

**SOGIESC OPPORTUNITIES IN THE 40th HUMAN RIGHTS COUNCIL SESSION
25 FEBRUARY – 22 MARCH 2019**

This report contains weekly updates on SOGIESC issues mentioned in the reports that will be presented during the 40th Human Rights Council Session.¹

The objective of this report is to identify opportunities for engagement or participation at the Human Rights Council.

The structure of the report is based on the Items of the agenda of the Human Rights Council.

¹ **Searched key words:** Sexual orientation, gender identity, gender expression, sex characteristics, LGBTI, SOGIESC, HIV, lesbian, gay, bisexual, trans, intersex, homosexual, sexual minorities, same-sex and sex.



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AGENDA OF THE 40th HUMAN RIGHTS COUNCIL SESSION

DRAFT PROGRAMME OF WORK FOR THE 40TH SESSION OF THE HUMAN RIGHTS COUNCIL (25

FEBRUARY - 22 MARCH 2019)

AS OF 22 JANUARY 2019 (SUBJECT TO CHANGE)

	WEEK 1 25 February		WEEK 2 4 March		WEEK 3 11 March		WEEK 4 18 March	
M O N D A Y	9.00	ITEM 1 Opening of session	9.00	ANNUAL FULL-DAY	9:00	ITEM 4	9.00	ITEM 7
	12.00	High-level segment (HLS)	11.00	MEETING: RIGHTS OF THE	12.00	- ID with SR on Myanmar	12.00	- ID with SR on OPT
	12.00		12.00	CHILD (res. 7/29 & 37/20)	12.00		12.00	- ID with COI on OPT
	15.00		15.00	<i>accessible</i>	15.00		15.00	
T U E S D A Y	12.00	HLS (cont'd)	12.00	ITEM 3 - ID (cont'd)	12.00	- ID with SR on DPRK	12.00	- ID with COI on OPT (cont'd)
	15.00		15.00	Clustered ID with:	15.00	- ID with SR on Islamic	15.00	- HC/SG reports followed by General
	15.00		15.00	- SR environment	15.00	Republic of Iran	15.00	debate on ITEM 7
	16.00	HLS (cont'd)	16.00	ITEM 3 - Clustered ID				
W E D N E S D A Y	16.00		16.00	(cont'd)	15.00	- ID with SR on Islamic Republic	15.00	ITEM 7 GD (cont'd) General debate on ITEM 8
	16.00	HIGH-LEVEL	16.00	ANNUAL FULL-DAY	18.00	of Iran (cont'd)	18.00	
	18.00	MAINSTREAMING PANEL	18.00	MEETING: RIGHTS OF				
		(res. 16/21)	18.00	THE CHILD (res. 7/29 &				
T H U R S D A Y			18.00	37/20)				
				<i>accessible</i>				
F R I D A Y	26 February		5 March		12 March		19 March	
	9.00	HIGH-LEVEL PANEL	09.00	ITEM 3 - Clustered ID (cont'd)	9.00	ITEM 4	09.00	General debate on ITEM 8 (cont'd)
	11.00	DEATH PENALTY	12.00	Clustered ID with:	12.00	- ID with Commission on South	12.00	ITEM 9
	15.00	(res. 36/17)	15.00	- SR freedom of religion	15.00	Sudan	15.00	- Report of IGWG on DDPa, HC report
S A T U R D A Y	15.00		15.00	- SR sale of children	15.00	- ID with Commission of Inquiry	15.00	on HRC res. 37/38
	18.00		18.00		18.00	on the Syrian Arab Republic	18.00	- General debate on ITEM 9
								- GD on ITEM 9 (cont'd)
								ITEM 10
S U N D A Y	11.00	HLS (cont'd)	12.00	ITEM 3 - Clustered ID (cont'd)	12.00	- ID with Syria COI (cont'd)	12.00	- Enhanced ID on HC oral update and
	15.00		15.00	Clustered ID with SRSGs:	15.00	- ID with COI on Burundi (oral	15.00	report on the Democratic Republic of the
	15.00		15.00	- violence against children	15.00	update)	15.00	Congo
	18.00		18.00	- children and armed conflict	18.00		18.00	
M O N D A Y	15.00	HLS (cont'd)	15.00	ITEM 3	15.00	ITEM 4	15.00	- Enhanced ID on HC oral update and
	18.00		18.00	Clustered ID with:	18.00	HC report on DPRK (resolution	18.00	report on the DRC (cont'd)
				- SR disabilities	18.00	34/22) and oral update on Eritrea,	18.00	- ID with IE on Mali
				- IE albinism	18.00	followed by General debate on	18.00	- ID on HC oral presentation on Ukraine
T U E S D A Y				<i>accessible</i>		ITEM 4		
W E D N E S D A Y	27 February		6 March		13 March		20 March	
	10.00	HLS (cont'd)	10.00	ITEM 2 - HC annual report	9.00	General debate on ITEM 4	9.00	ITEM 10
	13.00		13.00	(presentation only)	12.00	(cont'd)	12.00	- ID on HC oral report on Ukraine
	13.00		13.00	ITEM 3 - Clustered ID (cont'd)	12.00		12.00	(cont'd)
T H U R S D A Y	15.00		15.00		15.00		15.00	- ID on OHCHR report on Sri Lanka
	15.00		15.00		15.00		15.00	
	15.00		15.00		15.00		15.00	- ID on OHCHR report on Sri Lanka
	18.00		18.00		18.00		18.00	(cont'd)
F R I D A Y	13.00	BREAK	13.00	BREAK	12.00	ITEM 3	12.00	ITEM 10
	15.00		15.00		15.00	ID with SR minorities	15.00	- High-level ID on human rights situation
	15.00		15.00		15.00	ITEM 5	15.00	in the Central African Republic
	18.00		18.00		18.00	- Reports of Forums on Minority	18.00	
S A T U R D A Y	15.00		15.00		15.00	Issues, on Democracy and Rule	15.00	
	18.00		18.00		18.00	of Law, and Social Forum	18.00	
	18.00		18.00		18.00	- SP annual report by CC chair	18.00	
	18.00		18.00		18.00		18.00	
S U N D A Y	15.00	HLS (cont'd)	16.00	ITEM 3 - Clustered ID (cont'd)	15.00		15.00	ITEM 2
	18.00		16.00		18.00		18.00	- HC/SG country reports, oral briefings
			18.00		18.00		18.00	(Colombia, Cyprus, Guatemala,
			18.00		18.00		18.00	Honduras, Iran, Venezuela, Yemen and
T H U R S D A Y	18.00		18.00		18.00		18.00	report mandated in res. S-27/1) followed
			18.00		18.00		18.00	by General debate
			18.00		18.00		18.00	
			18.00		18.00		18.00	
F R I D A Y	28 February		7 March		14 March		21 March	
	09.00	General segment	10.00	ITEM 2 - ID with the HC	9.00	ITEM 6	9.00	ITEM 10
	12.00		13.00		10.00	UPR outcomes	12.00	- Other HC/SG country reports or oral
	12.00	ITEM 3 - Clustered ID with:	13.00		10.00		12.00	briefings (Afghanistan, Libya)

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	1 March		8 March		15 March		22 March	
U R S D A Y		- SR food - IE foreign debt				Saudi Arabia, Senegal, Congo, Nigeria, Mexico, Mauritius, Jordan, Malaysia, Central African Republic, Monaco, Belize, Chad, China, Malta		- HC presentation on technical cooperation and report of Board of Trustees (Voluntary Fund Tech. Coop) followed by General debate
	12.00	ITEM 3 - Clustered ID (cont'd)	13.00		12.00		12.00	
	-	Clustered ID with:	-	BREAK	-	UPR outcomes	-	ITEM 1
	15.00	- SR human rights defenders - SR torture	15.00		15.00		15.00	Decisions and conclusion
15.00	ITEM 3 - Clustered ID (cont'd)	15.00	ID with the HC (cont'd)	15.00		15.00		
-		-	ITEM 3	-	UPR outcomes	-	Decisions and conclusions (cont'd)	
18.00		18.00	- Report of IGWG on TNCs, Agenda 2030 - HC/OHCHR/SG thematic reports, followed by GD	18.00		18.00		
F R I D A Y	10.00	Clustered ID with:	10.00		9.00		9.00	
	-	- SR privacy	-	General debate on ITEM 3	-	ITEM 6 - UPR outcomes	-	Decisions and conclusions (cont'd)
	13.00	- SR cultural rights	13.00		12.00		12.00	
	13.00	BREAK	13.00	BREAK	12.00		12.00	Decisions and conclusions (cont'd)
	-		-		-	ITEM 6 - UPR outcomes	-	
	15.00		15.00		15.00		15.00	
15.00	ITEM 3 - Clustered ID (cont'd)	15.00	General debate on ITEM 3	-	General debate on ITEM 6	15.00	Decisions and conclusions (cont'd)	
-	Individual ID with:	-	(cont'd)	18.00		-	- Appointment of mandate holders	
18.00	- SR terrorism	18.00		16.00	DEBATE ON COUNTERING NATIONALIST POPULISM (GA res. 73/262)	18.00	- Adoption of session report	
				18.00				



ITEM 1: ORGANIZATIONAL AND PROCEDURAL MATTERS

ITEM 2: ANNUAL REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS AND REPORTS OF THE OFFICE OF THE HIGH COMMISSIONER AND THE SECRETARY-GENERAL

- [A/HRC/40/3 Annual report of the United Nations High Commissioner for Human Rights](#)

6. Sexual orientation and gender identity

64. OHCHR worked to raise awareness of the human rights concerns of lesbian, gay, bisexual, transgender and intersex persons. It led the United Nations Free and Equal public information campaign; raised awareness for the global equality standards of lesbian, gay, bisexual, transgender and intersex persons for the business community, which were launched in 2017 and supported by over 200 of the world's largest companies; and supported the second joint dialogue between African and Inter-American regional human rights mechanisms and United Nations human rights experts on strategic approaches to addressing violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons. It also supported the work of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

- [A/HRC/40/3/Add.1 Activities of the Office of the United Nations High Commissioner for Human Rights in Guatemala - Report of the Office of the United Nations High Commissioner for Human Rights](#)

Summary

In the present report, the United Nations High Commissioner for Human Rights describes the situation of human rights and the activities of the Office of the High Commissioner in Guatemala from 1 January to 31 December 2018. She highlights progress and challenges, with a focus on issues relating to justice, security, the situation of human rights defenders, journalists, indigenous peoples, persons of African descent, women, lesbian, gay, bisexual and transgender persons, persons with disabilities and migrants, and economic, social and cultural rights. She outlines the relevant activities of the Office and makes a number of recommendations to various State institutions and other stakeholders.

4. In 2018, social and political tensions deepened, and there was a backlash against the efforts to combat impunity and corruption. In this context, peaceful demonstrations were held, led by university students, indigenous peoples and campesino communities. Sweeping changes were made in the executive branch, including removals and resignations in key ministries. As a result,



important policies and reforms relating to human rights were rolled back, notably within the Ministry of the Interior. Congress did not make progress in the adoption of laws in critical human rights areas, instead promoting a regressive agenda that could further entrench impunity, restrict civic space, and undermine the rights of indigenous peoples, women, and lesbian, gay, bisexual and transgender persons. These trends risk reversing the progress made in the implementation of the 1996 peace agreements that brought the internal armed conflict to an end.

(...)

83. Discrimination and violence against lesbian, gay, bisexual and transgender persons persisted in 2018. State representatives made discriminatory statements, for example, that marriage should be “between a man and a woman, born that way”. Bill No. 5272, which contains provisions that could provoke hate crimes against this population group,⁴³ moved forward in Congress. OHCHR documented the killing of 24 persons in that community (including six trans women) in 2018. It also recorded cases of violence and homophobic messages against defenders of lesbian, gay, bisexual and transgender rights, including a journalist and members of the organizations Gente Positiva and Somos. Unfortunately, Congress did not approve bill No. 5395 on gender identity, which would have guaranteed civil rights for trans persons and promoted their inclusion in society.

