



# **UNITED NATIONS**

The UN Special Procedures mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (UNSP on SOGI) presented two thematic reports (see also under Freedom of Expression, Assembly and Association, and under Participation in Public, Cultural, and Political Life) and conducted country visits to Albania and Poland in 2024.

#### **ACCESS TO GOODS AND SERVICES**

During its Universal Periodic Review (UPR), Cyprus was <u>recommended</u> to take steps to reduce discrimination in access to public services against LGBTI people.

The Committee on the Rights of Persons with Disabilities (CRPD) <u>recommended</u> Azerbaijan to ensure full inclusion of LGBTI persons with disabilities in healthcare, legal, and social services.

# **BIAS-MOTIVATED SPEECH AND VIOLENCE**

During their UPR, Monaco, Cyprus, North Macedonia, and Slovakia received recommendations to strengthen protections against hate speech and discrimination targeting LGBTI people. Monaco was urged to carry out awareness-raising campaigns on LGBTI-phobic hate speech, legal provisions, and reporting procedures. Cyprus was encouraged to take effective measures to prevent and sanction hate speech, combat discrimination based on sexual orientation and gender identity, and develop programmes to raise awareness and address hatred and violence. North Macedonia was recommended to amend its Criminal Code to explicitly include sexual orientation, gender identity, gender expression, and sex characteristics as protected grounds and to strengthen protections for LGBTI people and Roma against hate speech. Slovakia was advised to adopt a comprehensive action plan against hate speech, violence, and discrimination towards LGBTI people, while also being urged to prohibit the involuntary sterilisation of trans women as a precondition for legal gender recognition.

The Human Rights Committee (CCPR) recommended <u>Iceland</u>, <u>France</u>, <u>Greece</u>, and <u>Malta</u> to strengthen legal protections against hate speech and hate crimes, with Iceland urged to tackle online hate and anti-LGBTI rhetoric; Greece to address discrimination and derogatory speech against intersex people; France to improve data collection and law enforcement training; and Malta to enhance enforcement, particularly for cases targeting racialised LGBTI people.

The Committee on Economic, Social and Cultural Rights (CESCR) and Committee on the Elimination of Discrimination against Women (CEDAW) urged <u>Romania</u> and <u>Italy</u> to combat hate speech and discrimination, with Romania advised to implement intersectional strategies and effective reporting mechanisms, and Italy to address hate speech in media and online spaces and ensure accountability for perpetrators.

Committee Against Torture (CAT) and CCPR called on <u>Turkey</u> and <u>Azerbaijan</u> to thoroughly investigate hate crimes, prosecute perpetrators, and provide effective remedies for victims. CAT also urged <u>North Macedonia</u> to explicitly criminalise hate speech and hate crimes in its Criminal Code and Azerbaijan to criminalise them under national law.

CESCR and CEDAW recommended <u>Poland</u> and <u>Estonia</u> to strengthen legal protections, with Poland urged to criminalise hate crimes and incitement to hatred based on sexual orientation and gender identity, and Estonia to enhance protections against hate crimes and harassment targeting LBTI women while ensuring better access to justice and victim support services.

The Committee on the Rights of the Child (CRC) and CEDAW called on <u>Georgia</u> and <u>Tajikistan</u> to protect LGBTI people from discrimination and violence, with Georgia urged to safeguard LGBTI children and families from hate crimes, and Tajikistan to ensure access to support services for LGBTI victims of gender-based violence.

# **BODILY INTEGRITY**

In April, the Human Rights Council adopted the first-ever resolution on Combating discrimination, violence and harmful practices against intersex persons. The resolution calls for the Human Rights Commission (HRC) to pay increased attention to the situation of intersex persons and to create opportunities to exchange best practices in addressing human rights violations against them.



CAT and CRC recommended Finland, Austria, and France to prohibit non-consensual medical interventions on intersex children, with Finland urged to ensure compensation and rehabilitation for victims and Austria to establish independent oversight of medical decisions. Additionally, CAT recommended France to ban all forms of conversion practices and ensure survivors have access to remedies and support. CCPR and CESCR recommended Iceland to fully prohibit unnecessary medical interventions on intersex children and ensure access to legal remedies and support services. CRPD recommended the Netherlands and Belgium to explicitly ban unnecessary medical procedures on intersex children, with the Netherlands urged to improve support for intersex people and their families, and Belgium to provide legal remedies and support services. CAT called on Austria to provide compensation and support for intersex people affected by harmful medical procedures and.

