

HUMAN RIGHTS COUNCIL – 31ST SESSION

(February 29 – March 24, 2016)

REPORTS AND DOCUMENTS THAT MENTION SOGIESC ISSUES

1. ANNUAL REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS. A/HRC/31/3

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/3

6. Discrimination on the basis of sexual orientation and gender identity

45. OHCHR supports efforts to counter homophobic and transphobic attitudes through its Free and Equal public education campaign, which continued through 2015 with the release of new videos, factsheets and other materials. OHCHR led campaign events in Austria, Brazil, Cambodia, Cabo Verde, China, El Salvador, Fiji, Mexico, Peru, Senegal, Timor-Leste and the United States. A campaign video that was launched in May and showcases the diversity of lesbian, gay, bisexual, transgender and intersex people and their contributions to the community, was watched by almost 10 million people online. In Mexico City, the subway system broadcast the campaign for five months on a line used daily by about 400, 000 passengers.

46. In September, OHCHR hosted an expert meeting in Geneva to discuss the specific human rights challenges faced by intersex people — including unnecessary and involuntary surgery and other medical treatments, as well as lack of access to justice and discriminatory practices in education, employment and sport. OHCHR also released a Free and Equal campaign factsheet on human rights and intersex persons, available online.

2. REALIZATION OF THE RIGHT TO WORK – REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS. A/HRC/31/32

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/32

29. The Committee on Economic, Social and Cultural Rights has stressed the need for measures to combat discrimination and promote equality in relation to minorities and disadvantaged groups, which constitute immediate obligations. It is the duty of States to ensure equal access to work while respecting and providing equal conditions, removing barriers to access and protecting workers against discrimination. Measures that could have the effect of increasing discrimination or weakening the protection of disadvantaged groups must be avoided. Action plans aimed at removing discrimination in access to work must be developed in a participatory manner, with special attention given to the concerned groups in their formulation and monitoring.¹

3. OUTCOME OF THE PANEL DISCUSSION ON THE IMPACT OF THE WORLD DRUG PROBLEM ON THE ENJOYMENT OF HUMAN RIGHTS – REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS. A/HRC/31/45

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/45

D. Non – discrimination and specifically affected groups

34. A number of States emphasized that drug policies needed to be implemented in a non-discriminatory way. One State underlined that it was making great efforts to strengthen its drug policies, while at the same time taking into account the rights of indigenous peoples and their use of coca leaves. A number of non-governmental organizations stated that drug control policies could lead to harsh outcomes

¹ Good practices in combating discrimination were mentioned for Brazil (E/C.12/BRA/CO/2) (sexual orientation), Costa Rica (E/C.12/CRI/CO/4), the Dominican Republic (E/C.12/DOM/CO/3), Mexico (E/C.12/MEX/CO/4), Nicaragua (E/C.12/NIC/CO/4), Uruguay (E/C.12/URY/CO/3-4), Algeria (E/C.12/DZA/CO/4), Benin (E/C.12/BEN/CO/2), Ukraine (E/C.12/UKR/CO/6), Slovenia (E/C.12/SVN/CO/2) and Liechtenstein (E/C.12/LIE/CO/1).

for women, children, indigenous peoples and human rights defenders, all of whom were particularly vulnerable. Other non-governmental organizations highlighted the vulnerability of lesbian, gay, bisexual and transgender persons to drug-related problems, indicating that they faced discrimination that led to lack of access to health services.

4. RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES – ANNUAL REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS. A/HRC/31/27

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/27

B. General comments and general recommendations

40. In its general recommendation No. 33 on women's access to justice (CEDAW/C/GC/33), the Committee on the Elimination of Discrimination against Women noted that discrimination against women was compounded by intersecting factors, including ethnicity/race, indigenous or minority status, colour, socioeconomic status and/or caste, language, religion or belief, political opinion, national origin, marital and/or maternal status, age, urban/rural location, health status, disability, property ownership and identity as a lesbian, bisexual, transgender woman or intersex person, and that these factors made it more difficult for women from those groups to gain access to justice. The Committee recommended that States parties should, inter alia, develop targeted outreach activities and distribute, through specific units or desks for women, information about the justice mechanisms, procedures and remedies available, in various formats and also in community languages. It also recommended that such activities and information should be appropriate for all ethnic and minority groups in the population and designed in close cooperation with women from these groups and, especially, women's and other relevant organizations.

5. REPORT OF THE SPECIAL RAPPORTEUR ON FREEDOM OF RELIGION OR BELIEF ON HIS MISSION TO LEBANON – NOTE BY THE SECRETARIAT. A/HRC/31/18/Add. 1

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/18/Add.1

62. Recently, the lesbian, gay, bisexual, transgender and queer community in Lebanon launched a new public campaign to counter discrimination and social taboos based on sexuality. The campaign was organized to recall the decision made in 2013 by the national psychiatric board to remove homosexuality from a list of mental illnesses, in which it stressed that homosexuality was not an illness to be treated. While article 534 of the Penal Code states that sex acts "against nature" are a criminal offence punishable by imprisonment, in 2014 a court ruled that same-sex relations were in fact not a violation of the Penal Code. The Special Rapporteur encourages the ongoing discussions on the decriminalization of same-sex relations, including by challenging religious "justifications" for homophobic attitudes.

6. REPORT OF THE SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS DEFENDERS ON HIS MISSION TO BURUNDI. A/HRC/31/55/Add.2

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/55/Add.2

4. Freedom of association

30. Freedom of association is guaranteed by article 32 of the Constitution. Associations are governed by Decree-Act No. 1/11 of 18 April 1992 on the organization of non-profit-making associations. The Decree-Act contains a number of provisions that are detrimental to the development of associations. These are primarily a lack of clarity concerning the registration process, which at times leads to abuse, since the registration of an association remains at the discretion of the administrative authorities. No remedy is provided for in the event that registration is denied. The text indicates that the competent authorities may deny registration for non-compliance with the conditions stipulated in articles 4 and 5 or when the object of the association is contrary to the law, public order or morality (art. 6). As a result, some associations working

on sensitive topics, such as gender identity, may be denied registration for no official reason. Furthermore, there is no fixed deadline for registration by the administrative authorities.

51. In the course of his visit, the Special Rapporteur met defenders engaged in promoting and defending civil, political, economic, social and cultural rights. He observed that, because of their legitimate work undertaken for the promotion and protection of human rights, certain categories of defenders are particularly vulnerable, including journalists, lawyers, defenders working on political and economic issues, as well as women defenders and defenders working on the rights of lesbian, gay, bisexual, transgender and intersex persons.

56. The Special Rapporteur was disappointed to be informed that defenders working on the rights of lesbian, gay, bisexual, transgender and intersex persons face double discrimination on account of their status and a lack of recognition by civil society. He was told about the verbal and telephone threats, cases of extortion and other types of incidents that they face. Often no action is taken when defenders report these violations to the police, since they are systematically required to state their sexual identity. Furthermore, the defenders of lesbian, gay, bisexual, transgender and intersex persons continue to be stigmatized by their pairs and to be excluded from civil society. This also applies to the Independent National Human Rights Commission, whose human rights defenders claim that it is not open to all members of civil society.

90. Another issue of concern in terms of freedom of association is the rights of associations working on the rights of lesbian, gay, bisexual, transgender and intersex persons. No authorized associations are known to be working specifically in this area.

7. 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/31/54

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/54

V. Homelessness and marginalized groups

39. Discrimination is both a cause and a consequence of homelessness. Those who face discrimination on the grounds of race, ethnicity, place of origin, socioeconomic status, family status, gender, mental or physical disability, health condition, sexual orientation and/or gender identity and age are more likely to become homeless and, once homeless, experience additional discrimination. The intersections of other grounds of discrimination with homelessness vary in different countries. In some, for example, racial inequality intersects strongly with homelessness. In Brazil, African-Brazilians make up only 7 per cent of the population of wealthy areas and yet make up the majority in informal settlements. In the United States of America, black families are seven times more likely to be homeless than white families.

44. Most families of street-connected children have experienced persistent discrimination, poverty and social exclusion. Street-connected children and young people face particular challenges, including the threat of being removed from their parents for neglect and put into orphanages or foster systems.³⁰ Lesbian, gay, bisexual, transgender and intersex young people are overrepresented in homeless populations in some countries and face additional stigmatization and social exclusion from their families and communities, and are more vulnerable to violence and more likely to be turned away from shelters.

87. Homelessness disproportionately affects particular groups, including women, young people, children, indigenous peoples, people with disabilities, migrants and refugees, the working poor, and lesbian, gay, bisexual and transgender people, each in different ways, but with common structural causes. These include: (a) the retreat by all levels of government from social protection and social housing and the privatization of services, infrastructure, housing and public space; (b) the abandonment of the social function of land and housing; (c) the failure to address growing inequalities in income, wealth and access to land and property; (d) the adoption of fiscal and development policies that support deregulation and real estate speculation and prevent the development of affordable housing options; and (e), in the face of urbanization,

the marginalization and mistreatment of those who are most precariously housed in informal settlements, living in temporary overcrowded structures, without access to water, sanitation or other basic services and living under the constant threat of eviction.

