



**SOGIESC OPPORTUNITIES IN THE 44th HUMAN RIGHTS COUNCIL SESSION
30 JUNE - 20 JULY 2020**

This report contains SOGIESC¹ issues mentioned in the reports that were presented during the 44th Human Rights Council Session. Its objective is to identify opportunities for engagement or participation at the Human Rights Council. The structure of the report is based on the Items of the agenda of the Human Rights Council.

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



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15.00	ANNUAL DISCUSSION ON THE RIGHTS OF THE CHILD (res. 7/29 and 40/14)	13.00	PANEL DISCUSSION ON CLIMATE CHANGE (res. 41/21) ACCESSIBLE		ITEM 4
17.00		15.00		15.00	ID with COI Syria (cont'd)
17.00	ITEM 2	15.00		18.00	ID on HC report on Venezuela (res.42/25)
18.00	ID on annual report by HC (cont'd)	15.00	ID with IE on SOGI (cont'd)		ITEM 5 - Presentation of report of Forum on Business and HR
	Presentation of reports of SG/HC item 2 (Nicaragua, Venezuela, Ukraine)	16.00			
	2 July		9 July		16 July
10.00	ITEM 2				ITEM 6
11.00	ID on annual report by HC (cont'd)	10.00	ITEM 3	10.00	UPR ADOPTIONS
11.00	Presentation of reports of SG/HC item 2 (Nicaragua, Venezuela, Ukraine)	13.00	ID SR on IDPs	13.00	
13.00	ID with SR trafficking		ID with SR on health		
13.00	BREAK	13.00	BREAK	13.00	BREAK
15.00		15.00		15.00	
15.00	ITEM 3	15.00	ID with IE on international solidarity	15.00	ITEM 7 - ID with SR on OPT
18.00	ID with SRSG on violence against children (cont'd)	18.00	ID with WG on TNCs	18.00	ITEM 9 - ID with SR on racism
	ID with SRSG on children in armed conflict				
	3 July		10 July		17 July
10.00	ID with SR on education	10.00	ITEM 3	10.00	ITEM 10 Enhanced ID on oral reports of the Sudan and OHCHR (res. 42/35)
13.00	ID with SR on summary executions	13.00	ID SR on health (cont'd)	13.00	Presentation of Georgia oral update
13.00	BREAK	13.00	ID with SR peaceful assembly	13.00	BREAK
15.00		15.00	BREAK	15.00	
15.00	ID with SR on summary executions (cont'd)	15.00	ID with WG on TNCs (cont'd)	15.00	ITEM 9 - ID with SR on racism(cont'd)
18.00	ID with SRSG on children in armed conflict (cont'd)	18.00	ID with SR freedom of expression	18.00	ITEM 1 Decisions and conclusions



ITEM 1: ORGANIZATIONAL AND PROCEDURAL MATTERS

- [A/HRC/44/1 - Agenda and annotations for the forty-fourth session of the Human Rights Council](#)

Protection against violence and discrimination based on sexual orientation and gender identity.

64. In its resolution 41/18, the Human Rights Council decided to extend the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity for a period of three years and requested the Independent Expert to continue to report annually on the implementation of the mandate to the Council. The Council will consider the reports of the mandate holder, Victor Madrigal-Borloz (A/HRC/44/53 and Add.1).



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

- [A/HRC/44/3 E/CN.6/2020/8 Report of the United Nations Entity for Gender Equality and the Empowerment of Women on the activities of the United Nations trust fund in support of actions to eliminate violence against women – Note by the Secretary-General](#)

40. In Chile, Corporación Humanas implemented a project that brought together groups of migrant women; lesbian, bisexual and transgender women; women living with disabilities; and women living with HIV/AIDS to advocate for a comprehensive law that ends violence against women and girls and under which such violence is recognized not only in the private sphere, but also outside the family context. As part of the project, Corporación Humanas worked with six Chilean women's rights organizations, namely Corporación Círculo Emancipador de Mujeres y Niñas con Discapacidad de Chile, Fondo Alquimia, the Amanda Jofré syndicate, Agrupación Lésbica Rompiendo el Silencio, the International Community of Women Living with HIV/AIDS and Warmipura, to draft the bill on the rights of women to a life free of violence. The bill, which was presented to Congress at the end of the project, reflects the many manifestations of gender-based violence, incorporates provisions of the Convention on the Elimination of All Forms of Discrimination against Women and is aimed at encouraging institutions and regulations to take an intersectional approach to ending violence against women. More than 600 underrepresented women and girls participated in active discussions about what should be in the bill. The inclusion of the diversity of women's experiences in the language of the bill is a historic milestone for Chile. During the project, the six organizations formed alliances and networks that increased their visibility and expanded their local impact to new arenas including government and local institutions. Advocacy around the bill also raised the awareness of professionals working in public service institutions of the prevalence of violence against women within those institutions.

- [A/HRC/44/19 - Operations of the Voluntary Fund for Financial and Technical Assistance in the implementation of the universal periodic review – Report of the Office of the United Nations High Commissioner for Human Rights](#)

III. Results achieved through the implementation of activities supported by the Voluntary Fund during 2019

36. Furthermore, the Voluntary Fund was used by OHCHR to assist Mongolia in launching the national recommendations tracking database, an important tool for the Government to implement the recommendations of international human rights mechanisms. Finally, the Voluntary Fund is also being used for the realization in the country of more activities connected with the Equal and Free Campaign, which is aimed at ensuring the protection of the rights of lesbian, gay, bisexual, transgender and intersex persons.

(...)

40. As a part of its efforts to tackle police violence, OHCHR has undertaken a project supported by the Voluntary Fund in Jamaica to educate police recruits on human rights approaches, standards and requirements pertinent to their law enforcement roles. OHCHR, with support from the Human Rights Adviser, organized three training sessions in June and



A/HRC/44/19 9 July 2019 in cooperation with the National Police College of Jamaica, among other things, to build the capacity, knowledge and skills of police recruits to understand, identify and respond to acts of discrimination and to build their legal literacy and procedural awareness of the child protection system. Additionally, the trainings sought to shift attitudes and biases among police recruits towards marginalized and vulnerable groups, such as lesbian, gay, bisexual and transgender persons, persons living with HIV/AIDS and persons with disabilities.

- [A/HRC/44/24 Impact of new technologies on the promotion and protection of human rights in the context of assemblies – Report of the United Nations High Commissioner for Human Rights](#)

10. ICT (information and communications technology) is useful for sharing information, thus creating a dynamic constituency and enabling people to be more informed and empowered. It can enable traditionally marginalized groups to access information more readily and to better enjoy their right of peaceful assembly. Such groups include civil rights and racial equality activists; environmental and land rights defenders; women human rights defenders; lesbian, gay, bisexual, transgender and intersex activists; people living in remote areas; and indigenous peoples. Live streaming and other forms of information-sharing online open up space for people who are not able to participate in physical demonstrations – for example, diaspora communities and people with disabilities.