IV. Activities of the Office of the High Commissioner in Guatemala

104. OHCHR implemented the “free and equal” campaign on lesbian, gay, bisexual and transgender rights, including by installing an interactive booth, the Igualómetro, to encourage reflection on discrimination

V. Recommendations

110. Based on her monitoring of human rights developments, and in addition to previous recommendations, the United Nations High Commissioner for Human Rights:

(...)

(w) Recommends that the State adopt measures to protect lesbian, gay, bisexual and transgender persons from violence and discrimination and avoid the adoption of discriminatory legislation;

- [A/HRC/40/3/Add.2 - Situation of human rights in Honduras Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Honduras*](#)



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

72. Lesbian, gay, transgender, bisexual and intersex persons continue to be discriminated against in all areas of life. An action filed in March by the lesbian organization Cattrachas against the constitutional prohibition of same-sex marriage remains pending before the Supreme Court. The law on adoption passed by Congress in August explicitly excludes same-sex couples from adopting.

73. According to reports, in 2018, at least 22 lesbian, gay, transgender, bisexual or intersex persons were killed, and by November trials were ongoing in four of these cases.

98. Concerning equality and non-discrimination, the Government should:

(...)

(c) Take concrete steps towards eliminating discrimination based on sexual orientation and gender identity, and ensure prompt, effective and gender-responsive investigations and prosecution of crimes committed against women and lesbian, gay, bisexual, transgender and intersex persons, including effective remedies;

- [**A/HRC/40/3/Add.3 - Situation of human rights in Colombia Report of the United Nations High Commissioner for Human Rights**](#)

24. OHCHR expressed its concern at attacks on lesbian, gay, bisexual, transgender and intersex defenders, which, according to Colombia Diversa, included two cases of homicide and six cases of threats being made. The situation of such defenders is exacerbated by the persistence of discriminatory and exclusionary practices that are deeply embedded in Colombian society.

- [**A/HRC/40/18 Conclusions and recommendations of special procedures - Report of the Secretary-General**](#)

22. At the thirty-eighth session of the Human Rights Council, the following 19 special procedure mandate holders – including the holders 17 thematic and 2 country mandates – presented their annual reports:

(...)

- Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

(...)



Overview of reports presented by special procedure mandate holders in 2018

(...)

Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Human Rights Council (thirty-eighth session) – Violence and discrimination based on sexual orientation and gender identity Human Rights Council (thirty-eighth session) – Mission to Argentina

General Assembly (seventy-third session) – Gender recognition as a component of identity and “depathologization” of trans identities

- [**A/HRC/40/21 United Nations Voluntary Fund for Victims of Torture Report of the Secretary-General**](#)

22. Torture is today being practised in increasingly complex contexts and crises, resulting in a broad range of victims, including refugees, asylum seekers and migrants, women, children, human rights defenders, political opponents, youth, victims of sexual and gender-based violence, victims of enforced disappearances, persons with disabilities, minorities and indigenous peoples and lesbian, gay, bisexual, transgender and intersex persons. The need for redress and rehabilitation is very pressing.

- [**A/HRC/40/24 Situation of human rights in the Islamic Republic of Iran - Report of the Secretary-General**](#)

A. Death penalty and right to a fair trial Use of the death penalty and the amendment to the drug trafficking law

3. According to article 6 of the International Covenant on Civil and Political Rights, States parties that have not yet abolished the death penalty should only impose it for the “most serious crimes”, which has been interpreted as meaning those involving intentional killing. The Secretary-General remains concerned by the continued application of the death penalty for a wide range of offences, including those which are vague or uncertain in scope, such as efsad-e fel-arz (“spreading corruption on earth”), and those which do not involve intentional killing and therefore do not amount to “most serious crimes”, such as adultery or consensual sexual relations between two men in certain circumstances.

- [**A/HRC/40/26 Summary of the panel discussion on the human rights of internally displaced persons in commemoration of the twentieth anniversary of the Guiding Principles on Internal Displacement Report of the Office of the United Nations High Commissioner for Human Rights**](#)

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25. In addition to the characterization exercises, the populations most severely affected by internal displacement, such as women, children and adolescents and lesbian, gay, bisexual, transgender and intersex communities, had been identified. One municipality had addressed internal displacement in its development plan, a step that would later inform its strategic priorities and the financial and operational resources set aside for them.

- [**A/HRC/40/29 Question of the realization of economic, social and cultural rights in all countries: the role of economic, social and cultural rights in empowering people and ensuring inclusiveness and equality Report of the Secretary-General***](#)

15. In the 2030 Agenda the importance of collecting and disaggregating data to measure and monitor inequalities and discrimination and to ensure that no one is left behind is recognized. Data disaggregation is essential for monitoring the progressive realization of the economic, social and cultural rights associated with the Sustainable Development Goals. The obligation of non-discrimination under the Covenant also requires States to move towards greater data disaggregation. International human rights bodies have encouraged the disaggregation of data on the basis of the kinds of discrimination that are prohibited, such as on the basis of sex, age, economic and social situation, race, colour, language, religion, political or other opinion, national or social origin, property, birth, disability, health status, nationality, marital and family status, sexual orientation and gender identity, place of residence and other kinds of status.

- [**A/HRC/40/31 Realization of the right to work Report of the United Nations High Commissioner for Human Rights**](#)

24. Equality and non-discrimination are fundamental human rights principles that apply to the realm of work. Ensuring equality and non-discrimination in access to work is crucial as the labour market mirrors prejudices and disadvantages that exist in society. Young people are not a homogenous group and States should adopt measures to combat discrimination against them based on age,²¹ but also on other prohibited grounds, such as ethnicity, gender, sexual orientation, disability and health status, that may intersect and amplify the discrimination they suffer.

- [**A/HRC/40/32 Habilitation and rehabilitation under article 26 of the Convention on the Rights of Persons with Disabilities Report of the Office of the United Nations High Commissioner for Human Rights***](#)

39. States must ensure that persons with disabilities can access all rehabilitation services, both public and private, on an equal basis with others, regardless of their impairment, sex, age, ethnicity, sexual orientation, gender identity, or other grounds. Multiple and intersecting grounds of discrimination should be identified and addressed to prevent these individuals



from falling between policy gaps. Any discrimination in accessing rehabilitation services must be prohibited in law and eliminated from legislation, policies and practice.²⁶ Inherently discriminatory practices that affect how persons with disabilities receive rehabilitation, such as institutionalization, substitute decision-making and segregated education, must be abolished, but until this has been achieved their application must be immediately discontinued in the rehabilitation context

- [**A/HRC/40/35 Annual full-day discussion on the human rights of women. Report of the Office of the United Nations High Commissioner for Human Rights**](#)

5. Paying tribute to the work of the Special Rapporteur on violence against women and other activists, the High Commissioner pointed out that although all women could be subjected to online violence, women human rights defenders and those involved in politics or media work were particularly targeted. Research by the Internet and Democratic Project in India had found that discussions of domestic violence, marital rape, caste-based oppression and violations of the rights of religious minorities, as well as women expressing views on matters considered to be “men’s business” were most likely to give rise to online abuse. Women could also face a heightened risk of violence if they challenged patriarchal structures or dominant racial or religious norms. The scale of violence could be exacerbated for women of a specific age, ethnicity, race, religion, disability, sexual orientation or gender identity.

- [**A/HRC/40/38 Report on the twenty-fifth annual meeting of special rapporteurs/representatives, independent experts and working groups of the special procedures of the Human Rights Council \(4-8 June 2018\), including updated information on the special procedures**](#)

15. Several mandate holders presented their first reports to the Human Rights Council or the General Assembly, outlining their vision, priority areas and working methods or the main trends in their area of work. These include the Independent Expert on the promotion of a democratic and equitable international order, the Independent Expert on human rights and international solidarity, the Special Rapporteur on the elimination of the discrimination against persons affected by leprosy and their family members, the Special Rapporteur on minority issues, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the rights to freedom of peaceful assembly and of association.



- [A/HRC/40/39 Implementation of Human Rights Council resolutions S-9/1 and S-12/1 - Report of the United Nations High Commissioner for Human Rights](#)

55. Other Palestinians reported being arrested without legal basis, with some spending weeks and, in some cases, months without being formally charged, nor having their case reviewed by a competent court. Some stated they were denied procedural guarantees, including the rights to access legal counsel and to contact family. In other reported cases the presumed or actual sexual orientation of the individual could have been a reason for arbitrary arrest. While homosexuality is not criminalized in the West Bank, LGBTI individuals reported being subjected to arrests and accused of crimes related to collaboration, morality, public indecency or drugs, while being questioned about their sexuality or asked to reveal names of LGBTI individuals before being released without charges. In at least one case, a lawyer claimed having been harassed by the security forces for taking up such case.

ITEM 3: PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

- [A/HRC/40/48 Report on the fourth session of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights](#)

61. Article 9 (2) (g) was welcomed by some delegations and many NGOs. It was noted that “meaningful consultations” was nonetheless too restrictive and vague. There was thus a call to remove the word “meaningful” and to elaborate on the types of consultations needed. Some delegations and many NGOs suggested including a specific reference to free, prior and informed consent (and the notion of continuous consent) in this provision. In addition, some NGOs requested that a stronger gender perspective be included. While there were also some calls for adding to the categories of peoples at heightened risk (in particular lesbian, gay, bisexual, transgender and intersex persons and persons with chronic diseases), one delegation suggested removing specific references to any group, as including some groups could be interpreted as excluding others.

- [A/HRC/40/48/Add.1 Compilation of oral statements delivered during the fourth session of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights](#)

VIII. Articles 1, 14 and 15

2. Brazil

Implementation



(...)

5. In implementing this agreement, State Parties shall address the specific impacts of business activities on while giving special attention to those facing heightened risks of violations of human rights within the context of business activities, such as women, children, OLDER PERSONS, persons with disabilities, indigenous peoples, migrants, PEOPLE OF AFRICAN DESCENT, LGBTI PEOPLE, refugees and internally displaced persons.

- [A/HRC/40/51 - Sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material Report of the Special Rapporteur](#)

73. In 2016, the European Commission adopted recommendations on the protection of young athletes and safeguarding children's rights in sport.³⁸ The Commission estimated that between 2 and 8 per cent of minors and young athletes had been victims of sexual assault in the context of sports. It emphasized that elite young athletes were particularly vulnerable and that the type of sport had no impact on the extent of sexual abuse. Moreover, it brought to the fore the higher rate of abuse of ethnic minorities and lesbian, gay, transsexual and intersex persons.

- [A/HRC/40/51/Add.2 Visit to Ireland - Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material](#)

72. However, the Special Rapporteur is concerned that individual schools, or even individual teachers, can adjust the content of HSE-designed programmes, possibly reducing the programmes' effectiveness. In line with the recommendations of the CRC (CRC/C/IRL/CO/3-4, para. 58; CRC/C/GC/20, para. 61), the Special Rapporteur encourages the Government to guarantee sexual education that is compulsory, comprehensive and grounded in scientific evidence. It should address the diversities of sexual orientation and gender identity and target all children, including those with disabilities. The Special Rapporteur also advises Ireland to review the settings in which sexual education courses are taught, given some courses are presented where students do not feel comfortable raising legitimate questions, such as in a course led by a religious teacher or primarily connecting sexuality with religion. She supports the efforts of Tusla, children's rights advocates and Comhairle na nÓg to identify gaps in sexual education related to the concept of consent.

81. In terms of care, recovery and reintegration, the Special Rapporteur recommends that Ireland:

(...)



(f) Ensure the diversities of sexual orientation and gender identity and the concept of consent are incorporated into sexual education programmes and target them to all children, including those with disabilities.

- [A/HRC/40/51/Add.3 Visit to Malaysia Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material* , **](#)

24. The Special Rapporteur was also concerned at reports of an increasingly hostile climate and State-supported or -tolerated physical and sexual violence, confinement, isolation, and corrective or rehabilitative practices directed against lesbian, gay, bisexual, transsexual and intersex children.