8. ANNUAL HIGH – LEVEL PANEL DISCUSSION ON HUMAN RIGHTS MAINSTREAMING. “THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT AND HUMAN RIGHTS, WITH AN EMPHASIS ON THE RIGHT TO DEVELOPMENT”. A/HRC/31/1

The debate will be guided by the following questions:

3.How can we ensure that the 2030 Agenda effectively and efficiently contributes to the realization of human rights of women and girls and the most vulnerable groups of society?

9. PROTECTION OF THE FAMILY: CONTRIBUTION OF THE FAMILY TO THE REALIZATION OF THE RIGHT TO AN ADEQUATE STANDARD OF LIVING FOR ITS MEMBERS, PARTICULARLY THROUGH ITS ROLE IN POVERTY ERADICATION AND ACHIEVING SUSTAINABLE DEVELOPMENT. A/HRC/31/37

www.ohchr.org/EN/HRBodies/HRC/Pages/ProtectionFamily.aspx

42. Furthermore, States should ensure that children with disabilities enjoy equal rights in relation to family life, included preventing their “concealment, abandonment, neglect and segregation.”² Children born of de facto unions or out of wedlock should also enjoy equal rights in relation to those born from married couples, including the rights to be registered and to have a name.³ The Committee on the Rights of the Child has called for States to protect children from discrimination based on their own or their parents- or legal guardian’s sexual orientation or gender identity.⁴

2. Violence and abuse against children, including corporal punishment

44. Article 19(1) of the Convention on the Rights of the Child requires States Parties to protect the child “from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation” in the family context. This prohibition includes all forms of abuse of children based on their gender, sexual orientation or disability.⁵ According to the Committee on the Rights of the Child, this prohibition encompasses the corporal punishment of children, as well as any other cruel or degrading forms of punishment within the family.⁶

10. REPORT OF THE SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OF PUNISHMENT. A/HRC/31/57

<http://www.ohchr.org/EN/Issues/Torture/SRTorture/Pages/SRTortureIndex.aspx>

III. Gender perspectives on torture and other cruel, inhuman and degrading treatment or punishment

5.In the present report, the Special Rapporteur assesses the applicability of the prohibition of torture and other cruel, inhuman or degrading treatment or punishment in international law to the unique experiences of women, girls, and lesbian, gay, bisexual and transgender and intersex persons. Historically, the torture and ill-treatment framework evolved largely in response to practices and situations that disproportionately affected men. The analysis has thus largely failed to have a gendered and intersectional lens, or to account adequately for the impact of entrenched discrimination, patriarchal, heteronormative and discriminatory

² Convention on the Rights of Persons with Disabilities, art. 23(3).

³ Committee on Discrimination against Women, General recommendation No., para. 19.

⁴ Committee on the Rights of the Child, General recommendation No. 15 para. 8. Cfr. A/HRC/29/23, para. 79(h).

⁵ A/HRC/19/41, para. 24; A/HRC/29/23, paras. 22, 30, 45.

⁶ Committee on the Rights of the Child, General comment No. 8, para.5.

power structures and socialized gender stereotypes. He highlights in the report how the torture and ill-treatment framework can be more effectively applied to qualify human rights violations committed against persons who transgress sexual and gender norms; identify gaps in prevention, protection, access to justice and remedies; and provide guidance to States on their obligations to respect, protect and fulfil the rights of all persons to be free from torture and ill-treatment.

7. Gender-based violence, endemic even in peacetime and often amplified during conflict, can be committed against any persons because of their sex and socially constructed gender roles. While women, girls, lesbian, gay, bisexual and transgender persons, sexual minorities and gender-non-conforming individuals are the predominant targets,⁷ men and boys can also be victims of gender-based violence, including sexual violence stemming from socially determined roles and expectations. As noted by the Committee against Torture in its general comment No. 2 (2007) on the implementation of article 2 of the Convention, gender-based crimes can take the form of sexual violence, other forms of physical violence or mental torment.

8. The purpose and intent elements of the definition of torture (A/HRC/13/39/Add.5) are always fulfilled if an act is gender-specific or perpetrated against persons on the basis of their sex, gender identity, real or perceived sexual orientation or non-adherence to social norms around gender and sexuality (A/HRC/7/3). The definitional threshold between ill-treatment and torture is often not clear. A gender-sensitive lens guards against a tendency to regard violations against women, girls, and lesbian, gay, bisexual and transgender persons as ill-treatment even where they would more appropriately be identified as torture.

9. Gender-based discrimination includes violence directed against or disproportionately affecting women (A/47/38). Prohibited conduct is often accepted by communities due to entrenched discriminatory perceptions while victims' marginalized status tends to render them less able to seek accountability from perpetrators, thereby fostering impunity. Gender stereotypes play a role in downplaying the pain and suffering that certain practices inflict on women, girls, and lesbian, gay, bisexual and transgender persons. Furthermore, gender intersects with other factors and identities, including sexual orientation, disability and age, that may render a person more vulnerable to being subjected to torture and ill-treatment (general comment No. 2). Intersectional identities can result in experiencing torture and ill-treatment in distinct ways. The torture protection framework must be interpreted against the background of the human rights norms that have developed to combat discrimination and violence against women.

10. States' obligations to prevent torture are indivisible, interrelated, and interdependent with the obligation to prevent other forms of ill-treatment. States have an obligation to prevent torture and ill-treatment whenever they exercise custody or control over individuals and where failure to intervene encourages and enhances the danger of privately inflicted harm (general comment No. 2). States fail in their duty to prevent torture and ill-treatment whenever their laws, policies or practices perpetuate harmful gender stereotypes in a manner that enables or authorizes, explicitly or implicitly, prohibited acts to be performed with impunity. States are complicit in violence against women and lesbian, gay, bisexual and transgender persons whenever they create and implement discriminatory laws that trap them in abusive circumstances (A/HRC/7/3).

B. Torture and ill-treatment of women, girls, and lesbian, gay, bisexual and transgender persons in detention

13. Women, girls, and lesbian, gay, bisexual and transgender persons are at particular risk of torture and ill-treatment when deprived of liberty, both within criminal justice systems and other, non-penal settings. Structural and systemic shortcomings within criminal justice systems have a particularly negative impact on marginalized groups. Measures to protect and promote the rights and address the specific needs of female and lesbian, gay, bisexual and, transgender prisoners are required and cannot not be regarded as discriminatory.

14. In many jurisdictions, the criminalization of abortion, "moral crimes" like adultery and extramarital relationships, and witchcraft and sorcery, among others — offences that are aimed at or that solely and disproportionately affect women, girls and persons on the basis of their perceived or actual sexual orientation

⁷ Secretary-General's guidance note on reparations for conflict-related sexual violence (2014).

or gender identity — besides constituting violations of international human rights law in and of themselves are also a significant factor in prison overcrowding, which has a negative impact on all aspects of detainees' lives and gives rise to ill-treatment or torture.

15. A clear link exists between the criminalization of lesbian, gay, bisexual and transgender persons and homophobic and transphobic hate crimes, police abuse, community and family violence and stigmatization (A/HRC/19/41). At least 76 States have laws that criminalize consensual relationships between same-sex adults, in breach of the rights to non-discrimination and privacy; in some cases, the death penalty may be imposed. Such laws foster a climate in which violence against lesbian, gay, bisexual and transgender persons by both State and non-State actors is condoned and met with impunity. Transgender persons are criminalized in many States through laws that penalize cross-dressing, "imitating the opposite sex" and sex work. Lesbian, gay, bisexual and transgender persons are frequently detained on the basis of laws containing vague and undefined concepts such as "crimes against the order of nature", "morality", "debauchery", "indecent acts" or "grave scandal" (A/HRC/29/23).

32. Upon interception or rescue, migrants and refugees tend to be criminalized and detained in substandard and overcrowded conditions amounting to torture or ill-treatment. Unsanitary conditions and inadequate medical care, including lack of access to reproductive care, affect women in particular. Many facilities fail to separate female and male prisoners, leading to heightened risks of sexual violence from other detainees or guards (A/HRC/20/24). Lesbian, gay, bisexual and transgender migrants are also vulnerable to abuse on the basis of their sexual orientation and gender identity.⁸

33. The Special Rapporteur recalls that States are prohibited from returning anyone to a situation where there are substantial grounds to believe that the person may be subject to torture or ill-treatment. The prohibition of refoulement is absolute and an important additional source of protection for women, girls, and lesbian, gay, bisexual and transgender persons who fear such treatment in their countries of origin.

2. Lesbian, gay, bisexual and transgender persons in detention

34. Lesbian, gay, bisexual and transgender persons who are deprived of their liberty are at particular risk of torture and ill-treatment, both within the criminal justice system and in other contexts such as immigration detention, medical establishments and drug rehabilitation centres. Criminal justice systems tend to overlook and neglect their specific needs at all levels. Transgender persons tend to be placed automatically in male or female prisons or wards without regard to their gender identity or expression.