- [A/HRC/44/25 - Civil society space: engagement with international and regional organizations – Report of the United Nations High Commissioner for Human Rights](#)

11. Human rights defenders are frequently subjected to attacks, criminalization or killings. Such defenders may include independent journalists, bloggers, peacebuilders, humanitarian workers, youth activists, activists for women’s equality and lesbian, gay, bisexual, transgender and intersex human rights, minorities and indigenous groups, land activists, environmental defenders, and activists working on migration and forced displacement. From 1 January to 31 October 2018, the United Nations recorded and verified 397 killings of human rights defenders, journalists and trade unionists in 41 countries. Every week, an average of nine people were killed on the front lines of efforts to build more inclusive and equal societies.⁷ Too often, those who kill, attack and harass, whether on behalf of States or other groups, go unpunished.

(...)

38. However, legal restrictions, including those that criminalize civic activity under the pretext of national security, predominantly affect those civil society activists and groups that work on the rights of women and young people, sexual and reproductive health and rights, and freedoms of expression and peaceful assembly, as well as journalists and groups working on counter-terrorism activities and on discrimination against and exclusion of lesbian, gay, bisexual, transgender and intersex rights defenders. The challenges they face are further exacerbated by undue restrictions by State and non-State actors on the registration and regulation of NGOs, social media regulations and the monitoring, shutdowns and blocking of websites under the pretext of national security concerns.

IV. Conclusions and recommendations (...)



63. Furthermore, international and regional organizations, in particular the United Nations, should:

(d) Proactively reach out to civil society actors at risk of exclusion, including those that defend the rights of women, children, young people, older persons, persons with disabilities, minorities, migrants, indigenous peoples, lesbian, gay, bisexual, transgender and intersex individuals and groups, community-based and local civil society actors outside capital cities, and others at risk, including journalists, bloggers, peace and humanitarian workers, land activists and environmental defenders.

- [A/HRC/44/26 - Intersection of race and gender discrimination in sport – Report of the United Nations High Commissioner for Human Rights](#) (to be launched) 

This report was requested by the Human Rights Council Resolution [A/HRC/RES/40/5](#), the first HRC resolution to address intersex issues. We highly recommend reading it all in any of the available languages as soon as it is made available through the above link.

- [A/HRC/44/28 - Implementation and enhancement of international cooperation in the field of human rights – Report of the United Nations High Commissioner for Human Rights](#)

36. In Colombia, OHCHR established partnerships with the Office of the Ombudsperson on the rights of women, lesbian, gay, bisexual, transgender and intersex persons and ethnic peoples. It also cooperated with the Counsel General concerning the situation of the indigenous peoples of Putumayo, who are at risk of physical and cultural extermination. It advised the Attorney General, the Counsel General and the Ombudsperson on taking a human rights-based approach to corruption. In partnership with the Presidential Council, OHCHR contributed to the national human rights action plan. It supported the Ministry of Mines and Energy to implement the sector's human rights policy, and helped businesses such as Ecopetrol, Nestlé, Empresas Públicas de Medellín and Amerisur to increase human rights capacity in their operations. OHCHR supported the national land agency to incorporate international standards in rural reform, notably the right to land and territory of farmer and ethnic communities. The Office provided assistance concerning social dialogue, ethnic affairs and access to land, including on the Nukak Maku people of Guaviare and the Barí people of Catatumbo. It supported a partnership among the ministries of the environment and of agriculture and the World Wide Fund for Nature to develop the land use and management plan for the territory of the Alto Mira y Frontera community council. OHCHR supported government authorities of Afro-descendent communities with a view to protecting their territorial rights and the quality of the environment in regions where there are conflicts as a result of land dispossession and contamination by agroindustry megaprojects. It also supported community council authorities of black communities in northern Cauca.

- [A/HRC/44/36 - Annual full-day discussion on the human rights of women – Report of the Office of the United Nations High Commissioner for Human Rights](#)

10. In her opening statement, the Prime Minister of Iceland emphasized that the commitment to gender equality was established in the Charter of the United Nations but the commitment had not yet been fulfilled. She noted that the first World Conference of the International



Women's Year in Mexico in 1975 led to the first World Plan of Action and that the Beijing Platform for Action of 1995 had played a decisive role in setting the path towards gender equality (...)

12. She acknowledged that the advancement of human rights had never followed a linear path and expressed concern over backlashes, such as the recurrent denial of women's reproductive freedom, the repoliticization of women's bodies, sexist hate speech, misogyny and online violence, as well as the backlashes against the rights of lesbian, gay, bisexual, transgender, intersex and queer plus persons. She observed that the #MeToo movement continued to expose the systematic harassment of and violence and everyday sexism used against women. She emphasized that the #MeToo movement had explosive power and demanded structural solutions and accountability by employers, unions, authorities and perpetrators. She acknowledged that the movement had achieved social recognition and public awareness of the prevalence of sexual harassment and violence and pushed Governments, educational institutions and employers to deal with this problem at its true scale.

- [A/HRC/44/37 - Activities and plans of OHCHR, relevant United Nations country teams, agencies and regional organizations to support States efforts to promote and protect the human rights of prisoners, in particular in the implementation of the Nelson Mandela Rules and the Bangkok Rules – Report of the Office of the United Nations High Commissioner for Human Rights](#)

D. Protection of specific groups deprived of their liberty.

46. Specific groups, including juveniles, persons with disabilities, migrants, indigenous persons and lesbian, gay, bisexual, transgender and intersex persons, among others, face particular challenges and have distinct needs when deprived of their liberty. While space does not allow for all vulnerable groups to be addressed in the present report, some relevant technical cooperation examples are highlighted below. Deprivation of liberty of lesbian, gay, bisexual, transgender, intersex and other gender-diverse persons

47. Rule 2 of the Mandela Rules, while not explicitly referring to lesbian, gay, bisexual, transgender and intersex detainees, contains a rule emphasizing the principle of nondiscrimination and its practical implications. This requires that each prisoner's needs are provided for, in particular the most vulnerable categories, so that no prisoner experiences any discrimination in their treatment. 48. For lesbian, gay, bisexual, transgender, intersex and other gender-diverse persons, criminal justice systems and prisons tend to overlook their specific needs. Moreover, in jurisdictions where same-sex relations and expressions of diverse gender identities are criminalized, such persons face heightened vulnerability and risks while detained. In 2018, the Association for the Prevention of Torture produced a guide for monitoring bodies that provides an overview of how authorities should identify patterns of abuse against lesbian, gay, bisexual, transgender and intersex persons deprived of their liberty. The guide also sets out measures to prevent ill-treatment and torture and highlights global promising practice. The Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity contributed to the development of the manual.

49. The United Kingdom Prison and Probation Service recently published a revised policy framework on the care and management of individuals who are transgender, taking into



account learning from the implementation of the previous policy introduced in 2016. Safeguards have been strengthened by improving the risk assessment process, requiring every prison to have a dedicated staff member responsible for transgender individuals and introducing new training for staff. The Prison and Probation Service has also developed a transgender e-learning course, which is available to all staff. In January 2020, operational guidance for the care of transgender individuals was published to support staff in the implementation of the new framework. A person who is transgender is supported to present in the gender with which they identify, regardless of whether they are in a male or female prison.

