

**38<sup>th</sup> Human Rights Council Session**  
**June 27, 2018**  
**Item 4 – General Debate**  
**Statement by the International Lesbian and Gay Association**

**Delivered by: Diana Carolina Prado Mosquera**

Thank you Mr. President,

Trans, gender non-conforming, intersex and LGB persons are affected by multiple and intersecting forms of discrimination. Around the world, they continue to face violence because of their real or perceived sexual orientation, gender identity and expression and sex characteristics. We draw the attention of the Council to some of the situations that have occurred in the past few months.

In **Indonesia**, the parliament is currently considering amendments to the country's Criminal Code that would effectively outlaw same-sex relations and non-marital sex, including pre-marital and extramarital sex. If passed, the amendments would result in prison terms ranging from one to nine years for innumerable heterosexual and LGBT adults in consensual sexual relationships outside of marriage.<sup>1</sup> This measure criminalizes same-sex relationships and fosters a climate of discrimination and intolerance.

In the **US**, the Department of Justice, Federal Bureau of Prisons has changed the policy for housing transgender prisoners. The original policy implementing the legal mandates of the Prison Rape Elimination Act (PREA) reflected an understating that transgender people are at risk of being sexually victimized in confinement and hence put protective measures in place. Now, transgender prisoners are only assigned to facilities consistent with their gender identity 'in rare cases'.<sup>2</sup> This change is dangerous and in conflict with US law.

The **Lebanese** Internal Security Forces arrested a prominent LGBT rights activist and pressured him to cancel Beirut Pride event.<sup>3</sup> This violates freedom of assembly and association and is a step backwards in a country that has made progress towards respecting the rights of LGBT people.

From **Chile, to Luxembourg, to the Republic of Korea**, in almost all jurisdictions intersex persons, especially infants, children and adolescents, continue to face unnecessary medical interventions carried out without their free and fully informed consent, practices of which are tantamount to torture.<sup>4</sup> The CEDAW has recently condemned such acts.

As the High Commissioner recently said, in many states LGBT people face severe and often official discrimination and, almost everywhere, they are inadequately protected from violence and bigotry. Protecting all human beings, including the LGBTI community, is not "outside" the international legal framework; ending discrimination and violence for everyone, everywhere, is absolutely central to our principles and work.

I thank you, Mr. President.

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<sup>1</sup> Asian Correspondent, 'Indonesian parliament looks to criminalise homosexuality' (2 February 2018). <<https://bit.ly/2N20enW>>

<sup>2</sup> New York Times, 'Federal Prisons Roll Back Rules Protecting Transgender People' (11 May 2018). <<https://nyti.ms/2KrwNtV>>

<sup>3</sup> Albawaba News, 'In Beirut, Police Presence Lurks Outside LGBTQ Community' (21 May 2018). <<https://bit.ly/2Ko6xDX>>

<sup>4</sup> United Nations General Assembly, 'Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez', A/HRC/22/53 (1 February 2013). <<http://bit.ly/18UCGLQ>>