#12 – UN SPECIAL PROCEDURES & LGBTI ISSUES





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 published between January 2011 and November 2019.



©: UN Photo/Mark Garten





EMAIL

WEBSITE

SPECIAL RAPPORTEUR ON EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS

Ms. AGNES CALLAMARD (FRANCE)

Since June 2016 (Until June 2022)
Twitter: @AgnesCallamard

FORMER SPECIAL RAPPORTEURS:

- Mr. Christof HEYNS (South Africa), 2010 – 2016
 - Mr. Philip ALSTON (Australia), 2004 – 2010
- Ms. Asma JAHANGIR (Pakistan), 1998 – 2004
- Mr. Bacre Waly NDIAYE (Senegal), 1992 – 1998
 - Mr. S. Amos WAKO (Kenya), 1982 – 1992

WORK SUMMARY

COUNTRIES VISITED

ADDRESSES SOGIESC ISSUES:

- El Salvador (January 2018) Report, paras. 3, 74, 75, 76, 77, 78, 79, 80, 99, 101, 10300, 103pp,
 - Iraq (November 2017) Report, paras. 26, 27, 45, 83, 84II, 84nn, 8400, 84pp.
 - Honduras (May 2016) Report, paras. 8, 33, 34, 44, 45, 47 117d, 118a.
 - **The Gambia –** (May 2015) Report, paras. 10, 78.
 - Mexico (April 2013) Report, paras. 85, 86, 87, 88, 111.
 - **Turkey –** (November 2012) Report, paras. 47, 48, 49, 50, 78, 79, 110, 114, 121.

DOES NOT ADDRESS SOGIESC ISSUES:

- Ukraine (May 2016)
- Papua New Guinea (March 2014)
- India (March 2012)

ANNUAL THEMATIC REPORTS

Extrajudicial, summary or arbitrary executions August 2019 (74th Session General Assembly (GA)) No SOGIESC references.

Investigation, accountability and prevention of intentional state killings of human rights defenders, journalists and prominent dissidents June 2019 (41st Session Human Rights Council (HRC))

No SOGIESC references.

Saving lives is not a crime: the criminalization and targeting of humanitarian services and actors arising from activities to fight terrorism and deter migration and from the outlawing or stigmatization of sexual and reproductive rights August 2018 (73rd Session GA)

Strong references to LGBTI, "transgender identity"

(Whole section on criminalization of provision of lifesaving services to women and LGBTI persons: criminalization or stigmatization of provision of humanitarian services to LGBTI, laws criminalizing samesex relations, transgender identity, prostitution and sex work, laws aimed at restricting public discussion of gender and sexuality, and crackdowns / recommendations to States to publicly champion the work of humanitarian actors, in particular providing services to LGBTI, protect organizations and individuals providing life-saving services to LGBTI; recommendations to donor Governments to continue support to humanitarian actors providing services for LGBTI and monitor and report on impact of global gag rule on LGBTI)

Paras. 7, 12, 76, 81, 82, 83, 89a, 89i, 90e, 90f.

Armed non-State actors: the protection of the right to life | June 2018 (38th Session HRC)

No SOGIESC references.

Unlawful death of refugees and migrants August 2017 (72nd Session GA) No SOGIESC references.

A gender-sensitive approach to killings June 2017 (35th session HRC)

Strong references to LGBTQI, GIE, male-to-female transgender, "sexual identity", GE, SOGIE (Killings committed on basis of gender identity and expression such as against LGBTQI, death penalty for same-sex relationships, transgender individuals in custody, very high incidence of violence resulting in death on basis of "sexual identity and gender expression", recognition of intersectionality, extreme vulnerability of transgender individuals, States duties to respect right to life, to repeal laws criminalizing same-sex relationships, laws permitting intrusive and irreversible interventions such as "conversion" therapies, address impunity for murders of LGBTQI, adopt in law transparent and accessible genderrecognition procedures and abolish preconditions, ensure safety of transgender persons when allocated by authorities to a male or female prison, revise hate crimes statutes to include SOGIE, and include violence on basis of GIE as integral part of refugee status determination) Paras. 23, 45, 46, 56, 60, 97a, 100, 110a-110e, 113-115.

