



UN Committee on the Elimination of Discrimination against Women (CEDAW):

**71st Session, 22 Oct - 9 Nov 2018, and
73rd Pre-Sessional Working Group, 12-16 Nov 2018**

State reports reviewed: Bahamas Congo, Lao People's Democratic Republic,
 Mauritius Nepal North Macedonia Samoa, Tajikistan

Lists of Issues adopted: Austria Bahrain, Cabo Verde Côte d'Ivoire, Democratic
Republic of the Congo, Dominican Republic Guyana Mongolia
Mozambique, Panama Qatar

10 April 2019

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RESUME:

- SOGIESC recommendations to **Bahamas, Mauritius, Nepal, North Macedonia** and **Tajikistan**, to:
 - End LGBTI discrimination and violence (Bahamas, Mauritius)
 - Provide legal and financial aid to LGBTI persons subject to discrimination (Nepal)
 - Ensure access to health care (Nepal, North Macedonia) and shelters (Mauritius)
 - Address police abuse and “corrective” rape against LGBTI persons (Tajikistan)
 - Train medical personnel, police and law enforcement on SOGI (Mauritius)
 - Remove NGO restrictions and address violence against LBT rights defenders (Tajikistan)
 - One intersex-specific recommendation to prohibit unnecessary surgeries on children (Nepal)
 - First SOGIESC recommendations to Bahamas, Mauritius, Nepal and Tajikistan.
- LGBTI questions to **Austria, Cabo Verde, Dominican Republic, Guyana, Mongolia** and **Panama**:
 - Decriminalise cross-dressing and same-sex relations (Guyana)
 - Address violence (Guyana, Mongolia) and discrimination (Dominican Republic, Guyana, Panama)
 - Rights of same-sex couples (Austria) and trans women (Panama)
 - Discrimination of LBT(I) in health care (Cabo Verde, Dominican Republic, Guyana)
 - Non-refoulement for asylum-seeking trans women (Panama)
 - Three trans-specific (Dominican Republic, Guyana, Mongolia) and one intersex question (Austria)

- **Next Session: 18 February to 8 March 2019**
 - *Countries (main review)*: Angola, Antigua and Barbuda, Botswana, Colombia, Ethiopia, Myanmar, Serbia, United Kingdom of Great Britain and Northern Ireland
 - *NGO report deadline*: 28 January 2019 (to cedaw@ohchr.org)
- **Next PSWG: 11-15 March 2019**
 - *Countries (for LOI)*: Andorra, Bosnia and Herzegovina, Cambodia, Iraq, Kazakhstan, Lithuania, Seychelles
 - *Countries (for LOIPR)*: Ecuador, Sweden, Uruguay
 - *NGO report deadline*: 28 January 2019 (to cedaw@ohchr.org)

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1. SUMMARY

The UN Committee on the Elimination of Discrimination against Women (CEDAW) published eight Concluding Observations and eleven Lists of Issues as a result of the **71st Session** (22 Oct - 9 Nov 2018) and **73rd Pre-Sessional Working Group** (12-16 Nov 2018). SOGIESC¹-inclusive recommendations were issued to five States, and LGBTI questions to six States.

The **questions** and **recommendations** concerned discrimination in law and in practice, violence, police abuse and access to health care and other services, as well as country-specific issues about civil society, criminalisation, same-sex couples, intersex rights, trans women and asylum seekers. The eleven questions and nine recommendations included one intersex-specific recommendation, one stand-alone intersex question and four trans-specific questions. Eight States had SOGIESC-inclusive **civil society reports**, which appeared to be decisive in the outcome of the Concluding Observations: CEDAW was receptive to input from civil society but far less likely to raise SOGIESC issues on its own. For the PSWG, however, the Committee more independently considered LBT women and intersex persons.

1.1. Concluding Observations

During its **71st Session**, CEDAW reviewed the periodic reports of eight State parties: Bahamas, Congo, Lao People's Democratic Republic, Mauritius, Nepal, North Macedonia, Samoa and Tajikistan. Five States received SOGIESC recommendations, four for the first time. There were no follow-up recommendations.

The nine recommendations to **Bahamas, Mauritius, Nepal, North Macedonia** and **Tajikistan** addressed intersectional discrimination against LBT women and intersex persons, violence and police abuse, access to health care, shelters and legal aid, surgeries on intersex children, and restrictions on civil society. Seven recommendations addressed LGBTI persons, one addressed LBT women, and one intersex persons. The intersex recommendation was issued to Nepal, which notably also had three **stand-alone intersex reports** from civil society. There were no trans-specific recommendations, despite relevant information from NGOs. Neither of the LGBTI recommendations made by the Committee at the session have been selected for the follow-up procedure.