35. Lesbian, gay, bisexual and transgender detainees report higher rates of sexual, physical and psychological violence in detention than on the basis of sexual orientation and/or gender identity than the general prison population (CAT/C/CRI/CO/2). Violence against these persons in custodial settings, whether by police, other law enforcement authorities, prison staff or other prisoners, is prevalent (A/HRC/29/23). Fear of reprisals and a lack of trust in the complaints mechanisms frequently prevent lesbian, gay, bisexual and transgender persons in custody from reporting abuses. Their placement in solitary confinement or administrative segregation for their own "protection" can constitute an infringement on the prohibition of torture and ill-treatment. Authorities have a responsibility to take reasonable measures to prevent and combat violence against lesbian, gay, bisexual and transgender detainees by other detainees.

36. Humiliating and invasive body searches may constitute torture or ill-treatment, particularly for transgender detainees. In States where homosexuality is criminalized, men suspected of same-sex conduct are subject to non-consensual anal examinations intended to obtain physical evidence of homosexuality, a practice that is medically worthless and amounts to torture or ill-treatment (CAT/C/CR/29/4).

38. Adequate and effective complaint and oversight mechanisms are critical sources of protection for at-risk groups that experience abuses in detention. All too often proper safeguards are absent or lacking in independence and impartiality, while fear of reprisals and the stigma associated with reporting sexual violence and other humiliating practices discourage women, girls, and lesbian, gay, bisexual and transgender persons from reporting. In many cases, the vulnerability and isolation of women and girls is

⁸ European Court of Human Rights, application No. 12294/07, *Zontul v. Greece*, judgement of 17 January 2012.

compounded by limited access to legal representation, inability to pay fees or bail as a result of poverty, dependence on male relatives for financial support and fewer family visits.

39. All places of detention must be subject to unannounced visits by independent bodies established in conformity with the Optional Protocol to the Convention against Torture. The inclusion of women, lesbian, gay, bisexual and transgender persons and other minority representation on inspection bodies at all levels would help facilitate the reporting of gender-based violence and discrimination and identify cases of torture and ill-treatment.

D. Torture and ill-treatment of women, girls, and lesbian, gay, bisexual, transgender and intersex persons in health-care settings

42. Women are vulnerable to torture and ill-treatment when seeking medical treatment on the basis of actual or perceived non-conformity with socially determined gender roles (general comment No. 2). Discrimination against women, girls, and persons on the basis of sex, gender, real or perceived sexual orientation or gender identity and sex characteristics often underpins their torture and ill-treatment in health-care settings. This is particularly true when seeking treatments such as abortion that may contravene socialized gender roles and expectations. International human rights law increasingly recognizes that abuse and mistreatment of women seeking reproductive health services cause tremendous and lasting physical and emotional suffering, which is inflicted on the basis of gender (A/HRC/22/53). Health-care providers tend to exercise considerable authority over clients, placing women in a position of powerlessness, while the lack of legal and policy frameworks that effectively enable women to assert their right to access reproductive health services enhances their vulnerability to torture and ill-treatment.

Forced and coerced sterilization

45. Forced sterilization is an act of violence and a form of social control, and violates a person's right to be free from torture and ill-treatment. Full, free and informed consent of the patient herself is critical and can never be excused on the basis of medical necessity or emergency when obtaining consent is still possible (A/HRC/22/53). Gender often intersects with other characteristics such as race, nationality, sexual orientation, socioeconomic status, age and HIV status to render women and girls at risk of torture and other ill-treatment in the context of sterilization (CAT/C/CZE/CO/4-5, A/HRC/29/40/Add.2) The European Court of Human Rights found that the sterilization of a Roma woman who consented to the procedure only during delivery by caesarean section violated the prohibition of torture and ill-treatment.⁹ Documented practices that may violate the prohibition of torture and ill-treatment include Government-sponsored family planning initiatives targeting economically disadvantaged and uneducated women that shortcut the process of obtaining consent, sterilization certificates required by employers and coerced sterilization of HIV-positive women in some States. Despite the fundamental rights enshrined in the Convention on the Rights of Persons with Disabilities, women and girls with disabilities are also particularly vulnerable to forced sterilization and other procedures such as imposed forms of contraception and abortion, especially when they are labelled "incompetent" and placed under guardianship (A/67/227).

Lesbian, gay, bisexual, transgender and intersex persons in health-care settings

48. Lesbian, gay, bisexual, transgender and intersex persons are frequently denied medical treatment and subjected to verbal abuse and public humiliation, psychiatric evaluations, forced procedures such as sterilization, "conversion" therapy, hormone therapy and genital-normalizing surgeries under the guise of "reparative therapies". These procedures are rarely, if ever, medically necessary, lead to severe and life-long physical and mental pain and suffering and can amount to torture and ill-treatment (A/HRC/22/53). The criminalization of same-sex relationships and pervasive discrimination against lesbian, gay, bisexual, transgender and intersex persons lead to the denial of health care, information and related services, including the denial of HIV care, in clear violation of international human rights standards such as the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity.

⁹ Application No. 18968/07, *V.C. v. Slovakia*, judgement of 8 November 2011.

49. Transgender persons often face difficulties in accessing appropriate health care, including discrimination on the part of health-care workers and a lack of knowledge about or sensitivity to their needs. In most States they are refused legal recognition of their preferred gender, which leads to grave consequences for the enjoyment of their human rights, including obstacles to accessing education, employment, health care and other essential services. In States that permit the modification of gender markers on identity documents abusive requirements can be imposed, such as forced or otherwise involuntary gender reassignment surgery, sterilization or other coercive medical procedures (A/HRC/29/23). Even in places with no legislative requirement, enforced sterilization of individuals seeking gender reassignment is common. These practices are rooted in discrimination on the basis of sexual orientation and gender identity, violate the rights to physical integrity and self-determination of individuals and amount to ill-treatment or torture.

50. In many States, children born with atypical sex characteristics are often subject to irreversible sex assignment, involuntary sterilization and genital normalizing surgery, which are performed without their informed consent or that of their parents, leaving them with permanent, irreversible infertility, causing severe mental suffering and contributing to stigmatization. In some cases, taboo and stigma lead to the killing of intersex infants.

Rape and sexual violence

51. It is well established that rape and other forms of sexual violence can amount to torture and ill-treatment.¹⁰ Rape constitutes torture when it is carried out by, at the instigation of, or with the consent or acquiescence of public officials (A/HRC/7/3). States are responsible for the acts of private actors when States fail to exercise due diligence to prevent, stop or sanction them, or to provide reparations to victims. In addition to physical trauma, the mental pain and suffering inflicted on victims of rape and other forms of sexual violence is often long-lasting due, inter alia, to subsequent stigmatization and isolation. This is particularly true in cases where the victim is shunned or formally banished from the family or community. Victims can also face difficulties in establishing or maintaining intimate relationships and a variety of other consequences, including sexually transmitted diseases, inability to bear children, unwanted pregnancy, miscarriage and forced or denial of abortion (A/HRC/7/3). Torture and ill-treatment of persons on the basis of actual or perceived sexual orientation or gender identity is rampant in armed conflict and perpetrated by State and non-State actors alike, with rape and other forms of sexual violence sometimes being used as a form of “moral cleansing” of lesbian, gay, bisexual and transgender persons (S/2015/203, A/HRC/25/65).

57. Lesbian, gay, bisexual, transgender and intersex persons are disproportionately subjected to practices that amount to torture and ill-treatment for not conforming to socially constructed gender expectations (A/HRC/22/53). Violence motivated by homophobia and transphobia tends to be characterized by particularly brutal acts, often resulting in murder (A/HRC/19/41). Private actors typically inflict torture and ill-treatment on such persons in a climate of impunity as many States fail in their due diligence obligations to combat, prevent and remedy abuses. Lesbians and transgender women are at particular risk of mistreatment because of gender inequality and power relations within families and communities (ibid.). Sexual violence, including the practice of “corrective rape”, uniquely affects lesbian, gay, bisexual, transgender and intersex individuals (CEDAW/C/ZAF/CO/4). Discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons extends into the family sphere and can include placement in psychiatric institutions, forced marriage and honour-based violence (A/HRC/29/23).

Honour-based violence

59. Violence committed by family members against relatives in order to protect the family’s “honour” is a common practice around the world. In some communities honour is equated with the regulation of female sexuality and with women’s conformity with social norms and traditions. Women, girls, and lesbian, gay, bisexual, transgender and intersex persons are the most common victims of honour-based violence, which

¹⁰ European Court of Human Rights, application No. 39272/98, [M.C. v. Bulgaria, judgement of 4 December 2003](#); Inter-American Court of Human Rights, [Ortega et al. vs. Mexico](#), judgement of 30 August 2010.

targets female sexuality and autonomy and individuals' actual or perceived sexual orientation and gender identity and expression (A/61/122/Add.1 and Corr.1).

67. Adequate redress requires States to investigate, prosecute and punish perpetrators and inform the public of results. States must ensure that judicial procedures and rules of evidence are gender responsive; that equal weight is afforded to the testimony of women, girls, and lesbian, gay, bisexual, transgender and intersex persons; and that the introduction of discriminatory evidence and the harassment of victims and witnesses are strictly prohibited.¹¹ The standards established by international courts should serve as an example for domestic courts to follow, for instance by implementing institutional gender-balance requirements and prohibiting the admission of evidence regarding the victims' prior sexual conduct in cases of sexual, domestic and other gender-based violence.

