

The International Lesbian, Gay, Bisexual, Trans and Intersex Association – ILGA World and the International Service for Human Rights (ISHR) have compiled a series of factsheets highlighting the work that UN special procedures – independent human rights experts, appointed to monitor and report on human rights violations – have undertaken to defend the human rights of lesbian, gay, bisexual, trans and intersex (LGBTI) persons. The factsheets compile the references and recommendations made by these experts to LGBTI persons, sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). They cover all thematic reports, country visit reports, and communications sent to States between January 2011 and December 2021.



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WORKING GROUP OF EXPERTS ON ARBITRARY DETENTION

Ms. ELINA STEINERTE (Chair-Rapporteur, Latvia)

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Since March 2021 (until March 2027)

FORMER MEMBERS:

- Mr. Seong-Phil HONG (Republic of Korea),
June 2014 - March 2021
- Mr. Setondji ADJOVI (Benin),
May 2014 - September 2020
- Mr. José GUEVARA BERMÚDEZ (Mexico),
May 2014 - September 2020
- Mr. Vladimir TOCHILOVSKY (Ukraine),
March 2010 - October 2016
- Mr. Mads ANDENAS (Norway),
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- Mr. Roberto GARRETÓN (Chile),
2008 - 2014; 1992 - 2002

- Ms. Shaheen Sardar ALI (Pakistan),
2008 - 2014

- Mr. Malick El Hadji SOW (Senegal),
2008 - 2014

- Mr. Aslan ABASHIDZE (Russian Federation),
2008 - 2010

- Ms. Manuela Carmena CASTRILLO (Spain),
2004 - 2009

- Mr. Seyyed Mahammad HASHEMI (Islamic Republic of
Iran),
2002 - 2008

- Ms. Soledad VILLAGRA DE BIEDERMANN (Paraguay),
2002 - 2008

- Mr. Tamas BAN (Hungary),
2001 - 2008

- Ms. Leila ZERROUGUI (Algeria),
2001 - 2008

- Mr. Louis JOINET (France),
1992 - 2003

- Mr. Laity KAMA (Senegal),
1992 - 2001

- Mr. Kapil SIBAL (India),
1992 - 2001

- Mr. Petr UHL (Czech Republic),
1992 - 2001



EMAIL



WEBSITE

WORK SUMMARY

COUNTRIES VISITED

ADDRESSES SOGIESC ISSUES:

- **Greece** – (December 2019) Report, para. 52.
- **Qatar** – (November 2019) Report, paras. 45, 92g, 100g.
- **Bhutan** – (January 2019) Report, paras. 51, 52, 90b.
- **Argentina** – (May 2017) Report, paras. 26, 54, 57, 71.
- **United States of America** – (October 2016) Report, para. 34.
- **New Zealand** – (March/April 2014) Report, paras. 32, 38, 95.
- **Hungary** – (September/October 2013) Report, para. 38.

DOES NOT ADDRESS SOGIESC ISSUES:

- Sri Lanka (December 2017)
- Azerbaijan (May 2016)
- Malta (June 2015)
- Germany (November 2014)
- Italy (June 2014)
- Morocco (December 2013)
- Brazil (March 2013)
- Greece (January 2013)
- El Salvador (January/February 2013)
- Georgia (June 2011)
- Germany (September 2011)

ANNUAL THEMATIC REPORTS

Deprivation of liberty of human rights defenders, forcible transfers of individuals and prohibition of arbitrary detention, and the Declaration against Arbitrary Detention in State-to-State relations.
August 2021 (48th Session HRC)

Good references to LGBTI.
(In the context of significant risk of detention for LGBTIQ+ defenders; Experience of liberty; discriminatory grounds)
Paras. 6, 12, 14, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49 of Annex (Deliberation No. 12 on women deprived of their liberty)

Women deprived of liberty, the right to legal assistance in preventing arbitrary deprivation of liberty, modern technologies and alternatives to detention.
September 2020 (45th Session HRC)

Brief references.
(In the context of equality and non-discrimination when addressing public health emergencies.)
Paras. 26, 27 Annex II (Deliberation No. 11 on prevention of arbitrary deprivation of liberty in the context of public health emergencies)

Deprivation of liberty in the context of conscientious objection to military service; use of registers to avoid a/d; use of the Working Group's opinions in domestic proceedings; and comprehensive reparations to victims of a/d
July 2019 (42nd Session HRC)

No SOGIES references.