Mauritius, Nepal, North Macedonia and Tajikistan all had SOGIESC-inclusive Lists of Issues². Additionally, civil society representatives from Bahamas, Laos, Mauritius, Nepal and North Macedonia met with the Committee in person and discussed SOGIESC issues.

All five States also had **civil society submissions** addressing SOGIESC issues, whereas the three remaining State parties did not. The Committee therefore appears receptive to, and to a certain extent dependent on, information from civil society. Another factor may be that many of the reports discussed SOGIESC in depth, including stand-alone reports to Mauritius, Nepal and Tajikistan. However, Laos received no SOGIESC recommendations despite that the *Asia-Pacific Network of Sex Workers* **talked to CEDAW** about violence against trans sex workers, and CEDAW questioned Nepal on its treatment of LGBTI persons in the **constructive dialogues**.

Samoa was the only State with an LGBTI-inclusive **List of Issues** that was not issued SOGIESC recommendations, whereas the opposite was the case for Bahamas. However, unlike Samoa, Bahamas had an LGBTI-inclusive civil society submission and Bahamian NGOs were in Geneva and **spoke about** LGBTI rights. Despite the intricate relationship between women's and LGBTI issues, CEDAW does not draw this connection as frequently as it could, especially when it is not directly pressured by civil society. Relative to the other **UN Treaty Bodies**, however, CEDAW is one of the Committees that most frequently issues SOGIESC recommendations, and defenders' efforts tend to have good results.

¹ SOGIESC: Sexual orientation, gender identity and expression, and sex characteristics

² As described by ILGA in **previous reports**.

Country	SOGIESC in previous CO*	SOGIESC in LOI/LOIPR**	SOGIESC in the constructive dialogues***	SOGIESC in CSS****	SOGIESC in current CO*
Bahamas	No	No	Yes	Yes	Yes
Congo	No	No	No	No	No
Laos	No	No	Yes	No	No
Mauritius	No	Yes	Yes	Yes	Yes
Nepal	No	Yes	Yes	Yes	Yes
North Macedonia	Yes	Yes	Yes	Yes	Yes
Samoa	No	Yes	No	No	No
Tajikistan	No	Yes	Yes	Yes	Yes

*Concluding Observations

**List of Issues/List of Issues Prior to Reporting

***According to the Press Releases and Summary Records

****Civil Society Submissions

Text in bold links to the source material.

Country-specific information

Bahamas:

Bahamas received its first two SOGIESC recommendations. CEDAW first recommended adopting a comprehensive action plan against discrimination of women, including LBT women and intersex persons. The second recommendation expressed concern at the high rates of hate crimes against LGBTI persons, and advised Bahamas to look into the crimes and change the social norms which render such violence tolerable.

Unlike the other States with SOGIESC recommendations, Bahamas had not received LGBTI questions in its [List of Issues](#). However, Bahamas had a [civil society report](#) with a strong SOGI focus. Furthermore, *Rights Bahamas* also **met with CEDAW** in Geneva to present their issues of concern, including the proposed Bill #4 which would “erase, legally and politically” LGBTI and gender non-conforming people.

Finally, the [constructive dialogue](#) brought up discrimination against LGBTIQ women and asked whether Bahamas would ban SOGI-based discrimination and provide redress. The State delegation responded that, due to cultural circumstances, these were new conversations and that “there would be growing pains”, but that they were committed to talk and debate.

Mauritius:

Mauritius received its first, stand-alone recommendation on LGBTI persons. CEDAW welcomed the inclusion of sex and sexual orientation in the Equal Opportunities Act, but was concerned about the prevalence of discrimination against LGBTI persons and the underreporting of violence and abuse. It recommended legal and policy measures against discrimination, hate speech and abuse; awareness-raising, especially for medical personnel, police and law enforcement; and effective protection of LGBTI people, including shelters and support for victims of violence.

The comprehensive recommendation was preceded by two SOGIESC-focused [civil society submissions](#), including a stand-alone report on LTB women by *Young Queer Alliance*. A representative for the organisation also **met with CEDAW** and spoke about the issues faced by LTB women, including homelessness, bullying and forced marriage. The [LOIPR](#) had also inquired about measures to address stereotypes against LGBTI persons.