Conclusions and recommendations

68. States have a heightened obligation to prevent and combat gender-based violence and discrimination against women, girls, and lesbian, gay, bisexual, transgender and intersex persons that amount to torture and ill-treatment, committed in a variety of contexts by both State and actors. In assessing the level of pain and suffering experienced by victims of gender-based violence, States must examine the totality of the circumstances, including the victim's social status; extant discriminatory legal, normative and institutional frameworks that reinforce gender stereotypes and exacerbate harm; and the long-term impact on victims' physical and psychological well-being, enjoyment of other human rights and their ability to pursue life goals. The provision of comprehensive reparations, including monetary compensation, rehabilitation, satisfaction and guarantees of non-repetition, is essential and must be accompanied by diverse measures and reforms designed to combat inequality and legal, structural and socioeconomic conditions that perpetuate gender-based discrimination. Urgent interim reparations designed to respond to the immediate needs of victims of gender-based violence, including rehabilitation and access to physical and mental health care, should also be provided where necessary.

69. States must repeal all laws that support the discriminatory and patriarchal oppression of women, inter alia laws that exclude marital rape from the crime of rape or grant pardon to rapists who marry their victims and laws that criminalize adultery. In addition, States must decriminalize same-sex relationships between consenting adults and repeal all laws that criminalize persons on the basis of their actual or perceived sexual orientation or gender identity or expression. Comprehensive, coordinated policies and programmes to combat gender-based discrimination and violence, inclusive of gender-sensitive trainings of public officials and the implementation of public education and awareness campaigns, must be developed and implemented at all levels.

(d) Enact legislation that prohibits discrimination by public actors and private parties, including hate crime laws that sanction homophobic and transphobic violence; ensure that appropriate laws apply to all persons equally, regardless of real or perceived sexual orientation and gender identity; and implement effective complaint and enforcement procedures and systems for quantifying prohibited acts.

q) Ensure that migrants, refugees and asylum seekers are individually assessed, including with respect to their need for protection, and that adequate screening and assessment procedures are in place to identify victims of torture and ill-treatment; provide opportunities for safe, voluntary and dignified disclosure of lesbian, gay, bisexual, transgender and intersex status; and ensure that measures taken by migration authorities do not retraumatize victims;

(r) In the context of administrative enforcement of immigration policies, ensure that detention is used only as a last resort and in exceptional circumstances; and comply with the absolute prohibition of refoulement at all times, with special attention to prospective situations of gender-based discrimination and violence that women, girls, and lesbian, gay, bisexual, transgender and intersex persons may face;

(s) Take individuals' gender identity and choice into account prior to placement and provide opportunities to appeal placement decisions;

¹¹ Committee against Torture, general comment No. 3 (2012) on implementation of article 14 by States parties.

(t) Ensure that protective measures do not involve the imposition of more restrictive conditions on lesbian, gay, bisexual, transgender and intersex persons than on other detainees;

(u) Guarantee all transgender detainees the choice of being searched by male or female officers;

(w) Set up operational protocols, codes of conduct, regulations and training modules for the ongoing monitoring and analysis of discrimination against women, girls, and lesbian, gay, bisexual and transgender persons with regard to access to all services and rehabilitation programmes in detention; and document, investigate, sanction and redress complaints of imbalance and direct or indirect discrimination in accessing services and complaint mechanisms;

y) Ensure that all places of detention are subjected to effective oversight and inspection and unannounced visits by independent bodies established in conformity with the Optional Protocol to the Convention against Torture, as well as by civil society monitors; and ensure the inclusion of women and lesbian, gay, bisexual and transgender persons and other minority representation on monitoring bodies;

(z) Undertake specific training and capacity-building programmes designed to sensitize law enforcement authorities and detention facility staff to the specific circumstances and unique needs of female and lesbian, gay, bisexual and transgender prisoners and standards such as the Bangkok Rules.

72. With regard to abuses in health-care settings, the Special Rapporteur calls upon States to:

(g) Undertake appropriate training sessions and community-level gender-sensitization campaigns to combat discriminatory gender stereotypes underlying discrimination and abuses in the provision of health-care services to women, girls, and lesbian, gay, bisexual, transgender and intersex persons;

(h) Adopt transparent and accessible legal gender recognition procedures and abolish requirements for sterilization and other harmful procedures as preconditions;

(i) Repeal laws that allow intrusive and irreversible treatments of lesbian, gay, bisexual, transgender and intersex persons, including, *inter alia*, genital-normalizing surgeries and “reparative” or “conversion” therapies, whenever they are enforced or administered without the free and informed consent of the person concerned;

(j) Prohibit and prevent the discriminatory denial of medical care and of pain relief, including HIV treatment, to lesbian, gay, bisexual, transgender and intersex persons.

73. With regard to domestic and private-actor violence against women, girls, and lesbian, gay, bisexual, transgender and intersex persons, the Special Rapporteur calls upon States to:

(a) Repeal or reform civil laws that restrict women’s access to divorce, property and inheritance rights and that subjugate women and limit their ability to escape situations of domestic and other gender-based violence;

(b) Dismantle legal and practical barriers to initiating legal proceedings and reform judicial systems and procedures to permit women to obtain protective measures, including, *inter alia*, restraining and protective orders, witness protection programmes and other measures designed to combat harassment and retaliation;

(c) Provide community support programmes and services, including shelters, to victims and their dependents;

(d) Enact legislation that prohibits discrimination by public actors and private parties, including hate crime laws that sanction homophobic and transphobic violence; ensure that appropriate laws apply to all persons equally, regardless of real or perceived sexual orientation and gender identity; and implement effective complaint and enforcement procedures and systems for quantifying prohibited acts.

(g) Undertake appropriate training sessions and community-level gender-sensitization campaigns to combat discriminatory gender stereotypes underlying discrimination and abuses in the provision of health-care services to women, girls, and lesbian, gay, bisexual, transgender and intersex persons;

(h) Adopt transparent and accessible legal gender recognition procedures and abolish requirements for sterilization and other harmful procedures as preconditions;

(i) Repeal laws that allow intrusive and irreversible treatments of lesbian, gay, bisexual, transgender and intersex persons, including, *inter alia*, genital-normalizing surgeries and “reparative” or “conversion” therapies, whenever they are enforced or administered without the free and informed consent of the person concerned;

(j) Prohibit and prevent the discriminatory denial of medical care and of pain relief, including HIV treatment, to lesbian, gay, bisexual, transgender and intersex persons.

UPDATE 4 17/02/16

8. REPORT OF THE SPECIAL RAPPORTEUR IN THE FIELD OF CULTURAL RIGHTS. A/HRC/31/59

<http://www.ohchr.org/EN/Issues/CulturalRights/Pages/SRCulturalRightsIndex.aspx>

19. The Special Rapporteur has been particularly disturbed by recent political discourses of exclusion, sometimes directed at entire religious or other groups. One of her key commitments is to promote the enjoyment of cultural rights without any discrimination, including that based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, sexual orientation, gender identity, age, migrant status, disability or poverty. Committed to integrate both disability and gender perspectives into her work as emphasized by the terms of her mandate, she will also give particular focus to the equal cultural rights of women. Moreover, she plans to pay close attention generally to the cultural rights of those at heightened risk of human rights violations due to group or other status.

29. The Special Rapporteur believes that this innovative approach to the question of women’s rights is valid for many other groups that are the victims of human rights violations justified in the name of tradition, religion, or culture. It paves the way for future similar work to be done concerning other subordinated groups, be it persons with disabilities, migrants, indigenous peoples, lesbian, gay, bisexual, transgender and intersex persons or people living in extreme poverty, for example.

9. REPORT OF THE SPECIAL RAPPORTEUR ON THE RIGHTS OF PERSONS WITH DISABILITIES. A/HRC/31/62

A. Importance of effective and meaningful participation

1. Participation for enhanced decisions: diverse perspectives for better outcomes

25. Diversity is a fundamental aspect of human existence. Human beings experience life from different perspectives in accordance with their multiple human traits or identities: sex, race, colour, ethnicity, sexual orientation, language, religion, origin, age, disability or any other status. This diversity is reflected in the way in which people take decisions, exercise agency and participate in society. Persons with disabilities are part of this human diversity and, arguably, embody one of the most heterogeneous population groups. Notwithstanding, despite decades of efforts, in practice persons with disabilities continue to face barriers to their participation as equal members of society, all over the world. They rarely occupy positions in governments, their opinions are seldom considered, and they are usually not consulted in policymaking, including on matters directly affecting them.

B.Ensuring the participation of representative organizations of persons with disabilities

8.Inclusiveness

60. States must promote the participation of persons with disabilities across all population groups, including those historically discriminated against or disadvantaged, such as indigenous people, poor or rural-based persons, lesbian, gay, bisexual, transgender and intersex persons, and others. States must also ensure that the voices of persons with disabilities from throughout the life cycle are heard (particularly those of children, adolescents and older persons) and from across the whole range of impairments and experiences of disability (including deaf persons, autistic persons, deafblind persons, and persons with psychosocial or intellectual disabilities).