50. To better understand the challenges faced by the approximately 4,000 transgender people in prisons in Thailand, UNDP, together with the Department of Rights and Liberties Protection of the Ministry of Justice, conducted an internal review of the management of transgender inmates in selected prisons. Among other findings, they found that correctional officers often lacked knowledge of transgender issues, resulting in increased stigma and stereotyping of transgender inmates. A joint workshop for correction officials, held in 2018 by UNDP, the Inspire Project and the Department of Corrections of the Ministry of Justice, addressed core issues related to sexual orientation, gender identity and expression and the challenges faced by transgender prisoners. Following the workshop, UNDP supported the Department of Corrections to develop a set of guidelines to improve the management of transgender prisoners in Thailand.

51. In Paraguay, the strategic plan of the Ministry of Justice for the period 2017–2021 includes a focus on specific categories of detained persons in situations of vulnerability. As part of the reform of the penitentiary system, the General Directorate for Human Rights of the Ministry has initiated a process to review and develop new internal protocols. These include protocols for the care of the elderly, foreign nationals, persons with disabilities, indigenous persons and transgender persons deprived of their liberty. In addition, a “penitentiary decongestion plan”, involving judicial hearings through videoconferencing and rehabilitation and social reintegration programmes through the Directorate of Social Welfare and Reintegration, supports these measures.



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

- [A/HRC/44/40/Add.1 - Visit to Malaysia – Report of the Special Rapporteur on extreme poverty and human rights](#)

73. Lesbian, gay, bisexual, transgender, queer and intersex people are overrepresented among people in poverty as a result of persistent stigmatization and discrimination. Research in Selangor and Kuala Lumpur shows that transgender people face considerable challenges in accessing basic services such as health care and education, and experience employment discrimination that could have long-term socioeconomic implications

- [A/HRC/44/40/Add.3 Report of the Special Rapporteur on extreme poverty and human rights on his visit to Malaysia – Comments by the State](#)

LGBTQI people are overrepresented among people in poverty as a result of persistent stigmatization and discrimination.

Research in Selangor and Kuala Lumpur shows that transgender people face considerable challenges in accessing basic services like healthcare and education, and experience employment discrimination that could have long-term socioeconomic implications.

Comments from the Government of Malaysia:

- Malaysia provides access to basic free education for all and do not discriminate children from different races, religion, gender and socio-economic background.

- [A/HRC/44/42 - Right to freedom of association of migrants and their defenders – Report of the Special Rapporteur on the human rights of migrants](#)

62. Migrants who are part of a vulnerable minority group in their country of destination often find their efforts to organize particularly challenging. Lesbian, gay, bisexual, transgender and intersex migrants commonly face discrimination both from destination country communities and from other migrants, so that even finding a safe space in which to meet becomes a barrier to association. Transgender migrants in some countries find it difficult to access the identity documentation needed to regularize their status, which may make exercising their right to freedom of association more hazardous as an undocumented migrant. Migrant sex workers, even in countries where sex work is legal for citizens, can be prevented by law from unionizing or from associating with their peer networks through third party criminalization laws. This makes it more difficult for migrant sex workers to openly join sex worker advocacy groups.



- [A/HRC/44/43/Add.1 - Visit to Georgia – Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises](#)

62. The Office of the Public Defender plays a critical role in preventing and addressing discrimination. It has a mandate to monitor how State authorities and institutions protect and respect human rights, exercise oversight on the implementation of the Law of Georgia on Elimination of all Forms of Discrimination of 2 May 2014, and monitor implementation of the Convention on the Rights of Persons with Disabilities, in line with the Organic Law on the Public Defender of Georgia. The provisions of the law of 2014 apply to public agencies as well as legal entities and physical persons of private law, thus allowing the Public Defender to deal with discrimination complaints arising from both the public and private sectors. It is noteworthy that the non-discrimination grounds referred to in the law protect against all forms of discrimination, including discrimination related to sexual orientation and gender identity.

77. The Working Group also became aware of discrimination against the lesbian, gay, bisexual, transgender and intersex community. The Government should promote the lesbian, gay, bisexual, transgender and intersex standards of conduct for business,¹⁹ and take proactive steps to eliminate discrimination based on sexual orientation or gender identity in both the public and private sectors. The Government should also fully implement the recommendations made by the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity following his official visit in 2018 (A/HRC/41/45/Add.1).

85. Public procurement offers another important means for the Government to incentivize respect for human rights among businesses. Currently there are no mechanisms to set out a requirement for contractors to respect human rights, except for a narrow focus on employment conditions in some public procurement contracts.²⁰ The Working Group encourages the State Procurement Agency to systematically integrate responsible business conduct criteria into the bidding process. Through strategic sourcing decisions to increase the diversity of their suppliers, public procurement can serve as an effective tool for economic and social empowerment, including of women, migrants, lesbian, gay, bisexual, transgender and intersex persons, and persons with disabilities.

- [A/HRC/44/43/Add.2 - Visit to Honduras – Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises](#)

61. The Working Group noted that, despite the existence of a solid institutional and normative framework to address different forms of discrimination against women, women from ethnic minorities and indigenous women, lesbian, bisexual, trans and intersex women, rural women, women living in poverty and indigenous women are particularly disadvantaged, and therefore disproportionately affected by business-related human rights abuses.



- [A/HRC/44/43/Add.4 - Fourth regional consultation on business and human rights in Latin America and the Caribbean - Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises](#)

I. Executive Summary in English

4. Some of the challenges and opportunities identified included:

(j) Ensure that measures taken by States and businesses pay appropriate and differential attention to the different needs of and impacts suffered by various groups of the most vulnerable populations in the business context, such as human rights defenders, children, women, persons with disabilities, LGBTI people and indigenous peoples.

(...)

40. Durante la consulta, se subrayó la importancia de la capacidad por parte de las empresas de medir sus impactos; no solo en sus operaciones, sino también en su cadena de suministro. Asimismo, es importante que las empresas estén dispuestas a hablar de temas sensibles – pueblos indígenas, LGBTI, mujeres, migrantes, personas con discapacidad, de modo constante y al más alto nivel.

43. En la Consulta, se recalcó que no hay responsabilidad sin escrutinio público, los consumidores e inversionistas están solicitando incrementalmente más informes públicos de las empresas para conocer los orígenes de los productos, las prácticas y los impactos. Se observa cada vez más países que desarrollan legislación sobre el acceso a la información en el mundo, UK Modern Slavery Act, French Due Vigilance Law y el Australian Modern Slavery Act. Esas normas exigen las publicaciones de informes no financieros. Asimismo, los ODS, en su meta 12.6, “alientan a las empresas, en especial las grandes empresas y las empresas transnacionales, a que adopten prácticas sostenibles e incorporen información sobre la sostenibilidad en su ciclo de presentación de informes”. El 68 por ciento de las grandes empresas en la región incluyen información no financiera en sus informes, habiéndose detectado en la región un incremento en la publicación de informes de sostenibilidad (GTI/ISO), sobre género, orientación sexual, esclavitud moderna, cambio climático, entre otros. Sin embargo, cabe destacar que la debida diligencia, pese a su importancia clave, permanece débil en materia de informes públicos.

