



UN Treaty Bodies Quarterly Report

No. 1/2020 — January–March 2020

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ILGA World’s UN Treaty Bodies Quarterly Report provides main information on SOGIESC references made by UN Committees in their Lists of Issues and Concluding Observations under country periodic review process, as well as adopted General Comments and Individual Complaints.

If you have any questions or comments regarding this Quarterly Report or engagement with Treaty Bodies, please contact us on untreaties@ilga.org.

**SOGIESC-inclusive
Concluding Observations**

- ⇒ Check LGBTI recommendations to your country
- ⇒ Organize follow-up activities to inform your community about recommendations and to encourage your government to implement the recommendations

Austria	Latvia
Belarus	Pakistan
Belgium	Portugal
Bulgaria	Republic of Moldova
Central African Republic	Tunisia
Cook Islands	Tuvalu
Costa Rica	Ukraine
Dominica	Uzbekistan
Guinea	Zimbabwe
Hungary	

**SOGIESC-inclusive
Lists of Issues**

- ⇒ See what information was requested from your country before the formulation of recommendations
- ⇒ Collect information and provide your comments to inform Treaty Bodies’ future recommendations

Azerbaijan	Montenegro
Chile	Nicaragua
Czech Republic	Philippines
Democratic Republic of the	Senegal
Congo	Somalia
Gambia	South Africa
Germany	Sri Lanka
Greece	Ukraine
Haiti	United Kingdom
Japan	Uzbekistan
Kenya	Zambia
Kiribati	

What you will find in this report:

Treaty Bodies Statements on Covid-19 2

Country-Specific Questions and Recommendations..... 3

General Comments..... 4

Individual Complaints 5

Summary of Sessions: Country Periodic Reviews 6

 Committee On The Rights Of The Child..... 6



 Committee On The Elimination Of Discrimination Against Women 7

 Committee On Economic, Social And Cultural Rights 8


 Human Rights Committee 9

TREATY BODIES STATEMENTS ON COVID-19

This section contains information about statements released by Treaty Bodies in the framework of the COVID-19 pandemic.

Committee	Statement
CRC	The Committee on the Rights of the Child warns of the grave physical, emotional and psychological effect of the COVID-19 pandemic on children and calls on States to protect the rights of children
CEDAW	Call for joint action in the times of the COVID-19 pandemic  Guidance note on CEDAW and COVID-19 
CESCR	Statement on the coronavirus disease (COVID-19) pandemic and economic, social and cultural rights
HRCtee	Committee adopts statement on derogations from the Covenant in connection with the COVID-19 pandemic, 24 April 2020

CRC – Committee on the Rights of the Child | **CEDAW** – Committee on the Elimination of Discrimination against Women | **CESCR** – Committee on Economic, Social and Cultural Rights | **HRCtee** – Human Rights Committee

 = references to LGBTI issues

COUNTRY-SPECIFIC QUESTIONS AND RECOMMENDATIONS

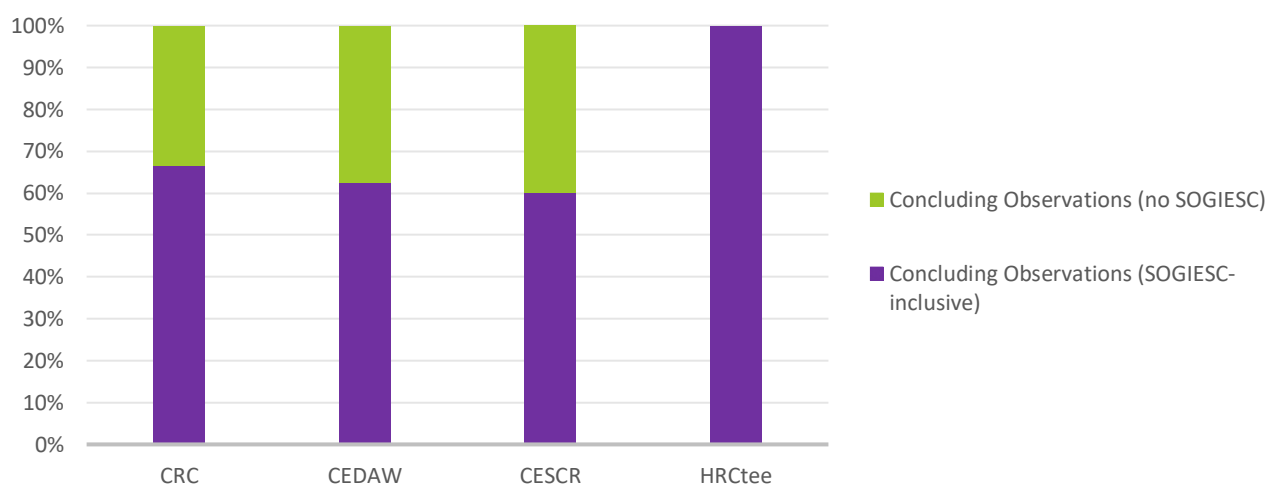
This section contains information about recommendations in Concluding Observations, as well as questions in Lists of Issues to specific countries under country periodic review process.