During its UPR, Slovakia was <u>recommended</u> to prohibit the involuntary sterilisation of trans women as a precondition for legal gender recognition.

CCPR recommended the United Kingdom to prohibit conversion practices across all regions, including Northern Ireland.

# **DATA COLLECTION**

During UPR, <u>Cyprus</u> and <u>Malta</u> were recommended to increase collection of disaggregated data to combat hate speech and discrimination based on sexual orientation, age, disability, ethnicity, and religion. <u>The Netherlands</u> and <u>Sweden</u> received similar recommendations on intersectional data collection from CRPD and France from CCPR.

# **EDUCATION**

During its UPR, Cyprus was <u>recommended</u> to take steps to reduce discrimination in education against LGBTI people. CCPR recommended <u>Croatia</u> and <u>Serbia</u> to strengthen anti-discrimination measures in schools, with Croatia urged to include teacher training and mandatory diversity education, and Serbia to combat discrimination and prejudice through inclusive education programs. CRC recommended the <u>Russian Federation</u> to ensure LGBTI children have access to inclusive and non-stigmatising education and to establish legal frameworks protecting them from bullying and harassment in schools. CESCR recommended Romania and Ireland to improve legal protections for LGBTI people in education.

CRC and CESCR recommended <u>Armenia</u> and <u>Iceland</u> to strengthen anti-bullying policies in schools to protect LGBTI children from harassment.

CRC <u>recommended</u> Bulgaria to implement inclusive education policies and ensure meaningful participation of LGBTI children in decisions affecting them.

# **EMPLOYMENT**

On 18 July, the Working Group on the issue of human rights and transnational corporations and other business enterprises presented its <u>report</u>, Protecting and respecting the rights of lesbian, gay, bisexual, transgender and intersex persons in the context of business activities: fulfilling obligations and responsibilities under the Guiding Principles on Business and Human Rights' to the UN General Assembly.

During its UPR, Cyprus was recommended to take steps to reduce discrimination in employment against LGBTI people. CESCR and CCPR recommended <u>Greece</u>, <u>Ireland</u>, <u>Sweden</u>, and <u>Romania</u> to strengthen anti-discrimination measures for LGBTI people in employment, with Greece urged to improve inclusion policies to address systemic discrimination, Ireland to take targeted measures to reduce inequalities, and Sweden to enhance protections for transgender people in the labour market, including recruitment and wage equality. CESCR recommended <u>Kyrgyzstan</u> to introduce anti-discrimination protections in employment.

#### **EQUALITY AND NON-DISCRIMINATION**

On 23 October, the mandate holders of the UNSPs on sexual orientation and gender identity (SOGI) and human rights defenders wrote to the government of Bosnia and Herzegovina regarding their concern related to the Bill, 'Law on Amendments of the Criminal Code of Republika Srpska', which would remove "gender identity" as an explicitly stated protected ground.



The Working Group on discrimination against women and girls released an LGBTI-inclusive guidance document on 31 October.

During their UPR, Monaco, Malta, North Macedonia, and Slovakia received recommendations to strengthen legal protections against discrimination and violence targeting LGBTI people. Monaco was urged to adopt legislation prohibiting discrimination based on sexual orientation and gender identity and introduce legal norms to protect the rights of the LGBTI community. Slovakia was advised to intensify efforts to implement its Anti-discrimination Law, and adopt a National Action Plan for LGBTI equality.

CCPR recommended <u>Croatia</u> to integrate explicit LGBTI protections into national strategies on discrimination and gender equality and urged <u>Turkey</u> to amend anti-discrimination laws to explicitly include sexual orientation and gender identity as protected grounds. CESCR called on <u>Poland</u> to adopt comprehensive anti-discrimination legislation explicitly protecting LGBTI people and recommended <u>Ireland</u> to ensure that sexual orientation, gender identity, and sex characteristics are explicitly included as protected grounds. CRC advised <u>Armenia</u> to adopt a comprehensive anti-discrimination law with explicit protections for LGBTI children.