Overview of activities since submission of previous report and review of subjects considered over six years of mandate September 2016 (71st Session GA)	Brief reference to LGBT. Para. 102.
The right to life and the use of force by private security providers in law enforcement contexts June 2016 (32nd Session HRC)	Brief reference to SOGI. Para. 40.
Joint compilation report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special rapporteur on extrajudicial, summary or arbitrary executions on practical recommendations for the proper management of assemblies, based on best practices and lessons learned March 2016 (31st Session HRC)	No SOGIESC references.
The applications of the death penalty to foreign nationals August 2014 (70th Session GA)	No SOGIESC references.
Use of information and communications technologies to secure the right to life June 2015 (29th Session HRC)	No SOGIESC references.
Overview of activities, role of regional human rights systems, less lethal and unmanned weapons in law enforcement, resumptions of the death penalty and role of statistical indicators August 2014 (69th Session GA)	No SOGIESC references.
Protection of the right to life during law enforcement June 2014 (26th Session HRC)	No SOGIESC references.
The use of lethal force through armed drones from the perspective of protection of the right to life September 2013 (68th Session GA)	No SOGIESC references.
Lethal autonomous robotics June 2013 (23rd Session HRC)	No SOGIESC references.
The problem of error and the use of military tribunals in the context of fair trial requirements August 2012 (67th Session GA)	No SOGIESC references.

Mechanisms in place to provide greater protection to the right to life of journalists June 2012 (20th Session HRC)	No SOGIESC references.
The use of lethal force during arrest August 2011 (66th Session GA)	No SOGIESC references.
The use of lethal force during demonstrations June 2011 (17th Session HRC)	No SOGIESC references.

COMMUNICATIONS

COUNTRY/DATE	EXPERTS	SITUATION
Armenia 18 April 2019	Executions Freedom of opinion and expression Human rights defenders Sexual orientation and gender identity Violence against women	Information received concerning online harassment and hate speech against woman human rights defender Ms. Lara Aharonian.
Brunei Darussalam 01 April 2019	Executions Religion or belief Sexual orientation and gender identity Torture Violence against women Women in law and in practice	Information received concerning the criminalisation of adultery and consensual same sex relations and the imposition of cruel, inhuman and degrading punishments for such acts, including stoning, whipping and amputation.
Russian Federation II February 2019	Arbitrary Detention Executions Freedom of opinion and expression Sexual orientation and gender identity Torture Violence against women Women in law and in practice	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
Tunisia 7 January 2019	Executions Freedom of opinion and expression Freedom of peaceful assembly and of association Human rights defenders Sexual orientation and gender identity	Information received concerning obstacles to the registration of Shams, as well as harassment and threats against members of this organization.
United States of America 31 July 2018	Extrajudicial executions SOGI	Allegations that Charles Rhines, a gay man on death row in South Dakota, had been sentenced to death as the result of an antigay bias shared by the jurors and inadequate legal assistance offered to him by his counsel.
Tanzania 9 July 2018	Arbitrary detention Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI	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.

Brazil 22 March 2018	African descent Extrajudicial executions Foreign debt Human rights defenders Poverty Racism Right to adequate housing SOGI Violence against women Women in law and practice	Killing of Marielle Franco (and her driver) an Afro-Brazilian human rights defender working for the rights of women, people of African descent, LGBT people, and populations form the favelas, also elected member of City Council of Rio de Janeiro.
Honduras 9 March 2018	Extrajudicial executions Freedom of opinion and expression SOGI Torture Violence against women	Recent killing, in Puerto Cortés, of a trans woman, Jennifer Cristal Lopez, and a gay man, Jorge Antonio Rodas Garcia.
Honduras 3 August 2017	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI	Alleged homicide attempt against Osmin David Valle Castillo in Tegucigalpa, director of the 'Somos CDC' LGBTI program.
Honduras 10 July 2017	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI Violence against women Women in law and practice	Murder of a trans woman LGBTI rights defender, Sherlyn Montoya, in the outskirts of Tegucigalpa.
El Salvador 26 May 2017	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders SOGI Violence against women Women in law and in practice	Alleged murders of 3 trans women in San Luis Talpa, as well as allegations of acts of intimidation and threats, including acts of extortion against a human rights defender.
Russian Federation 13 April 2017	Arbitrary detention Extrajudicial executions Freedom of opinion and expression SOGI Torture	Alleged unlawful detentions, torture and extrajudicial killings of men perceived to be gay or bisexual in Chechnya in the past weeks.
Haiti 26 October 2016	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Haiti	Alleged cancellation of Massi Madi LGBTQ film and arts festival meant to take place on 27 to 30 September 2016.
Bangladesh 31 May 2016	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Alleged assassination of two LGBTI rights defenders in Dhaka, Xulhaz Mannan and Nahbub Tonroy, on 25 April 2016.
Pakistan 16 March 2016	Extrajudicial executions Health Human rights defenders	Allegations of threats and a subsequent attempted assassination of a human rights defender and transgender activist, Adnany, as well as discriminatory conduct of hospital staff members towards her.