[**Bold**] = SOGIESC-inclusive questions or recommendations

Committee Session / PSWG	Countries
CRC 83rd Session : 20 Jan–07 Feb 2020 86th PSWG : 10–14 Feb 2020 84th Extraordinary Session : 02-06 Mar 2020	State reports: Austria, Belarus, Costa Rica, Hungary , Rwanda, State of Palestine
	Lists of Issues: Chile , Cuba, Djibouti, Gambia, Greece, Kiribati , Madagascar, Somalia, Zambia
	State reports: Cook Islands , Federated States of Micronesia, Tuvalu
CEDAW 75th Session : 10 Feb–28 Feb 2020 77th PSWG : 02–06 Mar 2020	State reports: Afghanistan, Bulgaria , Eritrea, Kiribati, Latvia, Pakistan, Republic of Moldova, Zimbabwe
	Lists of Issues: Azerbaijan, Germany, Japan, Nicaragua, Senegal, South Africa, Ukraine, Yemen
CESCR 67th Session : 17 Feb–06 Mar 2020 66th PSWG : 09–13 Mar 2020	State reports: Belgium, Benin, Guinea, Norway, Ukraine
	Lists of Issues: Canada, Chile, Czech Republic, Democratic Republic of the Congo , France, Italy, Uzbekistan
HRCtee 128th Session : 02–27 Mar 2020	State reports: Central African Republic, Dominica, Portugal, Tunisia, Uzbekistan
	Lists of Issues: Burkina Faso, Haiti, Kenya, Montenegro, Philippines, Somalia, Sri Lanka, United Kingdom

PSWG – Pre-Sessional Working Group | CRC – Committee on the Rights of the Child | CEDAW – Committee on the Elimination of Discrimination against Women | CESCR – Committee on Economic, Social and Cultural Rights | HRCtee – Human Rights Committee

Percentage of SOGIESC-inclusive Concluding Observations by Treaty Bodies (January-March 2020)



GENERAL COMMENTS

This section contains information about General Comments (General Recommendations) adopted by Treaty Bodies. These documents provide the Committees' interpretation of the content of human rights provisions regarding thematic issues or methods of work.

Committee	General Recommendation
CESCR General Comment No. 25 on Article 15.1.b of the ICESCR (the right to enjoy the benefits of scientific progress and its applications)	Three references to SOGIESC: <ul style="list-style-type: none">• States must adopt measures to enable all individuals and groups to enjoy the Right to Participate and to Enjoy the Benefits from Scientific Progress and its Applications (RPEBSPA) without discrimination, including on the grounds of SOGI (<i>para. 25</i>).• Special attention should be paid to certain groups who have experienced systemic discrimination in the enjoyment of their RPEBSPA, such as LGBTI persons (<i>para. 28</i>).• Obligation to protect: States must prevent non-state actors from interfering with the RPEBSPA when said actors prevent access to knowledge or discriminate on the basis of SOGI (<i>para. 43</i>).

CESCR – Committee on Economic, Social and Cultural Rights | **ICESCR** – International Covenant on Economic, Social and Cultural Rights

INDIVIDUAL COMPLAINTS

This section contains information about decisions made by the Committees on individual complaints. Individual complaint is a formal complaint, from an individual who claims that their rights under one of the treaties have been violated by a State party, which most of the treaty bodies are competent to consider.