IX. Conclusiones y principales desafíos y oportunidades para la región

89. Garantizar que las medidas tomadas por parte de los Estados y las empresas presten una atención apropiada y diferencial a las necesidades e impactos distintos sufridos por diversos grupos de poblaciones en situaciones de mayor vulnerabilidad en el contexto empresarial, como son las personas defensoras de derechos humanos, las niñas, niños y adolescentes, las mujeres, las personas LGBTI, las personas con discapacidad y los pueblos indígenas.



- [A/HRC/44/48/Add.1 - Visit to Ecuador – Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health](#)

C. Lesbian, gay, bisexual and transgender persons

58. Lesbian, gay, bisexual and transgender persons face significant barriers in the full enjoyment of their right to physical and mental health. The barriers are connected to deeply entrenched discriminatory attitudes in society at large, which generate stigma, violence and abuse, including in the health system.

59. Lesbian, gay, bisexual and transgender persons have reported discrimination by health-care personnel and a lack of integral health services tailored to their needs. The Special Rapporteur received testimonies and evidence that they face forms of violence on the basis of their sexual orientation and gender identity and expression. That is particularly relevant for transgender people who require hormonal treatment, which is reportedly not available through the public health services. Information gathered during his visit allowed the Special Rapporteur to conclude that many such persons do not use the health services for fear of stigma and rejection, which can have negative consequences for the health of the persons concerned and for society at large.

60. The Special Rapporteur was informed that so-called dehomosexualization clinics continue to operate, despite public knowledge of their existence. Lesbian, gay, bisexual and transgender persons are allegedly placed involuntarily in private centres in which “sexual reorientation or dehomosexualization therapies” are practised. The Special Rapporteur deeply regrets such practices, which may amount to ill-treatment, and urges Ecuador to close such centres immediately. In line with the recommendations of the Committee against Torture, he recommends that all cases of violence against persons on the basis of sexual orientation or gender identity should be investigated, with the aim of prosecuting and punishing the perpetrators of such acts. Awareness-raising activities for the general public should also be carried out to combat the social stigmatization of lesbian, gay, bisexual and transgender persons (CAT/C/ECU/CO/7, para. 50).

77. The Special Rapporteur recommends that the State:

(p) Prohibit violence and any discrimination in the health sector on the basis of sexual orientation and gender identity and expression and prosecute perpetrators of violence against lesbian, gay, bisexual and transgender persons, protect victims and ensure access to justice and remedies. Carry out awareness-raising activities for the general public to combat the social stigmatization of lesbian, gay, bisexual and transgender persons;

- [A/HRC/44/50 - Ten years protecting civic space worldwide – Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association](#)

17. The mandate has helped reaffirm the universality of the rights to freedom of peaceful assembly and of association. In several reports, the mandate holders explored how these rights apply, inter alia, to minors, indigenous peoples, persons with disabilities, persons belonging to minority groups or other groups at risk, including those victims of discrimination because of their sexual orientation and gender identity, non-nationals including stateless persons,



refugees or migrants, as well as associations, including unregistered groups. In a 2016 report to the General Assembly, it was stressed that workers were entitled to the rights to freedom of peaceful assembly and of association regardless of their status within a country.

25. While these trends have negatively affected all who exercise their rights to peacefully assemble and freely associate, the mandate holder has paid special attention to issues affecting the most marginalized groups of society. In a series of reports, the mandate holder exposed the greater risk facing persons with disabilities; non-nationals; migrants and refugees; lesbian, gay, bisexual, transgender and intersex persons; members of minority groups; environmental human rights defenders and indigenous peoples; workers, including global supply chain workers, informal workers, migrant workers and domestic workers; and people living in poverty. These reports have shone a spotlight on the ways in which the denial of the rights to freedom of peaceful assembly and of association leads to the marginalization of those groups and how marginalization exacerbates major global problems, such as poverty, inequality and conflict.

- [A/HRC/44/50/Add.1 - Visit to Sri Lanka - Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association](#)

83. As noted above, members of minority communities, especially those who raise dissenting voices, also face issues with regard to police inaction and the refusal by other civil servants to access services. Many interlocutors reported difficulties in obtaining justice for attacks they had suffered during protests and other events. In several cases, the Special Rapporteur heard that officers working on NGO registration had refused to provide application forms on the basis of the religion, ethnicity or sexual orientation of applicants. Interlocutors tended to see civil servants as an extension of the Government, stating that if their narrative differed from that of the Government they were likely to face discrimination in their work.

- [A/HRC/44/50/Add.2 - Visit to Zimbabwe - Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association](#)

97. The Special Rapporteur has noted patterns, which were confirmed during his visit, in relation to the targeting and harassment of certain organizations, which seem to be continuing under the new administration. For example, organizations with dissenting political views, those working on human rights or on sensitive issues, such as advocacy on issues affecting lesbian, gay, bisexual and transgender persons, or promotion of women's rights, have had their offices raided by the police and, in certain cases, as a form of intimidation, received requests to show proof of registration or provide details of their board members and activities. In addition, the Special Rapporteur is aware of high levels of harassment, surveillance and threats against their leaders, resulting in considerable levels of pressure that, under certain circumstances, have forced them to flee the country.

- [A/HRC/44/50/Add.4 - Observations on communications transmitted to Governments and replies received - Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association](#)

220. JAL 25/11/2019 Case no: PHL 6/2019 State reply: none to date



Allegations concerning hatred, verbal harassment and threats against Mr. Rhadem Camlian Morados, including death threats and threats of kidnapping, disseminated on social media on account of his work on sexual orientation, gender identity and sex characteristics and his advocacy as a gay Muslim claiming that his religion is inclusive and affirmative of his sexuality.

226. JAL 25/10/2019 Case no.: KAZ 4/2019 State reply: 23/12/2019

Allegations concerning the discriminatory restrictions on the rights to freedom of peaceful assembly, freedom of association and freedom of expression of lesbian, bisexual, trans, intersex and queer (LBTIQ) human rights defenders, which may relate to their engagement in advocacy on human rights related to sexual orientation, gender identity and gender equality.

- [A/HRC/44/51 - Women's human rights in the changing world of work – Report of the Working Group on discrimination against women and girls](#)

2. During the period under review, the Working Group held sessions in Geneva, Addis Ababa and New York. At its twenty-fifth session in Geneva (10–14 June 2019), the Working Group met with representatives of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and 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, and the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. It benefited from expert consultations on surrogacy, on the human rights situation of Roma women and girls, and on women's rights in the changing world of work. It also met with Member States.

4. At its twenty-seventh session in New York (27–31 January 2020), the Working Group met with representatives of UN-Women and OHCHR, including the Assistant Secretary-General for Human Rights, and the Special Representative of the Secretary-General on Violence against Children, and held a videoconference with the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. The Working Group also benefited from expert consultations on girls' participation and on sexual and reproductive health rights in crisis situations.