Honduras 11 November 2015	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Allegations of violent deaths and attacks against defenders of lesbian, gay, bisexual, trans and intersex (LGBTI) rights.
Venezuela 27 June 2014	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Allegations of physical attacks and death threats against NGO staff that advocates for the rights of people living with HIV / AIDS and the rights of LGBTI persons.
Nigeria 28 March 2014	Extrajudicial executions Torture	Alleged attacks on grounds of actual or perceived sexual orientation, and police inaction with regards to these attacks.
Côte d'Ivoire 11 March 2014	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Allegations of violent deaths and attacks against defenders of LGBTI rights.
Honduras 20 January 2014	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Alleged pattern of attacks and harassment against organizations that work in defense of the rights of LGBTI persons in Honduras.
Honduras 29 August 2013	Extrajudicial executions Human rights defenders	Alleged assassination and aggression of members of "Diversidad Sexual" community.
Cameroon 13 August 2013	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Allegations of murder of LGBTI rights defender and intimidation of other defenders.
Haiti 2 August 2013	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Haiti Human rights defenders	Alleged murder and physical assault against homosexual individuals and threats received by LGBT associations.
Iran 28 June 2013	Extrajudicial executions Freedom of religion Iran Torture Violence against women Women in law and in practice	The revised Islamic Penal Code: death penalty for some non-violent acts, including "for sodomy for the non-Muslim party in same-sex relations."
Cameroon 17 January 2013	Extrajudicial executions	Alleged murder and death threats against two individuals related to their sexual orientation, Jonas Singa Kumie and Franky Ndome.
Kosovo 10 January 2013	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Alleged physical attacks and threats against LGBT defenders, including members of Kosovo 2.0 and Libertas.
Cameroon 5 November 2012	Extrajudicial executions Freedom of opinion and expression Human rights defenders Independence of judges and lawyers	Alleged death threats against two lawyers and human rights defenders, Alice Nkom and Michel Togue, legal representatives of individuals charged on the basis of their real or perceived sexual orientation.
Colombia 14 September 2012	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Alleged threat of death against human rights defenders.

Honduras 27 August 2012	Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Human rights defenders	Alleged persecution and death threats against a prominent LGBT rights defender, Donny Reyes from Asociación Arco Iris.
South Africa 28 June 2012	Extrajudicial executions Freedom of opinion and expression Human rights defenders	Alleged killing of a LGBTI rights defender.
Uganda 29 March 2012	Arbitrary detention Extrajudicial executions Freedom of opinion and expression Freedom of assembly and association Health Human rights defenders	Alleged re-tabling of a Bill which would violate fundamental principles and norms of international human rights law if enacted.
Mexico 25 May 2011	Extrajudicial executions Freedom of opinion and expression Human rights defenders	Alleged murder on 4 May 2011, of activist Quetzalcoatl Leija Herrera in Chilpancingo, who was allegedly planning a LGBT demonstration for June 2011.
Honduras 9 February 2011	Extrajudicial executions Violence against women	Alleged assassinations of 31 LGBT persons over a period of 18 months.
Uganda I February 2011	Extrajudicial executions Freedom of opinion and expression Human rights defenders	Alleged murder of LGBT rights activist David Kato on 26 January 2011.