CEDAW recommended Estonia, Montenegro, and Greece to strengthen protections for LGBTI people, with Estonia and Montenegro urged to explicitly include LBTI women in anti-discrimination laws and policies, and Greece to fully implement its National Strategy for LGBTIQ+ Equality, ensuring targeted protections for those facing intersectional discrimination. CRC also urged Estonia to include sexual orientation and gender identity in its anti-discrimination laws.

CRPD called on <u>Belgium</u>, <u>Sweden</u>, and <u>Azerbaijan</u> to strengthen protections for LGBTI people with disabilities, with Belgium urged to ensure accessible reporting mechanisms, Sweden to strengthen intersectional policies; and Azerbaijan to incorporate explicit protections against intersectional discrimination into its legal and policy frameworks.

CRC recommended <u>Bulgaria</u> and <u>Lithuania</u> to protect LGBTI children from discrimination, with Bulgaria urged to address bullying and violence in education, healthcare, and social services, and Lithuania to integrate explicit anti-discrimination measures into child protection policies and enhance monitoring and enforcement of protections.

CCPR urged Malta to accelerate the adoption of the Equality Bill to establish a comprehensive anti-discrimination framework. CESCR recommended Albania to fully implement anti-discrimination measures by increasing public awareness, allocating resources, and strengthening accountability mechanisms.

#### **FAMILY**

During their UPR, Monaco, Cyprus, and Slovakia received recommendations to strengthen legal recognition and rights for same-sex couples. CESCR recommended Albania and Poland to establish legal recognition of same-sex partnerships, with Albania urged to extend spousal benefits and Poland to ensure equal rights, including parental rights. CCPR called on Serbia to fully recognise the rights of same-sex couples and guarantee legal protections in areas such as property, pensions, and inheritance.

# FREEDOM OF EXPRESSION, ASSEMBLY, AND ASSOCIATION

On 18 April, the UNSP on SOGI presented his <u>report</u> on Protection against violence and discrimination based on sexual orientation and gender identity in relation to the human rights to freedom of expression, peaceful assembly and association, to the UN Human Rights Council.

On 16 September, the mandate holders of the UNSPs on education, freedom of opinion and expression, freedom of peaceful assembly and of association, the highest attainable standard of physical and mental health, privacy, and SOGI wrote to the government of Georgia to express concern about the bill The Law of Georgia on Family Values and Protection of Minors' (an anti-propaganda law), calling for the bill to be defeated in Parliament.

On 14 October, the mandate holders of the UNSPs on SOGI, education, freedom of opinion and expression, freedom of peaceful



assembly and of association, the highest attainable standard of physical and mental health, human rights defenders, and privacy wrote to the government of Bulgaria regarding the 'Law on Amendments and Supplements to the Law on Preschool and School Education' (an anti-propaganda law), calling for the government to clarify how it would ensure protections of human rights and compliance with international human rights obligations. The UN Human Rights Office had issued a statement reacting to the same legislative process on 16 August.

On 18 December, the mandate holders of the UNSPs on human rights in the Russian Federation, freedom of peaceful assembly and of association, privacy, SOGI, and discrimination against women and girls wrote to the government of the Russian Federation regarding amendments increasing the punishments for violators of existing anti-propaganda laws targeting LGBTI persons and issues.

CCPR recommended <u>Serbia</u>, <u>Turkey</u>, and <u>Kyrgyzstan</u> to safeguard the rights of LGBTI people to peaceful assembly, expression, and association, urging Serbia to prevent violence and intimidation, Turkey to guarantee these freedoms, and Kyrgyzstan to repeal laws restricting freedom of expression

#### FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

On 29 October, the UNSP on the situation of human rights in the Russian Federation released a <u>thematic report</u> to the UN General Assembly, which included a section on the dire situation of LGBT persons in the country.

CAT recommended <u>Türkiye</u> and <u>North Macedonia</u> to address violence against LGBTI detainees, with Türkiye urged to investigate sexual violence and harassment in detention facilities and North Macedonia to adopt a national strategy and ensure independent investigations. It also urged <u>Azerbaijan</u> to take effective measures to prevent violence and discrimination against LGBTI people.