(...)

B. Recommendations

61. Concerning the legislative, institutional and policy framework, the Government should:

(...)

(b) Undertake comprehensive reform of the syariah, customary and civil legal systems to eliminate disparities and inconsistencies between the three legal systems and ensure that the best interests of the child is the primary consideration, including by aligning the definition of the child with the definition provided by the Convention on the Rights of the Child and ensuring that the minimum age of marriage is 18 years for all in all legal frameworks, without exception; amend discriminatory laws and policies against lesbian, gay, bisexual, transsexual and intersex children;

- [A/HRC/40/53 Report of the Special Rapporteur in the field of cultural rights. Cultural rights: tenth anniversary report](#)

4. Developments in today's world also make this a timely review. Embattled humanity, living in a world of extremists of all kinds, of proliferating cultural relativism and cultural excuses for human rights violations, a world threatened by catastrophic climate change which threatens human civilization, including cultural heritage, where hate is being normalized, inequalities are growing, public space is being privatized and where the impulse to censor thrives, desperately needs full implementation of its cultural rights and other universal human rights. At the same time, there are many positive advances which must not be overlooked, including local initiatives aimed at increasing understanding and tolerance, creative efforts by cultural rights defenders to improve compliance, new possibilities for global cooperation in the promotion of cultural rights, multiplying challenges to sexual harassment in the fields of art and culture,



the ongoing exercise of human creativity and scientific research, despite the obstacles, and growing recognition of areas of human rights, including cultural rights, such as those of persons with disabilities, peasants and lesbian, gay, bisexual, transgender and intersex persons. In the present review, the Special Rapporteur aims to ascertain how to magnify the positive developments while revisiting the strategies needed to confront the negative ones.

(...)

29. Conversely, in the two thematic reports developing a cultural rights approach to the rise of diverse forms of fundamentalism and extremism issued in 2017, the Special Rapporteur highlighted the way in which such ideologies share a common mindset, based on intolerance of differences and pluralism and a rejection of universality, and how they attempt to stamp out diversity and dissent, having particular effects on the cultural rights of women, minorities and lesbian, gay, bisexual, transgender and intersex persons (A/HRC/34/56 and A/72/155). In her reports, she demonstrated the crucial contribution of arts, education, science and culture in resisting the threats such ideologies pose to all human rights by creating alternatives, making space for peaceful contestation and protecting people, in particular youth, from radicalization. Unfortunately, since 2017, the topic has become even more globally relevant and the Special Rapporteur hopes that her recommendations will continue to inform the strategies of States, international organizations and experts.

(...)

86. The Human Rights Council emphasized that the mandate on cultural rights should “integrate a gender and disabilities perspective” (resolution 10/23, para. 9 (e)). The mandate has been very successful in addressing gender, with two dedicated reports, as well as the mainstreaming of gender and the cultural rights of lesbian, gay, bisexual, transgender and intersex persons in both thematic and country work, and close cooperation with women human rights defenders and lesbian, gay, bisexual, transgender and intersex rights defenders and other relevant special procedures mandate holders. The Special Rapporteur is proud that her mandate was listed among those making the most regular and in-depth references to issues affecting lesbian, gay, bisexual, transgender and intersex persons in a survey by the International Service for Human Rights and the International Lesbian, Gay, Bisexual, Trans and Intersex Association. The Special Rapporteur hopes to receive submissions of more cases in this important area.

(...)

93. Governments should:

(c) Ensure respect for the principle of non-discrimination and equality in the field of cultural rights, including with regard to the rights of marginalized persons. In particular, States must



aggressively combat discrimination in the cultural sector against, inter alia, women, lesbian, gay, bisexual, transgender and intersex persons and persons with disabilities;

(...)

100. Civil society should:

(c) Ensure that human rights organizations mainstream cultural rights in their work, and that cultural organizations adopt a human rights perspective in their work. More work must be done at those intersections, including on the cultural rights of women, lesbian, gay, bisexual, transgender and intersex persons, persons with disabilities, rural persons and peasants, migrants and refugees;

- [A/HRC/40/53/Add.1 Report of the Special Rapporteur in the field of cultural rights on her visit to Malaysia](#)

3. She appreciated the opportunity to visit different areas of Malaysia, to meet with 62 government agencies and with the Minister of Tourism and Culture, and to have discussions with a wide array of civil society representatives and experts, including representatives of different minority groups, women human rights defenders, indigenous rights defenders, lesbian, gay, bisexual, transgender and intersex rights defenders, religious activists and other representatives of the country's rich human rights movement.

(...)

39. Respect for cultural diversity has been challenged recently, especially when it comes to the right to take part in cultural life without discrimination of groups such as lesbian, gay, bisexual, transgender and intersex persons, refugees and stateless persons, and persons with disabilities.

40. Although more socially accepted in the past, homosexuality and gender fluidity is now considered a crime. Article 377 A of the Penal Code criminalizes same-sex activity between men, with punishments of up to 20 years in prison and whipping. In all states, as well as in the Syariah Criminal Offences Act, there are provisions which penalize transgender individuals on the basis of their gender identity and expression and which have led to arrests by the police and state religious departments. Lesbian, gay, bisexual, transgender and intersex persons have been repeatedly called "deviant", and films portraying homosexual or transgender persons in a positive manner have been censored. In the months leading up to the Special Rapporteur's visit, at least three LGBTI events, including a film screening, were cancelled, one of them following online protest by conservative and fundamentalist groups. Statements from the



Government rejecting discrimination and bullying of lesbian, gay, bisexual, transgender and intersex persons, such as that posted by the Federal Department of Islamic Development (JAKIM) on social media on 19 June 2017, while important, are rendered meaningless if measures taken by the authorities themselves are discriminatory and intolerant.

(...)

72. However, many sectors of Malaysian society, including diverse government officials themselves, expressed concern at what they saw as the growing Islamization and Arabization of the society and polity, based on an increasingly rigid and fundamentalist interpretation of Islam which represents a significant break with the past and is giving rise to cultural engineering. One lawyer said, "I fear for my country." A writer said, "There is a fire here. Wahhabism is creeping fast and deep into our society." Some experts indicated that this tendency was infusing the educational system and affecting the corps of teachers, as well as "corroding values" among young people. It has reportedly also had deleterious consequences for the cultural rights of religious minorities, of indigenous peoples, of women, of human rights defenders, including women human rights defenders, of lesbian, gay, bisexual, transgender and intersex persons, of artists and cultural experts and of many others in society, and most especially for the cultural rights and the freedom of religion or belief of Muslims and people of Muslim heritage.

(...)

75. The Special Rapporteur is alarmed that Parliament has been considering adopting legislation under the RUU355 bill expanding the punishments – including corporal punishments that violate international human rights law – that can be imposed by Syariah Courts to up to a 30-year prison sentence, a RM 100,000 fine (approximately \$23,920 in November 2018) and 100 lashes. She greatly regrets that some religious authorities with whom she met clearly support this expansion. Such punishments are difficult to rationalize with stated commitments to moderation and progressiveness. Experts fear that any such legislation would be used to discriminatory effect, with particular impact on lesbian, gay, bisexual, transgender and intersex people among others. The future of the RUU355 bill was uncertain as the present report was being finalized.

(...)

82. The Special Rapporteur is gravely concerned about the misuse of the concept of extremism to repress activities undertaken in accordance with international human rights standards. She was very sorry to receive reports that progressive Muslim groups and lesbian, gay, bisexual, transgender and intersex rights defenders had erroneously been labelled extremists, or "like



Daesh", in certain instances by authorities. This undercuts the struggle against actual extremism and the critical efforts of these human rights defenders.

(...)

93. Malaysia should: (a) Repeal all laws that directly and indirectly criminalize same-sex sexual activities and cross-dressing; (b) Take immediate and effective measures to end hostility and intolerance on the basis of sexual orientation and gender identity and provide meaningful protection to lesbian, gay, bisexual, transgender and intersex people against all forms of stigmatization, violence and discrimination.

- [**A/HRC/40/57 Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights. Guiding principles on human rights impact assessments of economic reforms**](#)

Principle 7 – Equality and combating multiple and intersectional discrimination Economic reform policies and measures must not be discriminatory, and they must endeavour to ensure equality and non-discrimination for all. For this purpose, the directly and indirectly discriminatory impact of economic reform policies on the most disenfranchised or marginalized individuals has to be assessed, and alternative measures evaluated. As part of the requirement to prevent economic reforms from having discriminatory impacts, human rights impact assessments should seek to identify and address the potential and cumulative impacts of measures on specific individuals and groups and protect them from such impacts. In doing so, it should be borne in mind that women are particularly exposed to multiple and intersectional discrimination. Direct, indirect, multiple and intersectional discrimination – particularly for disenfranchised or marginalized groups within society – needs to be carefully assessed and prevented.

(...)

Commentary

7.2 Identifying the particular individuals and groups that are most marginalized and discriminated against in a particular country and in specific circumstances requires a profound and sophisticated understanding of the various population groups and of the context in which a particular measure is to be taken. Groups that are frequently discriminated against include women; lesbian, gay, bisexual, transsexual and intersex persons; persons with disabilities; children; older persons; indigenous peoples; migrants; refugees; internally displaced persons; people living in poverty; the unemployed and those with precarious jobs; single parents; and ethnic, national, linguistic, religious or other minorities.



- [A/HRC/40/57/Add.1 Visit to Ukraine Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights](#)

II. The context in recent years 4. At the outset, the Independent Expert wishes to underscore the very complex situation and multilayered challenges that Ukraine faces after over four years of armed conflict. Serious human rights violations to the rights to life, physical integrity, freedom from torture, freedom of opinion and expression, and peaceful assembly have been documented and continue to take place with impunity. Serious disruption to accessing social security schemes and pensions, or basic needs such as water, as well as attacks by extreme-right groups on individuals, notably Roma, lesbian, gay, bisexual and transgender individuals, human rights defenders and journalists, have been reported and documented.

- [A/HRC/40/58 Report of the Special Rapporteur on freedom of religion or belief](#)

26. Some of these proponents view insufficient prohibitions on speech that negatively stereotype particular religions, as posing a threat to global and social harmony and to the rights of individual members of those religions. This includes the threat of discrimination, violations of the right to privacy, heightened racial or religious profiling and violence. For the 'true believer', some of these advocates would note, convictions held in earnest — such as those inspired by religious belief — constitute an indelible foundation of human identity; mirroring characteristics thought to be immutable, such as race and ethnicity. As such, attacks on a defining characteristic, such as religion or belief (that is, characteristics that persons use to define themselves and by which they are defined by others) are grounds for prohibition in the same way that 'hate speech' laws are applied to protect persons or groups in a vulnerable position who are targeted on the basis of defining characteristics such as race, ethnicity, gender or sexual orientation. While there are elements of religious intolerance that overlap with racism, equating the two, however, leads to serious problems, as will be explained later below.

- [A/HRC/40/58/Add.1 Freedom of religion or belief - Report of the Special Rapporteur on freedom of religion or belief](#)

89. The Special Rapporteur would like to make the following recommendations:

(...)

(b) Formulate an Organic Law that effectuates commitments undertaken under international human rights treaties ratified by Tunisia to promote and protect freedom of religion or belief for all persons; regardless of religion, ethnicity, nationality, race, gender or sexual orientation.



- [A/HRC/40/59 Torture and other cruel, inhuman or degrading treatment or punishment Report of the Special Rapporteur*](#)

42. The negative impact of corruption on the effective implementation of the prohibition of torture and ill-treatment applies both to “grand” and to “petty” corruption but, as a general rule, disproportionately affects persons in vulnerable situations such as persons deprived of their liberty; members of social minorities and indigenous groups; irregular migrants or other non-nationals; persons with physical or mental disabilities, illnesses or substance dependence; lesbian, gay, bisexual, transgender and intersex persons; and, depending on the context, children, women and older persons and similar groups exposed to marginalization and discrimination. For example, the Committee on the Elimination of Discrimination against Women has highlighted that a prevalence of corruption in police stations acts as a systemic barrier to effectively addressing violence against women (CEDAW/C/UGA/CO/7, para. 23), also affirming the broad and diffuse capacity of corruption to obstruct the prevention of torture and ill-treatment.