Finally, during the [constructive dialogue](#) CEDAW expressed its concern for discrimination, violence and hatred against LTB persons in Bahamas. The State delegation replied that the

Equal Opportunities and Employment Acts sufficiently protected against discrimination, and that LTB women could take their complaints to the Equal Opportunities Commission or police.

Nepal:

Nepal was issued its first three SOGIESC recommendations, including an intersex-specific recommendation. The Committee first commended the special provisions for gender and sexual minorities in Nepal's Constitution. CEDAW recommended giving legal and financial aid to LGBTI and other women facing intersectional discrimination, and to end such discrimination in health-care by educating service providers and encouraging women to report discrimination. Finally, it recommended prohibiting unnecessary medical procedures on intersex children, training medical personnel on intersex rights, and offering victims remedies and support.

Nepal received more SOGIESC-inclusive [civil society reports](#) for the Session than any other State, with several stand-alone reports on LBT women and intersex persons. Furthermore, nearly all the NGOs that [met with CEDAW](#) talked about the situation of LGBTI women and persons, including discrimination, parental rights, legal gender recognition, trans sex workers, and intersex genital mutilation and abuse. The speeches by *Blue Diamond Society* and *StopIGM* focused solely on SOGI and intersex rights, respectively.

The [List of Issues](#) and [constructive dialogue](#) with Nepal had also addressed intersectional discrimination and violence against LGBTI persons, as well as intersex genital mutilation.

North Macedonia:

North Macedonia received one SOGIESC-specific recommendation from CEDAW to address stigma against LBT women and intersex persons in access to health care, particularly sexual and reproductive health services.

Although the [List of Issues](#) had three questions on SOGIESC discrimination, LGBTI women were only one of several groups mentioned. The recommendation in the Concluding Observations was by comparison more visible and tailored to SOGI issues.

Four [civil society submissions](#) addressed homo- and transphobia, LBT sex workers, bullying and sex education in schools. *Star-Star* and the *Helsinki Committee* also [met with CEDAW](#) in Geneva and talked about SOGI discrimination, legal gender recognition, gay and trans sex workers, and violence against LBT women. Finally, the [constructive dialogue](#) asked about legal assistance and access to health care for LGBTI persons.

Tajikistan:

Tajikistan received its first SOGIESC recommendations. CEDAW expressed deep concern about the situation of civil society, particularly the ongoing harassment and detention of LBT defenders "undermining traditional values". It recommended removing the disproportionate restrictions on civil society, prosecuting and punishing violence against women's rights activists, and to consult with activists when developing policies and legislation.

A second recommendation expressed concern at police abuse against LGBTI persons, including forced HIV tests, arbitrary detention, surveillance and "corrective" rape. CEDAW recommended taking all measures to improve and monitor the situation of disadvantaged women, ensure police abuse is investigated and that activists are not placed on "lists" for blackmailing.

Tajikistan's [List of Issues](#) contained one SOGIESC question about special measures to protect LGBTI women and other groups. The fact that civil society submitted a [stand-alone report](#) on LBT women for the Session may have contributed to the stronger LGBTI focus in the Concluding Observations.

Finally, the [constructive dialogue](#) asked which measures were taken to address against LGBTI persons, especially by law enforcement. The State delegation responded that no violence had been reported against LGBTI persons.

1.2. Lists of Issues (LOIs) and Lists of Issues Prior to Reporting (LOIPRs)

During its **73rd Pre-Sessional Working Group**, the Committee adopted questions for eleven States that are to be reviewed in the future: LOIs for Austria, Bahrain, Cabo Verde, Côte d'Ivoire, Democratic Republic of the Congo, Guyana, Mozambique and Qatar, and LOIPRs for the simplified reporting procedures of the Dominican Republic, Mongolia and Panama.

CEDAW asked **SOGIESC questions** in three of nine LOIs (Austria, Cabo Verde, Guyana) and in all three LOIPRs (Dominican Republic, Mongolia, Panama). The 11 questions addressed discrimination against LGBTI persons, particularly in health care; violence and police abuse; rights of same-sex couples and trans women; trans women asylum seekers; intersex persons, and criminalisation of same-sex relations and cross-dressing. There was one stand-alone intersex question and four trans-specific questions, focused on trans women in particular.