43. International standards recognize sexual harassment as a form of discrimination against women and a violation of human rights. New challenges stemming from technological change and continued globalization make it more urgent than ever to ensure women's safety at work. In this respect, the adoption in 2019 of the ILO Violence and Harassment Convention, 2019 (No. 190), marks a significant advancement towards creating a world of safe and decent work for all, with a particular focus on addressing women's experiences of violence and harassment. Discrimination based on other factors, such as pregnancy, age, race, social origin, migration status, disability, maternity, family responsibilities, sexual orientation and gender identity, may also influence how, and in what ways, women are more vulnerable to violence and harassment. Furthermore, the criminalization of women in prostitution or sex work increases their vulnerability to violence and compounds their exclusion from essential services.

- [A/HRC/44/52 - Combating violence against women journalists – Report of the Special Rapporteur on violence against women, its causes and consequences](#)



46. Many women journalists are subjected to angry messages, threats and taunts online in response to their reporting. As part of a series on the rising global phenomenon of online harassment, The Guardian commissioned research into the 70 million comments left on its site since 2006 and discovered that of the 10 most abused writers 8 were women, the 2 men were black and 2 of the women were lesbians. The study found that on all news sites where comments appeared, too often things were said to journalists and other readers that would be unimaginable in person. It also found that articles written by women attracted more abuse and dismissive trolling than those written by men, regardless of what the article was about. The study revealed that since about 2010, articles written by women consistently attracted a higher proportion of blocked comments than articles written by men. Articles about feminism attracted very high levels of blocked comments, as did rape.

51. In addition to the psychological and professional harm that online abuse and harassment can cause to individuals, there are social harms, too. Of those adults who have experienced harassment online, many have also witnessed others being harassed. That can in turn lead to the silencing of people who might otherwise contribute to public debates, particularly women, lesbian, gay, bisexual and transgender people and people from racial or religious minorities, who see others like themselves being racially and sexually abused.

54. The underlying reasons for targeting any journalist are to undermine their credibility, to humiliate them or to discourage them from reporting on certain topics. When journalists are indigenous women, women belonging to minorities, and/or lesbian, bisexual, transgender or intersex women, they may face an added level of discrimination, in ways that often intersect with their indigenous, and/or minority or lesbian, bisexual, transgender or intersex identities.

57. Specific attacks and abuses of lesbian and transgender women journalists are often underreported, inadequately documented and/or denounced. They range from threatening comments by readers to sexual harassment and violence and even murder. They can also include retaliation for covering lesbian, gay, bisexual, transgender and intersex issues.

- [A/HRC/44/52/Add.1 - Visit to Bulgaria - Report of the Special Rapporteur on violence against women, its causes and consequences](#)

4. In the last 30 years, Bulgaria has taken important steps towards becoming a political democracy, starting with the adoption in 1991 of a new Constitution that provided a wide range of rights and freedoms. In 2007, Bulgaria officially joined the European Union. Nevertheless, the visit of the Special Rapporteur took place at a moment of regression and pushbacks on women's rights, exacerbated by a massive campaign against the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence, (the Istanbul Convention) which Bulgaria signed in 2016. The campaign against its ratification, supported by eminent political figures and the Orthodox Church, was based on misinterpretation and distortion of the content of the Convention and the term "gender", which led to the creation of a hostile environment for women's rights' organizations and the lesbian, gay, bisexual, transgender and intersex community, and expressly cultivated homophobia, transphobia and bias against the term gender.



31. In its concluding observations of 2018, the Human Rights Committee recommended that Bulgaria amend the Protection against Discrimination Act to explicitly include gender identity as a ground of discrimination and fully recognize the equality of same-sex couples (CCPR/C/BGR/CO/4, para. 12). The Committee further raised concerns “at the persistence of stereotypical attitudes, prejudice, hostility and discrimination against lesbian, gay, bisexual, transgender and intersex persons, including as reflected in the Constitutional Court’s decision No. 13/2018 of 27 July 2018” (ibid., para. 11). The Special Rapporteur was alarmed to hear that after the decision of the Constitutional Court, attacks on lesbian, gay, bisexual, transgender and intersex persons had increased. She also received with concern information from civil society claiming that cases regarding discrimination against such persons submitted to the Commission on the Prohibition against Discrimination since 2014 had been overwhelmingly rejected for lack of grounds.¹² The Commission is a quasijudicial independent body that resolves disputes related to complaints about discrimination.

38. The 2003 Protection against Discrimination Act established the Commission for Protection against Discrimination. The proceedings before the Commission are free of charge and everyone receives free counselling and assistance when submitting complaints. The Commission is also competent to make decisions on gender-based discrimination complaints where gender-based discrimination defines behavioural patterns that could escalate to sexual harassment, which constitutes a form of discrimination under the Act. Despite the progress made by the Commission on discrimination in the field of employment, the Special Rapporteur regrets that all cases related to discrimination against lesbian, gay, bisexual, transgender and intersex persons have been rejected owing to lack of sufficient grounds, according to civil society organizations.

Lesbian, bisexual, transgender and intersex women

62. Lesbian, bisexual, transgender and intersex women face multiple and intersecting forms of discrimination. The social and legal obstacles faced by such women have been exacerbated by the campaign against the ratification of the Istanbul Convention, which triggered a toxic debate on the use of the term gender, interpreted as a dangerous ideological concept seeking to eliminate the differences between men and women. The Special Rapporteur regrets that same-sex couples cannot enter into any form of legally recognized union and that marriages concluded abroad are not registered in Bulgaria, although civil registration of marriages contracted abroad is allowed. The non-registration of same-sex marriages has dire consequences for the lives of lesbian, bisexual, transgender and intersex women and results in the deprivation of inheritance rights, tax benefits, matrimonial shared property and options for child adoption.

- [A/HRC/44/52/Add.2 - Visit to Ecuador – Report of the Special Rapporteur on violence against women, its causes and consequences](#)

18. The Comprehensive Criminal Code (2014) criminalizes physical, psychological and sexual violence (arts. 156–158), femicide (art. 141) and discrimination on the basis of sex, gender identity, sexual orientation and other grounds (art. 176). While many of its provisions are progressive, it has yet to be fully harmonized with the Comprehensive Organic Law to Prevent and Eradicate Violence against Women and with the Convention on the Elimination of All Forms of Discrimination against Women.



91. Through her interactions with members of the lesbian, bisexual, transgender and intersex community, the Special Rapporteur learned that, despite the progressive legislation and jurisprudence in place in Ecuador,²⁵ including a ruling by the Constitutional Court in May 2018 that a girl born in Ecuador with two British mothers should be registered as an Ecuadorian citizen and the registry office should record the names of her two mothers, the prevailing stigma, family pressure and social expectations have led to continuing discrimination on the basis of sexual orientation. The Special Rapporteur is deeply concerned at reports suggesting that “de-homosexualization” clinics continue to exist, with information received indicating that some 65 of these clinics have been in existence at various stages in Quito over the past 12 years

- [A/HRC/44/53 - Practices of so-called “conversion therapy” – Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#) -  

This is the report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity on practices of so-called “conversion therapy”. We highly recommend reading it all in any of the available languages.

