identify as LGBTQI+ women, while also ensuring accountability and remedies for any forms of obstetric violence;

Keywords: LGBTQI+ women; remedies; hate speech; accountability

Political representation

26. The Committee is concerned by:

(e) Threats, hate speech, including online hate speech, harassment and violence towards Afro-Brazilian women, particularly those seen as LGBTQI+ women, seeking or holding political office and a lack of accountability for such human rights violations (arts. 2 and 4–6).

27. The Committee recommends that the State party take all effective measures to substantially increase the levels of political representation among Afro-Brazilians, indigenous peoples and Quilombolas, including by:

(c) Taking immediate action to prevent and address all forms of violence against Afro-Brazilian women seeking or holding political office, including those seen as LGBTQI+ women, holding perpetrators accountable and providing remedies to victims.

Keywords: racial profiling; LGBTQI+ persons with disabilities

Racial profiling

39. The Committee is concerned by the persistence of the practice of racial profiling of Afro-Brazilians by law enforcement officials. The Committee is also concerned by reports that individuals facing intersectional forms of discrimination, including Afro-Brazilians with disabilities and/or identifying as LGBTQI+ persons, have been particularly vulnerable to racial profiling. The Committee is further concerned by reports that the State party has started using facial recognition systems in law enforcement activities, which has led to wrongful arrests of predominantly Afro-Brazilians (arts. 2 and 4–6).

Paragraphs of particular importance

69. The Committee wishes to draw the attention of the State party to the particular importance of the recommendations contained in paragraphs 16 (b)–(c) and (e)–(f) (right to health and the impact of the COVID-19 pandemic), 22 (poverty, work and income), 26 (c) (political violence), 32 (racially motivated homicides), 45 (human rights defenders), 47 (development, environment, business and human rights), 49 (indigenous and Quilombola communities), 52 (legal protection of indigenous and Quilombola land) and 59 (e) (reparations) above and requests the State party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.
**Kazakhstan** – Concluding Observations – 106th session, 4 July 2022, 8-10th review, CERD/C/KAZ/CO/8-10

**Keywords:** SO; intersecting forms of discrimination; policy

**C. Concerns and recommendations**

**Intersecting forms of discrimination**

11. The Committee is concerned by reports of intersecting forms of discrimination based on race, colour, descent or national or ethnic origin, and other grounds such as religion, gender, age, disability and sexual orientation (arts. 1–2 and 5).

12. The Committee recommends that the State party take legislative and policy measures to combat all forms of racial discrimination, as established in article 1 of the Convention, intersecting with discrimination based on other grounds, such as religion, gender, age, disability and sexual orientation.

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**United States of America** – List of Issues – 107th session, 24 June 2022, 10-12th review, CERD/C/USA/Q/10-12

**Keywords:** SO; GI; racial profiling

**Note by the Country Rapporteur**

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2 and 6)

2. Measures to prohibit racial discrimination in all its forms in federal and state legislation, including indirect discrimination, covering all fields of law and public life, in accordance with article 1 of the Convention. Steps to withdraw the reservation to article 2 of the Convention and to prohibit acts of racial discrimination perpetrated by private actors. Measures to combat all forms of racial discrimination according to article 1 of the Convention intersecting with discrimination based on other grounds such as religion, gender, age, disability and sexual orientation.

5. Updated information on legislative initiatives aimed at prohibiting racial profiling, including through the use of artificial intelligence, and other measures to end the practice of profiling racial or ethnic minorities and illegal surveillance by federal, state and local law enforcement officials. Measures to revise the 2014 Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity, particularly with regard to racial profiling in border areas, “mapping” of racial, ethnic and religious communities, and applicability to state and local law enforcement agencies. Steps to discontinue the Immigration and Nationality Act section 287 (g) programme.