Only three of the States had **civil society submissions** with SOGIESC references. In the cases of **Austria** and the **Dominican Republic**, the topics of the civil society submissions (intersex rights and access to healthcare, respectively), were repeated in the Lists of Issues. As seen in the above section, civil society LGBTI reports can strongly influence the Concluding Observations, and defenders are encouraged to submit such reports for the main reviews, regardless of whether a country's LOIs contains LGBTI questions.

Austria received two stand-alone SOGIESC questions. The Committee asked about medical standards for intersex persons, cases of involuntary medical treatment and remedies offered. The second recommendation concerned the rights of same-sex couples, including receiving childcare allowances. Austria also had a stand-alone **civil society report** on intersex rights.

Cabo Verde received a question about measures to end discrimination and ensure access to education, employment and health services for LBT women.

Dominican Republic was given three SOGIESC-related questions, concerning: legislation on gender identity; stereotyped portrayals of LGBTI women; and LGBTI women's access to health care and prejudices among medical personnel. There were also two **civil society submissions** addressing LGBT persons' access to justice, health care and employment.

Guyana was given two SOGIESC questions, the first of which concerned protecting against intersectional discrimination on grounds of SOGI. The second, stand-alone LGBTI question asked about violence, police harassment and abuse, discrimination in employment and health care, and efforts to decriminalise same-sex relations and cross-dressing.

Mongolia was asked about implementing the revised law on domestic violence, and whether these measures would include, among others, LGBTI persons.

Finally, **Panama** received two trans-specific recommendations, asking about trans women's rights to identity and marriage, and asking the State to enforce the non-refoulement principle in asylum cases for trans women. CEDAW also questioned Panama on measures to combat discrimination of LGBTI women, among others.

Austria, Cabo Verde, Côte d'Ivoire, DRC, Guyana, Mozambique and Qatar will be reviewed by CEDAW at its **73rd Session** on 1-19 July 2019. The Session dates for the remaining four States have yet to be determined.

1.3. Individual Complaints

In relation to its **71st Session** CEDAW issued judgements for four individual communications, neither of which concerned SOGIESC.

2. COMPILATION OF CONCLUDING OBSERVATIONS

Bahamas – Concluding Observations – 71st Session, 14 November 2018, 6th review³

Constitutional and legislative protection of women from discrimination

11. The Committee [...] is particularly concerned about the following:

[...]

(c) The failure to eliminate discrimination, notably intersecting forms of discrimination, in particular against women of Haitian descent, migrant women, women with disabilities, lesbian, bisexual and transgender women, intersex persons and women living in the Family Islands.

12. The Committee reiterates its previous recommendation (CEDAW/C/BHS/CO/1-5, para. 14) and recommends that the State party, in line with articles 1 and 2 of the Convention and the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention:

[...]

(d) Adopt an action plan that includes adequate resources, a timeline and measurable targets requiring authorities to implement relevant laws to prevent and eliminate all forms of de facto discrimination against women and girls, in particular women of Haitian descent, migrant and asylum-seeking women, women with disabilities, lesbian, bisexual and transgender women, intersex persons and women living in the Family Islands.

Gender-based violence against women

23. The Committee [...] is concerned, however, about the following:

(a) The high prevalence of gender-based violence against women and girls, including domestic and sexual violence and rape, and the high reported incidence of hate crimes against lesbian, bisexual and transgender women and intersex persons, which remain culturally accepted and underreported;

[...]

24. Recalling its general recommendation No. 35, and in line with target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, the Committee recommends that the State party:

(a) Develop and implement comprehensive measures for the prevention and elimination of gender-based violence against women and girls, in particular domestic and sexual violence and rape, assess the reported incidence of crimes against lesbian, bisexual and transgender women and intersex persons and intensify efforts to change the social norms and cultural perceptions through which gender-based violence is tolerated as culturally acceptable;

[...]

Mauritius – Concluding Observations – 71st Session, 14 November 2018, 8th review⁴

B. Positive Aspects

4. The Committee welcomes the progress achieved since the consideration in 2011 of the State party's combined sixth and seventh periodic reports (CEDAW/C/MUS/CO/6-7) in undertaking legislative reforms, in particular the adoption of the following:

[...]

³ CEDAW/C/BHS/CO/6

⁴ CEDAW/C/MUS/CO/8

(d) Equal Opportunities Act 2008 (Act No. 42 of 2008), in force since 1 January 2012, which prohibits direct and indirect discrimination on the grounds of sex and sexual orientation in certain areas, such as employment and education;
[...]