The issue of consular assistance and diplomatic protection for persons deprived of liberty; the linkages between arbitrary detention and instances of torture and ill-treatment
September 2018 (39th Session HRC)

Brief references.
(SOGI and non-discrimination; detention of LGBTI migrants.)
Paras. 32, 41.

Deprivation of liberty on discriminatory grounds; new regimes of deprivation of liberty
September 2017 (36th Session HRC)

Brief references.
(LGBTI persons as a group facing deprivation of liberty on discriminatory grounds; criminalisation of same-sex relations.)
Paras. 46, 48e.

Brief reference.

<p>Methods of work of the Working Group on Arbitrary Detention September 2017 (36th Session HRC)</p>	<p>(Deprivation of liberty based on SO in the context of the Working Group’s mandate and methods of work.) Para. 8e.</p>
<p>Report of the Working Group on Arbitrary Detention September 2016 (33rd Session HRC)</p>	<p>No SOGIESC references.</p>
<p>Methods of work of the Working Group on Arbitrary Detention September 2016 (33rd Session HRC)</p>	<p>Brief reference. (Deprivation of liberty based on SO in the context of the Working Group’s mandate and methods of work.) Para. 8e.</p>
<p>Report of the Working Group on Arbitrary Detention September 2015 (30th Session HRC)</p>	<p>Brief reference to SO. (Preventive mechanism and arrests based on SO.) Para. 54.</p>
<p>United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court September 2015 (30th Session HRC)</p>	<p>Good references to SO/SOGI, LGBTI persons and LGBTI children. (Mainly in the context of non-discrimination.) Paras. 8, 10e, 8 (principle 5), 33 (principle 17), 98 (guideline 18).</p>
<p>Report of the Working Group on Arbitrary Detention September 2014 (27th Session HRC)</p>	<p>Brief reference to SO. (Deprivation of liberty based on SO in the context of the Working Group’s mandate and methods of work.) Para. 63.</p>
<p>A compilation of national, regional and international laws, regulations and practices on the right to challenge the lawfulness of detention before court September 2014 (27th Session HRC)</p>	<p>No SOGIESC references.</p>
<p>Report of the Working Group on Arbitrary Detention March 2013 (22nd Session HRC)</p>	<p>Brief references to SO. (Malta’s cases; non-discrimination.) Paras. 35, 38e.</p>
<p>Report of the Working Group on Arbitrary Detention March 2012 (19th Session HRC)</p>	<p>No SOGIESC references.</p>

COMMUNICATIONS

COUNTRY/DATE	EXPERTS	SITUATION
Uganda 15 Dec 2021	SOGI Arbitrary Detention Health Torture Violence against women Women and girls	Information received concerning the arbitrary arrest and detention of 29 persons in Uganda (16 in Kyengera and 13 in Nansana), followed by violations of their right to health and freedom from torture, cruel, inhuman and degrading treatment.
Ghana 9 August 2021	SOGI Arbitrary Detention Education Freedom of opinion and expression Freedom of peaceful assembly and of association Health Human rights defenders Torture Violence against women Women and girls	Information received concerning the tabling of a bill entitled “Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021” before the Parliament of Ghana. According to information at our disposal, the first reading of the bill took place on 2 August. The consideration of the bill is expected to resume in October, after Parliamentary recess and public engagement.
Algeria 4 August 2021	Torture Arbitrary detention Freedom of opinion and expression Freedom of assembly and association	Information received concerning allegations of sexual assault, torture and ill-treatment of Ayoub Chahetou, Nabil Bousekkine, Sami Dernouni and a minor, who were arrested following their alleged participation in peaceful demonstrations organized by the Hirak movement.
Turkey 27 July 2021	Human rights defenders Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Independence of judges and lawyers terrorism	Information received concerning the judicial harassment against and sentencing of woman human rights defender Ms. Sevda Özbingöl Çelik, as well as the judicial harassment against human rights defender Mr. Cihan Aydın.
Ghana 2 June 2021	SOGI Arbitrary Detention Freedom of opinion and expression Freedom of peaceful assembly and of association Human rights defenders Women and girls	Information received concerning the alleged arrest and arbitrary detention of 21 persons defending the rights of lesbian, gay, bisexual, trans and gender diverse (LGBT) persons in Ho, Ghana.