#### **HEALTH**

On 14 March 2024, the UNSPs focused on the highest attainable standard of physical and mental health, SOGI, and discrimination against women and girls released A Guide on the Human Rights of Sex Workers, which makes specific mention of the risks faced by trans women.

During their UPR, Cyprus, North Macedonia, and Slovakia received recommendations to strengthen protections against discrimination and improve access to healthcare for LGBTI people. Cyprus was urged to take steps to reduce discrimination in employment, housing, education, public services, and healthcare. North Macedonia was recommended to ensure uninterrupted access to gender-affirming healthcare, aligning it with principles of depathologisation, non-discrimination, and international human rights standards. Slovakia was advised to create protections for LGBTI people and human rights defenders to guarantee full access to healthcare services, including gender-affirming medical care.

CESCR recommended Ireland, Greece, Sweden, and Romania to strengthen protections for LGBTI people in healthcare, with Ireland and Greece urged to address inequalities in healthcare alongside employment protections, and Romania to improve legal protections in the healthcare system. CEDAW also called on Greece to improve inclusion policies in healthcare settings to address systemic discrimination. CEDAW recommended Montenegro to train medical professionals on inclusive healthcare for LBTI women. CRC urged Estonia to ensure inclusive access to healthcare for LGBTI children, particularly focusing on mental health support.

#### HOUSING

During its UPR, Cyprus was <u>recommended</u> to take steps to reduce discrimination in housing against LGBTI people. The CESCR recommended Romania to improve legal protections for LGBTI people housing.

#### **HUMAN RIGHTS DEFENDERS**

During its UPR, Slovakia was recommended to create protections for LGBTI people and LGBTI human rights defenders to



ensure the full exercise of their rights. CAT <u>recommended</u> Turkey to end the criminalisation of LGBTI activism and ensure that LGBTI organisations and activists are protected from harassment and arbitrary detention. CEDAW <u>recommended</u> Tajikistan to protect the rights of LGBTI activists and organisations by ensuring they can operate freely without fear of repression.

#### **INSTITUTIONAL SUPPORT**

For IDAHOT+, on 17 May, 40 UNSPs and the Inter-American Commission for Human Rights released a <u>statement</u> on the need to redouble efforts to end discrimination based on SOGI and calling on State "to uphold the inherent dignity of all persons, without distinction, by addressing the root causes of discrimination and violence".

On 19 July, the UN High Commissioner for Human Rights Volker Türk and UNAIDS Executive Director Winnie Byanyima released a <u>statement</u> on the impact of criminalisation on the lives of LGBTI people, calling for global removal of punitive laws targeting LGBTI persons.

On 23 September, Volker Türk, the UN High Commissioner for Human Rights, gave a <u>speech</u> to the Summit of the Future regarding increasing threats to the rights of LGBTI people.

On 10 October, United Nations Special Procedures (UNSPs) on sexual orientation and gender identity (SOGI); extrajudicial, summary or arbitrary executions; torture and other cruel, inhuman or degrading treatment or punishment; the highest attainable standard of physical and mental health; freedom of peaceful assembly and of association; freedom of opinion and expression; human rights defenders; violence against women and girls, its causes and consequences; discrimination against women and girls; arbitrary detention; and the situation of human rights in the Islamic Republic of Iran released a joint statement calling for the abolition of the death penalty and for decriminalisation of same-sex conduct.

The Working Group on discrimination against women and girls published a <u>guidance document</u> on Gender equality and gender backlash on 31 October, which addresses attacks on LGBTI human rights defenders by anti-gender movements and is designed to inform member States about recent developments in terms of "gender" and human rights.

# **LEGAL GENDER RECOGNITION**

During 2024, the UNSP on violence against women and girls, its causes and consequences, made several statements, without the support of other UNSPs, regarding legal gender recognition (LGR). Regarding <u>Germany</u>, she said that the self-determination-based LGR framework in the country failed to include "safeguards to prevent abuse of the process by sexual predators... including in single sex spaces".