D. Principal areas of concern and recommendations

Lesbian, bisexual and transgender women and intersex persons

33. The Committee notes with concern the intersecting forms of discrimination faced by lesbian, bisexual and transgender women and intersex persons, including the following:

- (a) The prevalence, in all areas covered by the Convention, of discriminatory practices that disadvantage lesbian, bisexual and transgender women and intersex persons, including social exclusion and acts of hate speech and abuse;
- (b) The lack of policy measures pertaining to the rights of lesbian, bisexual and transgender women and intersex persons (CEDAW/C/MUS/8, para. 36);
- (c) The underreporting of acts of violence and of physical, verbal and emotional abuse against lesbian, bisexual and transgender women and intersex persons.

34. **The Committee recommends that the State party:**

- (a) Adopt the legislative and policy measures necessary to combat discrimination and violence against lesbian, bisexual and transgender women and intersex persons, including hate speech and physical, verbal and emotional abuse;**
- (b) Promote the protection of the rights of lesbian, bisexual and transgender women and intersex persons, in all areas covered by the Convention, including in employment and health, and conduct awareness-raising activities to address their stigmatization in society;**
- (c) Ensure that law enforcement mechanisms efficiently protect the rights of lesbian, bisexual and transgender women and intersex persons;**
- (d) Provide access to shelter and assistance for lesbian, bisexual and transgender women and intersex persons who are victims of violence;**
- (e) Provide training to medical personnel, the police and law enforcement officials in this regard.**

Nepal – Concluding Observations – 71st Session, 14 November 2018, 6th review⁵

Access to justice

10. The Committee welcomes the establishment of judicial committees at the local level and takes note of the drafting of the integrated free legal aid policy and the planned reform of the free legal aid scheme. It expresses its concern, however, about the following:

- [...]
- (b) The lack of targeted financial support and legal aid in commonly spoken languages for women facing intersecting forms of discrimination;
- [...]

11. **The Committee recommends that the State party, in line with its general recommendation No. 33 (2015) on women's access to justice:**

- [...]
- (b) Provide targeted financial support and legal aid in commonly spoken languages for women facing intersecting and multiple forms of discrimination, such as Dalit women, indigenous women, including Madhesi and Tharu women, women belonging to religious minority groups, women with disabilities, women living in remote areas, lesbian, bisexual and transgender women, intersex persons and displaced and migrant women;**
- [...]

⁵ CEDAW/C/NPL/CO/6

Stereotypes and harmful practices

18. The Committee welcomes the criminalization of a number of harmful practices, including chhaupadi, dowry, accusation of witchcraft, discrimination against Dalit persons, and child marriage. It expresses its concern, however, about the following:

[...]

(c) Discrimination against intersex persons, namely, abuse, reported infanticide, forced marriage and the conduct of medically unnecessary procedures on Nepali intersex infants and children on the territory of the State party or abroad before they reach an age at which they are able to provide their free, prior and informed consent;

(d) The underreporting of harmful practices and insufficient short- and longterm support for victims.

19. Recalling its previous recommendation (CEDAW/C/NPL/CO/4-5, para. 18), the Committee recommends that the State party, in line with the joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, and with target 5.3 of the Sustainable Development Goals, to eliminate all harmful practices:

[...]

(d) Adopt legislative provisions that explicitly prohibit the performance of unnecessary surgical or other medical procedures on intersex children before they reach the legal age of consent and train medical and psychological professionals on the rights of intersex persons;

(e) Ensure that victims of harmful practices can file complaints without fear of retribution or stigmatization and that they have access to effective remedies and victim support, such as legal, social, medical and psychological assistance and shelters.

Health

38. The Committee notes with appreciation the ongoing deliberations on the public health bill, which contains provisions on the provision of non-discriminatory health services free of cost and the introduction of components on reproductive health in school curricula. It is concerned, however, that:

[...]

(d) There is persistent discrimination by health-care providers against Dalit women, indigenous women, women with disabilities, lesbian, bisexual and transgender women, intersex persons, women in prostitution and women from remote areas.

39. The Committee recommends that the State party, in line with its general recommendation No. 24 (1999) on women and health, and taking into account target 3.1, to reduce the global mortality ratio to less than 70 per 100,000 live births, and target 3.7, to ensure universal access to sexual and reproductive health-care services, of the Sustainable Development Goals:

[...]

(d) End discrimination by health-care providers against Dalit women, indigenous women, women with disabilities, lesbian, bisexual and transgender women, intersex persons and women in prostitution, by raising awareness among providers, with the support of female community health volunteers, of the rights of those groups and encouraging reporting.