<p>Nicaragua 19 May 2021</p>	<p>SOGI Arbitrary Detention Human rights defenders Freedom of opinion and expression Freedom of peaceful assembly and of Association Health Torture</p>	<p>Information received on the alleged arbitrary detention and sentencing of Ms. Celia Cruz and Mr. John Christopher Cerna Zúñiga, as well as the alleged acts of mistreatment, torture, threats and intimidation suffered by these defenders in prison.</p>
<p>China 28 April 2021</p>	<p>Human rights defenders Arbitrary detention Disappearances Freedom of opinion and expression Health Independence of judges and lawyers Torture Women and girls</p>	<p>Information received concerning the arbitrary detention of seventeen human rights defenders sentenced or under investigation or trial for the alleged commission of crimes against the State, that carry prison sentences of 10 years or more. Such crimes would have been perpetrated in connection to activities aimed to the promotion and defence of human rights and in the exercise of their public freedoms.</p>
<p>Tunisia 6 April 2021</p>	<p>Arbitrary Detention Freedom of opinion and expression Freedom of peaceful assembly and of association Human rights defenders sexual orientation and gender identity violence against women Women and girls</p>	<p>Information received regarding the arrest and arbitrary detention of Rania Amdouni, and the acts of harassment, intimidation, online defamation and incitement to violence, including death threats and rape, and physical and verbal attacks</p>
<p>Belarus 26 March 2021</p>	<p>SOGI Arbitrary Detention Torture Belarus Freedom of opinion and expression Freedom of peaceful assembly and of association</p>	<p>Information received concerning arbitrary arrests, detention and the excessive use of force and ill-treatment against protesters and the repression on journalists and media personnel.</p>
<p>Malaysia 18 March 2021</p>	<p>SOGI Arbitrary Detention Religion or belief Violence against women Women and girls</p>	<p>Information received concerning threats, acts of intimidation and persecution against Ms Nur Sajat, a trans woman, and the ongoing harassment of her family members in Malaysia.</p>
<p>Pakistan 31 March 2021</p>	<p>Terrorism Arbitrary detention Disappearances Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders Minority issues Torture</p>	<p>Information received concerning the alleged arbitrary arrests, torture, and in some cases inappropriate access to medical care while in detention, as well as prosecution of several human rights defenders and persons associated to them.</p>

