

## [Yogyakarta Principles | Experts release authoritative new guidelines on LGBTI rights](#)

27.11.2017

**An authoritative set of new principles on international human rights law relating to sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) —released today by a group of 33 international human rights experts—charts a way forward for the UN, governments, and other stakeholders to re-affirm their commitment to universal human rights.**



In November 2006, a group of eminent experts met in Yogyakarta, Indonesia to provide an authoritative legal tool with which to seek justice and protection for violations of rights perpetrated in connection with sexual orientation and gender identity (SOGI).

The resulting Yogyakarta Principles sought to apply existing human rights obligations of States in relation to sexual orientation and gender identity. Its impact has been far and wide. For example, Argentina's 2012 gender identity law, which brought effect to the Yogyakarta Principles, provided trans people access to critical services without the need for medical intervention. It sent a clear message against transphobic violence and affirms the rights and dignity of trans people.

More recently this year, the Supreme Court of India declared the right to privacy to be a 'guaranteed fundamental right'. In its ruling, the Supreme Court gave effect to the Yogyakarta Principles concluding that they are 'not inconsistent with the various fundamental rights guaranteed under the Indian Constitution' and therefore, "must be recognized and followed."

### **'Yogyakarta Principles plus 10'**

Ten years on, a set of Additional Principles and Additional State Obligations are to be launched to take further stock of jurisprudential developments over the past decade.

"ISHR is really humbled and proud to have been involved in this process, which brought together human rights experts from the national, regional and international level" said Pooja Patel, LGBTI Programme Manager at ISHR.

Among the number of innovations, the Yogyakarta Principles Plus 10 (YP+10) makes, is the involvement of trans and intersex defenders in the drafting and deliberation of the text from the outset. As such, the YP+10 strengthens and expands its focus on rights related to gender identity, gender expression and sex characteristics.

The YP+10 is available in English [here](#). French, Spanish, Chinese, Russian and Arabic versions will be rolled out in the near future.

Full list of signatories to the YP+10 is available [here](#).

An exciting moment: Today we launch the [#YPplus10](#), 33 additional principles & state obligations for rights related to [#SOGIESC](#) & [#LGBTI](#) persons. Proud to have been a signatory to the original [#YogyakartaPrinciples](#) <https://t.co/yGplSG50f5> [pic.twitter.com/ekwTIHdMge](https://t.co/yGplSG50f5)

— Maina Kiai (@Maina\_Kiai) [November 27, 2017](#)

## Official Press Release:

An anticipated set of new principles on international human rights law relating to sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) —released today by a group of 33 international human rights experts—charts a way forward for both the United Nations, governments, and other stakeholders to re-affirm their commitment to universal human rights. A full list of signatories is attached.

The Yogyakarta Principles plus 10 (YP+10) were adopted by the experts following a meeting in Geneva, Switzerland in September 2017. This meeting followed a period of open consultations, led by the International Service for Human Rights and ARC International, the formation of an expert Drafting Committee, who synthesized the feedback, and the establishment of a Secretariat who supported the process. The new principles reflect significant developments both in the field of international human rights law and in the understanding of violations affecting persons of 'diverse sexual orientations and gender identities', as well as a recognition of the often-distinct violations affecting persons on grounds of 'gender expression' and 'sex characteristics'.

"The YP+10 introduce new language which arises from rights violations that were occurring at the time of the original YPs and since," said Mauro Cabral Grinspan of Argentina, who was part of the Drafting Committee "By naming and articulating them across the entire Yogyakarta Principles, we hope to address previous gaps and contribute not only to the eradication of violations, but also the reparation of the damages they cause around the world."

With explicit inclusion of [#GenderExpression](#) and [#SexCharacteristics](#) - the freshly launched [#YPplus10](#) is more inclusive of [#trans](#) and [#intersex](#) issues than the original [#YogyakartaPrinciples](#) <https://t.co/8aWVlva973> @WeAreAPTN @TGEUorg @GATEOrg @OIIEurope @AstraeaUpdates @DKarsay [pic.twitter.com/uCObvP4qRU](https://pic.twitter.com/uCObvP4qRU)

— Sheherezade (@ShehKara) [November 27, 2017](#)

Cabral Grinspan is the Executive Director of GATE, an international organization working on gender identity, sex characteristics and, more broadly, on bodily diversity issues. He was also a signatory to the original Yogyakarta Principles.