(...)

Contexts particularly exposed to corruption and torture or ill-treatment

73. While maintaining comprehensive anti-corruption and anti-torture policies and practices, States, monitoring mechanisms and civil society stakeholders should focus their efforts specifically on contexts particularly prone to corruption and torture or ill-treatment, including:
(...)

(g) Policies, procedures and practices influencing the treatment, living conditions, rights and duties of minorities and other persons, groups or communities exposed to social exclusion, socioeconomic marginalization and discrimination due to factors such as their ethnic, religious or indigenous background, social or migration status, gender, sexual orientation, age or disability;

- [A/HRC/40/59/Add.2 Visit to Argentina - Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)

16. The Special Rapporteur is also seriously concerned at the allegedly widespread practice by law enforcement officials of arrests for the purpose of verification of identity. This practice is reported to regularly result in the excessive use of force and arbitrary arrests for the mere purpose of identity checks or other reasons not linked to criminal conduct. Furthermore, the Special Rapporteur is alarmed by information that he received about a pattern of violent and discriminatory harassment of young men in marginalized neighbourhoods, migrants, street sellers, indigenous leaders and lesbian, gay, bisexual, transgender and intersex persons, often



resulting in arbitrary arrests on the pretext of suspected criminal activity. While the Special Rapporteur welcomes recent efforts by the authorities to introduce human rights training into the curriculum of police officers, he shares the concern expressed by the Human Rights Committee and the Working Group on Arbitrary Detention about the excessively permissive parameters under which such arrests are practised (A/HRC/39/45/Add.1, para. 26; and CCPR/C/ARG/CO/5, para. 17).

60. In all the institutions visited, inmates also reported having been subjected to routine body searches whenever they exited and re-entered the establishment, such as before and after court sessions, during visits by family members, and even when moving from one section of the facility to another. Some inmates reported strip-searches and body-cavity searches, including having to bend and being frisked. The population most at risk of being stigmatized or humiliated by searches are women and lesbian, gay, bisexual, transgender and intersex persons.

89. Regarding other persons in vulnerable situations, the Special Rapporteur recommends that the relevant authorities:

(...)

(c) Ensure that persons in need of special attention based on their sexual orientation or gender identity are duly protected against all forms of violence, abuse and humiliation and have access to adequate legal counsel and medical care that respond to the specificities of their situation;

- [A/HRC/40/59/Add.3 Visit to Ukraine - Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)

74. The Special Rapporteur regrets to report that he has received consistent information pointing to a pattern of violent attacks and apparent hate crimes against various segments of the Ukrainian population, including minorities and lesbian, gay, bisexual, transgender and intersex persons.

- [A/HRC/40/59/Add.5 Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his visit to Argentina - Comments by the State](#)

Asimismo se asegura condiciones para que las personas que requieren atención especial por su orientación sexual e identidad de género, estén debidamente protegidas contra cualquier forma de violencia, abuso o humillación, con asistencia legal, médica, de conformidad a sus necesidades particulares (Punto 133). Al respecto se brinda especial atención a este sector de la población penitenciaria, garantizando su integridad física, psicológica y espiritual, para lo



cual se hace permanente aplicación de la ley de Identidad de Género, en tanto y en cuanto las personas son consideradas en cuanto al género según la identidad autopercibida. Es por ello que, entre otras acciones, a través del Registro del Estado Civil y Capacidad de las Personas se ha facilitado la posibilidad de que legalmente realicen el cambio de género en su documento de identidad; así como también está en plena ejecución obras de refacción y ampliación en la Unidad Penitenciaria N° 4 y N° 2, para contar con sectores específicos de alojamiento para personas transgéneros

- [A/HRC/40/60 Report of the Special Rapporteur on the situation of human rights defenders. Situation of women human rights defenders](#)

3. Women of diverse backgrounds promote and protect rights in very different contexts. There are, for instance, women calling for gender equality, indigenous women fighting for land and environmental rights, women in rural areas pressing for socioeconomic rights, girls campaigning on social issues, trans women speaking up against discrimination, lesbians calling for equality, migrant and refugee women advocating for their rights and security, homeless women demanding the right to housing and shelter, women fighting for justice for the disappeared, gender non-conforming persons resisting gender-based violence, women promoting choice and bodily autonomy, women expanding digital rights, women with disabilities fighting for independent living and women involved in peace processes.

(...)

Background and environment

23. In recent years, there have been significant gains for gender equality in intergovernmental spaces. However, greater resistance to the work of women human rights defenders has also emerged, at multiple levels and in many spaces.

24. These forms of resistance are linked to wider political developments, such as the rise of populism, fundamentalism and violent extremism. There has been a worrying rise in misogynistic, sexist and homophobic speech by prominent political leaders in recent years, normalizing violence against women and gender non-conforming persons. Women human rights defenders stress that they have been facing increased repression, violence and impunity despite formal State commitments to respect, protect and fulfil their legal human rights obligations without discrimination. In some cases, State actors have engaged in direct attacks against women defenders and their families, including through defamation campaigns, judicial harassment and criminalization. An increasing number of States in the global North and South have been restricting civil society space, imposing legal and administrative requirements that curtail the rights to freedom of opinion, expression, association and assembly.

(...)



26. Restrictive donor policies have also had a distinct impact on women defenders. For example, the policy of the United States of America entitled “Protecting Life in Global Health Assistance” (known as the global gag rule), which was introduced in 2017, requires NGOs receiving funding from the United States to certify that they do not engage in certain abortion-related activities, including counselling, referrals and advocacy on access to safe services. The policy has had an adverse impact on women defenders working on sexual and reproductive rights, HIV, sexual orientation and gender identity rights and sex workers’ rights. It has reduced access to services for marginalized women, threatened the integration of health services and created division in civil society around the world.

27. Efforts to question, subvert or co-opt international human rights law and weaken multilateral cooperation have also been made. There have been attempts to instil fear and sow discord between and within rights-based movements. There has also been renewed emphasis on “traditional values” and a resurgence of conservative narratives suggesting that the role of women should be limited to the private sphere, family and procreation. These trends subvert efforts to ensure that women in diverse circumstances enjoy substantive equality and the freedom to voice their opinions and participate meaningfully in processes that have an impact on their lives.

V. Contexts and root causes of violations

28. The reasons behind the targeting of women defenders are multifaceted and complex and depend on the specific contexts that they act in. Women defenders are often perceived as challenging traditional notions of family and gender roles in society, a perception that can generate hostility from State actors and from the public, the media and other non-State actors. They can be stigmatized and ostracized by community leaders, faith-based groups, families, neighbours and communities in the belief that they and their actions are a threat to religion, honour, culture or ways of life.

29. Social constructions of gender are shaped by patriarchy and heteronormativity. 7 Patriarchy – the privileging of men in social relations – often results in the disempowerment of women and their exclusion from decision-making processes. Patriarchal ideas circumscribe how and when women exercise voice and agency in the private and the public spheres. Similarly, heteronormativity – the privileging of heterosexuality and the rigid definition of gender identities, sexualities, and gender relations – reinforces clear distinctions between men and women. Heteronormative ideas render gender non-conforming persons invisible and reproduce expectations about how women and men should express their sexuality and gender; those who do not conform are cast as “deviant”, “abnormal” or “wicked”. Human rights defenders whose actions are perceived as challenging patriarchal and heteronormative systems tend to face threats and attacks, as they question understandings of women’s identity and their place and role that are taken for granted and disrupt gendered power relations



30. In some societies, the risks that women human rights defenders face are also shaped by their position in castes, tribes, clans, ethnicities or races and nations. Fundamentalist ideologies simplify and homogenize identities; those who do not conform are excluded, or even punished for their “deviance”. Aggressors also stoke nationalist fears of women defenders, accusing them of being anti-national or foreign agents who are spreading foreign ideas and practices.

31. Of deep concern is the rise of the concept of “gender ideology” as posited by religious leaders, politicians and members of conservative groups, who, misunderstanding and misusing gender matters, describe the “ideology” as a threat to religious values, the family and morals in society (A/HRC/38/46, para. 14). In this view, put forward with particular vehemence in Latin America and Eastern Europe, “gender ideology” is positioned as the attempt by defenders of the human rights of lesbian, gay, bisexual and transgender persons and those of other diverse orientations and gender identities, and by feminists, to destabilize the political and social order; the supposed threat is being used to shape political outcomes and justify discrimination (...)

Gendered risks faced by women human rights defenders

35. The experiences of women defenders are diverse. They promote and protect human rights in very different circumstances. In doing so, they generally face greater risks and challenges than men do – risks that are gendered and intersectional. Aside from gender, aspects of their identities, such as age, religion, ethnicity, class, immigration or legal status, disability, sexual orientation, gender identity, gender expression, and the way those aspects intersect shape the way women human rights defenders are perceived and treated. Women defenders are not just targeted as individuals; they are also targeted because they belong to networks, collectives and movements, and attacks against them are meant to serve as warnings to others. Some of the risks and violations they experience have not been sufficiently understood, analysed, documented and exposed; some have not been treated as legitimate human rights concerns.

(...)

Public shaming, stigmatization, attacks on honour and reputation

38. Sexuality baiting is a tactic commonly used to attack women defenders. Comments and insinuations about their sexuality, sexual orientation and reproductive or marital status are used to discredit their work. They are falsely accused of being promiscuous or engaging in prostitution. They are referred to derogatorily as “divorcees” or “lesbians”.

(...)

Online harassment, violence and attacks



45. Women human rights defenders are often subjected to online harassment, violence and attacks, which include threats of sexual violence, verbal abuse, sexuality baiting, doxing (a practice in which private information about a person is shared online by others) and public shaming. Such abuse occurs in comments on news articles, blogs, websites and social media. The online terror and slander to which women are subjected can also lead to physical assault. Women defenders have been maligned by “deepfake” videos, in which images and videos are combined and manipulated to create computer-generated replicas of them saying and doing things they have not done. Women are often unable to defend themselves from these acts.

(...)

51. Of concern to the Special Rapporteur is the withdrawal by the African Commission on Human and Peoples’ Rights of the observer status of the Coalition of African Lesbians on 8 August 2018¹⁵ on the basis of a 2015 decision by the African Union Executive Council wherein the Council considered the Coalition to be an NGO attempting to impose values contrary to African values. As civil society organizations have noted, this withdrawal of status raises concerns about the Commission’s independence and impartiality, views of women’s rights and sexual rights and the space for defending human rights in the continent.

(...)

Physical incarceration

54. Some women are held against their will for their activism, for example in immigration detention centres or psychiatric institutions. Young lesbian defenders have been incarcerated and forced to undergo treatment to “correct” their homosexuality.

(...)

Gender non-conforming defenders

61. Gender non-conforming persons do not conform to gender norms in, for example, their behaviour, dress or activities. They can be subjected to threats and attacks for their gender non-conformity, including from fellow defenders.

62. The Special Rapporteur is concerned about the situation of student transgender activist Victoria Obando, who was arrested by paramilitaries in León, Nicaragua, on 25 August 2018 for participating in student demonstrations against the Government. She remains at risk of mistreatment while she is held in a men’s prison, La Modelo.

Women journalists and lawyers

(...)



67. Women journalists and lawyers face high risks, often because, exposing issues and challenging those in power, they are highly visible. In 2018 alone, three journalists were victims of targeted attacks – Leslie Ann Pamela Montenegro del Real was killed in Mexico, Maharram Durrani in Afghanistan and Wendi Winters in the United States. In 2017, Reporters Without Borders notes, 10 women journalists were killed, often as they persevered in the face of threats, harassment and intimidation. Women lawyers are sometimes accused of protecting criminals or stigmatized for defending the rights of marginalized minorities, such as lesbian, gay, bisexual, and transgender persons and those of other diverse orientations and gender identities. They are sometimes subjected to gender based discrimination by colleagues and judges and mistreated by the police.