- [A/HRC/44/53/Add.1 - Visit to Ukraine – Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#)  

This is the report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity on his visit to Ukraine. We highly recommend reading it all in any of the available languages.

- [A/HRC/44/53/Add.2 - Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity on his visit to Ukraine – Comments by the State](#)  

This is the response of Ukraine to the visit of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity on his visit to Ukraine. We highly recommend reading it all in any of the available languages.

- [A/HRC/44/57 - Racial discrimination and emerging digital technologies: a human rights analysis – Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance](#)

2. The scope of the report is racism, intolerance, discrimination and other forms of harmful exclusion and differentiation on the basis of race, colour, descent, or national or ethnic origin, in keeping with the International Convention on the Elimination of All Forms of Racial Discrimination. This includes discrimination against indigenous peoples. In the present report,



the Special Rapporteur urges an equality-based approach to human rights governance of emerging digital technologies. This requires moving beyond “colour-blind” or “race neutral” strategies. A colour-blind analysis of legal, social, economic and political conditions commits to an even-handedness that entails avoiding explicit racial or ethnic analysis in favour of treating all individuals and groups the same, even if these individuals and groups are differently situated, including because of historical structures of intentional discrimination. What is required in the context of emerging digital technologies is careful attention to their racialized and ethnic impact, from government officials, the United Nations and other multilateral organizations, and the private sector. In the present report, the Special Rapporteur highlights intersectional forms of discrimination, including on the basis of gender and religion, and calls attention to the ongoing failure of States and other stakeholders to track and address compounded forms of discrimination at the intersections among race, ethnicity, gender, disability status, sexual orientation and related grounds.

- [A/HRC/44/57/Add.2 - Visit to the Netherlands – Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance](#)

4. In addition to engaging with government representatives, the Special Rapporteur conducted several consultations with stakeholders, including members of civil society; academics; people of African descent; members of religious communities; lesbian, gay, bisexual, transgender and intersex persons; migrants, refugees and asylum seekers; members of the Roma, Sinti and Traveller communities; representatives of student groups; and individuals who had been victims of racism, discrimination and related intolerance. She sincerely thanks everyone who took the time to meet with her and who shared their perspectives on the state of racial equality in the Netherlands.

21. The Special Rapporteur emphasizes that it is impossible for the Government of the Netherlands to fulfil its obligations under the Convention to ensure substantive racial equality and eradicate racial discrimination if it does not adopt a comprehensive and intersectional approach. States parties to the Convention commit themselves not only to ensuring formal equality but also to eliminating purposive or intentional discrimination, discrimination in effect and structural forms of discrimination. An intersectional approach takes seriously the different experiences of racial discrimination that individuals endure because of their race, ethnicity, national origin or culture, in combination with their gender, sex, sexual orientation, disability status, age and any other social category. A comprehensive and intersectional approach is often critical to revealing how neutrally worded laws nevertheless result in racial and other forms of discrimination.

26. The Netherlands has adopted multiple laws and action plans intended to implement its human rights law obligations and bolster its efforts to combat racial discrimination. The Equal Treatment Act, which was adopted in 1994 and amended in 2004, implements article 1 of the Netherlands Constitution by prohibiting both direct and indirect forms of racial discrimination on the basis of religion, belief, political opinion, nationality, race, sex, sexual orientation or civil status. In its submissions to the Committee on the Elimination of Racial Discrimination, the Netherlands has explained that references to race in its Constitution, Criminal Code and equal treatment legislation should be understood in accordance with the



essence of the enumeration in article 1 of the Convention, which refers to colour, descent and national or ethnic origin, as well as “race”.

35. Although reportedly broader in practice, the Equal Treatment Act does not explicitly encompass the full definition of racial discrimination contained in article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination nor the expansive non-discrimination grounds contained in the International Covenant on Civil and Political Rights and other human rights treaties. Furthermore, the Act should explicitly reference the Government’s commitment to an intersectional approach that accounts for overlapping forms of discrimination, including multiple discrimination on the basis of race, gender, migration status, descent, colour, sexual orientation and/or gender identity.

43. Racist and xenophobic political discourse seems connected to trends in hate speech and hate crimes targeting racial, ethnic and religious minority groups, as well as minority women and lesbian, gay, bisexual, transgender and intersex persons. Some of those who spoke with the Special Rapporteur stressed that the racist and xenophobic language used by some national and municipal politicians, along with the failure of government officials consistently to offer adequate responses to counter such discourse, had emboldened individuals to harass and attack members of racial, ethnic and religious minorities.

90. The Government has commendably increased legal and policy protections for lesbian, gay, bisexual, transgender and intersex persons in recent years and created institutional mechanisms to ensure enforcement of these protections. Government representatives focusing on lesbian, gay, bisexual, transgender and intersex issues have expressed their commitment to taking an intersectional approach through which they strive to ensure a meaningful accounting for the needs and experiences of lesbian, gay, bisexual, transgender and intersex persons belonging to racial, ethnic and religious minority communities.

91. In consultations, it has been suggested that a number of areas require urgent improvement, however, including in the adjudication of asylum claims. Advocates spoke with the Special Rapporteur of their concerns that asylum officers and adjudicators reinforce racial and religious stereotypes. Some asylum officers and adjudicators reportedly conceived of Islam as so fundamentally incompatible with lesbian, gay, bisexual, transgender or intersex status that they tended to consider asylum seekers who identified as both devout Muslims and as lesbian, gay, bisexual, transgender or intersex as not credible. Advocates cited additional examples of asylum officers and adjudicators interrogating asylum-seeking lesbian, gay, bisexual, transgender and intersex persons from Muslim-majority countries on their intimate sexual practices. Asylum officers and adjudicators have reportedly challenged such individuals to prove their sexual orientation, gender identity or gender expression according to Western European sensibilities or according to stereotypes about lesbian, gay, bisexual, transgender and intersex persons in Muslim-majority countries.

92. In a positive development, the Immigration and Naturalization Service has introduced instructions for determining and hearing asylum cases involving lesbian, gay, bisexual, transgender and intersex persons. The Special Rapporteur has learned that the instructions outline special trainings for Immigration and Naturalization Service staff interviewing lesbian, gay, bisexual, transgender and intersex asylum seekers and strengthen the Service’s capacity to investigate discrimination against such persons. The Special Rapporteur urges the Government to build on these efforts and to bridge the gaps remaining between the



instructions and existing safeguards for lesbian, gay, bisexual, transgender and intersex asylum seekers.