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**United States of America** – Concluding Observations – 107th session, 21 September 2022, 10-12th review, CERD/C/USA/CO/10-12

**Keywords:** racial segregation; GI; policies

**C. Concerns and recommendations**

**Discrimination and segregation in housing**

37. The Committee welcomes the adoption of the Presidential Memorandum on “Redressing our nation’s and the federal Government’s history of discriminatory housing practices and policies” of 26 January
2021. Nevertheless, the Committee remains concerned at the high degree of residential racial segregation, the persistence of discrimination in access to housing on the grounds of race, colour and national or ethnic origin and the intersection with disability and gender identity, discriminatory mortgage-lending and "redlining" practices by private actors, and criminal records policies that can lead to homelessness. It is also concerned about exclusionary zoning and land-use laws and policies that perpetuate racial segregation (arts. 3 and 5).

Keywords: homelessness; L; G; B; T; I; criminalization

Homelessness

39. The Committee takes note of the measures taken by the State party to prevent and end homelessness, such as the federal strategic plan entitled "Home, Together". However, it remains concerned at the increasing number of state and local laws that criminalize homelessness and at the disproportionately high number of persons belonging to racial and ethnic minorities affected by homelessness, in particular people of African descent, indigenous peoples and persons of Hispanic/Latino origin, including women and lesbian, gay, bisexual and transgender persons (arts. 2 and 5).
8. Committee on Migrant Workers

Kyrgyzstan – List of Issues prior to reporting – 34th session, 3 May 2022, 2nd review, CMW/C/KGZ/QPR/2

Keywords: GI; SO; legislation; anti-discrimination legislation

B. Information requested, by article of the Convention

2. Part II of the Convention

Article 7

9. Please provide information on efforts made to:

(b) Adopt comprehensive anti-discrimination legislation that ensures that all migrant workers and members of their families enjoy the rights established in articles 1 (1) and 7 of the Convention, without distinction of any kind, and ensure that such legislation covers all the prohibited grounds of discrimination, including sex, age, gender identity and sexual orientation, disability, language, national, ethnic or social origin, nationality, economic position, property, marital status, birth or other status;

Peru – List of Issues prior to reporting – 34th session, 17 May 2022, 2nd review, CMW/C/PER/QPR/2

Keywords: GI; SO; discrimination; migration; legislation; anti-discrimination

B. Information relating to the articles of the Convention

2. Part II of the Convention

Article 7

12. Please provide information on efforts made to guarantee that all legislation, in particular the Constitution, the law on the hiring of foreign workers of 1991 (Legislative Decree No. 689), the law on labour productiveness and competitiveness (Supreme Decree No. 003-97-TR), the law on collective labour relations (Supreme Decree No. 010-2003-TR) and the law on migration of 2017 (Legislative Decree No. 1350), ensures that all migrant workers and members of their families enjoy the rights provided for articles 1 (1) and 7 of the Convention, without distinction of any kind. Please also provide information on whether such legislation covers all the prohibited grounds of discrimination, including sex, age, gender identity and sexual orientation, disability, language, national, ethnic or social origin, nationality, economic position, property, marital status and birth or other status (para. 11). Please indicate measures taken to review the State party’s legislation in order to repeal all provisions that are discriminatory against migrant workers and members of their families and those taken to adopt comprehensive anti-discrimination legislation. Please provide information on measures taken to ensure non-discrimination and to combat discrimination, xenophobia and stigmatization (para. 27), in particular with respect to Venezuelan migrant workers and members of their families. Please also provide information on the protection of labour rights and gender equality in all matters relating to migration policy, both in law and in practice, and within the framework of the Community of Latin American and Caribbean States (CELAC); MERCOSUR, including through its Specialized Migration Forum; the South American Conference on Migration, the Andean Community and the Pacific Alliance.
Keywords: SO; non-discrimination; stigmatization

B. Information relating to the articles of the Convention

2. Part II of the Convention

Article 7

12. Please clarify how the Constitution and legislation and their implementation in practice guarantee that all migrant workers and members of their families enjoy the rights provided for articles 1 (1) and 7 of the Convention, without distinction of any kind, in particular on grounds of nationality, migration or documentation status, statelessness, or types and length of residence, and provide relevant concrete examples. Please also provide information on whether such legislation covers all the prohibited grounds of discrimination, including sex, age, gender identity and sexual orientation, disability, language, national, ethnic or social origin, nationality, economic position, property, marital status and birth or other status (para. 38). Please indicate measures taken to review the State party’s legislation in order to repeal all provisions that are discriminatory against migrant workers and members of their families and those taken to adopt comprehensive anti-discrimination legislation. Please also provide information on measures taken to ensure non-discrimination and to combat discrimination, xenophobia and stigmatization.
9. Committee on Enforced Disappearances