10. REPORT OF THE SPECIAL RAPPORTEUR ON FREEDOM OF RELIGION OR BELIEF ON HIS MISSION TO BANGLADESH. A/HRC/31/18/Add.2.

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/18/Add.2

B. Freedom of religion or belief of hijras and other sexual minorities

92. Transgender persons — biological males who identify as female — are also known as “hijras” in South Asia. They are usually accepted in their societies, including Bangladesh. However, by their difference, people reportedly believe that they own a different set of religious practices — quite similar to some Hindu rituals — developed just for their community. Indeed, many hijras actually participate in mainstream religious life, for instance, by attending the Friday prayer or participating in church services.

93. Unlike the case of the hijras, other sexual minorities do not find much acceptance in society and often experience verbal or other abuse. The idea that individuals belonging to sexual minorities should be able to exercise their freedom of religion or belief like everyone else may strike many people as unusual or even unthinkable. It seems to be a widespread perception in Bangladesh that persons belonging to sexual minorities must be “non- believers” since their conduct is seen in breach of traditional interpretations of religious ethics. However, many individuals belonging to sexual minorities in fact identify themselves as believers of different faiths.

94. Freedom of religion or belief of persons belonging to sexual minorities is a very much underexplored issue that warrants more international attention. Diverse sexual orientations and gender identities are a reality in every society and not an invention imposed from abroad, as some may be inclined to think.

95. The only question is whether and how to recognize this reality. An opening-up in this regard helps to overcome prejudices and unsubstantiated anxieties, thus giving more breathing space to human beings who otherwise would be forced to conceal important aspects of their personal identity. The Special Rapporteur would like to stress that the right to freedom of religion or belief is guaranteed for every single human being, so no one should be deprived the right on the basis of sexuality, gender, ethnicity or caste. He has heard of encouraging initiatives by representatives of sexual minorities and religious community leaders in South Asia, including some from Bangladesh, who met to discuss and better understand these issues.

11. REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS ON THE SITUATION OF HUMAN RIGHTS AND THE WORK OF THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS IN GUINEA. A/HRC/31/48.

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/48

B. Cooperation with international human rights protection mechanisms

1.Universal periodic review

68. The country office's advocacy work and technical assistance led to the submission of the second periodic report of Guinea to the Working Group on the Universal Periodic Review (A/HRC/WG.6/21/GIN/1), which was considered on 20 January 2015. Following its consideration, 194 recommendations were made to the Government. In its reply of June 2015, the Government accepted 180 of the recommendations and took note of the other 14, which mainly concerned the abolition of the death penalty and the protection of lesbians, gays, bisexuals and transgender persons.

12. REPORT OF THE SECRETARY-GENERAL ON THE QUESTION OF THE REALIZATION IN ALL COUNTRIES OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS. A/HRC/31/31.

17. In the United Kingdom of Great Britain and Northern Ireland, the Equality and Human Rights Commission, in partnership with the Scottish Human Rights Commission, has worked on the development of the Human Rights Measurement Framework for England, Scotland and Wales. The framework aims to provide a set of indicators to measure human rights progress and help the Commission in fulfilling its monitoring and reporting mandate, including to Parliament. Its work includes extensive consultations with a range of government agencies and human rights and civil society organizations, as well as maintaining a dedicated website for online consultations. The indicators developed come from varied sources of data, including alternative sources such as events-based data collected by human rights organizations and United Nations human rights mechanisms. The indicators developed have been used in the Commission's latest report *Is Britain Fairer?* in relation to equality of opportunity and freedom from unlawful discrimination and harassment. Detailed information on indicators and their analysis are available by "domain", namely: life; health; physical security; legal security; education; standard of living; productive and valued activities; individual, family and social life; identity, expression and self-respect; and participation, influence and voice. A special effort was made to measure disparities, drawing from a range of data disaggregated by age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Evidence is also presented for people who are in vulnerable positions, such as asylum seekers and people resident or detained in public and private institutions, including children in foster care and homeless persons.¹²

13. REPORT OF THE SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT ON HIS MISSION TO BRAZIL. A/HRC/31/57/ADD.4.

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/57/Add.4

Lesbian, gay, bisexual, transgender and intersex persons

32. The Special Rapporteur notes with concern that little data exist on lesbian, bisexual, transgender and intersex people in conflict with the law in Brazil. Few people declare themselves as such in prison, the great majority of incidents are not reported due to fear of retaliation from the perpetrator(s), and there is little interest in mapping such incidents.

33. From the information available, the Special Rapporteur understands that they are the target of systematic threats and serious harm to their physical and psychological integrity, including sexual violence and killings during arrests and detention, by police and penitentiary agents, as well as by fellow inmates.

34. Joint resolution 1/2014 of the National Council on Criminal and Penitentiary Policies and the National Lesbian, Gay, Bisexual and Transgender Council provides that lesbian, bisexual, transgender and intersex

¹² See "Human Rights Measurement Framework: Prototype panels, indicator set and evidence base" (available at www.equalityhumanrights.com/about-us/our-work/human-rights/human-rights-measurement-framework); and *Is Britain Fairer? The State of Equality and Human Rights 2015* (available at www.equalityhumanrights.com/about-us/our-work/key-projects/britain-fairer-0).

persons are entitled to specific wings and cells. Compulsory transfers are, in principle, considered a violation, but the resolution foresees no sanctions in the event of breaches. In terms of access, according to Infopen, in 2014 only about 5 per cent of establishments had special cells for this group. The resolution is unclear about how and by whom searches of lesbian, bisexual, transgender and intersex people must be conducted. Implementation is left up to each institution, and there are no sanctions for non-compliance.

35. The joint resolution is undoubtedly a positive step; however, the Special Rapporteur is concerned that it could contribute to the further exclusion and isolation of such persons, depending on how it is implemented.

36. In terms of access to health services, lesbian, bisexual, transgender and intersex persons are, relative to the rest of the prison population, likely to be additionally affected by inadequacies stemming from overcrowding. In that regard, the joint resolution establishes

that the national health policies relating to lesbian, bisexual, transgender and intersex persons, including access to hormone treatment, also apply in prisons.

B. Recommendations

146. In a spirit of cooperation and partnership, the Special Rapporteur recommends that the Government, with appropriate assistance from the international community, take decisive steps to implement the recommendations outlined below.

147. With regard to legislation, the Special Rapporteur recommends that the Government of Brazil:

(e) Take measures to eliminate discrimination against minority groups, including based on race, sexual orientation and gender identity;

(f) Ensure that all states follow the recommendation contained in the joint resolution (1/2014) of the National Council on Criminal and Penitentiary Policies and the National Lesbian, Gay, Bisexual and Transgender Council, to establish separate cells for persons who are particularly exposed because of sexual orientation and gender identity, and protect them against exclusion and isolation;

14. REPORT OF THE INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE SYRIAN ARAB REPUBLIC. A/HRC/31/68.

B. Fracturing of communities

106. In September, fighters from Jabhat al-Nusra and anti-government armed groups executed seven men in Rastan city (Homs) on accusations of homosexuality. An unauthorized court, functioning on behalf of all armed groups from the area, ordered the executions.

113. ISIS continues to target sexual minorities for execution. In August, the terrorist group released a video showing two men being thrown from a building in Tadmur as punishment for allegedly committing homosexual acts.

UPDATE 7 02/03/16

15. 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 SERBIA AND KOSOVO* (UN SC RES. 1244). A/HRC/31/54/ADD.2.

3. Homeless persons

52. Only limited attention seems to be paid to the problem of homelessness in Serbia, with little reliable data available. Many interlocutors viewed homelessness exclusively as persons “sleeping rough” or otherwise without any shelter.¹³ The Special Rapporteur was, however, informed that, even if such data existed, they would not be indicative of the real extent of the situation, given that the majority of homeless people live in overcrowded conditions, with relatives or friends. She was also informed that groups already subject to discrimination and exclusion, or extreme poverty, such as persons with psychosocial disabilities or LGBT persons, may be at an even greater risk of homelessness. Furthermore, there appear to be legal impediments to the establishment of shelters for homeless persons, and no provision for development by non-State entities. There is no statutory obligation for any public authority to act to address or to prevent homelessness.

16. REPORT OF THE SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS DEFENDERS - ADDENDUM - OBSERVATIONS ON COMMUNICATIONS TRANSMITTED TO GOVERNMENTS AND REPLIES RECEIVED. A/HRC/31/55/ADD.1

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/55/Add.1

Cameroon

40. JAL 27/04/2015 Case no: [CMR 1/2015](#) State reply: none to date Allégations de menaces et campagne de dénigrement contre deux femmes

défenseuses des droits de l'homme, Mme Maximilienne Ngo Mbe et Mme Alice Nkom.

41. Le Rapporteur spécial regrette qu'au moment de la finalisation du présent rapport, aucune réponse n'ait été reçue aux communications envoyées pendant la période couverte par le présent rapport et il encourage le gouvernement à répondre à la communication envoyée.