(...)

Women human rights defenders working on women’s rights, gender equality, and sexual and reproductive rights, including sexual orientation, gender identity and gender expression

79. Persistent discrimination in family, cultural and sexual and reproductive rights have a debilitating impact on the capacity of women to claim equal standing in all aspects of life and promote and protect human rights.

80. Women working on women’s rights and gender equality act on diverse issues. They highlight how laws and practices concerning inheritance, land and property leave daughters and wives subjugated and impoverished. They act to eliminate domestic violence, incest, early and forced marriage, marital rape and female genital mutilation. They call for women and girls to have the autonomy to make decisions about their lives and their bodies and access to safe and legal abortion.

81. These issues are often considered private or shameful matters, leading family members to pressure the women to give up their advocacy efforts. These are also issues that may be perceived as challenging religious and cultural norms and may trigger a backlash from religious and conservative groups.

82. Women defenders also stress that when they provide direct assistance and support to women survivors of violence, they put themselves in danger of harm. Safe houses or the offices of women defenders who find themselves subject to stalking, intimidation and threats sometimes receive no police protection. Women defenders working on sex workers’ rights

83. Sex workers are often stigmatized and treated as if they are not deserving of rights. Some sex workers who have sought help from the police for crimes perpetrated against them have been ignored, mistreated and subjected to sexual violence. Women who defend sex workers’ rights have also endured smear campaigns, threats and attacks.



84. Angélica Miriam Quintanilla, the director of Liquidambar, a sex worker-led organization in El Salvador, was found murdered on 6 May 2016 in an area known for sex work. There has been no progress in the investigation into her killing.

Building diverse, inclusive and strong movements of women human rights defenders

86. In consultation with women defenders, the Special Rapporteur has identified eight interconnected priorities for action that require attention, resources and cooperation among States, national human rights institutions, donors, civil society, human rights defenders and other stakeholders.

Priority 1: Publicly recognize the importance of the equal and meaningful participation of women human rights defenders at every level and in every institution in society, devoting resources to achieve this aim in accordance with the principle of substantive equality

87. There should be a significant increase in the number of women defenders represented at all levels of decision-making in government, civil society and business. Women defenders of all backgrounds and circumstances should be listened to and their contributions taken seriously in a sustained manner. They should be invited not just to share their experiences or stories; their expertise and perspectives should be valued.

88. A commitment to the equal and meaningful participation of women defenders must be expressed publicly by leaders in all sectors of society. This message should be conveyed consistently, including in political dialogue, media communications and education.

89. Where women defenders might face disadvantages that restrict their meaningful participation in decision-making processes, tailored programmes should be developed to ensure that they have the access to the knowledge, information and resources needed. Such programmes should consider diversity among women, including their age, geographical location, ethnicity, disabilities, religious beliefs, caste, sexual orientation, gender identity and gender expression.

(...)

Priority 7: Recognize that sexism and discrimination against women, girl and gender non-conforming defenders exist in communities and human rights movements and take measures to address them

103. Women defenders and their contributions are often made invisible, including within human rights movements. Those working on issues that challenge social, cultural or religious norms have found that they receive limited support from fellow defenders. For human rights movements to thrive, causes of discrimination, marginalization and fragmentation within movements must be addressed. More effort is needed to build solidarity between different groups in human rights movements and bridges with other movements.



- [A/HRC/40/60/Add.1 Report of the Special Rapporteur on the situation of human rights defenders - Addendum - Observations on communications transmitted to Governments and replies received](#)

445. The challenges faced by human rights defenders working on sexual orientation and gender identity issues are increasing in several countries within the region, particularly in Eastern Europe and Central Asia. The Special Rapporteur is troubled about prevailing homophobic attitudes in society, hate speech and legislation emphasising “traditional” family values, which are creating an increasingly discriminatory environment and put LGBTI people, and defenders promoting their human rights, at risk.

(...)

Armenia

Allegations concerning homophobic and transphobic hate speech and the violent attacks on nine people, amongst them lesbian, gay, bisexual, trans and intersex (LGBTI) rights defenders.

449. The Special Rapporteur urges the government of Armenia to respond to the communication letter concerning the allegations of violent homophobic and transphobic attacks against LGBTI human rights defenders. He remains seriously concerned about the spread of hate speech based on sexual orientation and gender identity on online platforms, and about the lack of anti-discriminatory provision and protection against hate crimes based on sexual orientation and gender identity in the national legislation. 450. With regards to these allegations, the Special Rapporteur would like to recall resolutions 17/19 and 27/32 of the Human Rights Council, expressing grave concern for acts of violence and discrimination committed against individuals because of their sexual orientation and gender identity. The Special Rapporteur would like to stress that according to the UN Declaration on Human Rights Defenders, everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

Kazakhstan

Allegations concerning draft by-laws which prohibit the distribution of information on lesbian, gay, bisexual, and transsexual (LGBT) people to children, and its potential implications on the right to access information and freedom of expression.

(...)

484. For the particular concerns raised in the communication sent on 7 November 2018 regarding the restriction of the dissemination of information about LGBT people, the Special Rapporteur would like to remind the Government of article 7 of the UN Declaration on Human Rights Defenders, which includes the right to discuss and advocate for human rights ideas that are not necessarily new but that, in some contexts, may be perceived as new or unpopular because they address issues that might challenge tradition and culture. States are encouraged



to ensure the protection of defenders who are at greater risk of facing certain forms of violence and discrimination because they are perceived as questioning accepted sociocultural norms, traditions, perceptions and stereotypes, including about sexual orientation and gender identity

- [A/HRC/40/60/Add.2 Visit to Honduras Report of the Special Rapporteur on the situation of human rights defenders*](#),

Summary

The Special Rapporteur recognizes the existence of specific groups of human rights defenders who are at risk, including persons who are defending civil and political rights, the human rights of lesbian, gay, transgender, bisexual and intersex persons and indigenous peoples, the land and environment, the human rights of journalists, students and legal professionals, and migrants.

(...)

B. Widespread attacks on rights defenders committed with total impunity

23. Honduras remains one of the most dangerous countries in Latin America for human rights defenders. The Special Rapporteur regrets that there are no official statistics on cases in which rights defenders have been attacked or killed. According to information from OHCHR, between 2015 and October 2018 at least 43 rights defenders were killed, with 6 of those murders being committed since 2017. The number of rights defenders killed in the last two years represents a significant decrease that is in line with the overall drop in the homicide rate; however, demonstrators were also shot to death by law enforcement officers following the election.²¹ At least 76 journalists were murdered between 2001 and 2017, at least 11 defenders of the rights of lesbian, gay, bisexual, transgender and intersex persons were killed between 2008 and the beginning of 2018, more than 120 land rights defenders were killed between 2010 and 2017²⁴ and, in the last two years, there have been 2,137 attacks on female rights defenders, 6 of whom have been murdered.

(...)

2. Defenders of the rights of lesbian, gay, bisexual, transgender and intersex persons

37. Defenders of the rights of lesbian, gay, bisexual, transgender and intersex persons and members of that community in Honduras are often victims of generalized violence. They lack appropriate protection from the State, and attacks against them occur in a context of total impunity and discrimination. According to the lesbian network Cattrachas, between 2008 and November 2018, at least 304 members of that community were murdered, including 11 human rights defenders. To date, there has not been a single conviction, despite the establishment of a special unit on violent deaths among that community.



38. During his visit, the Special Rapporteur heard from many defenders of the rights of lesbian, gay, bisexual, transgender and intersex persons who decried the role of the media and new communications technologies in spreading messages vindicating hate speech directed at this group and its defenders in a climate of total impunity.

39. While the Special Rapporteur was in the country, the decision of the Supreme Court to hear the amparo application that had been filed in an effort to obtain the recognition of same-sex marriages or civil unions and allow name and gender changes for members of this community⁴³ was made public. The Special Rapporteur observed how various national television and print media either produced or conveyed hate speech, discriminatory messages and threats online and on social media directed at lesbian, gay, bisexual, transgender and intersex persons and their defenders. The Special Rapporteur notes that lesbian activists face additional challenges, including attempts by other defenders of sectors of this community to undermine and marginalize them. 40. The Special Rapporteur also received reports from defenders with whom he met during his visit, including members of the organizations Muñecas de Arcoiris (Rainbow Dolls) and the Centro para el Desarrollo y la Cooperación LGBTI ("Somos CDC"), who had been victims of attempted murder, harassment, assault, death threats and sexual offences.

(...)

5. Female Rights defenders

50. The Special Rapporteur has identified women land activists and defenders of the rights of indigenous peoples, the rights of lesbians, gays, bisexuals and transgender and intersex persons, and the rights of women as the persons who are the most likely to be attacked and at the highest risk in Honduras. In the last three years alone, 29 attempted murders of such women have been recorded, and 6 women have been killed. The death of indigenous activist Berta Cáceres – a devastating blow to the indigenous movement and to women activists – was followed by the murder of another indigenous land activist, Lesbia Urquía, and by threats directed at other activists in which reference has been made to Berta Cáceres. Since early 2016, at least four women defenders of the rights of lesbians, gays, bisexuals and transgender and intersex persons have been murdered. The violence and fury unleashed on their bodies are in themselves a message of hate and a further threat to the community.

(...)

VI. Role of non-State actors



69. Cases have been documented in which members of Catholic and evangelical church authorities have made public statements in various media, including social media, which seem intended to whip up an atmosphere marked by exclusion, harassment and even hatred and discrimination against lesbian, gay, transgender, bisexual and intersex persons and defenders of sexual and reproductive rights. Religious groups have also reportedly carried out attacks about which church authorities have remained silent. The Special Rapporteur urges church authorities to play a positive role in proactively condemning and discouraging violence, discrimination and smears against lesbian, gay, transgender, bisexual and intersex persons and defenders of women's sexual and reproductive rights.

VIII. Conclusions and Recommendations

(j) Ensure that the responses to people's needs for protection are differentiated, that they incorporate a gender perspective, are based on culturally appropriate and differentiated assessments of the particular risks facing each defender and are suited to the specific situation of each person, including the nature of his or her work and whether he or she belongs to an indigenous people or to the lesbian, gay, bisexual, transgender and intersex community. These responses should also take into account each person's vulnerability or exposure to forms of violence within his or her family and/or community and should be tailored to the rural, remote or urban setting in question;

(...)

82. The Special Rapporteur recommends that religious groups refrain from stigmatizing human rights defenders, particularly those defending the sexual and reproductive rights of women and girls and the lesbian, gay, bisexual, transgender and intersex community, and recognize the important role of faith-based defenders.

83. The Special Rapporteur recommends that civil society:

(b) Address the issue of discrimination against women and lesbian, gay, bisexual, transgender and intersex defenders within the framework of broader human rights movements.

- [**A/HRC/40/60/Add.4 Informe del Relator Especial sobre la situación de los defensores de derechos humanos acerca de su visita a Honduras. Comentarios formulados por el Estado.**](#)

Párrafo No. 77

37. Con referencia al párrafo No. 77, literal b), se informa que, entre el año 2016 y 2017 se entregaron reconocimientos por medio de autoridades públicas a los defensores de derechos humanos Agustín Cáliz, José Antonio Serrano y Cándido Roberto Martínez.



38. Referente al párrafo No. 77, inciso j), cabe señalar que se construyó con la cooperación externa y con la participación activa de organizaciones de derechos humanos, 2 instrumentos de evaluación de riesgo con enfoque diferenciado, uno de ellos enfoque género y el otro con enfoque LGTBI, habiéndose a la fecha realizado una prueba piloto del instrumento con enfoque de género, y se continua en la validación del otro. Los mismos permitirán realizar las evaluaciones de riesgo de las personas beneficiarias aplicando el Principio Igualdad de Trato, No Discriminación y Enfoque Diferenciado en el cual se fundamenta la Ley de Protección para las y los Defensores de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia.