Cambodia – List of Issues – 22nd session, 3 May 2022, 1st review, CED/C/KMH/Q/1

Keywords: GI; SO; criminalization

II. Definition and criminalization of enforced disappearance (arts. 1–7)

5. Please explain how the affirmation in paragraph 85 of the State party’s report that Cambodia “does not currently have any official cases or statistical data in relation to enforced disappearance” is consistent with the fact that the Committee has registered four requests for urgent action so far concerning cases of alleged enforced disappearance, two of which remain open, and report on measures taken or envisaged to ensure the collection of accurate and up-to-date statistical information on persons subjected to enforced disappearance. Please also provide all available updated statistical information, disaggregated by sex, gender identity, sexual orientation, age, nationality, ethnic origin and religious affiliation of the victim, on the number of disappeared persons in the State party, specifying the date and place of disappearance, how many of those persons have been located, and the number of cases in which there may have been some form of State involvement within the meaning of the definition of enforced disappearance contained in article 2 of the Convention (arts. 1–3, 12 and 24).

Colombia – Concluding Observations – 23rd session, 2 June 2021, 1st review, CED/C/COL/OAI/1*

Keywords: GI; context of disappearance; national register; SO

III. Prevention of enforced disappearance and mechanisms for search and investigation

A. Statistical information on enforced disappearances

17. The Committee recommends that the State party complete without delay the process of cleansing the National Register of Disappeared Persons, consolidate the information on disappeared persons contained in the various State databases and produce accurate and reliable statistics on disappeared persons, including on those who may have been subjected to enforced disappearance. These statistics should make it possible to identify the different groups of victims, the causes and dynamics of enforced disappearance and patterns of behaviour and serve as a basis for adopting more effective prevention, investigation and search measures. The National Register should be updated systematically, ensuring the uniform, comprehensive and immediate registration of all known disappeared persons. At the very least, it should include:

(b) The sex, gender identity, age, nationality and ethnic origin of the disappeared person, as well as the place, date, context and circumstances of the person’s disappearance, including all evidence relevant to determining whether it was an enforced disappearance;

Keywords: keyword grounds, keyword grounds; keyword population, keyword population; keyword topic, keyword topic, keyword topic

D. Protection of complainants and/or of persons participating in the investigation of an enforced disappearance

25. The Committee urges the State party to redouble its efforts to prevent the acts of violence, threats and reprisals faced by complainants, witnesses, relatives of disappeared persons and their defenders, as
well as by those who take part in the investigation of cases of enforced disappearance. In particular, it recommends that the State evaluate and review the current protection model with a view to ensuring:

(b) That the protection measures taken by the State authorities are implemented quickly and effectively, ensuring the coordination of the authorities and the participation of the intended beneficiaries in risk assessments and in decisions on the protection measures to be taken and guaranteeing the application of a differential approach that takes into account the person’s sex, gender identity, sexual orientation, age, ethnic origin, disability and vulnerability.

Keywords: L; G; B; T; I; methods; search; implementation of search strategies

E. Search for disappeared persons

27. The Committee encourages the State party to systematically incorporate the methods of the guiding principles for the search for disappeared persons in the design and implementation of comprehensive search strategies and recommends that it:

(d) Intensify its efforts to search for, locate and free disappeared persons and, if they are found dead, to identify the remains and return them in dignified fashion, adopting a differential approach with regard to women, children, adolescents, lesbian, gay, bisexual, transgender and intersex persons, members of particular ethnic communities and persons with disabilities;

Keywords: GI; SO; reparation

IV. Reparation

Right to obtain reparation

33. The Committee recommends that the State party take the necessary measures to:

(c) Ensure that the system for making reparation awards takes into account the personal circumstances of victims, such as their sex, gender identity, sexual orientation, age, ethnic origin, social status and disability.