42. Le Rapporteur spécial exprime son inquiétude concernant les menaces, et plus spécifiquement la campagne de dénigrement des deux femmes défenseurs des droits de l'Homme, Mme. Maximilienne Ngo Mbe et Mme Alice Nkom, et leur association, Réseau des Défenseurs des Droits de l'Homme de l'Afrique Centrale (REDHAC). Il est également préoccupé par les allégations affirmant que ces actions sont liées à leurs activités de défense des droits de l'homme et en particulier, des droits des personnes lesbiennes, gays, bisexuelles, transgenres et intersexuées (LGBTI). Le Rapporteur spécial exprime sa préoccupation quant à la sécurité des défenseurs œuvrant pour les droits des personnes (LGBTI) au Cameroun.

AMERICAS REGION

109. The communications sent in the current reporting period also raise concerns of growing risks faced by defenders of rights of lesbian, gay, bisexual, transgender and intersex (LGBTI)-persons, as well as civil society associations. During the current reporting period, such groups have been seen to be subjected to multifaceted forms of harassment, among which their stigmatization by government officials raise grave concern. Violent acts of retaliation against defenders of LGBTI rights in the region have sharply emerged during the present reporting period as an issue demanding immediate and intense consideration by governments of the region. Defenders of LGBTI rights, as well as defenders within the LGBTI community itself, are facing serious challenges in many countries of the region, in the undertaking of their legitimate human rights work, with women LGBTI rights defenders and transsexual defenders highlighted by the Inter-American Commission of Human Rights as facing the gravest risk. Challenges faced by LGBTI defenders

¹³ Branislava Žarković, Dr. Mina Petović and Milena Timotijević, *Without a house, without a home: Results of the research on homelessness in Serbia*, Housing Center and DISK UK (Belgrade, Publikum, 2012).

have included assassinations, threats, surveillance, violent attacks, public stigmatization by state authorities, and restrictions on their exercise of freedom of association and peaceful assembly. In order to halt the pattern of violent attacks on LGBTI rights defenders, States must initiate dialogue with the defenders in order to fully understand the threats they face and formulate plans for their better protection.

Ecuador

139. JUA 02/12/2014 Case no: [ECU 3/2014](#) State reply: [02/07/2015](#)

Alegaciones sobre secuestro, amenazas y una campaña de desprestigio contra Sra. Diane Maria Rodríguez Zambrano, una defensora de los derechos de las personas LGBTI.

Ukraine

461. JAL 16/10/2015 Case no: [UKR 5/2015](#) State reply: none to date Physical assault of and threats against defender of rights of LGBTI persons,

Mr. Nick Carter.

462. The Special Rapporteur regrets that at the time of finalising this report no response had been received from the Government of Ukraine to the joint communication sent on 16 October 2015.

463. The Special Rapporteur expresses his concern in relation to the threats to and harassment of defenders of LGBTI persons rights in Ukraine, as per the communication sent in October. He is concerned with the intimidation and attack suffered by Mr Nick Carter, a human rights defender who works to defend the rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons and to raise awareness on the subject of discrimination against members of the LGBTI community in Ukraine. The Special Rapporteur fears the attack may be related to his sexual orientation or perceived sexual orientation, and in particular the public nature of his work in defence of their rights, and the exercise of his legitimate right to freedom of expression and opinion. The Special Rapporteur further expresses concern at what appears to be a lack of an investigation on the part of the authorities into the alleged attack on Mr. Carter.

464. The Special Rapporteur welcomes the recently approved bill that bans discrimination against gay people at work, after being rejected four times. However, there still remains more work to be done in order to obtain non-discrimination against all LGBTI people. T

The Special Rapporteur urges the Government to combat negative stereotypes that LGBTI persons endure, and which result in discrimination, and also to contribute to improving the social acceptance of LGBTI persons within the Ukrainian society. transgender people have to take a number of additional steps in order to be listed on documents in their preferred gender. The Special Rapporteur laments that such requirement violates fundamental rights and creates a barrier for instance for transgender persons seeking employment.

568. PR [13/05/2015](#)

Discriminated and made vulnerable: Young LGBT and intersex people need recognition and protection of their rights, International Day against Homophobia, Biphobia and Transphobia – Sunday 17 May 2015.

16. **REPORT OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS ON WAYS AND MEANS, AS WELL AS OBSTACLES AND CHALLENGES TO OVERCOME THEM, FOR THE ENHANCEMENT OF INTERNATIONAL COOPERATION IN THE FIELD OF HUMAN RIGHTS. A/HRC/31/81.**

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/81

2. International cooperation in promoting and protecting women's rights, gender equality and diversity

24. The professor of Political Science at the Complutense University of Madrid, Juan Carlos Monedero Fernández-Gala addressed the issue of political selectivity in the application of human rights. He identified three important areas: to end inequality globally, cognitive injustice and historical injustice. Inequalities should not be ignored, collective rights should not be hampered and the understanding of the concept of human dignity should not be limited. Human rights had to become part of an inclusive dialogue and should not be discussed as part of a monologue of the powerful over the weak, of men over women, of heterosexual over homosexual and of majority over minority.

28. It was also suggested that best practices should be developed for the protection of human rights of persons that faced discrimination on the grounds of their sexual orientation and gender identity. Delegates underlined that the primary objectives of international cooperation were to ensure the protection of fundamental rights and freedoms and to maintain peace through mutual respect, tolerance and recognition and acceptance of cultural and religious diversity. Combating racist political discourse, xenophobic acts, Islamophobia, hate speech and incitement to hatred were crucial in achieving those objectives. International cooperation should seek to address multiple and intersecting forms of injustices and inequalities, including those related to sex, gender, age, race, ethnicity, sexuality, religion and ability.

17. REPORT OF THE SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS DEFENDERS. A/HRC/31/55.

27. Some activists face greater and more specific risks than others (see A/HRC/16/44, A/HRC/19/55 and A/70/217, paras. 61-77). Defenders who challenge social and cultural norms, do not fit stereotypes and prescribed roles, or who challenge power structures in society – such as defenders of sexual orientation and gender identity rights, women defenders, and defenders working on the rights of minorities and indigenous people – are often stigmatized and subjected to threats and attacks from members of society because of who they are or what they do. Defenders in conflict zones and in occupied territories are also more vulnerable to continuous insecurity and threats. Protection practices must therefore be gender-sensitive and suited to the specific needs and situations of such defenders at risk.

38. Gender influences the way that defenders experience risks and threats. Discrimination on the basis of gender is linked to other factors, such as ethnicity, religion, class, age, health or sexual orientation.¹⁴ The intersection of these factors produces different vulnerabilities for women. For this reason, it is critical for gender analysis to adopt an intersectionality lens, examining how the combination of such factors has an impact on the rights and security of women defenders.

48. As mentioned above, experiences of violence, risk and security are often gender-based. Women human rights defenders report how they suffer more from verbal abuse, sexual violence and rape; how gender stereotypes are used to delegitimize their work; and how other factors, such as ethnicity, age, class and sexual orientation, exacerbate the discrimination they face.¹⁵ They emphasize the need for gender-sensitive protection measures that focus on holistic security.

63. Some defenders work on issues that are political, culturally and socially sensitive – issues that other defenders within the same sociopolitical milieu might not support instinctively. Women defenders and defenders who work on sexual orientation and gender identity rights, for example, often struggle to have their rights recognized in certain contexts. It is important for defenders within the same context to understand and support one another, even if they focus on different rights.

80. The media can also, however, reproduce and reinforce patterns of inequality and marginalization; for example, women defenders and LGBTI activists are sometimes targeted in social media smear campaigns and vilified by mainstream media outlets. Some good practices within the media to combat this

¹⁴ Committee on the Elimination of Discrimination against Women, general recommendation No. 28, para. 18.

¹⁵ See Immaculada Barcia, *Our Right to Safety: Women Human Rights Defenders' Holistic Approach to Protection*, Women Human Rights Defenders International Coalition (Toronto, Association for Women's Rights in Development, 2014).

phenomenon include proactive training about defenders at higher risk and emerging rights, as well as stronger support within media outlets for defenders and those working on these issues. Women defenders have noted a strong correlation between media outlets hiring and supporting women journalists and improved coverage of women's rights.

18. JOINT COMPILATION REPORT OF THE SPECIAL RAPPOREUR ON THE RIGHTS TO FREEDOM OF PEACEFUL ASSEMBLY AND OF ASSOCIATION AND THE SPECIAL RAPPOREUR ON EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS ON PRACTICAL RECOMMENDATIONS FOR THE PROPER MANAGEMENT OF ASSEMBLIES, BASED ON BEST PRACTICES AND LESSONS LEARNED. A/HRC/31/66.

A. States shall respect and ensure all rights of persons participating in assemblies

16. Particular effort should be made to ensure equal and effective protection of the rights of groups or individuals who have historically experienced discrimination. This includes women, children and young people, persons with disabilities, non-nationals (including asylum seekers and refugees), members of ethnic and religious minorities, displaced persons, persons with albinism, indigenous peoples and individuals who have been discriminated against on the basis of their sexual orientation or gender identity (A/HRC/26/29). This duty may require that authorities take additional measures to protect and facilitate the exercise of the right to freedom of assembly by such groups.