39. En el párrafo No. 77, inciso m), se aclara que actualmente el de Fondo de Protección para las y los Defensores de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores, cuenta con ingresos de la Tasa de Seguridad Poblacional y se ejecuta por las disposiciones establecidas en el Reglamento de la Tasa de Seguridad Poblacional.

- [**A/HRC/40/60/Add.3 Report of the Special Rapporteur on the situation of human rights defenders. Republic of Moldova**](#)

3. The Special Rapporteur met with more than 110 human rights defenders, approximately 55 per cent of whom were women, on both banks of the Nistru River. He would like to thank them for their excellent cooperation. Among these human rights defenders, the Special Rapporteur met persons with disabilities, members of different ethnic communities (Armenian, Belarusian, Bulgarian, Gagauzian, Georgian, Jewish, Roma and Ukrainian) and lawyers, journalists, judges and defenders working on issues such as sexual and reproductive rights or sexual orientation and gender identity.

(...)

52. The Special Rapporteur was informed of the problematic implementation of the above-mentioned law and the lack of clear regulations on how to address a situation in which two or more gatherings are organized at the same time and place, and on the assembly of religious organizations, which had led to the prohibition of assemblies of Jehovah's Witnesses and Pentecostals. The Special Rapporteur is pleased that the Pride march 2018, organized by the lesbian, gay, bisexual, transgender and intersex community in Chisinau, took place without any incident.

(...)



58. Lesbian, gay, bisexual, transgender and intersex persons have reported difficulties in obtaining access to justice and being given a fair trial, in particular regarding resistance from the General Prosecutor's Office to investigate bias-motivated crimes and hate speech against lesbian, gay, bisexual, transgender and intersex persons and defenders.

Specific groups of human rights defenders at risk

59. Some groups of human rights defenders are particularly vulnerable owing to the very nature of the rights they are defending, their own identity or the specificities of their work. In the Republic of Moldova, groups particularly at risk include lawyers, journalists, independent judges,³⁶ defenders of lesbian, gay, bisexual, transgender and intersex rights and women's rights defenders. The prevailing environment in the country and the shrinking of the space for civil society hinder human rights work. Some human rights defenders have left the country and claimed asylum abroad, such as Ghenadie Brega, who was given asylum status in Iceland.

(...)

Defenders of the rights of lesbian, gay, bisexual, transgender and intersex persons

63. While defenders of lesbian, gay, bisexual, transgender and intersex rights expressed satisfaction with the positive dynamic established during the preparation and running of the Pride march in 2018, during which no threats were reported, the Special Rapporteur is very concerned about allegations of homophobic attitudes, including hate speech, in society,³⁹ even from relevant public figures. He is also worried about the lack of legislation to specifically address hate crimes and that the prohibition of discrimination on grounds of sexual orientation and gender identity is not specifically established in national legislation.

64. The Special Rapporteur recalls that sexual orientation and gender identity are grounds of discrimination prohibited under international law, and that the Republic of Moldova is party to the relevant human rights treaties. The Committee on Economic, Social and Cultural Rights, in its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, established that "other status", as described in article 2 (2) of the International Covenant on Economic, Social and Cultural Rights, includes sexual orientation.

(...)

85. In the light of his findings, the Special Rapporteur recommends that the Government of the Republic of Moldova:

(n) Increase the measures to effectively protect the rights of lesbian, gay, bisexual, transgender and intersex persons and defenders, particularly by ensuring the effective investigation of bias-motivated crimes and hate speech, access to a fair trial and remedies, and by taking steps to prevent discrimination on grounds of sexual orientation and gender identity;



- [A/HRC/40/60/Add.5 Report of the Special Rapporteur on the situation of human rights defenders on his visit to the Republic of Moldova - Comments by the State](#)

26. As a result of the assessment exercise carried out by the Council of Europe on Law no. 298/2012 on the activity of the Council for preventing and eliminating discrimination and ensuring equality and Law no 121/2012 on Equality, the Ministry of Justice has initiated a draft law for amending and completing some legislative acts, regarding the strengthening of the normative framework regulating the activity and competencies of the Council for preventing and eliminating discrimination and ensuring equality. The purpose of the project is to clarify and provide clearer regulation of the Council's competence; to extend the criteria of non-discrimination (national origin and social status, gender identity, health, any opinions other than political, wealth, birth); to improve data collection on equality, non-discrimination and diversity, to monitor, evaluate and report annually the results, and to strengthen the institutional framework in order to ensure better implementation of the principle of equality and non-discrimination.

- [A/HRC/40/61/Add.1 Visit to the Republic of Korea - Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)

D. LGBT persons

85. The Special Rapporteur heard of various forms of discrimination suffered daily by LGBT persons in Korea. These include a series of discriminatory laws and practices that make it difficult for LGBT persons to enjoy their right to housing. In this regard, Korea has failed to recognize LGBT couples in their rental housing policies, while several measures have been taken by the Government to prioritize heterosexual couples that are newlywed. In addition, neither the Korean law relating to inheritance of property nor the national tenant law provides security of tenure for partners of LGBT persons that have shared a home, in case of death of one of the partners.

86. Transgender persons face enormous barriers accessing housing. Due to the invasive requirements for gender recognition, including sterilization surgery, many transgender persons cannot change their gender marker on their government issued identification. The Special Rapporteur heard of instances where those individuals whose gender identity did not match that on their ID cards faced significant difficulty in renting a home. Due to suspicion and stigma, many landlords decline renting to people that are transgendered. Additionally, transgender and gender non-conforming youth face domestic violence from their families and when they flee their homes, they have difficulty accessing shelters, as many are gender-segregated, ultimately leading them into homelessness.



87. In their meeting, the Special Rapporteur was dismayed to hear that the barriers facing LGBT persons were, “outside of the policy focus” of the Ministry of Gender Equality. The Committee on Economic, Social and Cultural Rights recommended in its concluding observations that Korea take effective measures to eliminate de jure and de facto discrimination against LGBT persons, and “revise legal and regulatory provisions that are discriminatory or have a discriminatory effect, such as those relating to social security, reproductive health and housing.”[1] The Special Rapporteur was encouraged to hear that in August 2017, the Supreme Court ordered the Government to allow LGBT foundations to legally register as charities.[2] This is an important step to recognize LGBT persons as a vulnerable group in the Korean society and empower their representatives to advocate for LGBT housing rights.

99. Beyond the recommendations contained in earlier parts of the report, the Special Rapporteur makes the following recommendations to the Government of the Republic of Korea:

(..)

(d) To address growing unaffordability of housing, the Government should:

(...)

ii. in compliance with rights to non-discrimination and equality, ensure the social security and housing benefits are available to all who qualify in terms of level of income, including LGBTI, foreign residents and those who have no fixed address.

(...)

(e) To ensure adequate supply of housing for vulnerable groups, including young people, LGBT, migrants, older persons and persons with disabilities, the government should adjust the Act on the Support for Housing Disadvantaged Persons, so that the percentage of housing units reserved for these groups is commensurate with need.

(f) Publically funded rental housing and social security programmes must be non-discriminatory and accessible to those in need including those without a fixed address, foreign residents, migrants, and LGBT persons.

(...)

(l) The Government must ensure protection against discrimination in housing consistent with international human rights law. This should include:

i. Enacting non-discrimination legislation applicable to all aspects of accommodation including access to benefits, shelters, and private rental accommodations. This must include equal protection of inheritance and property rights for women and LGBT in same-sex



partnerships. This legislation should be overseen and implemented by the Human Rights Commission and should include a claiming mechanism.

ii. Developing education campaigns that serve to combat the social stigma and discrimination faced by women - particularly single mothers, and those who are LGBT so that these vulnerable groups do not face discrimination by landlords. This could be executed by the Ministry of Gender Equality, and serve to reorient the Ministry's policy focus to include LGBT persons

- [A/HRC/40/61/Add.2 Visit to Egypt - Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)

E. LGBT persons

87. The Special Rapporteur heard harrowing stories from members of the lesbian, gay, bisexual, and transgender community in Cairo regarding their experiences of extreme discrimination with respect to housing. The overall cultural climate in Egypt reported by many LGBT persons, and those with HIV/AIDS, is one of harassment, intimidation and discrimination and it pervades and manifests acutely in the housing sector. Many landlords are unwilling to rent accommodation to LGBT persons or those perceived to be LGBT. If they manage to secure accommodation, LGBT persons live in constant fear that their sexual or gender identity will be discovered, that they will be charged with debauchery, their rental agreement cancelled and that they will become homeless.

88. The Special Rapporteur learned that even home ownership does not provide adequate protections against discrimination in housing for LGBT. In some instances community members have collectively targeted particular homeowners who are suspected of being LGBT, physically attacking them, reporting suspected debauchery to the police and provoking criminal investigations and charges.

(...)

105. A number of groups in Egypt experience discrimination with respect to housing, including women, LGBT, persons living in homelessness, children in street situations, Coptic minorities, and Nubians. To address the discrimination suffered by these groups, the Special Rapporteur recommends that:

(...)

(c) The National Council for Human Rights develop educational, awareness building programs to combat the discrimination that LGBT persons face with respect to the right to housing.

- [A/HRC/40/61/Add.4 Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context on her mission to Egypt - Comments by the State](#)

Paragraphs 88 and 89

122. The Special Rapporteur never shared any of the harrowing stories she claims that she had heard with the Government, and never sought the latter's response or views on the issue prior to its inclusion in the draft report. These paragraphs should be removed.

123. However, to make things clear, there is no discrimination whatsoever in the housing sector. Regulations for the allocation of housing units offered by SHP, for example, do not make any restrictions based on sex, or sexual behaviour, and applicants are not required to provide any information in this respect (Attachment 7)

- [A/HRC/40/62/Add.1 Report of the Independent Expert on the enjoyment of human rights by persons with albinism. Visit to Fiji](#)

21. The main anti-discrimination provision of the Constitution is article 26, which stipulates that every person is equal before the law and therefore entitled to equal protection, treatment and benefit of the law. It prohibits direct and indirect discrimination on the grounds of actual or supposed personal characteristics or circumstances, including race, culture, ethnic or social origin, colour, place of origin, sex, gender, sexual orientation, gender identity and expression, birth, primary language, economic or social or health status, disability, age, religion, conscience, marital status or pregnancy, and opinions or beliefs, the latter as long as they do not cause harm to others or infringe upon others' rights and freedoms. Under article 26, every person is guaranteed the right of access, membership or admission, without discrimination, to shops, hotels, lodging houses, public restaurants, places of public entertainment, clubs, education institutions, public transportation services, taxis and public places. Private owners of such places or services should ensure reasonable access for persons with disabilities.

- [A/HRC/40/63 Report of the Special Rapporteur on the right to privacy](#)

54. The Special Rapporteur integrates a gender perspective throughout the mandate.[1] Following three successful 'Privacy, Personality & Information Flows' regional consultations, an online consultation 'Gender issues arising in the digital era and their impacts on women, men and individuals of diverse sexual orientations gender identities, gender expressions and sex characteristics' was undertaken.

(...)



Thematic Action Stream Privacy and Personality

56. Submissions on this topic received by the Special Rapporteur advocated for an intersectional analysis of economic forces, class, religion, race and gender to identify areas of interest outside the mainstream, and recognition of the interdependency between the right to privacy and democracy.

57. It was reported that individuals' experience of digital technologies and privacy is affected by their gender, along with factors such as ethnicity, culture, race, age, social origin, wealth, economic self-sufficiency, education, legal and political frameworks.[3] The right to privacy was said to be particularly important for those who face inequality, discrimination or marginalisation based on their gender, sexual orientation, gender identity, sex characteristics or expression. The internet with its reach and relative anonymity has opened new ways for the interaction and mutual support of LGBTQI.