97. In respect of the legal framework and the scope of efforts to achieve racial equality, the Government must:

(d) Pursue racial equality and non-discrimination in a way that recognizes the intersectional character of inequality and discrimination. It should pay attention to forms of multiple discrimination. An intersectional lens should also help reveal racial discrimination overlapping with, inter alia, lesbian, gay, bisexual, transgender and intersex identity, citizenship status, migration status and religion;

(f) Foster tolerance among and ensure appropriate training for government staff. More systematic anti-discrimination and intercultural sensitivity training is also necessary across all sectors of national authorities to ensure that frontline staff and even civil service leaders are required to understand and confront ethnic, racial and religious prejudice, as well as implicit biases that affect their treatment of racial, ethnic and religious minorities. The Special Rapporteur was reassured to learn of the work that the Government is doing to increase awareness of lesbian, gay, bisexual, transgender and intersex issues and to promote equality for women. Unfortunately, a similar emphasis on ethnic and religious intercultural sensitivity has seemingly not been nurtured across all sectors. Despite many officials insisting that equality, non-discrimination and tolerance are engrained and widespread within public institutions, the experiences of racial and ethnic minorities who reported experiencing racial, ethnic and religious stereotypes in interactions with government authorities clearly prove otherwise.



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

- [A/HRC/44/55 - Situation of human rights in Belarus - Report of the Special Rapporteur on the situation of human rights in Belarus](#)

14. Belarus continues to censor cultural expression, including by considering one-person happenings in public spaces as “mass events” requiring notification or authorization. The Special Rapporteur notes with particular concern limitations on the freedom of expression of LGBTQI artists and the continued use of homophobic language by State authorities in their official capacity.

20. While the Constitution of Belarus and other legislative acts include nondiscrimination provisions, the Special Rapporteur is concerned that the existing legal framework does not provide for comprehensive protection against discrimination on all the grounds prohibited under the International Covenant on Civil and Political Rights. The Special Rapporteur stresses that equality and non-discrimination are central to the implementation of the 2030 Agenda for Sustainable Development and the achievement of the Sustainable Development Goals. Unless Belarus adopts comprehensive antidiscrimination legislation, vulnerable groups, including women, persons with disabilities, ethnic and religious minorities, and LGBTQI persons, will remain vulnerable to discrimination.

33. The Special Rapporteur welcomes the reopening of a criminal case against police officers who allegedly subjected a representative of the LGBTQI community to homophobic ill-treatment in 2017.²⁵ The Special Rapporteur hopes that investigations into the case will be conducted effectively and impartially, and that those responsible will be punished in accordance with the law.

48. At the same time, the Special Rapporteur welcomes the fact that, on 31 August 2019, LGBTQI activists were able to hold a demonstration in Minsk, which was the first time since 2014. While the demonstration was not authorized by the authorities, the police did not disrupt this mass event, and no one was reported to have been apprehended or fined as a result of participating in it.

84. Of particular risk is the enjoyment of artistic freedoms by representatives of the LGBTQI community. The Special Rapporteur received a number of reports suggesting that during the reporting period, LGBTQI artists had been restricted in their ability to express social and political statements through the arts. Moreover, State authorities continued to use homophobic statements in their official capacity. On 4 May 2020, the Ministry of Interior issued a statement on its website that argued that artificial promotion of the theme of same-sex relationships was destructive, violating moral norms and leading to an increase in sexual offences against children. The Special Rapporteur is concerned that while exercising public functions and utilizing public resources, officials engaged in acts that could be qualified as incitement to discrimination based on sexual orientation and gender identity, for which they should be held accountable.



ITEM 5: HUMAN RIGHTS BODIES AND MECHANISMS

- [A/HRC/44/56 - Eighth session of the Forum on Business and Human Rights – Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises](#)

70. In a session dedicated to the role of the private sector in protecting lesbian, gay, bisexual, transgender and intersex persons and their rights, participants discussed the operationalization of the relevant OHCHR standards of conduct. While noting the current lack of monitoring mechanisms, participants agreed that businesses could be drivers for positive change if they were more inclusive and open on issues affecting lesbian, gay, bisexual, transgender and intersex persons, notably by engaging with local organizations and networks involved in advocating for their rights. Participants also highlighted the potential economic loss of failing to do so. The Stonewall toolkit to help companies to tackle discrimination against lesbian, gay, bisexual, transgender and intersex persons was presented during the eighth session of the Forum as an innovative tool to guide businesses on this matter.

87. The key messages emerging from the sessions and discussions, as summarized by the members of the Working Group, were the following:

(k) Discriminated and marginalized individuals and groups such as women and girls, indigenous peoples, minorities, migrant workers, children, members of the lesbian, gay, bisexual, transgender and intersex community and persons with disabilities remained especially vulnerable to business-related human rights abuses. States needed to consider and address the particular risks faced by these individuals and groups when developing legislative and policy measures to foster business respect for human rights;



ITEM 6: UNIVERSAL PERIODIC REVIEW

- **Armenia:** received 20 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Grenada:** received 23 SOGIESC recommendations It will provide an answer no later than the 45th session of the Human Rights Council.
- **Guinea:** received 5 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Guinea-Bissau:** received 1 SOGIESC recommendation. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Guyana:** received 15 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Kenya:** received 20 SOGIESC recommendations. It accepted 3, noted 16 and will provide an answer to 1 recommendation no later than the 45th session of the Human Rights Council.
- **Kiribati:** received 14 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Kuwait:** received 5 SOGIESC recommendations. It will provide an answer no later than the 44th session of the Human Rights Council.
- **Kyrgyzstan:** received 17 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Lao People's Democratic Republic:** received 2 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Lesotho:** received 10 SOGIESC recommendations. It accepted 2 and noted 8 recommendations.
- **Spain:** received 1 SOGIESC recommendation. It will provide an answer no later than the 44th session of the Human Rights Council.
- **Sweden:** received 9 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.
- **Turkey:** received 18 SOGIESC recommendations. It will provide an answer no later than the 45th session of the Human Rights Council.

→Due to the COVID19 outbreak the UPR Outcomes which would take place at the 44th session of the HRC were postponed to the 45th session. Only the outcomes of Spain and Kuwait will take place during the 44th session.

If you want to know exactly what happened or find updated information on the Working Group Sessions and the UPR outcomes, check out ILGA World's complete and updated [Report for the 35th Session](#)



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



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



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

- [A/HRC/44/58 - Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance - Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance](#)

Portugal

19. The Government of Portugal reported on the legislative framework that it had enacted to combat racial and religious discrimination. Under the Constitution and the Law on Political Parties (Organic Law No. 2/2003), racist and fascist political parties were illegal. In accordance with the law, an organization that qualified as a racist party or as profiling fascist ideology could be closed by a decision of the Constitutional Court at the request of the prosecution office. Article 240 of the Penal Code stipulated that discrimination and incitement to hatred and violence on the ground of race, colour, ethnic or national origin, descent, religion, sex, sexual orientation, gender identity or disability were punishable offences. With the amended anti-discrimination law (Law No. 93/2017), which entered into force on 1 September 2017, the Government had established the legal framework for the prevention of discriminatory practices and expanded the definition of discrimination and its application. The amendment to the anti-discrimination law was aimed at improving the coverage of protection and the effectiveness of responses.