<p>Myanmar 16 March 2021</p>	<p>Housing Arbitrary detention Extrajudicial executions Freedom of assembly and association</p>	<p>Information received concerning the forced eviction of about 1,0800 railway workers in Yangon/Myanmar and the arbitrary arrest of three locomotive drivers and intimidation of railway workers and their families that took part in a nationwide general strike against the military regime that ousted on 1 February 2021 the democratically elected Government.</p>
<p>Uzbekistan 4 March 2021</p>	<p>SOGI Arbitrary Detention Privacy</p>	<p>Information received concerning a current initiative to maintain criminalization of persons of homosexual orientation despite the opportunity, offered by the adoption of a new Criminal Code, to bring Uzbekistan into conformity with its international human rights obligations.</p>
<p>Russian Federation 17 Feb 2021</p>	<p>SOGI Arbitrary Detention Disappearances Executions Freedom of opinion and expression Torture</p>	<p>Information received concerning alleged arbitrary arrest and detention of Salekh Magamadov (20 years old) and Ismail Isayev (17 years old), as well as their subsequent transfer to the Chechen Republic.</p>
<p>Venezuela 11 February 2021</p>	<p>Human rights defenders Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Health Women and girls</p>	<p>Information received regarding the alleged arbitrary detention of six members of the organization Azul Positivo, in Zulia, as well as the raid of the organization Convite A.C. in Caracas and the criminalization of the defender Vanessa Rosales, in Mérida.</p>
<p>Saudi Arabia 21 Jan 2021</p>	<p>SOGI Arbitrary Detention Freedom of opinion and expression Human rights defenders Torture</p>	<p>Information received concerning the alleged imminent deportation from Saudi Arabia to Yemen of a Yemeni blogger and human rights defender.</p>
<p>Uganda 24 Dec 2020</p>	<p>SOGI Arbitrary detention freedom of peaceful assembly and of association human rights defenders</p>	<p>Information we have received concerning the arbitrary arrest and detention of Nicholas Opiyo, human rights defender and Executive Director and lead Attorney at the NGO Chapter Four Uganda, Herbert Dakasi, Anthony Odur and Esomu Obure, lawyers, and Hamid Tenywa, National Unity Platform Human Rights Officer</p>
<p>Egypt 24 Dec 2020</p>	<p>Arbitrary detention Freedom of opinion and expression Human rights defenders Terrorism</p>	<p>Information received concerning concerning the alleged arbitrary detention of human rights defender Mr. Mohamed Radwan, the alleged arbitrary detention of Mr. Kamal Elbalshy in apparent attempt to target his brother, the journalist and human rights defender Mr. Khaled Elbalshy,</p>

		and the extended pre-trial detention of human rights defender Mr. Patrick Zaki.
China 4 December 2020	Arbitrary Detention Disappearances Freedom of opinion and expression Human rights defenders Independence of judges and lawyers Torture	Information received concerning the detention, arrest and charging of human rights defender and lawyer Chang Weiping, who has worked on discrimination based on health status, sex, gender identity and sexual orientation.
Egypt 25 November 2020	Arbitrary detention Disappearances Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders Terrorism Torture	Information received concerning the arrest and filing of official charges for terrorism and national security related crimes against human rights defenders Gasser Abdel Rakez, Karim Ennarah and Mohamed Basheer in apparent retaliation for a human rights meeting they held with representatives of the diplomatic community, under the auspices of their NGO, the Egyptian Initiative for Personal Rights (EIPR). We also bring to the attention of your Excellency's Government information regarding the continued pre-trial detention of another EIPR staff, Patrick Zaki as well as the ongoing criminalization, travel ban and freeze of assets of Hossam Bahgat founder and former Executive Director of the same organization.
Colombia 20 Nov 2020	SOGI Arbitrary detention Discrimination against women and girls Migrants Torture Violence against women	Information received regarding the situation of four trans women from Venezuela who were allegedly arbitrarily detained and beaten by police officers in the municipality of Maicao, Colombia.
Saudi Arabia 1 July 2020	SOGI Arbitrary detention Freedom of opinion and expression Human Rights defenders Torture	Information received concerning the alleged arbitrary arrest and detention of a Yemeni blogger and human rights activist. The arrest is believed to have taken place after he posted a video saying "Everyone has rights and should be able to practice them freely, including gay people".