19. RECOMMENDATIONS OF THE FORUM ON MINORITY ISSUES AT ITS EIGHTH SESSION: MINORITIES AND THE CRIMINAL JUSTICE SYSTEM (24 AND 25 NOVEMBER 2015). A/HRC/31/72

91. States should establish independent and effective mechanisms or dedicated institutions with the mandate and technical capacity to receive and adjudicate complaints of unlawful discrimination on the basis of race, colour, national origin, religion, age, sex, sexual orientation, disability, gender identity or any other characteristic or status in the criminal justice system. They should be able to remedy direct or indirect discriminatory effects on the victim(s) and others, where appropriate. Retaliation against a person who files a complaint, serves as a witness, assists or participates in any manner in this procedure should be explicitly prohibited by law and result in prosecution and in disciplinary action when appropriate. Such mechanisms and institutions should be fully accessible to persons or groups belonging to minorities.

UPDATE 9 05/03/2016

20. REPORT OF THE SPECIAL RAPPOREUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OF PUNISHMENT: OBSERVATIONS ON COMMUNICATIONS. A/HRC/31/57/ADD.1

(b) JUA 08/01/2015 Case No. EGY 1/2015 State reply: 20/02/2015 **Allegation concerning the arbitrary arrest, detention, torture, and public humiliation and stigmatisation of 26 men tried on charges related to their alleged sexual orientation.**

117. The Special Rapporteur thanks the Government of Egypt for its reply, dated 20 February 2015, to the present communication.

118. The Rapporteur takes note of the information provided by the Government that all 26 individuals detained and tried were twice acquitted of the charges against them. In spite of the information supplied by the Government, its reply denies the allegation of ill-treatment of these detainees but fails provide any details

as to how the investigation was conducted. Similarly, the reply does not address the larger question of whether persons in Egypt are treated in humiliating manner when detained and investigated about their real or alleged homosexuality, or the forced anal examinations these individuals were allegedly subjected to at the time of their arrest. In this context, the Rapporteur would like to remind the Government of the absolute and non-derogable prohibition of torture and other ill-treatment, whether physical or mental, as codified in article 1 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Egypt signed on 25 June 1986.

119. The Rapporteur calls on the Government of Egypt to undertake a prompt, independent, and effective investigation into the allegations of torture and cruel, inhuman or degrading treatment of the 26 men leading to the prosecution and punishment of the perpetrators, provide full redress to the victims and their family members, and undertake effective measures to prevent the recurrence of these acts. The Rapporteur expects to be kept fully informed of the outcome of the investigation and proceedings.
120. In the absence of information to the contrary, the Rapporteur concludes that there is substance in the allegations presented in the initial communication, available in the link above, and is therefore of the view that the Government in Egypt, by failing to protect the physical and psychological integrity of the 26 men arrested and tried on charges related to their alleged sexual orientation, has violated their rights to be free from torture or cruel, inhuman or degrading treatment as provided by article 1 of the CAT.

Zambia

JAL 09/04/2015 Case No. [ZMB 1/2015](#) State Reply: None to date **Allegations concerning arbitrary arrest and prosecution of Messrs. A and B on the sole basis of their sexual orientation.**

712. The Special Rapporteur regrets that the Government of Zambia has not replied to the present communication, thereby failing to cooperate with the mandate issued by the Human Rights Council in its resolution 25/13.
 713. The Special Rapporteur recalls that the practice of subjecting men accused of engaging in homosexual conduct to non-consensual anal examinations contravenes the prohibition on torture and ill-treatment under international law (see A/HRC/19/41 para 37).
 714. In the absence of information to the contrary, the Rapporteur concludes that there is substance in the allegations presented in the initial communication, available via the link above, and is therefore of the view that the Government of Zambia, by submitting Messrs. A and B, to a medical forensic test without their consent, has violated their right to be free from torture and other forms of cruel, inhuman and degrading treatment, as provided by article 7 of the ICCPR, and articles 1 and 16 CAT, all of which are declaratory of a customary international law norm.
666. The Rapporteur takes note of the information provided by the Government concerning proceedings and treatment of deportees under U.S. law and policies. However, the Rapporteur finds that the Government, in its reply, does not sufficiently address some of the concerns, legal obligations, and questions raised in the initial communication. In particular, the reply fails to adequately address the risk that certain categories of deportees, particularly women, persons with nonconforming gender identities, and persons suffering from chronic mental or physical illnesses, are vulnerable to physical abuse and/or imprisonment or institutionalization in unsafe conditions upon return to Haiti; and that persons with serious health conditions are unable to access adequate medical treatment and facilities, specialized care, medications, nutrition, and stable and safe living conditions.

21. REPORT OF THE SECRETARY – GENERAL ON THE SITUATION OF HUMAN RIGHTS IN IRAN. A/HRC/31/26.

Cooperation with the United Nations Treaty Bodies

54. The Secretary-General welcomes Iran's continued engagement with the Treaty Bodies, notably the submission of periodic reports and its dialogue with experts. On 11 and 12 January 2016, the Committee on

the Rights of Child considered the combined third and fourth periodic report of Iran –for the first time since 2005. During the review, the Committee raised a wide range of issues, such as: the legal definition of child, the execution of juvenile offenders, discrimination against girls, children with disabilities, children born out of wedlock, unregistered refugees, migrants, lesbian, gay, bisexual, transgender and intersex children, underage marriages, the practice of killings in the name of honour, and female genital mutilation.

22. ANNUAL REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS ON THE ACTIVITIES OF HIS OFFICE IN GUATEMALA. A/HRC/31/3/Add.1

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/3/Add.1

7. In general, elections were peaceful. Nonetheless, some incidents were reported, especially in the first round, including threats to journalists and human rights defenders, intimidation and coercion of voters, vote buying and roadblocks. Persons with disabilities faced obstacles in exercising their right to vote with regard to, among other things, physical access to polling stations and the lack of ballots in Braille. Of the 158 members of Congress elected, only 24 were women, including one indigenous woman and one feminist defender of the rights of the lesbian, gay, bisexual, transgender and intersex community.

35. Social networks were crucial in channelling this rejection and fostered the emergence of new movements, which, starting in April, called for a series of peaceful mass protests. Between April and September, more than 20 peaceful demonstrations throughout the country brought together about 100,000 people demanding the authorities' resignation and thorough State reform. What started as a movement driven mainly by urban young people expanded to include other social groups, including campesinos, students, indigenous peoples, entrepreneurs, academics, lesbian, gay, bisexual, transgender and intersex people, elderly people, and people with disabilities. The movement culminated in the holding of a national strike on 27 August, which prompted the President's resignation in September.

23. REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS ON THE SITUATION OF HUMAN RIGHTS IN COLOMBIA. A/HRC/31/3/Add.2

Gender and sexual diversity

87. Peacebuilding requires the State and society to overcome gender stereotypes, violence and discrimination against women and lesbians, gays, bisexuals, trans and intersex (LGBTI) people, to ensure their full recognition and participation as rights-holders and their quality access to justice.

88. Women represent 50.6% of the population but do not enjoy their rights equally with men. According to UN Women, women represent 21.2% of legislators, 31.2% of ministers, 15% of governors and 12% of mayors. The sub-commission on gender created under the negotiations in Havana has played an important role. However, it is important to ensure greater women's participation in the peace process.

89. According to the National Institute of Legal Medicine and Forensic Science, violence against women is generalised. 85.57% of intra-familial violence victims are women, as are 85.08% of alleged sexual violence victims. State policies and mechanisms to mainstream women's rights require political, technical and budgetary strengthening. OHCHR welcomes the broad categorisation of crimes against sexual liberty and integrity applied by the UARIV when registering victims.

90. According to the National Police, 18 LGBTI people were killed in 2015. One transsexual leader and human rights defender who had suffered discrimination was killed in August in San Marcos (Sucre).

91. Religious beliefs, political positions, social prejudice and the lack of a public policy limit the rights of LGBTI people, including same-sex couples' rights to form a family and receive legal protection. OHCHR welcomes recent judicial and ministerial decisions that confront discrimination but their application has been limited. In February and November, the Constitutional Court, applying the best interests of the child principle, ruled to recognise the rights of same-sex partners to adopt children and in July ruled to prevent

discrimination in school based on children's sexual orientation. In June, the Ministry of Justice issued a decree modifying the sex of transsexual people in official documents.

24. REPORT OF THE AD HOC COMMITTEE ON THE ELABORATION OF COMPLEMENTARY STANDARDS TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION ON ITS SEVENTH SESSION. A/HRC/31/75

25. The representative discussed hate crime, which are offences motivated by racism, xenophobia or homophobia committed against individuals or groups because of their personal or social identity. A special hate crime unit has been set up by the Oslo police. At the end of 2006 the Norwegian Police started registering all reported hate crimes and since 2007 (the first full year of statistics of reported hate crimes available), the National Police Directorate has made a manual analysis of all reported cases. The latest analysis (March 2015) shows small changes in the number of hate crimes reported for the last four years. Hate crimes due to racism are the most dominant followed by hate crimes regarding religion, at then sexual orientation.