III. Antisemitic violence and related acts of racism and intolerance

33. The hate crime statistics compiled by the Federal Bureau of Investigation for 2018, the most recent available, showed that 7,120 hate crimes had been reported in the United States of America, of which 1,419 were religious hate crimes (835 of those antisemitic), 4,047 were based on race, ethnicity or ancestry and 1,196 were motivated by sexual orientation.¹⁸ The documentation by the Anti-Defamation League of antisemitic and racist incidents and incidents against lesbian, gay, bisexual and transgender people in the United States revealed that there had been 2,713 cases in 2019 as compared to 1,214 cases in 2018 – a 44 per cent increase. The Southern Poverty Law Center reported that there had also been a 43 per cent increase in the number of anti-lesbian, gay, bisexual and transgender hate groups in the United States



ITEM 10: TECHNICAL ASSISTANCE AND CAPACITY-BUILDING



REPORTS THAT DO NOT ADDRESS SOGIESC ISSUES

- A/HRC/44/18 - Operations of the voluntary fund for participation in the universal periodic review – Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/44/20 - Outcomes of the investigation into allegations of possible human right violations of the human rights to life, liberty and physical and moral integrity in the Bolivarian Republic of Venezuela – Report of the United Nations High Commissioner for Human Rights*
- A/HRC/44/21 - Human rights situation in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine – Interim report of the Secretary-General
- A/HRC/44/22 - Human rights situation in the Philippines – Report of the United Nations High Commissioner for Human Rights
- A/HRC/44/23 - Human rights situation in Eritrea – Report of the Special Rapporteur on the situation of human rights in Eritrea
- A/HRC/44/27 - Challenges faced and best practices applied by States in integrating human rights into their national strategies and policies to fight against corruption, including those addressing non-State actors, such as the private sector – Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/44/29 - Impact of the diversion of arms and unregulated or illicit arms transfers on the human rights of women and girls – Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/44/30 - Analytical study on the promotion and protection of the rights of persons with disabilities in the context of climate change – Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/44/31 - Human rights of migrants – Note by the Secretariat
- A/HRC/44/32 - Improving accountability and access to remedy for victims of business-related human rights abuse through non-State based grievance mechanisms – Report of the United Nations High Commissioner for Human Rights
- A/HRC/44/32/Add.1 - Improving accountability and access to remedy for victims of business-related human rights abuse through non-State-based grievance mechanisms: explanatory notes to final report – Report of the United Nations High Commissioner for Human Rights
- A/HRC/44/33 - Expert group meeting on the elimination of female genital mutilation – Report of the United Nations High Commissioner for Human Rights
- A/HRC/44/34 - Panel discussion on the rights of indigenous peoples – Report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/44/35 - Intersessional interactive dialogue on ways to enhance the participation of indigenous peoples' representatives and institutions in meetings of the Human Rights Council on issues affecting them – Summary report of the Office of the United Nations High Commissioner for Human Rights
- A/HRC/44/38 - Extrajudicial, summary or arbitrary executions – Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions
- A/HRC/44/39 - Right to education – Report of the Special Rapporteur on the right to education
- A/HRC/44/39/Add.1 - Visit to Qatar – Report of the Special Rapporteur on the right to education

- A/HRC/44/39/Add.2 - Visit to Tunisia – Report of the Special Rapporteur on the right to education
- A/HRC/44/39/Add.3 - Report of the Special Rapporteur on the right to education on her visit to Qatar – Comments by the State
- A/HRC/44/40 The parlous state of poverty eradication – Report of the Special Rapporteur on extreme poverty and human rights
- A/HRC/44/40/Add.2 - Visit to Spain – Report of the Special Rapporteur on extreme poverty and human rights
- A/HRC/44/40/Add.4 - Informe del Relator Especial sobre la extrema pobreza y los derechos humanos acerca de su visita a España –Comentarios formulados por el Estado
- A/HRC/44/41 - Persons with disabilities in the context of internal displacement – Report of the Special Rapporteur on the human rights of internally displaced persons
- A/HRC/44/41/Add.1 - Visit to Iraq – Report of the Special Rapporteur on the human rights of internally displaced persons
- A/HRC/44/42/Add.1 - Visit to Hungary – Report of the Special Rapporteur on the human rights of migrants
- A/HRC/44/42/Add.2 - Visit to Bosnia and Herzegovina –Report of the Special Rapporteur on the human rights of migrants
- A/HRC/44/42/Add.3 - Report of the Special Rapporteur on the human rights of migrants on his visit to Bosnia and Herzegovina – Comments by the State
- A/HRC/44/42/Add.4 Report of the Special Rapporteur on the human rights of migrants on his visit to Hungary – Comments by the State
- A/HRC/44/43 - Connecting the business and human rights and anti-corruption agendas – Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises
- A/HRC/44/44 - International solidarity and climate change – Report of the Independent Expert on human rights and international solidarity
- A/HRC/44/44/Add.1 - Visit to Qatar – Report of the Independent Expert on human rights and international solidarity
- A/HRC/44/44/Add.2 Report of the Independent Expert on human rights and international solidarity on his visit to the State of Qatar – Comments by the State
- A/HRC/44/45 Trafficking in persons, especially women and children – Report of the Special Rapporteur on trafficking in persons, especially women and children
- A/HRC/44/45/Add.1 Visit to Montenegro – Report of the Special Rapporteur on trafficking in persons, especially women and children
- A/HRC/44/46 - Policy framework for rights-based action plans – Report of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members
- A/HRC/44/46/Add.1 - Visit to Japan --Report of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members
- A/HRC/44/46/Add.2 - Visit to Brazil – Report of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members

- A/HRC/44/46/Add.3 - Report of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members on her visit to Brazil – Comments by the State
- A/HRC/44/47 - Independence of judges and lawyers – Report of the Special Rapporteur on the independence of judges and lawyers
- A/HRC/44/47/Add.1 - Visit to Uzbekistan – Report of the Special Rapporteur on the independence of judges and lawyers
- A/HRC/44/47/Add.2 - Visit to Honduras – Report of the Special Rapporteur on the independence of judges and lawyers
- A/HRC/44/47/Add.3 - Report of the Special Rapporteur on the independence of judges and lawyers on his visit to Uzbekistan – Comments by the State
- A/HRC/44/48/Add.2 - Informe del Relator Especial sobre el derecho de toda persona al disfrute del más alto nivel posible de salud física y mental sobre su visita al Ecuador – Comentarios formulados por el Estado
- A/HRC/44/49 -Disease pandemics and the freedom of opinion and expression – Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- A/HRC/44/49/Add.1 - Visit to Ethiopia – Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- A/HRC/44/49/Add.3 - Report of the Special Rapporteur on the promotion and protection of the freedom of opinion and expression on his visit to Ethiopia – Comments by the State
- A/HRC/44/50/Add.3 Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on his visit to Zimbabwe – Comments by the State
- A/HRC/44/54 - Independence of the justice system and access to justice in the Bolivarian Republic of Venezuela, including for violations of economic and social rights, and the situation of human rights in the Arco Minero del Orinoco region – Report of the United Nations High Commissioner for Human Rights*
- A/HRC/44/57/Add.1 - Visit to Qatar – Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
- A/HRC/44/57/Add.3 - Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on her visit to Qatar: comments by the State
- A/HRC/44/61 - Report of the Independent International Commission of Inquiry on the Syrian Arab Republic