58. Submissions recognized that digital technologies have enormous effect upon privacy by amplifying the experiences of the non-digital world. The benefits of digital technologies were reported as unequally available due to structural inequity and discriminatory gender norms that fall heavily upon women, non-binary gender and cis-normativity individuals, the poor, and minority religious or cultural communities. Cybermisogyny and general cyber-abuse of individuals of non-binary gender are enabled by new technologies with infinitely far greater reach, durability, and impact than previously.

59. Submissions were strongly of the view that this does not need to be the case; digital technology can provide equality in the enjoyment of the right to privacy.

60. Submissions recognised the benefits of smart devices, apps, search engines and social media platforms but also their capacity to breach users' privacy according to gender. LGBTQI youth for example, use the internet more frequently to engage in social media and networking than non-LGBTQI peers, and are more likely than non-LGBTQI youth to be bullied or harassed online (42% vs. 15%).

61. Despite the benefits of digital technologies, those most at risk were seen as women, girls, children, LGBTQI individuals and communities especially transgender individuals, activists, gay teachers, human rights defenders, sex workers, and women journalists.

62. LGBTQI individuals can experience also specific, unique risks such as 'outing', and abuse directly related to their gender identity.

63. It has been found in Canada, that social media, while enabling social connections for women and girls, amplifies societal norms by intensifying commercial surveillance; reinforcing existing societal norms, and increasing surveillance by family members and peers.



64. Fake accounts on LGBTI dating apps and other social media platforms were reported as being used by State and non-State actors to entrap gay men, arrest or subject them to cruel and degrading treatment, or for blackmail.

65. It was reported the media, including new media, publish the personal information of LGBTQI people and of human rights defenders, putting their safety at risk.

66. The internet not only creates contemporary stories but can carry forward in perpetuity those of the pre-digital era, and associated violations of privacy.

67. Some submissions addressed the recognition of gender identity, autonomy and bodily integrity and its expression in relation and expressed their concern for inadequate privacy management in the context of name and gender changes in identity documents. Ordinary, everyday activities requiring identity documents such as travel, banking, medical appointments frequently impose deeply embarrassing and distressing privacy incursions for transgender individuals not experienced by individuals of binary genders.

68. The ECtHR has found States in violation of Article 8 of the ECHR for the gender recognition procedures that violate the right to privacy of transgender people.

69. The online availability of public records, judicial notices and decisions concerning gender identity were a privacy concern particularly in combination with Big Data and search engines capacity.

70. For intersex individuals, privacy intrusions can commence literally from birth with sex reassignment surgery and hormone treatment to assign a certain sex. 'Normalising' surgery on intersex infants can impact on human rights, including the right to privacy, as it infringes on the right to personal autonomy/self-determination in relation to medical treatment. Countries were reported to be responding in a variety of ways.

71. Submissions referred to the growing body of international, regional and national research on digital violence based on gender, including that of the Special Rapporteur on violence against women.

72. Digital technology and smart devices provide almost limitless ways to harass and control others. Technologically facilitated violence combines issues of gender inequality, sexualised violence, internet regulation, internet anonymity, and privacy.

73. The phenomenon of 'revenge porn' – the sharing private sexual images and recordings of a person without consent to cause harm –, is widely known as a form of online abuse. Research in Australia has found males and females are equally likely to experience image-based abuse, while people who identified as lesbian, gay or bisexual were more likely to be victims (36%) than heterosexuals (21%).



74. Domestic violence increasingly involves using smart home devices directed at women and dependents which enable new ways to infringe privacy, reduce autonomy and self determination at home, or in communications. Sometimes legal protections are inadequate or there is a lack of police enforcement of breaches.

75. Cybermisogyny has been manifested on digital platforms. Twitter was reported as the main platform for promoting hate campaigns against women and dissemination of sexual content, while Facebook sees most attacks on women who defend their rights.

76. Invasions of privacy and online violence are higher for men who do not conform to conventional masculine stereotypes, and for lesbian, gay, or bisexual people.

(...)

100. Good practices to address sexual orientation and gender identity privacy issues were seen to be encapsulated in the Yogyakarta Principles+10.[1]

(...)

103. While privacy rights are not costless, or free of risks to governments, the challenges are outweighed by our collective interest in democracy. The right to privacy for women, as well as children and individuals of diverse sexual orientations, gender identities, gender expressions and sex characteristics, is critically important for all of the reasons outlined above and reported in submissions.

Summarised recommendations

(...)

110. Member States:

(...)

(e) Take all necessary legislative, administrative and other measures to prevent, investigate and punish breaches of privacy perpetrated on the basis of the gender, sexual orientation or gender identity.

- [**A/HRC/40/65 Second session of the Forum on Human Rights, Democracy and the Rule of Law - Report of the Chair**](#)

30. Ms. Stanton provided an overview of the work of the Tom Lantos Human Rights Commission, which was led by two co-Chairs from the main political parties in the United States. She reflected on the rise of populism and noted the divisions that populists caused by valuing certain groups above others. Populists were concerned with the legitimacy of one



group, those they invoked as “the people”, leading to devaluing the rights of “the other”. She stated that populism was a means of gaining and holding power that involved privileging some identities (national origin, ethnicity, race, religion, sexual identity, political affiliation) over others. This generated a dynamic in which people who did not share the privileged identities became vulnerable to human rights violations. Ms. Stanton considered what parliamentarians could do. She suggested that parliamentarians should bring a human rights and anti-discrimination lens into their analysis of policies and proposed legislation. If a law or institution persistently disadvantaged a particular group, their design needed to be revisited by the legislature. She encouraged parliamentarians to speak out when marginalized groups became targets and to push back by raising specific cases and defending the norms and values of democracy. She said that the language parliamentarians used should not deepen divisions, parliaments’ internal hiring practices should not discriminate against minority groups, and parliamentary rules of procedure should facilitate full, fair and informed parliamentary debate. Social divisions produced by the “us/them” tendencies that populists sought to exacerbate should not be reinforced. Ms. Stanton encouraged like-minded parliamentarians to work together to counter populist appeals and defend the human rights of vulnerable populations. She referred to the work of IPU and the International Panel of Parliamentarians for Freedom of Religion or Belief in that regard, and highlighted the work of the Commission in coordinating joint letters and statements at critical moments. Finally, Ms. Stanton emphasized that certain policy areas merited vigorous and sustained scrutiny by parliamentarians. In that context, she referred to antiterrorism legislation and surveillance technologies and the way in which legitimate national security concerns were used to legitimize policies and practices with discriminatory consequences.

- [A/HRC/40/79 Communications report of Special Procedures - Communications sent, 1 June to 30 November 2018; Replies received, 1 August 2018 to 31 January 2019](#)

II. Statistics on communications and replies by mandate

Mandate	Reporting period: 1 June to 30 November 2018			Reporting period: 1 June 2006 to 30 November 2018		
	Communications sent	replied by 31 January 2019	response rate #	Communications sent	replied by 31 January 2019	response rate #
Sexual orientation and gender identity	12	4	33%	30	16	53%

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ITEM 4: HUMAN RIGHTS SITUATIONS THAT REQUIRE THE COUNCIL'S ATTENTION

ITEM 5: HUMAN RIGHTS BODIES AND MECHANISMS

- [A/HRC/40/72 Report of the 2018 Social Forum*](#)

A. Sport, the Olympic ideal, and “a common standard of achievement for all peoples and all nations” – the Universal Declaration of Human Rights at seventy

11. The Chair-Rapporteur presented a short documentary about sports, human rights, peace, reconciliation and unity in Sri Lanka. This was followed by general statements by Belarus, Brazil, France, Greece, Japan, Qatar and the Bolivarian Republic of Venezuela. Others who took the floor included representatives from the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Office of the United Nations High Commissioner for Refugees (UNHCR), the UNESCO-coordinated Youth and Sport Task Force, the International Labour Organization (ILO) Global Commission on the Future of Work, the International Paralympic Committee, World Indigenous Nations Sports International, the Associazione Comunità Papa Giovanni XXIII, the Equality League (Pakistan), Association Le Pont, the World Players Association (also representing the Sports and Rights Alliance), the University of Physical Education (Hungary) and the Interdisciplinary Centre for Sports Science and Development, University of the Western Cape (South Africa). Delegates referred to General Assembly and Human Rights Council resolutions on the promotion of human rights through sport and the Olympic ideal, and acknowledged the role played by the Kazan Action Plan. Basic values in founding documents of the human rights and Olympic movements were universal, and promoted solidarity, transparency, equity and non-discrimination. Sports created opportunities to celebrate diversity, fight racism and xenophobia, and promote gender equality and the right to health. Sporting events and activities were uniquely placed to promote inclusive societies with respect to all human rights, including the right to development, and to promote sustainable development and sustainable cities. The practice of sport was a human right. Sports also promoted peace, through dialogue, understanding, trust and reconciliation among peoples, and multilateralism. At a time of migration crisis, the Refugee Olympic Team presented opportunities to raise awareness of the challenges faced by displaced persons. Delegates recommended human rights mainstreaming in sport events and the adoption of special measures to promote accessibility for persons with disabilities and equal participation of men and women, and rights of specific groups, such as minorities and lesbian, gay, bisexual, transgender and intersex persons. Other participants emphasized the role of sport in realizing the human rights of youth and children, women and girls and indigenous peoples. They also underscored the role of trade unions of athletes and other workers related to sport events.

(...)



18. In response, Mr. Salazar stated that athletes should be activists, as people affected by discrimination (persons with disabilities, women, and lesbian, gay, bisexual and transgender persons, and so on) should lead and be better informed by agendas of their respective affected groups. Athletes' outstanding visibility enabled them to promote ideals and messages that contributed to reconciliation and human rights. In Colombia, a good Paralympic performance reflected positively in inclusion. Ms. Terho considered that sports should provide a platform for athletes to speak out, but that athletes choosing not to express an opinion should also be respected. Mr. Littlechild noted that since 1990, the North American Indigenous Games had had a mandatory policy for 50 per cent women's participation and zero tolerance of abuse. The right of adults to participate in sport was a continuation of the right of children to play, and had the potential to promote solidarity. Referring to the boycott of the Montreal games by African countries, Mr. Keino said the episode had frustrated the right of athletes to participate in sports. He insisted that politics should not deny that right.

(...)

B. "Born free and equal in dignity and rights": sports, human solidarity and universal values for all humanity

28. During the interactive dialogue, representatives from the Association for Human Rights in Kurdistan of Iran-Geneva, the Associazione Comunità Papa Giovanni XXIII, the Commonwealth Secretariat, the Equality League, the Fare Network, Human Rights Watch, Association Le Pont, the Russian LGBT Sport Federation, the UNESCO Chair and the Bolivarian Republic of Venezuela took the floor. Speakers addressed challenges, such as exclusion of women and other groups from sports activities, mental health in sport, and diversity and respect for lesbian, gay, bisexual and transgender persons. Participants enquired about ways to better promote diversity in sports. Some emphasized that investments in and commitments to equality and inclusion could benefit businesses, by, for example, attracting more fans to stadiums. Some participants shared good practices at the national and international levels, such as Project Cicetekelo for children in street situations in Zambia, which used football for inclusion.

(...)

G. The power of collective action for sharing the benefits of sports: protecting and promoting human rights through the life cycle of mega sporting events

41. Minky Worden, Director of Global Initiatives at Human Rights Watch, discussed ways to harness the potential of sports to tackle human rights abuses, especially in host States. This required visibility and voice for victims and civil society. Challenges needing to be tackled included slave labour to build stadiums, discrimination against lesbian, gay, bisexual, transgender and intersex persons, barriers obstructing women and girls from playing or



attending events, lack of accessibility to persons with disabilities, and persecution and intimidation of human rights defenders and environmentalists. Those abuses violated the Universal Declaration of Human Rights, the Olympic Charter and commitments signed by host cities. Repressive governments saw mega sporting events as opportunities to gain soft power. Mega sporting events could be catalysts to push them to improve human rights records. Human Rights Watch had documented abuses and advocated for reforms in sports governing bodies, including for the adoption of the Guiding Principles on Business and Human Rights. Human Rights Watch belonged to several alliances which promoted the integration of sport and human rights. Collective action was essential to tackling systemic abuses.