V. Implementation of the rights and obligations under the Convention, dissemination and follow-up

37. In accordance with article 29 (4) of the Convention, the Committee requests the State party to submit, by 7 May 2022, relevant information on action taken in follow-up to the recommendations made by the Committee in paragraphs 17 (on the National Register of Disappeared Persons), 19 (on the investigation of enforced disappearances) and 27 (on the search for disappeared persons) above. The Committee also requests the State party to provide, by 7 May 2024, specific, up-to-date information on its implementation of each of the recommendations contained in the present concluding observations, as well as any other information it considers relevant to the implementation of its obligations under the Convention. The Committee encourages the State party to promote and facilitate the participation of civil society, in particular organizations of victims of enforced disappearance, in the preparation of this information.

Gambia – List of Issues – 22nd session, 3 May 2022, 1st review, CED/C/GMB/Q/1

Keywords: GI; SO; criminalization; State involvement

II. Definition and criminalization of enforced disappearance (arts. 1–7)

4. In relation to paragraphs 76–77 of the State party’s report, please provide up-to-date statistical information, disaggregated by sex, gender identity, sexual orientation, age, nationality, ethnic origin,
religious affiliation and occupation of the victim, on the number of disappeared persons in the State party, specifying the date and place of disappearance, how many of those persons have been located, and the number of cases in which there may have been some form of State involvement within the meaning of the definition of enforced disappearance contained in article 2 of the Convention. With respect to paragraph 80 of the report, please indicate whether there exists a database of disappeared persons, including persons disappeared after the end of the Jammeh regime (arts. 1–3).

Keywords: information; GI; SO; complaints; prosecution

III. Judicial procedure and cooperation in criminal matters (arts. 8–15)

12. Please provide up-to-date information, disaggregated by sex, gender identity, sexual orientation, age, nationality, ethnic origin, religious affiliation and occupation of the victim, on: (a) the number of complaints received with regard to enforced disappearance as defined in article 2 of the Convention that were allegedly committed during and after the period 1994–2017; (b) the number of investigations carried out and how many of those were initiated in the absence of an official complaint, specifying the authorities in charge of the investigations; (c) the number of prosecutions; and (d) the penalties imposed on the perpetrators. Please also indicate if any of the complaints refer to cases of enforced disappearance in the context of trafficking or migration (arts. 2, 12 and 24).

Greece – Concluding Observations – 22nd session, 12 May 2022, 1st review, CED/C/GRC/CO/1

Keywords: nationwide register; SO; GI

2. Definition and criminalization of enforced disappearance (arts. 1–7)

Statistical information

11. The State party should swiftly generate accurate and up-to-date statistical information on disappeared persons, disaggregated by sex, age, nationality, sexual orientation, gender identity, place of origin and racial or ethnic origin. Such statistical information should include the date and place of disappearance, the number of persons who have been located, whether alive or dead, and the number of cases in which there may have been some form of State involvement within the meaning of article 2 of the Convention. In this connection, the Committee recommends that the State party establish a single nationwide register of disappeared persons, ensuring that it contains, at a minimum, all the information referred to in the present recommendation.

Keywords: justice; truth; reparation; SO; GI

5. Measures to protect and guarantee the rights of victims of enforced disappearance (art. 24)

Definition of victim and the right to receive reparation and prompt, fair and adequate compensation

33. The Committee recommends that the State party ensure that all individuals who have suffered harm as the direct result of enforced disappearance can fully exercise the rights enshrined in the Convention, in particular the rights to justice, truth and reparation. In this regard, the Committee recommends that the State party:

(b) Ensure that its domestic legislation provides for a comprehensive system of compensation and reparation that fully complies with article 24 (4) and (5) of the Convention and other relevant international standards, that is under the responsibility of the State, that is applicable even if no criminal proceedings have been initiated and that is sensitive to the specific needs of the victim, in view of, inter alia, their sex, sexual orientation, gender identity, age, ethnic origin, social status or disability.
D. Fulfilment of the rights and obligations under the Convention, dissemination and follow-up

41. Under article 29 (4) of the Convention, and with a view to strengthening its cooperation with the State party, the Committee requests the State party to submit, by 7 April 2025, specific and updated information on the implementation of all its recommendations, as well as any new information on the fulfilment of the obligations contained in the Convention since the adoption of the present concluding observations. The document should be prepared in accordance with the guidelines on the form and content of reports to be submitted by States parties under article 29 of the Convention. The Committee encourages the State party to involve civil society in the process of preparing the information.