During their UPR, Monaco, Cyprus, North Macedonia, and Slovakia received recommendations to improve LGR processes for trans people. Monaco was urged to permit trans people to change their gender on identity documents and public records. Cyprus was recommended to introduce a transparent self-identification process for LGR, free from medical or diagnostic requirements, and to adopt legislation allowing legal name and gender changes for people over 18 while advancing towards a law guaranteeing the right to gender identity. North Macedonia was advised to adopt and implement a quick, transparent, and accessible administrative procedure for LGR based on self-determination, adopt a gender equality law aligned with EU and UN standards, and ensure adequate funding for LGR procedures. Slovakia was urged to refrain from any legislative attempts to restrict LGR.

CESCR recommended France, Albania, Romania, Sweden, and Kyrgyzstan to improve LGR and access to gender-affirming healthcare, with France urged to simplify LGR procedures and ensure timely access to care, Albania to establish an accessible procedure, Romania to adopt a system that does not require gender reassignment surgery, Sweden to remove discriminatory barriers in healthcare, and Kyrgyzstan to eliminate restrictions, including the minimum age requirement for gender-affirming care.

CCPR recommended <u>Greece</u>, <u>Croatia</u>, <u>Serbia</u>, and the <u>United Kingdom</u> to improve LGR processes, with Greece urged to align legal and medical classifications with WHO standards, Croatia to ensure gender-affirming healthcare is covered under



mandatory health insurance, Serbia to simplify LGR by removing unjustified requirements, and the UK to eliminate psychiatric diagnosis and other intrusive conditions, ensuring a quick, transparent, and accessible procedure.

CAT recommended Finland to extend legal gender recognition to trans children and ensure accessibility for those of sufficient age and maturity. CEDAW urged Montenegro to remove forced sterilisation as a requirement for LGR and called on Greece to adopt a clear legal framework that does not require medical procedures.

# PARTICIPATION IN PUBLIC, CULTURAL, AND POLITICAL LIFE

On 29 August, the mandate holders of the UNSPs focused on sexual orientation and gender identity; the right to freedom of opinion and expression; the rights to freedom of peaceful assembly and of association; human rights defenders; and discrimination against women and girls wrote to the government of Kazakhstan with concern about denials of requests to hold LGBTI-related marches and peaceful public assemblies and police raids on private LGBTI events.

On 15 July, the UNSP on SOGI presented a <u>report</u> on Electoral participation and protection against violence and discrimination based on sexual orientation and gender identity to the UN General Assembly. OHCHR <u>promoted this report</u> again on 04 November.

#### POLICE AND LAW ENFORCEMENT

The CEDAW <u>recommended</u> Tajikistan to implement capacity-building programs for law enforcement and the judiciary on LGBTI rights.

#### **PUBLIC OPINION**

CRC recommended <u>Georgia</u> and the <u>Russian Federation</u> to implement public awareness campaigns promoting equality and non-discrimination, with Georgia focusing on sexual orientation and gender identity and the Russian Federation on respect for LGBTI children, their families, and communities. CCPR <u>recommended</u> Serbia to intensify efforts to combat discrimination and prejudice against LGBTI people through public information campaigns.

# **SEXUAL AND REPRODUCTIVE RIGHTS**

On 14 September, the mandate holders of the UNSPs focused on violence against women and girls, its causes and consequences; sexual orientation and gender identity; torture and other cruel and unhuman or degrading treatment; and promotion of truth, justice, reparation and guarantees of non-recurrenance wrote to the government of Ukraine regarding a draft bill on victims of sexual violence in the context of the armed aggression of the Russian Federation against Ukraine, making specific note of the needs of victims with diverse sexual orientations and gender identities.

For World Contraception Day (26 September) and International Safe Abortion Day (28 September), the mandate holders of the UNSPs on the highest attainable standard of physical and mental health, violence against women and girls, its causes and consequences, discrimination against women and girls, and SOGI released a joint statement calling for respect for the reproductive choices of women and girls in all their diversity, trans men, and gender diverse persons.

# **SOCIAL SECURITY AND SOCIAL PROTECTION**

On 16 July, the UNSP on trafficking in persons, especially women and children, published a report on gender and peace and security and their intersection with trafficking in persons. The report highlights how gender shapes the experience of conflict for LGBTI persons, often with an impact on the protection of their rights.

CESCR <u>recommended</u> Ireland to ensure the full inclusion of LGBTI people in social protection policies, particularly those from disadvantaged or marginalised backgrounds.