Disadvantaged groups of women

40. The Committee welcomes the fact that, under article 18 (3) of the Constitution, the adoption of special provisions by law for the empowerment of citizens, including “Dalit, indigenous people, Madhesi, Tharu, Muslim, oppressed class, Pichhada class, minorities, the marginalized, farmers, labourers, youths, children, senior citizens, gender and sexual minorities, persons with disabilities, persons in pregnancy, incapacitated or helpless, backward region and indigent Khas Arya ”, is permitted. [...]

Health

37. The Committee [...] is concerned, however, about the following:

[...]

(e) Information about the stigma experienced by lesbian, bisexual and transgender women and intersex persons when endeavouring to access health care.

38. The Committee recommends that the State party:

[...]

(e) Address the stigma experienced by lesbian, bisexual and transgender women and intersex persons when they endeavour to gain access to health care, including sexual and reproductive health care.

Civil society and non-governmental organizations

19. The Committee is deeply concerned about the restrictions on the activities of civil society organizations following the amendments to the Law on Public Associations of 2007, which were adopted in 2015. It is particularly concerned about the following:

(a) Reports of frequent inspections, cumbersome registration and authorization requirements, as well as barriers to gaining access to foreign funding;

(b) Reported cases of intimidation, harassment and arbitrary detention of civil society activists, including women defending the rights of sex workers and lesbian, bisexual and transgender persons, who have suffered reprisals for their work and for “undermining traditional values”;

(c) The limited cooperation of the State party with civil society organizations, including those working on women’s rights.

20. The Committee recommends that the State party:

(a) Review the amendments to the Law on Public Associations and ensure that there are no disproportionate restrictions on civil society organizations, in law or in practice, and that women’s rights activists are able to exercise their rights to freedom of expression, assembly and association without intimidation or reprisals;

(b) Ensure that cases of alleged intimidation or reprisals against civil society activists are duly investigated, that perpetrators are prosecuted and appropriately punished and that victims receive protection from such acts;

(c) Strengthen cooperation with civil society organizations, in particular those working on women’s rights, and systematically involve them in the development of related legislation, policies and programmes.

Disadvantaged groups of women

43. The Committee notes with concern the vulnerability of the following groups whose members suffer multiple forms of discrimination: refugee women, migrant women, women who have been left behind by male migrants, widows of male migrants, stateless women, women and girls with disabilities, women living with HIV/AIDS, women in prison and women who are former inmates, lesbian, bisexual and transgender women and intersex persons. The Committee is particularly concerned about reports that:

[...]

(d) Lesbian, bisexual and transgender women and intersex persons are subjected to police abuse, such as blackmailing, extortion, forced testing for HIV/AIDS and sexually transmitted infections,

⁶ CEDAW/C/MKD/CO/6

⁷ CEDAW/C/TJK/CO/6

arbitrary detention and ill-treatment, including “corrective” rape, while “lists” of such persons have been compiled by the authorities and for blackmailing.

44. The Committee recommends that the State party:

(a) Take all measures, including temporary special measures, to improve the situation of women belonging to disadvantaged groups, protect them from exploitation and improve their access to health care, social benefits, psychological assistance, education and employment opportunities and participation in public and political life and allocate the funds necessary for the effective implementation of such measures;

(b) Establish mechanisms to regularly monitor the impact of social and economic policies on disadvantaged groups of women;

[...]

(g) Effectively address complaints of police abuse by lesbian, bisexual and transgender women and intersex persons, dismantle official and non-official lists of such persons and ensure that civil society organizations working on those issues enjoy the rights to freedom of expression, assembly and association;

(h) Provide comprehensive information and collect statistical data, disaggregated by sex, age and nationality, that can be used to assess the situation of disadvantaged groups of women.

States with no SOGIESC recommendations:

- Congo
- Lao People’s Democratic Republic
- Samoa

3. COMPILATION OF LISTS OF ISSUES

Austria – List of Issues – 73rd PSWG, 20 November 2018, 9th review⁸

Stereotypes and harmful practices

[...]

11. Please provide information, including detailed statistics, on legal and medical standards following best practices in relation to medical and surgical treatment of intersex persons, on investigations into incidents of involuntary sterilization or unnecessary and irreversible surgical or other medical treatment, very often done without the informed consent of the patient, and on existing remedies to the victims of such treatment, including adequate compensation. Please also indicate how many persons have registered as a third gender, following its legal recognition by the Constitutional Court in June 2018.