Mali – Concluding Observations – 23rd session, 23 September 2022, 1st review, CED/C/MLI/CO/1

Keywords: criminalization; database; SO; GI; reparation; non-repetition

2. Definition and criminalisation of enforced disappearance (arts. 1-7)

17. The State party should establish without delay a database and generate accurate and up-to-date statistical information on missing persons, disaggregated by sex, sexual orientation, gender identity, age, nationality, place of origin and racial or ethnic origin. This information should include the date of disappearance; the number of missing persons who have been located, whether alive or not; and the number of cases in which the State is alleged to have participated in some way within the meaning of Article 2 of the Convention.

5. Measures of reparation (art. 24)

Rights to truth and reparation

47. The Committee recommends that the State party: (a) recognize in national legislation the right to know the truth of victims of enforced disappearances and include a comprehensive system of reparation that fully complies with the provisions of article 24, paragraphs 4 and 5, of the Convention and other relevant international standards and thus ensures guarantees of non-repetition; (c) be based on a differentiated approach that takes into account the particular circumstances of each victim, including sex, sexual orientation, gender identity, age, ethnicity, social status and disability.

Morocco – List of Issues – 23rd session, 5 October 2022, 1st review, CED/C/MAR/Q/1

Keywords: GI; SO; database; criminal offences; statistical information

II. Definition and criminalization of enforced disappearance (arts. 1–7)

7. Please provide up-to-date statistical information, disaggregated by sex, gender identity, sexual orientation, age, nationality, ethnic origin, religious affiliation and occupation of the victim, on (a) the number of disappeared persons in the State party, specifying the date and place of disappearance and the number of those persons who have been located; (b) the number of those persons who may have been subjected to enforced disappearance within the meaning of article 2 of the Convention; and (c) the number of persons who may have been subjected to acts as described in article 3 of the Convention (arts. 1–3, 12 and 24).

8. Please indicate in which database and as which criminal offences the alleged acts of disappearance have been recorded. Please also specify the database used to record cases of disappearance that occurred after the period covered by the mandate of the Equity and Reconciliation Commission, and provide up-
to-date statistical data on disappeared persons, disaggregated by sex, gender identity, sexual orientation, age, nationality, ethnic origin, religious affiliation and occupation, including the date and place of disappearance and the number of persons who have been found (arts. 1–3).

**Niger – Concluding Observations – 22nd session, 5 May 2022, 1st review, CED/C/NER/CO/1**

Keywords: SO; GI; criminalization

2. Definition and criminalization of enforced disappearance (arts. 1–7)

Statistical information

15. The State party should generate without delay accurate and up-to-date statistical information on disappeared persons, disaggregated by sex, sexual orientation, gender identity, age, nationality, place of origin and racial or ethnic origin. This information should include the date of disappearance, the number of disappeared persons who have been located, whether alive or diseased, and the number of cases in which the State is alleged to have participated, somehow or other, within the meaning of article 2 of the Convention.

Keywords: reparation system; GI; SO

5. Measures to protect and ensure the rights of victims of enforced disappearance (art. 24)

Right to obtain reparation

32. The Committee recommends that the State party include in its national legislation a comprehensive reparation system that: (a) fully complies with articles 24 (4) and (5) of the Convention and other relevant international standards and thus offers guarantees of non-repetition; (b) is applicable even when no judicial proceedings have been initiated; and (c) is based on a differential approach that takes into account the specific situation of each victim, including sex, sexual orientation, gender identity, age, ethnicity, social status and disability. It also recommends that the State party make available the special funds created for victims of terrorism and trafficking in persons. Furthermore, the State party should carefully consider the recommendations on reparation made by the National Human Rights Commission in its report on the investigation into the enforced disappearances in Tillabéri and provide a detailed reply as soon as possible.

