



Economic and Social Council

Distr.: General
13 December 2017

Original: English

Commission on the Status of Women

Sixty-second session

12–23 March 2018

Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”

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The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

The human rights of lesbian, bisexual, transgender and intersex women and gender non-conforming people

The 2030 Agenda for Sustainable Development, General Assembly Resolution [A/RES/70/132](#) and Report [A/72/207](#) of the UN Secretary-General calls on United Nations Member States and entities to eliminate discrimination against rural women in several key areas, particularly against those most marginalized. Lesbian, bisexual, transgender and intersex women and gender non-conforming people, require this particular attention.

All lesbian, bisexual, transgender and intersex women and gender non-conforming people continue to experience human rights violations because of their real or perceived sexual orientation, gender identity, expression and/or sex characteristics. These violations include killings, violent attacks, torture, arbitrary detention, forced marriage, denial of rights to assembly and expression and discrimination in accessing health care, education, employment and housing. These individuals also face systemic structural barriers to education, health care, housing and labour market participation.

In rural communities, global poverty and increasing inequality compound isolation and the lack of access to services, socioeconomic resources and justice systems exacerbate experiences of violence, stigma and discrimination for these populations. As with all people in rural areas, lesbian, bisexual, transgender and intersex women and girls, and gender non-conforming people are impacted by persistent climate change, environmental damage and disaster levels which bring additional and complex problems. Particularly pressing is the pervasiveness of violence and discrimination.

Elimination of all forms of violence and discrimination.

The United Nations and others have documented widespread physical and psychological violence against lesbian, bisexual, transgender and intersex persons in all regions - including murder, assault, kidnapping, rape, sexual violence, as well as torture in institutional and other settings. Lesbian, bisexual, transgender and intersex youth, women and gender non-conforming people are at particular risk of physical, psychological and sexual violence in family and community settings, which is often amplified in rural settings. So-called traditional and religious values put lesbian, bisexual, transgender and intersex women and gender non-conforming people at risk and many consistently report being forced to employ various strategies to conceal their identity or biological status in public to protect themselves against homophobic and transphobic violence and discrimination. This violence and discrimination is compounded by intersecting forms of marginalization connected to gender, disability, indigenous origin and ethnicity, socioeconomic and work status, climate and environmental factors, and geography.

For example, reports of women perceived to be lesbian or transgender being subjected to family-sanctioned rapes as a 'cure' are common across several regions; in some cases, being perpetrated by family and community members. In rural regions, the impact of this type of rape and sexual violence is exacerbated by travel distances to services of health and education and the lack of adequate water and sanitation

facilities within households which force women to travel through open and isolated areas, making them even more vulnerable to attacks.

Intersex women and girls, including those living in rural areas, are subjected to irreversible unnecessary surgical interventions. The impacts of such interventions include a reduction or erasure of sexual pleasure, function, and fertility, as well as psychological trauma. Medical needs are often cited as a justification for these cosmetic interventions but there is no evidence that procedures like clitoral reductions or vaginoplasties have any benefit when performed on young children, while evidence of serious harm is mounting. Intersex girls in rural areas face legal obstacles in their own citizen recognition, and in some cases, are not granted a birth certificate, and some are sent away from their homes to larger cities equipped with hospitals.

Survivors of violations often do not report violence because of distrust of the very systems and people that should protect them, and because of fear of reprisals, or threats to confidentiality. The distance from legal assistance and services in many rural and remote contexts compounds inaccessible bureaucracy and impunity. In many of these areas, basic services do not exist, or are minimally resourced. Additionally, lesbian, bisexual, transgender and intersex human rights defenders in rural areas are targeted because of their work protecting their human rights and rights of their communities, and the dangers from social exposure are exacerbated in small rural social contexts. Legal registration of organizations is increasingly denied; offices are raided; human rights defenders are harassed, arrested, tortured and sometimes killed. For decades, LGBTI groups have been demanding that this violence and discrimination be prevented, punished and denounced.

Migration also affects lesbian, bisexual and transgender rural women and gender non-conforming people in particular ways. These women leave their communities and sometimes their countries to escape violence and discrimination, and to freely express themselves. In some cases, they are forced to leave their homes and families due to pressure and/or violence from relatives. In such cases, lesbian, bisexual, transgender and intersex and gender non-conforming individuals migrate to urban areas assumed to be more tolerant. Once there, these individuals continue to face homelessness, transience, a lack of support and assistance related to urban poverty levels, inadequate education and employment opportunities, and strictly enforced gendered societal norms that make independent living by women difficult at best for those with some level of social support network, and access to justice in law and in practice, an impossibility.

Human Rights at the United Nations

The human rights of lesbian, bisexual, transgender and intersex women and gender non-confirming people is not a case for new or special rights. The human rights of lesbian, bisexual, transgender and intersex women and gender non-conforming people only asks for the application of existing international human rights law equally to everyone irrespective of their sexual orientation, gender identity, expression and/or sex characteristics.

Over the past 20 years, six United Nations treaty bodies including the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee Against Torture, and the Committee on the Elimination of all Forms of Violence against Women, Committee on the Rights of the Child, and the Committee on the Rights of Persons with Disabilities have addressed violence and discrimination based on sexual orientation and gender identity.

The United Nations Human Rights Council appointed its first Independent Expert on Sexual Orientation and Gender Identity, as confirmed by the General Assembly in 2016. The Human Rights Council has approved 3 resolutions on Violence and Discrimination based on Sexual Orientation and Gender Identity. Regional human rights systems have also supported human rights claims related to sexual orientation and gender identity.

Multiple reports from the Human Rights Council, United Nations Secretary General and Special Rapporteurs across the UN system have highlighted violence and discrimination against lesbian, gay, bisexual, transgender and intersex people; there have been multiple General Assembly resolutions on extrajudicial executions that note these concerns, as well as regional resolutions and conventions from the Organization of American States, the African Commission and the Council of Europe. It is worth noting that even the Holy See has stated its concern about violence against homosexual persons during the General Assembly in 2009.

Conclusion

The international human rights system agrees that this violence, discrimination, stigma, and the social and economic exclusion of lesbian, bisexual, transgender and intersex women and gender non-conforming people must stop. The silence of the Agreed Conclusions of the Commission on the Status of Women on these issues must end now.

The challenge of the 2030 Agenda for Sustainable Development must take into account the marginalization process in which lesbian, bisexual, transgender and intersex women and gender non-conforming people become vulnerable because of the discrimination they face in almost all development areas. A better world for everybody is possible if we take into account human diversity.

Therefore, we call on all governments here at the 62nd session of the Commission on the Status of Women to commit to ending all violence and discrimination on the grounds of sexual orientation and gender identity, and to clearly reflect this commitment in the Agreed Conclusions.

It is time for us all, to act.