26. The representative noted that threats, damage to property, violence or discrimination motivated by hate and prejudice is serious for the individual victim, but also creates fear in larger groups of the population. It is an important goal to increase awareness about hate crime within the police force, as well as to increase awareness and police confidence among targeted groups in the population. Under Norwegian law, hate crimes are considered an aggravating factor in sentencing if the criminal offence is motivated by any of the following criteria: religion or life stance, skin colour, national or ethnic origin, sexual orientation, reduced physical or psychological ability or other circumstances related to groups of people requiring a special level of protection. This is derived from Norwegian case law, and is also explicitly stated in the new Norwegian Criminal Code, which will enter into force in 2015.

World War II integration in sport had been a model for American society at large. This integration of African-American athletes might have hurt black sport associations, but it was important to have universal institutions rather than racially divided ones. He also noted that, in his experience, private Youth Leagues in Washington D.C. were very integrated. The representative queried whether it was the recommendation of the expert that collegiate athletes be compensated for their participation in collegiate athletics. The representative then requested the expert's perspective on the presence of other forms of discrimination in sport, such as gender, disability and sexual orientation.

117. The representative of the United States noted that post-World War II integration in sport brought benefits to universal institutions, as well as the harm noted by the expert to black sport associations, such as the Negro Leagues. He also noted that, in his personal experience, private youth leagues in Washington D.C. were in fact, quite integrated. The representative queried whether it was the recommendation of the expert that collegiate athletes be compensated. The representative then requested the expert's perspective on the presence of other forms of discrimination in sport, on such grounds as gender, disability and sexual orientation.

144. The expert finally highlighted the intersectional approach of FIFA to anti-discrimination and explained that FIFA not only dealt with racism but consistently checked on what grounds a person was attacked (e.g. because she was a women, gay, lesbian etc.) The expert stressed the importance of addressing discrimination at large. The expert closed by describing FIFA's online platform to enable an ongoing exchange on best practices with the hope to encourage federations to take national action.

151. The representative of Argentina made a statement emphasizing the importance of taking action in stadia. The Instituto Nacional contra la Discriminación, la Xenofobia y el Racismo (INADI) worked in Argentina on that subject and furthered mechanisms that promoted diversity. INADI also observed behaviour in stadia and addressed discrimination, including discrimination on the basis of race and sexual orientation, in football

169. The representative of the United States asked if definitions of hate speech and hate crimes and discrimination address sexual orientation and gender identity, and whether there were available statistics on this particular ground. He also inquired about the European Union position on affirmative action.

170. Ms. Ravo replied that the European Union framework does not include definition of hate speech, although there was one in the initial draft of 2001. She noted the importance of the element of incitement with regard to hate crimes. She confirmed that religion is addressed by the European Union instruments while sexual orientation and gender identity are not part of the minimum requirements, but some States have extended the scope and addressed these grounds. She added that disability is also not covered by the European Union directive. She said that the 2000 Race Equality Directive includes a provision leaving Member States free to adopt affirmative actions in different areas, but there is no obligation.

24. REPORT OF THE INDEPENDENT EXPERT ON THE SITUATION OF HUMAN RIGHTS IN HAITI. A/HRC/31/77

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/77

71. It should be noted that a draft bill to amend the Criminal Code was presented to the President in March 2015. The text incorporates some important human rights content, such as protection against double jeopardy, human trafficking, discrimination (including on the basis of sexual orientation), genocide, crimes against humanity and torture, in line with the definition provided in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the decisions and practice of the Committee against Torture, including psychological torture. In addition, the revised version provides greater protection for women by codifying harassment and strengthening legal penalties for sexual abuse.

REPORTS THAT DO NOT ADDRESS SOGIESC

Report of the twenty-second annual meeting of special rapporteurs/representatives, independent experts and working groups of the special procedures of the Human Rights Council (Geneva, 8 to 12 June 2015), including updated information on the special procedures. **A/HRC/31/39**

Report of the Special Rapporteur on freedom of religion or belief. **A/HRC/31/18**

Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict. **A/HRC/31/19.**

Annual report of the Special Representative of the Secretary-General on Violence against Children. **A/HRC/31/20.**

Report of the Secretary-General on the operations of the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. **A/HRC/31/22.**

Report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture. **A/HRC/31/23.**

Report of the Secretary-General on measures taken to implement 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/31/25.**

Outcome of the panel discussion on a human rights-based approach to good governance in the public service. Report of the High Commissioner for Human Rights. **A/HRC/31/28.**

Report of the Secretary-General on the impact of the arbitrary deprivation of nationality on the enjoyment of the rights of children concerned, as well as on the existing laws and practices on accessibility for children to acquire nationality, inter alia,

of the country in which they are born, if they otherwise would be stateless. **A/HRC/31/29.**

Study of the Office of the High Commissioner for Human Rights on the rights of persons with disabilities on article 11 of the Convention on the rights of persons with disabilities on situations of risk and humanitarian emergencies. **A/HRC/31/30.**

Analytical study of the Office of the High Commissioner for Human Rights on the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health (note by the Secretariat). **A/HRC/31/36.**

Report of the Special Rapporteur on the right to food. **A/HRC/31/51.**

Report of the Special Rapporteur on the right to food on her mission to the Philippines. **A/HRC/51/add.1.**

Summary report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment on the expert seminar on the effective implementation of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, challenges thereto and the way forward. **A/HRC/31/53.**

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 Cape Verde. **A/HRC/31/54/Add.1.**

Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his mission to Georgia. **A/HRC/31/57/Add.3.**

Report of the Special Rapporteur on the rights of persons with disabilities on her mission to the Republic of Moldova. **A/HRC/31/62/Add.1.**

Outcome of the Human Rights Council panel discussion on unilateral coercive measures and human rights - Report of the Office of the United Nations High Commissioner for Human Rights. **A/HRC/31/82.**

Report of the Special Rapporteur in the field of cultural rights on her visit to Botswana. **A/HRC/31/Add.1.**

Report of the Special Rapporteur in the field of cultural rights on her mission to Botswana: comments by the State. **A/HRC/31/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 human rights, particularly economic, social and cultural rights. **A/HRC/31/60.**

Final study on illicit financial flows, human rights and the 2030 Agenda for Sustainable Development 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. **A/HRC/31/61.**

Report of the Independent Expert on the enjoyment of human rights by persons with albinism. **A/HRC/63.**

Progress report of the Human Rights Council Advisory Committee on its research-based report on the activities of vulture funds and the impact on human rights. **A/HRC/67.**

Report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. **A/HRC/70.**

Report of the Secretary-General on conclusions and recommendations of special procedures. **A/HRC/31/24.**

Report of the High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1. **A/HRC/31/40.**

Report of the High Commissioner for Human Rights on the implementation of the recommendations contained in the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem (A/HRC/22/63). **A/HRC/31/42.**

Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan. **A/HRC/31/43.**

Report of the Secretary-General on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem. **A/HRC/31/44.**

Report of the High Commissioner for Human Rights on the mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan. **A/HRC/31/49**

Report of the Independent Expert on the situation of human rights in Mali. **A/HRC/31/76.**

Report of the Independent Expert on the enhancement of capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights. **A/HRC/31/78.**

Report of the High Commissioner for Human Rights on technical cooperation and capacity-building to promote and protect the rights of all migrants, including women, children, older persons and persons with disabilities. **A/HRC/31/80.**

Situation of migrants in transit - Report of the Office of the United Nations High Commissioner for Human Rights. **A/HRC/31/35.**

Report of the Office of the High Commissioner for Human Rights on its role and achievements, including on the field-based structure established to strengthen the monitoring and documentation of the situation of human rights in the Democratic People's Republic of Korea. **A/HRC/31/38.**

Report of the Special Rapporteur on minority issues. **A/HRC/31/56.**

Report of the Independent International Commission of Inquiry on the Syrian Arab Republic. **A/HRC/31/68.**

Report of the United Nations Office of the High Commissioner for Human Rights on the question of human rights in Cyprus. **A/HRC/31/21.**

Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya - Report of the Office of the United Nations High Commissioner for Human Rights. **A/HRC/31/47.**

Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. **A/HRC/31/52.**

Report of the Special Rapporteur on the sale of children, child prostitution and child pornography on her visit to Armenia. **A/HRC/31/58/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 human rights, particularly economic, social and cultural rights on his mission to China. **A/HRC/31/60/Add. 1**

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 on his mission to Greece. **A/HRC/31/60/Add.2.**

Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. **A/HRC/31/65.**

Report of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights on its first sesión. **A/HRC/31/50.**

Report of the Special Rapporteur on the right to food on her mission to Morocco. **A/HRC/31/51/Add.2**

Report of the Special Rapporteur on the right to food on her mission to the Philippines: comments by the State. **A/HRC/31/51/Add.3**

Report of the Special Rapporteur on the situation of human rights in Myanmar. **A/HRC/31/71/Add.1**

Report of the intergovernmental Working Group on the effective implementation of the Durban dEclaration and Programme of Action on its thirteenth session. **A/HRC/31/75**