Marriage and family relations

21. Please provide information on the judgment rendered by the Constitutional Court in 2017 repealing the legal provisions that denied same-sex couples the right to marry and on progress made regarding its implementation. Please elaborate on efforts to remove the remaining differential provisions for lesbian, bisexual and transgender women and intersex persons living in registered partnerships, denying them the same rights afforded to other couples, including in relation to childcare allowances for mothers, maintenance and distribution of property and assets upon dissolution of the relationship (paras. 218 and 330).

Cabo Verde – List of Issues – 73rd PSWG, 20 November 2018, 9th review⁹

Disadvantaged groups of women

17. [...] Please provide information about the measures taken to promote non-discrimination and access to sexual and reproductive health services, education and work to women with disabilities, migrant women and lesbian, bisexual and transgender women.

Dominican Republic – List of Issues Prior to Reporting – 73rd PSWG, 13 March 2019, 8th review¹⁰

Definition of discrimination and legislative framework

[...]

3. Please provide information on the current status of the draft legislation on a comprehensive system for preventing, addressing, punishing and eradicating violence against women, on sexual and reproductive rights and on gender identity, including information on major content, the timeline for adoption and any obstacles to approval. [...]

Stereotypes and harmful practices

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

⁸ CEDAW/C/AUT/Q/9

⁹ CEDAW/C/CPV/Q/9

¹⁰ CEDAW/C/DOM/QPR/8

Health

[...]

20. Please provide information on training provided to health personnel to eliminate prejudice and stereotypes against women in prostitution and lesbian, bisexual and transgender women and intersex persons, as well as on measures taken to ensure equal access to health care.

Guyana – List of Issues – 73rd PSWG, 20 November 2018, 9th review¹¹

Definition of non-discrimination

3. Please clarify how the State party plans to incorporate into national legislation, including the Prevention of Discrimination Act, No. 26 of 1997, a definition of discrimination against women that prohibits indirect discrimination and intersecting forms of discrimination, in view of the State party's commitment to prevent discrimination on the basis of sexual orientation and gender identity (para. 27).

Disadvantaged groups of women

21. With reference to the Committee's previous recommendations (CEDAW/C/GUY/CO/7-8, paras. 22–23), please provide detailed information on the State party's efforts to effectively address violence against lesbian, bisexual and transgender women and intersex persons and to decriminalize consensual adult same-sex relations. Please also inform the Committee about the progress made towards decriminalizing cross-dressing, addressing the reports of police harassment, arrest and verbal abuse of, violence against, and reluctance to record complaints of discrimination submitted by, lesbian, bisexual and transgender women and intersex persons. Please indicate the measures taken to improve access to health care and employment for lesbian, bisexual and transgender women and intersex persons and to address reported discrimination in those areas.

Mongolia – List of Issues Prior to Reporting – 73rd PSWG, 13 March 2019, 10th review¹²

Gender-based violence against women

7. In the light of the Committee's previous concluding observations (para. 19) and the related follow-up report submitted by the State party (CEDAW/C/MNG/CO/8-9/Add.1, para. 28), please specify measures taken to increase financial resources for the effective implementation, monitoring and enforcement of the revised Law on Combating Domestic Violence (2016) and subsequent relevant procedures. Please indicate whether those measures are targeted at all groups of women, including women with disabilities, lesbian, bisexual and transgender women, intersex persons and migrant women. [...]

Panama – List of Issues Prior to Reporting – 73rd PSWG, 13 March 2019, 8th review¹³

Constitutional, legislative and institutional framework

3. [...] Please inform the Committee about measures taken to combat discriminatory practices and stigma against lesbian, bisexual, transgender and intersex women, as well as migrant, asylum-seeking and refugee women and women living with HIV/AIDS, in all areas covered by the Convention. [...] Please also provide information on measures to adopt provisions for the recognition of identity and the right to marry of transgender women.

Disadvantaged groups of women

¹¹ CEDAW/C/GUY/Q/9

¹² CEDAW/C/MNG/QPR/10

¹³ CEDAW/C/PAN/QPR/8

[...]

23. Please indicate measures taken to address discrimination against asylum seekers, refugees and migrant women in the State party and to enforce the principle of non-refoulement in asylum-seeking procedures concerning transsexual women, women living with HIV/AIDS and young women from neighboring countries. [...]