<p>United States of America 8 June 2020</p>	<p>African descent Arbitrary detention Disability Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Hazardous substances Health Housing Independent of judges and lawyers Mercenaries Minority issues Older persons Poverty Racism SOGI Torture</p>	<p>Information received concerning several recent killings of people of African descent in apparently State-endorsed operations in the United States.</p>
<p>Uganda 23 April 2020</p>	<p>SOGI Arbitrary detention Health Torture Violence against women Women in law and in practice</p>	<p>Information received concerning the alleged arbitrary arrest of 23 people and detention of 19 of them, including gay, bisexual, and trans women in Kyengera, Uganda.</p>
<p>Zambia 12 March 2020</p>	<p>SOGI Arbitrary detention Independence of judges and lawyers Privacy Torture</p>	<p>Information received concerning the conviction and sentencing of Mr. Japhet Chataba and Mr. Steven Sambo to 15 years' imprisonment for allegedly engaging in consensual same-sex relations, in violation of their right to privacy and non-discrimination, and their right to health and freedom from torture and cruel, inhuman and degrading treatment or punishment.</p>
<p>Egypt 17 December 2019</p>	<p>SOGI Arbitrary detention Human Rights defenders Privacy Torture Women in law and in practice</p>	<p>Information received concerning the alleged arbitrary arrest and detention of Eman Al-Helw, woman human rights defender and Hossam Ahmad, a trans man.</p>
<p>Egypt 20 March 2019</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI Torture Violence against women Women in law and in practice</p>	<p>Information received concerning the alleged arbitrary arrest and detention of transgender woman and LGBTIQ human rights defender, Ms. Malak Al-Kashif.</p>
<p>Russian Federation 11 February 2019</p>	<p>Arbitrary detention Extrajudicial executions Freedom of opinion and expression SOGI Torture Violence against women Women in law and in practice</p>	<p>Information received in connection with allegations of new acts of persecution against people who are or are perceived to be gay, bisexual or lesbian in Chechnya.</p>

<p>Kenya 21 September 2018</p>	<p>Arbitrary detention Health Migrants SOGI Torture Water and sanitation</p>	<p>Information received concerning allegations of acts of violence, harassment and discrimination against lesbian, gay, bisexual and transgender (LGBT) refugees living in Kenya and their arbitrary arrests, detention, and ill-treatment. Allegations received also pertain to the lack of access to food and other basic necessities by the refugees while in detention and in Kakuma camp, as well as to the lack of appropriate access to HIV/AIDS-related prevention and care.</p>
<p>Other actors 21 September 2018</p>	<p>Arbitrary detention Health Migrants SOGI Torture Water and sanitation</p>	<p>Information received concerning allegations of acts of violence, harassment and discrimination against lesbian, gay, bisexual and transgender (LGBT) refugees living in Kenya and their arbitrary arrests, detention, and ill-treatment. Allegations received also pertain to the lack of access to food and other basic necessities by the refugees while in detention and in Kakuma camp, as well as to the lack of appropriate access to HIV/AIDS-related prevention and care.</p>
<p>Tanzania 9 July 2018</p>	<p>Arbitrary detention Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI</p>	<p>Allegations of infringements on the right to life, the right to freedom of expression, as well as the rights to freedom of peaceful assembly and of association in Tanzania, indicating a pattern of restrictions to civic space.</p>
<p>Indonesia 12 February 2018</p>	<p>Arbitrary detention Freedom of opinion and expression Human rights defenders Internally displaced persons SOGI Torture</p>	<p>Alleged arbitrary arrests, detention and ill-treatment of twelve waria, or transgender women, in Aceh province</p>
<p>Egypt 31 October 2017</p>	<p>Arbitrary detention Freedom of opinion and expression Health Human rights defenders Privacy SOGI</p>	<p>Alleged unlawful arrests and detention, as well as incrimination of persons based on their actual or perceived SOGIE, and/or their actual or perceived expression and advocacy for protection of the human rights of LGBT people, including of two human rights defenders, Mr. Ahmed Alaa and Ms. Sarah Hegazy.</p>
<p>Azerbaijan 9 October 2017</p>	<p>Arbitrary detention Health SOGI Torture</p>	<p>Alleged unlawful arrests and detention, torture and ill-treatment of persons perceived to be gay, transgender persons or persons involved in sex work</p>
<p>Haiti 22 September 2017</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Privacy SOGI</p>	<p>Adoption of the bill on the reputation and certificate of good life and morals (on 28 June 2017) and the draft law on the strengthening of provisions of the Civil Code relating to marriage and the protection of the family (on 1 August 2017) by the Senate.</p>