D. Fulfilment of the rights and obligations under the Convention, dissemination and follow-up

42. Pursuant to article 29 (4) of the Convention, and with a view to enhancing its cooperation with the State party, the Committee requests the State party to submit, by 8 April 2025, specific and updated information on the implementation of all its recommendations and any other new information on the fulfilment of the obligations under the Convention since the adoption of the present concluding observations. This document should be prepared in accordance with the guidelines on the form and content of reports under article 29 to be submitted by States parties to the Convention. The Committee encourages the State party to involve civil society in the preparation of this information.

**Nigeria – List of Issues – 22nd session, 28 April 2022, 1st review, CED/C/NGA/Q/1**

Keywords: GI; SO; database; missing persons

II. Definition and criminalization of enforced disappearance (arts. 1–7)
6. In relation to paragraphs 51 and 52 of the report, please provide updated statistical information, disaggregated by sex, gender identity, sexual orientation, age, nationality, ethnic origin and religious affiliation of the victim, on the number of disappeared persons in the State party, specifying the date and place of disappearance; how many of those persons have been located; and the number of cases in which there may have been some form of State involvement within the meaning of the definition of enforced disappearance contained in article 2 of the Convention. With respect to the information provided by the State party in the framework of the universal periodic review process, please report on the progress made in establishing a database on missing persons and indicate the information that will be entered into it with regard to each reported case; whether the information contained therein will be cross-checked with the information in other databases, such as registers of persons deprived of their liberty; whether it will be accessible to any person with a legitimate interest; and the methodology that is to be used to keep the database up to date (arts. 1, 2, 3, 12, 17, 18 and 24).

10. In light of the information provided in paragraph 51 of the report, in particular as it refers to abductions perpetrated by Boko Haram, please provide additional information about the efforts made, and the results thereof, to investigate the commission of the acts defined in article 2 of the Convention by persons or groups of persons acting without the authorization, support or acquiescence of the State; to bring those responsible to justice; to search for and locate the victims who remain disappeared; to encourage and facilitate the reporting of such disappearances; and to prevent those acts from occurring again in the future. Please also comment on allegations relating to the disappearance of lesbian, gay, bisexual, transgender and intersex persons and provide information about measures taken to address them (art. 3).

Ukraine - List of Issues – 23rd session, 14 October 2022, 1st review, CED/C/UKR/Q/1

Keywords: GI; SO; statistical information

II. Definition and criminalization of enforced disappearance (arts. 1–7)

6. Please provide up-to-date statistical information, disaggregated by sex, gender identity, sexual orientation, age, nationality, ethnic origin, religious affiliation and occupation of the victim, on:

(a) The number of disappeared persons in the State party, specifying the date and place of disappearance and how many of those persons have been located;

(b) The number of those persons who may have been subjected to enforced disappearance within the meaning of article 2 of the Convention;

(c) The number of persons who may have been subjected to acts as described in article 3 of the Convention (arts. 1–3, 12 and 24).

Uruguay – Concluding Observations – 23rd session, 20 October 2022, 1st review, CED/C/URY/OAI/1

Keywords: SO; GI; reparation; full reparation

C. Effect given to the Committee’s recommendations and new developments in the State party

4. Full reparation

Right to obtain reparation

21. The Committee recommends that the State party:
(a) Guarantee and facilitate access by any individual who has suffered harm as a direct result of an enforced disappearance that took place between 1968 and 1985, regardless of its duration, to full reparation that includes all the forms provided for in article 24 (5) of the Convention and that takes into account the specific needs of the victims based on, inter alia, their sex, sexual orientation, gender identity, age, ethnic origin, social status and disability;

D. Implementation of the rights and obligations under the Convention, dissemination and follow-up

25. Under article 29 (4) of the Convention, the Committee requests the State party to submit, by 23 September 2025, with a view to the review in 2026, specific and updated information on the adoption of a national policy on enforced disappearance that takes into account the recommendations made in these concluding observations concerning investigations, searches and reparations (see paras. 5, 17, 19 and 21). The Committee encourages the State party to promote and facilitate the participation of civil society, in particular organizations of victims of enforced disappearance, in the preparation of this information. The Committee recalls that, under article 29 (4) of the Convention, it may subsequently request the State party to submit additional information on its application of the Convention, including information on the measures adopted to give effect to all the recommendations contained in the present concluding observations.