(...)

J. The way forward

64. Representatives of the Associazione Comunità Papa Giovanni XXIII, Human Rights Watch, the Equality League, Association Le Pont, the Sports and Rights Alliance and World Indigenous Nations Sports International made concluding remarks. Participants regretted human rights violations related to sports such as criminalization of lesbian, gay, bisexual and transgender persons, barriers to women attending matches, promoting bellicose language in sports, and making budgetary cuts that undermined the potential of sports to promote peace and development. Participants called for multi-stakeholder engagement and giving voice to underprivileged groups such as women, youth and indigenous peoples. One participant considered mega sporting events to be a litmus test of the realization of the right to development, as only by abiding by its principles could Member States realize other human rights. Another participant warned against unilateral and uncooperative work, saying it entailed dangers of human rights violations. Good practices included the decision to grant equal pay to men and women players in international squash events, and the empowerment of children in street situations through sports.

(...)

A. Conclusions

69. Sports and sporting events could either promote or could negatively impact on the rights of athletes and other persons who practised sports, fans and fan clubs, local populations, and workers in jobs related to sports, sport equipment and facilities. Some particular groups of concern included persons with disabilities, women, children and youth, elders, indigenous peoples, national or religious minorities, refugees, internally displaced persons, migrants, lesbian, gay, bisexual, transgender and intersex persons, and persons living in poverty. Challenges remained on means of protecting human rights and remedying violations.

(...)



B. Recommendations

78. Sports and mega sporting events should respect and consider the human rights of especially affected groups, populations and peoples. The planning, implementation and follow-up to sports policies and events should rely on transparent processes, include human rights impact assessment and due diligence dimensions, and provide effective grievance mechanisms for possible violations. The voices of those affected should be taken into account at all times. Decision-making bodies should ensure diversity, including by promoting gender equality. Special sporting events of certain groups – such as indigenous peoples, women, youth, lesbian, gay, bisexual, transgender and intersex persons, and others – should be encouraged as a means to broaden opportunities and highlight specific challenges faced by them.

ITEM 6: UNIVERSAL PERIODIC REVIEW

- **Belize** received 15 SOGIESC recommendations. It accepted 13 recommendations and noted recommendations.
- **Central African Republic** received 2 SOGIESC recommendations. It accepted the 2 recommendations.
- **Chad:** received 1 SOGIESC recommendation and noted it.
- **China:** received 6 SOGIESC recommendations and it accepted all 6 recommendations.
- **Congo:** received 2 SOGIESC recommendations and it noted the 2 recommendations.
- **Jordan:** received 1 SOGIESC recommendation and noted it.
- **Malaysia:** received 11 SOGIESC recommendations and it partially accepted 1 recommendation and noted 10 recommendations.
- **Malta:** received 1 SOGIESC recommendation and accepted it.
- **Mauritius:** received 14 SOGIESC recommendations and it noted the 14 recommendations.
- **Mexico** received 7 SOGIESC it accepted the 7 recommendations.
- **Monaco:** received 6 SOGIESC recommendations. It accepted 1 and noted the remaining 5.
- **Nigeria:** received 13 SOGIESC recommendations and it noted the 13 recommendations.
- **Saudi Arabia:** received no SOGIESC recommendations.
- **Senegal:** received 13 SOGIESC recommendation and it noted the 13 recommendations.

If you want to know exactly what happened or find updated information on the Working Group Sessions and the UPR outcomes, check out ILGA's complete and updated Report for the [31st UPR Working Group Session](#).



ITEM 7: HUMAN RIGHTS SITUATION IN PALESTINE AND OTHER OCCUPIED ARAB TERRITORIES

ITEM 8: FOLLOW-UP AND IMPLEMENTATION OF THE VIENNA DECLARATION AND PROGRAMME OF ACTION

ITEM 9: RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED FORMS OF INTOLERANCE, FOLLOW-UP AND IMPLEMENTATION OF THE DURBAN DECLARATION AND PROGRAMME OF ACTION

ITEM 10: TECHNICAL ASSISTANCE AND CAPACITY-BUILDING

REPORTS THAT DO NOT ADDRESS SOGIESC ISSUES

- A/HRC/40/1 Agenda and annotations*
- A/HRC/40/19 Measures taken to implement Human Rights Council resolution 9/8 and obstacles to its implementation, including recommendations for further improving the effectiveness of, harmonizing and reforming the treaty body system
- A/HRC/40/20 Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- A/HRC/40/22 Question of human rights in Cyprus - Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/40/23 Promoting reconciliation, accountability and human rights in Sri Lanka - Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/40/25 Report of the Secretary-General on missing persons
- A/HRC/40/27 Empowering children with disabilities for the enjoyment of their human rights, including through inclusive education* - Report of the United Nations High Commissioner for Human Rights
- A/HRC/40/28 Report of the United Nations High Commissioner for Human Rights. Protection of human rights and fundamental freedoms while countering terrorism
- A/HRC/40/30 Rights of persons belonging to national or ethnic, religious and linguistic minorities
- A/HRC/40/33 Summary report on the high-level panel discussion to commemorate the seventieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/40/34 Summary of the intersessional meeting for dialogue and cooperation on human rights and the 2030 Agenda for Sustainable Development - Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/40/36 Promoting accountability in the Democratic People's Republic of Korea - Report of the United Nations High Commissioner for Human Rights
- A/HRC/40/41 Human rights in the occupied Syrian Golan - Report of the Secretary-General
- A/HRC/40/42 Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan - Report of the United Nations High Commissioner for Human Rights
- A/HRC/40/43 Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem - Report of the United Nations High Commissioner for Human Rights
- A/HRC/40/44 Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief - Report of the Office of the United Nations High Commissioner for Human Rights

- A/HRC/40/45 The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights - Report of the United Nations High Commissioner for Human Rights
- A/HRC/40/46 Situation of human rights in Libya, including the implementation of technical assistance and capacity-building and efforts to prevent and ensure accountability for violations and abuses of human rights - Report of the United Nations High Commissioner for Human Rights
- A/HRC/40/47 Report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of December 2018 - Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/40/49 Children and armed conflict Report of the Special Representative of the Secretary-General for Children and Armed Conflict
- A/HRC/40/50 Violence against children* Report of the Special Representative of the Secretary - General on Violence against Children
- A/HRC/40/51/Add.1 Visit to the Lao People's Democratic Republic Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material* , **
- A/HRC/40/51/Add.4 Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material on her mission to Lao People's Democratic Republic Comments by the State
- A/HRC/40/51/Add.5 Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material on her visit to Malaysia - Comments by the State
- A/HRC/40/52 Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism
- A/HRC/40/52/Add.1 Visit to Tunisia Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*
- A/HRC/40/52/Add.2 Visit to Saudi Arabia Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*
- A/HRC/40/52/Add.3 Visit to Sri Lanka Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*
- A/HRC/40/52/Add.4 Visit to France - Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism
- A/HRC/40/52/Add.5 Visit to Belgium - Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

- A/HRC/40/52/Add.6 Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism on her visit to Tunisia Comments by the State*
- A/HRC/40/52/Add.7 Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism on her visit to Saudi Arabia - Comments by the State
- A/HRC/40/52/Add.8 Report of the Special Rapporteur on the Promotion and protection of human rights and fundamental freedoms while countering terrorism on his visit to Sri Lanka - Comments by the State
- A/HRC/40/52/Add.9 Rapport de la Rapporteuse spécial sur la promotion et la protection des droits de l'homme et des libertés fondamentales dans la lutte antiterroriste sur sa visite en France - commentaires de l'État
- A/HRC/40/53/Add.2 Report of the Special Rapporteur in the field of cultural rights on her visit to Malaysia - Comments by the State
- A/HRC/40/54 Report of the Special Rapporteur on the rights of persons with disabilities
- A/HRC/40/54/Add.1 Report of the Special Rapporteur on the rights of persons with disabilities -Visit to France
- A/HRC/40/52/Add.2 Rapport de la Rapporteuse spécial sur la promotion et la protection des droits de l'homme et des libertés fondamentales dans la lutte antiterroriste sur sa visite en France - commentaires de l'État
- A/HRC/55 Report on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment - Report of the Special Rapporteur
- A/HRC/40/56 Right to food - Report of the Special Rapporteur on the right to food
- A/HRC/40/56/Add.1 Report of the Special Rapporteur on the right to food. Visit to Vietnam
- A/HRC/40/56/Add.2 Report of the Special Rapporteur on the right to food. Visit to Indonesia
- A/HRC/40/56/Add.3 Visit to Argentina Report of the Special Rapporteur on the right to food* , **
- A/HRC/40/56/Add.4 Report of the Special Rapporteur on right to food on her mission to Indonesia - Comments by the State
- A/HRC/40/56/Add.5 Report of the Special Rapporteur on right to food on her mission to Argentina - Comments by the State
- A/HRC/40/57/Add.2 Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, on his visit to Sri Lanka

- A/HRC/40/57/Add.3 Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights on his mission to Ukraine. Comments by the State
- A/HRC/40/57/Add.4 Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights on his mission to Sri Lanka. Comments by the State
- A/HRC/40/58/Add.2 Rapport du Rapporteur spécial sur la liberté de religion ou de conviction sur sa visite en Tunisie - Commentaires de l'État
- A/HRC/40/59/Add.1 Visit to Serbia and Kosovo - Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
- A/HRC/40/59/Add.4 Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his visit to the Republic of Serbia - Comments by the State
- A/HRC/40/59/Add.6 Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his visit to Ukraine - Comments by the State.
- A/HRC/40/61 Access to justice for the right to housing - Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context
- A/HRC/40/61/Add.3 Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context on her mission to the Republic of Korea - Comments by the State
- A/HRC/40/61/Add.4/Rev.1 Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context on her mission to Egypt - Revised comments by the State
- A/HRC/40/62 Report of the Independent Expert on the enjoyment of human rights by persons with albinism.
- A/HRC/40/62/Add.2 Round table on human rights and albinism: seeking consensus and priorities on advocacy and research - Report of the Independent Expert on the enjoyment of human rights by persons with albinism
- A/HRC/40/62/Add.3 Report of the Independent Expert on the enjoyment of human rights by persons with albinism. Visit to Kenya
- A/HRC/40/64. Report of the Special Rapporteur on minority issues

- A/HRC/40/64/Add.1 Visit to Slovenia Report of the Special Rapporteur on minority issues*
- A/HRC/40/64/Add.2 Visit to Botswana Report of the Special Rapporteur on minority issues*
- A/HRC/40/64/Add.3 Report of the Special Rapporteur on minority issues on his visit to Slovenia - Comments by the State
- A/HRC/40/66 Report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea
- A/HRC/40/67 Situation of human rights in the Islamic Republic of Iran - Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran
- A/HRC/40/68 Report of the Special Rapporteur on the situation of human rights in Myanmar
- A/HRC/40/69 Report of the Commission on Human Rights in South Sudan
- A/HRC/40/70 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic
- A/HRC/40/71 Recommendations of the Forum on Minority Issues at its eleventh session on the theme "Statelessness: a minority issue" - Report of the Special Rapporteur on minority issues
- A/HRC/40/73 Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967
- A/HRC/40/74 Report of the Independent Commission of Inquiry on the 2018 protests in the Occupied Palestinian Territory
- A/HRC/40/75 Report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on its sixteenth session
- A/HRC/40/76 Report of the Ad Hoc Committee on the Elaboration of Complementary Standards on its tenth session - Note by the Secretariat
- A/HRC/40/77 Situation of human rights in Mali - Report of the Independent Expert on the situation of human rights in Mali
- A/HRC/40/78 Report of the Ad Hoc Committee on the elaboration of Complementary Standards on its tenth session - Note by the Secretariat