The Yogyakarta Principles plus 10 supplement the original 29 Yogyakarta Principles and set out nine Additional Principles covering a range of rights dealing with information and communication technologies, poverty, and cultural diversity, to name a few. There are also 111 Additional State Obligations, a number of which have arisen over the past decade with regards to the original 29 Principles, including in areas such as torture, asylum, privacy, health and the protection of human rights defenders.

"It is unacceptable that LGBTI people still face discrimination, including in health care settings, leading to detrimental impact on the realization of their right to health," said Dainius Pūras of Lithuania. "Discrimination on the grounds of SOGIESC needs to be addressed globally, in the spirit of the 2030 Agenda for Sustainable Development, ensuring there is no-one left behind. YP+10 is a very important step in this direction."

Pūras is the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of health and is a professor of child psychiatry and public mental health at Vilnius University, Lithuania.

The principles call for action from States, UN bodies and agencies, national human rights institutions, mass media, non-governmental organizations, professional organizations, and others. They have been endorsed by UN independent experts, members of treaty bodies, judges, academics, parliamentarians, non-governmental organizations (NGOs) and others, including the UN's first Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Vitit Muntarbhorn of Thailand.

"The Additional Principles launched today, along with the original 29 principles, articulate basic political, social and economic rights enshrined in international law, yet many in our communities have yet to actually exercise and enjoy these rights due to discrimination," said Sanji Mmasenono Monageng of Botswana. "We implore the international community to pledge its commitment to protect human rights for all, especially those governments that continue to allow and even promote discrimination towards LGBTI persons."

Original [#YogyakartaPrinciples](#) 27 expanded: Enact a law for the protection of [#LGBTI](#) defenders & ensure the participation of HRDs working on [#SOGIESC](#) in public and political decision-making processes [@ForstMichel](#) <https://t.co/yt3OhpXwnG>

— Pooja Patel (@Pooja\_ISHR) [November 27, 2017](#)

Monageng is a judge at the International Criminal Court in The Hague, and former chairperson of the African Commission on Human and Peoples' Rights. She was also a signatory to the original Yogyakarta Principles.

The Yogyakarta Principles plus 10 reflect some of the key issues and developments relating to the specific forms of rights violations experienced by persons on grounds of sexual orientation, gender identity, gender expression and sex characteristics. They respond to well-documented patterns of abuse, ranging from discrimination in the workplace to violence and torture, and are an affirmation of existing international legal standards.

"The YP+10 released today will help civil society and other stakeholders hold governments accountable for fulfilling their obligations under international human rights law," said Julia Ehrt of Germany, who was part of the Drafting Committee. "In the context of violence against LGBTI persons, this accountability includes protection, support for victims, investigation of crime, and holding perpetrators to account, along with tackling structural violence."

Ehrt is the Executive Director of Transgender Europe (TGEU). In 2009, TGEU started Trans Murder Monitoring (TMM), a pioneering project in the collecting, monitoring, and analyzing of reports of murdered trans people worldwide.

For more information on the Yogyakarta Principles plus 10, and to download your copy, please consult the website: [www.yogyakartaprinciples.org](http://www.yogyakartaprinciples.org). Currently, the online version is in English. French, Spanish and Chinese versions will follow in the coming weeks, while Arabic and Russian versions will be rolled out in the early part of 2018.

There are numerous regional and global launch activities and seminars/webinars being planned in the coming months, including one on December 13, 2017 in Geneva. In addition, there will be two upcoming webinars offered on January 16, 2018 and February 15, 2018. More details can be found using the following links:

January 16th: <https://cc.readytalk.com/r/br7t74fuxb08&eom>

February 15th: <https://cc.readytalk.com/r/gx45ipcwxe7u&eom>

Contacts:

- Phil Lynch, Executive Director, International Service for Human Rights (Switzerland) + 41 76 708 47 38
- Kim Vance, Executive Director, ARC International (Canada) +1 (902) 488-6404

*Photo: ISHR*

Poverty doesn't have to be extreme to be a problem, social exclusion exacerbates violence & discrimination. Sustainable Development Goals are for everyone. See how [#SDGs](#) link to

#YogyakartaPrinciples: <https://t.co/QTEmsKmuEt> #LeaveNoOneBehind #EndPoverty #YPplus10  
#SOGIESC [pic.twitter.com/UatYRad3e4](https://pic.twitter.com/UatYRad3e4)

— GATE (@GATEOrg) [November 27, 2017](#)

ISHR