Committee Decision	Treaty's articles Issue Result
CEDAW O.N. and D.P. v. Russian Federation Communication no. 119/2017 Decision of 24 Feb 2020	<i>Arts. 1, 2 (b)–(g), 5(a) of the CEDAW Convention</i> Access to justice and effective remedy / violence and discrimination against women on the basis of their sexual orientation Violation

CEDAW – Committee on the Elimination of Discrimination against Women | **CEDAW Convention** – Convention on the Elimination of All Forms of Discrimination against Women

SUMMARY OF SESSIONS: COUNTRY PERIODIC REVIEWS

This section contains more detailed information on SOGIESC questions, recommendations and follow-up reviews adopted by specific Committees under the country periodic review process.

[Bold] = SOGIESC-inclusive recommendations in the Concluding Observations

[Light] = SOGIESC-inclusive concerns and questions in the Concluding Observations and List of Issues respectively

Committee on the Rights of the Child

[83rd Session](#): 20 Jan–07 Feb 2020 | [86th PSWG](#): 10–14 Feb 2020 | [84th Extraordinary Session](#): 02-06 Mar 2020

Twelve LGBTI-inclusive **recommendations** in the Committee's Concluding Observations on:

[Austria](#) (para. **27**)

[Belarus](#) (paras. **15**, **20**, **21**, **34**)

[Cook Islands](#) (paras. **18**, **19**)

[Costa Rica](#) (paras. **13**, **16**, **17**, **27**)

[Hungary](#) (paras. **16**, **23**, **24**, **35**, **36**)

[Tuvalu](#) (para **16**, **17**)

- Criminalization of consensual sexual activity between boys (Cook Islands, Tuvalu)
- SOGI-inclusive strategy for the prevention of violence against children (Belarus, Hungary)
- Bullying and violence against LGBTI children (Costa Rica, Hungary)
- Campaigns to counter hate speech/ harassment against LGBTI children (Costa Rica)
- SOGI-inclusive anti-discrimination law (Belarus, Hungary)
- SOGI-inclusive sexual education and training of health professionals to support LGBT children (Belarus)
- Involvement of LGBTI children in the formulation/implementation of public policies concerning their rights (Costa Rica)
- Prohibition of unnecessary medical or surgical treatment on intersex children (Austria)
- Five urgent recommendations (Belarus, Costa Rica, Hungary)

Nine LGBTI-inclusive **questions** in the Committee's Lists of Issues:

[Chile](#) (paras. 9, 15, 38)

[Gambia](#) (para. 12)

[Greece](#) (paras. 5, 7)

[Kiribati](#) (para. 4)

[Zambia](#) (paras. 9, 15)

- Discrimination against LGBTI children (Chile, Gambia, Kiribati, Zambia)
- Teacher training to prevent bullying on other forms of violence based on SOGI (Greece)
- Intersex-specific questions: on measures taken to address issues related to intersex children (Chile, Greece, Zambia); and on data on intersex children who have undergone surgery or treatment related to their SC (Chile)

Committee on the Elimination of Discrimination against Women

75th Session: 10 –28 Feb 2020 | 77th PSWG: 02-06 Mar 2020

Six LGBTI-inclusive **recommendations** in the Committee’s Concluding Observations on:

[Bulgaria](#) (paras. 34, 39, 40)

[Latvia](#) (paras. 14)

[Pakistan](#) (paras. 43, 44)

[Republic of Moldova](#) (paras. 10, 13)

[Zimbabwe](#) (paras. 45, 46)

- Substantive equality for women and girls who face intersecting forms of discrimination such as LGBTI women/persons (Bulgaria, Zimbabwe)
- Effective access to justice, full inclusion and accessibility for LGBTI women/persons (Latvia, Republic of Moldova)
- Intersex-specific recommendations: on health-care protocol for intersex women (Bulgaria); and on unnecessary gender reassignment surgery on intersex persons (Pakistan)

Ten LGBTI-inclusive **questions** in the Committee’s Lists of Issues and Lists of Issues prior to reporting to:

[Azerbaijan](#) (para. 21)

[Germany](#) (para. 20)

[Japan](#) (para. 23)

[Nicaragua](#) (paras. 1, 4)

[Senegal](#) (para. 19)

[South Africa](#) (paras. 13, 22)

[Ukraine](#) (paras. 6, 23)

- Measures to address the situation of LBT women (Nicaragua)
- Data on measures to tackle discrimination and violence against LGBTI women/persons (Senegal, South Africa)
- Comprehensive anti-discrimination legislation (South Africa, Ukraine)
- Measures to address intersecting forms of discrimination (Azerbaijan, Japan)
- Access to justice for LBT women (Ukraine)
- Specific references to trans: prosecutions and convictions of perpetrators of human rights violations and redress provided for trans women victims (Nicaragua); and conditions under which gender reassignment treatment can be obtained (Germany)

Committee on Economic, Social and Cultural Rights

67th Session: 17 Feb–06 Mar 2020 | 66th PSWG: 09–13 Mar 2020

Three LGBTI-inclusive **recommendations** in the Committee's Concluding Observations on:

[Belgium](#) (paras. 54, 55)

[Guinea](#) (paras. 18, 19)

[Ukraine](#) (paras. 10, 11)

- Criminalization of same-sex relationships (Guinea)
- Anti-discriminatory legislation (Guinea, Ukraine)
- Sensitization to law enforcement officers and judiciary personnel and awareness-raising campaigns to combat stereotypes and stigmatization of LGBTI persons (Ukraine)
- Stand-alone recommendation on intersex persons (Belgium)

Four LGBTI-inclusive **questions** in the Committee's Lists of Issues for:

[Chile](#) (para. 10)

[Czech Republic](#) (para. 9)

[Democratic Republic of the Congo](#) (para. 11)

[Uzbekistan](#) (para. 7)

- Decriminalization of homosexuality (Uzbekistan)
- Measures to combat discrimination based on SOGI (Chile, Czech Republic)
- Comprehensive anti-discrimination law (Uzbekistan)
- Information and data on the enjoyment of the rights to health, education, housing, water and sanitation by LGBTI persons (Democratic Republic of the Congo)
- Update on same-sex marriage (Czech Republic)
- Specific reference to trans: update on conditions for gender reassignment (Czech Republic)

Human Rights Committee

128th Session: 02–27 Mar 2020

Eight LGBTI-inclusive **recommendations** in the Committee's Concluding Observations on:

[Central African Republic](#) (para. 12)

[Dominica](#) (paras. 14, 15)

[Portugal](#) (paras. 14, 15, 16, 17)

[Tunisia](#) (paras. 16, 19, 20)

[Uzbekistan](#) (paras. 9, 10, 11)

- Decriminalisation of consensual relations between persons of the same sex (Dominica, Tunisia)
- Comprehensive anti-discrimination law including SOGI grounds (Central African Republic, Tunisia, Uzbekistan)
- Efforts to combat intolerance, stereotypes, prejudice and discrimination and to prevent hate speech and hate crimes against LGBT persons (Dominica, Portugal)
- One intersex-specific recommendation: Performance of irreversible medical acts on intersex children (Portugal)

Twelve LGBTI-inclusive **questions** in the Committee's Lists of Issues for:

[Haiti](#) (paras. 10)

[Kenya](#) (paras. 4, 5, 18, 21)

[Montenegro](#) (para. 8)

[Philippines](#) (para. 6)

[Somalia](#) (paras. 7, 8)

[Sri Lanka](#) (para. 6)

[United Kingdom](#) (paras. 9, 15)

- Decriminalisation of same-sex relationships (Kenya, Somalia, Sri Lanka)
- Legislation prohibiting discrimination on SOGI grounds (Haiti, Kenya, Philippines, Somalia)
- Measures taken to combat discrimination and prejudice against LGBTI persons (Montenegro, United Kingdom)
- Protections to all refugee and asylum seekers, including LGBTI individuals (Kenya)
- Freedom of expression in relation to LGBTI-related online content (Kenya)
- Efforts to address causes of suicide and self-harm among vulnerable populations in prison, including LGBTI people (United Kingdom)