<p>Russian Federation 31 August 2017</p>	<p>Arbitrary detention Human rights defenders Migrants SOGI Torture</p>	<p>Alleged imminent deportation of Uzbek national, Mr. Khudoberdi Turgunaliyevich Nurmatov (also known by his pseudonym Ali Feruz) from the Russian Federation to Uzbekistan.</p>
<p>Republic of Korea 16 August 2017</p>	<p>Arbitrary detention Freedom of opinion and expression SOGI</p>	<p>Arrests, interrogations, detentions and prosecutions of soldiers and military personnel perceived to be gay, under the Republic of Korea's Military Criminal Act.</p>
<p>Russian Federation 13 April 2017</p>	<p>Arbitrary detention Executions Freedom of opinion and expression SOGI Torture</p>	<p>Alleged unlawful detentions, torture and extrajudicial killings of men perceived to be gay or bisexual in Chechnya in the past weeks.</p>
<p>Uganda 29 August 2016</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Human rights defenders Torture</p>	<p>Allegations concerning police raids during "Uganda Pride 2016" events between 2 August to 7 August 2016, including the arrest of several human rights defenders and activists, and the assault, torture, and mistreatment of many participants in the context of an increasingly hostile environment towards LGBTI persons.</p>
<p>Senegal 14 December 2015</p>	<p>Arbitrary detention Health Independence of judges and lawyers</p>	<p>Allegations concerning the arrest and arbitrary detention of seven individuals and their conviction for sexual relations between consenting adults of the same sex.</p>
<p>Tunisia 2 November 2015</p>	<p>Arbitrary detention Health Independence of judges and lawyers Torture</p>	<p>Allegations of physical abuse, degrading medical examination, irregular legal proceedings and criminal conviction of a 22-year-old man apparently based solely on his perceived SO.</p>
<p>Egypt 8 January 2015</p>	<p>Arbitrary detention Health Independence of judges and lawyers Torture</p>	<p>Alleged arbitrary arrest, detention, torture and public stigmatization of 26 men who were tried on charges related to their alleged SO.</p>
<p>Brunei Darussalam 25 September 2014</p>	<p>Arbitrary detention Independence of judges and lawyers Torture Violence against women</p>	<p>The 2013 Shariah Penal Code Order: mandatory death penalty for some non-violent acts, including same-sex relations.</p>
<p>Venezuela 27 June 2014</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Human rights defenders</p>	<p>Alleged criminalization and detention of a human rights activist working against discrimination and the rights of LGBTI persons.</p>
<p>Egypt 17 April 2014</p>	<p>Arbitrary detention Independence of judges and lawyers Torture Violence against women</p>	<p>Alleged arrest, detention, conviction and sentencing of four individuals on the sole basis of their sexual orientation and/or gender identity, and alleged physical and sexual harm inflicted on them.</p>

<p>Kuwait 5 February 2014</p>	<p>Arbitrary detention Violence against women Women in law and practice</p>	<p>Allegations of arbitrary arrest and detention of a Kuwaiti national on the basis of her GIE. She was reportedly charged with “imitation of the opposite sex”, which is a criminal offence under Amendment 198 of the Kuwaiti Penal Code.</p>
<p>Uganda 4 February 2014</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders</p>	<p>Alleged passing by Parliament of a revised version of the Anti-Homosexuality Bill, 2009, now referred to as the Anti-Homosexuality Act, 2013, on 20 December 2013.</p>
<p>Nigeria 13 January 2014</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders</p>	<p>Alleged upcoming signature of the Same Sex Marriage (Prohibition) Bill, 2011, by the Senate on 18 December 2013.</p>
<p>Nigeria 13 June 2013</p>	<p>Arbitrary detention Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders</p>	<p>Alleged restrictions on the rights to freedom of association and peaceful assembly of groups defending the rights of LGBT (The Same Sex Marriage (Prohibition) Bill).</p>
<p>Uganda 29 March 2012</p>	<p>Arbitrary detention Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders</p>	<p>Alleged re-tabling of the Anti-Homosexuality Bill, which would violate fundamental principles and norms of international human rights law if enacted.</p>