States with no SOGIESC questions:

- Bahrain
- Côte d'Ivoire
- Democratic Republic of the Congo
- Mozambique
- Qatar

4. CIVIL SOCIETY SUBMISSIONS

Austria

- Submission by StopIGM.org/Zwischengeschlecht.org for the 73rd PSWG (*stand-alone report on intersex genital mutilation in Austria*).
- Submission by [Austrian NGOs Coalition](#) for the 73rd PSWG (*suggests recommendations on intersex persons, LBT women, homo- and transphobic bullying and education*).
- Submission by [Austrian NGOs Coalition](#) for the 73rd PSWG (*stand-alone section by Regenbogenfamilien on LGBTI women's rights to marriage and family*).

Bahamas

- Submission by [Equality Bahamas](#) for the 71st Session (*strong focus on LGBT+ issues, including controversies around Bill #4, same-sex marriage, trans persons, police abuse and health*).

Côte d'Ivoire

- Submission by [International Service for Human Rights \(ISHR\)](#) for the 73rd PSWG (*recommends collecting disaggregated data on SO, and mentions trans sex workers*).

Dominican Republic

- Submission by [Latin-America and Caribbean Committee for the Defense of the Rights of Women, Dominican Republic \(CLADEM-RD\)](#) for the 73rd PSWG (*questions LGBT persons' access to justice and discrimination in health care*).
- Submission by [Coalition of Organisations for Active Defence of Women's and Young People's Rights](#) for the 73rd PSWG (*questions lesbians' access to the labour market, and the imposition of heterosexuality by the State and the Church*).

Mauritius

- Submission by [Gender Links, Young Queer Alliance, Media Watch Organisation and SOS Femmes](#) for the 71st Session (*stand-alone SOGIESC section discussing hate speech, violence, marriage equality, criminalisation and legal gender recognition*).
- Submission by [Musawah](#) for the 71st Session (*mentions how the criminalisation of sodomy infringes on women's sexual freedom*).
- Submission by [Young Queer Alliance](#) for the 69th PSWG (*stand-alone report on LBT women in Mauritius, incl. health care, social security, violence, discrimination, criminalisation and marriage*).

Nepal

- Submission by [CEDAW Shadow Report Preparation Committee](#) for the 71st Session (*several references to LGBTI, particularly discrimination, deprivation of opportunities, same-sex couples, and trans and intersex recognition*).
- Submission by [Girls of Nepal](#) for the 71st Session (*study involving the participation of girls, boys and sexual minorities*).
- Submission by [National Alliance of Women Human Rights Defenders](#) for the 71st Session (*mentions stigma, harassment, hate speech, and rape and death threats against LBTQI women*).
- Submission by [Right Here, Right Now](#) for the 71st Session (*section on sexual orientation and gender identity, focusing on access to health care for LGBTIQ persons, especially trans people*).
- Submission by [Society for Women Awareness Nepal \(SWAN\)](#) for the 71st Session (*stand-alone report on discrimination and violence against female and third gender women sex workers*).
- Submission by [StopIGM.org](#) for the 71st Session (*stand-alone report on intersex genital mutilation and other harmful practices, incl. infanticide, abuse, forced marriage and healthcare discrimination*).
- Submission by [TRIAL and HRJC](#) for the 71st Session (*mentions exclusion of trans women in the definition of rape, and the criminalisation of "unnatural" sexual relations*).

- Submission by Blue Diamond Society for the 71st PSWG (*stand-alone report on discrimination and violence against LB women and trans persons*).
- Submission by Blue Diamond Society for the 71st PSWG (*stand-alone report on discrimination and violence against intersex women*).
- Submission by Zwischengeschlecht.org for the 71st PSWG (*stand-alone report on intersex rights*).

North Macedonia

- Submission by Coalition Margins, HOPS and Star-Star for the 71st PSWG (*mentions discrimination of and attacks on LGBT people, lack of legal protection and public homo- and transphobia*).
- Submission by HERA, Reactor and MARGINI for the 71st PSWG (*mentions need to include homophobia and sexual orientation in sexuality education for youth*).
- Submission by HERA, Reactor and MARGINI for the 71st Session (*mentions need for better education on sexual orientation in schools*).
- Submission by Star-Star, Coalition Margins, HOPS, Stronger Together and European Coalition on Male Health for the 71st Session (*discusses homo- and transphobic bullying, LBT sex workers, transgender women and LGBT discrimination*).

Tajikistan

- Submission by the Central Asian Gender and Sexuality Advocacy Network (CAGSAN) for the 71st Session (*stand-alone report on the rights and status of LBT people in Tajikistan*).