

LGBTQI | Four key developments at the Human Rights Council's 47th session

30.06.2021

ISHR, along with 23 organisations, highlight attacks and targeting of trans and gender diverse defenders; the Independent Expert on SOGI examines the construction of gender in international law, a Group of Friends of the mandate of the Independent Expert is formed; and 27 States call on the Council to urgently protect the human rights of trans people.



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New report of the Independent Expert on SOGI and joint NGO statement are presented

On Friday 25 June the UN Independent Expert on violence and discrimination on the basis of sexual orientation and gender identity (SOGI) presented his most recent report to the Human Rights Council.

[In his report](#), the Expert clearly outlined the construction of gender in international human rights law, adopting an intersectional approach and examining root causes of violence and discrimination on the basis of SOGI. He laid out good practices, and made recommendations to States on upholding rights related to gender and sexuality. In a welcome move, the Expert emphasised the importance of ensuring an enabling environment for civil society.

[During the Interactive Dialogue](#), ISHR along with [23 national, regional and international organisations made a verbal statement](#) noting that 'in the context of the growing anti-human rights movement, we witness a global backlash against the human rights of women and LGBTQI people, as well as an increase in persecution of defenders in the context of governments' purported responses to the COVID-19 pandemic, as well as increased targeting, harassment and attacks of trans and gender-diverse human rights defenders.'

The statement acknowledged the Expert's clear articulation that 'civil society spaces are actively being shrunk' and echoed the call on States to 'uphold an enabling environment for civil society working for the human rights of trans, non-binary and gender-non conforming persons, and to respect and protect their rights to freedom of assembly and association'.

Finally, the statement welcomed the Independent Expert's 'recognition of the [Yogyakarta Principles](#) and the [Yogyakarta Principles plus 10](#), as authoritative articulations of existing international human rights law in relation to issues of sexual orientation and gender identity, as well as their broad application in international, regional and national fora'.

A new group of friends is established

During the dialogue, the formation of a [Group of Friends of the mandate of the Independent Expert on SOGI](#) led by Argentina, Chile, and Uruguay was announced, who reaffirmed their support for the work of the Expert. The Group confirmed its determination to 'support activities in the HRC to tackle human rights challenges, including violence, discrimination and stigmatization on the basis of sexual orientation or gender identity' with the mandate of the Expert and civil society partners.

'We welcome the establishment of the Group of Friends, and the commitment of those member States to the mandate of the Independent Expert and addressing violence and discrimination on the basis of SOGI. We see the work of the Independent Expert as a critical part of the global movement. We look forward to working alongside the Group of Friends to support the critical work of the Independent Expert in enhancing awareness and addressing violence and discrimination on the basis of SOGI', said ISHR's Tess McEvoy.

First State-led statement on trans people is made

In a historic first, on Monday 28 June a statement was delivered by Chile on behalf of the 27 States from the newly formed Group of Friends during the Interactive dialogue with the Special Rapporteur on violence against women, its causes and consequences. The [27 States called on the Council to urgently protect the human rights of trans people, especially trans women](#).

The States called upon member States, 'as a matter of urgency, to respect, to protect and to fulfil the human rights of transgender persons - especially transgender women, given the population's historic marginalisation - by investigating rights violations and abuses, ensuring accountability, implementing effective antidiscrimination legislation and policies, and providing victims with direct access to an effective remedy and support services.'

The statement was welcomed as '[an historic step forward for the global trans community](#)' by APTN, GATE, ILGA World, RFSL, and TGEU, five civil society organisations working for the promotion of the rights of trans people. This was the first time States took the lead in 'recognising the historic injustices that people with diverse gender identities and expressions are still facing every day, and are pushing their own governments and others to work with civil society to raise awareness', they said.

The video of the joint NGO statement, presented by Natasha Jimenez, General Coordinator of [Mulabii](#) during the interactive dialogue with the Independent Expert on SOGI is [available here](#). The full joint NGO statement is also available [here](#) and below.

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Photo: Screenshot of United Nations TV

**Human Rights Council 47th Session
ID with Independent Expert on violence and discrimination on the basis of SOGI
Speaker: Natasha Jimenez Mata**

| This is a joint statement *made on behalf of organisations listed below*.¹

This June marks 10 years since the first resolution on protection against violence and discrimination based on sexual orientation and gender identity. We welcome the Expert's work and his essential role connecting the lived realities of LGBT people and communities and defenders with the UN.

We also welcome this report and the analysis of gender grounded on international human rights law it provides.

We support the Expert's intersectional approach, as well the sustained focus on identifying root causes of violence and discrimination based on sexual orientation and gender identity. We highlight with concern the Expert's acknowledgement that 'trans and gender-diverse persons suffer an unacceptable state of extrajudicial executions, forced disappearance, torture and ill-treatment, as well as systematic exclusion from education, employment, housing and health care'.

In the context of the growing anti-human rights movement, we witness a global backlash against the human rights of women and LGBTQI people, as well as an increase in criminalisation and persecution of defenders in the context of governments' purported responses to the COVID-19 pandemic. We have seen increased targeting, harassment, attacks and detention specifically of trans and gender-diverse human rights defenders who are targeted because of the work they do and because of who they are.

With respect to promoting and protecting human rights, the Expert clearly highlights the critical role of national, regional and international civil society; while noting that civil society spaces are actively being shrunk. We echo the Expert's call on States to 'uphold an enabling environment for civil society working for the human rights of trans, non-binary and gender-non conforming persons, and to respect and protect their rights to freedom of assembly and association'.

The voices of LGBTQI human rights defenders must be heard in order to keep governments accountable for human rights violations, and to continue to demand that the UN system fulfil its human rights mandate.

In this vein, we deplore the systemic underfunding of the UN human rights system and the drive for so-called efficiency, including the cancellation of general debates in June. General debates are a vital part of the agenda by which NGOs can address the Council without restrictions. We call for the reinstatement of general debates at all sessions, with the option of civil society participation through video statements.

Finally, we welcome the Expert's recognition of the Yogyakarta Principles and the Yogyakarta Principles plus 10, as authoritative articulations of existing international human rights law in relation to issues of sexual orientation and gender identity, as well as their broad application in international, regional and national fora. Thank you