

LEVERAGING  
HUMAN  
RIGHTS AND  
THE 2030  
AGENDA TO  
ADVANCE  
LGBTI RIGHTS



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# LEVERAGING HUMAN RIGHTS AND THE 2030 AGENDA TO ADVANCE LGBTI RIGHTS

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## EXECUTIVE SUMMARY

**This report provides** guidance as to how human rights and the 2030 Agenda and the related monitoring mechanisms can be leveraged to advance rights fulfilment for lesbian, gay, bisexual, trans, and intersex (LGBTI) people. LGBTI people face urgent human rights violations and multiple challenges, many of which could be addressed through 2030 Agenda implementation that truly respects the commitment to “leave no one behind”. Alignment of human rights and Sustainable Development Goal (SDG) reporting can ensure coherence in the way countries report and follow up on human rights-recommendations as regards LGBTI rights. This is one of several important

elements in ensuring that LGBTI rights-fulfilment is a core part of the 2030 Agenda implementation in countries.

The report gives examples of how challenges faced by LGBTI people can be directly linked with the SDGs and human rights frameworks, as well as how recommendations from the human rights systems regarding LGBTI rights can be integrated in country Voluntary National Reviews (VNRs) of SDG progress.

The analysis of selected VNRs show that there is significant potential to improve the integration of human rights and SDG monitoring and reporting.





## RECOMMENDATIONS ON INTEGRATING HUMAN RIGHTS INTO SDG REVIEW TO ADVANCE LGBTI RIGHTS

### Governments:

- Include LGBTI people and organisations in 2030 Agenda implementation, monitoring, review and follow-up processes, to ensure that their perspectives and rights are considered and addressed.
- Use SDG related planning and programming as an opportunity to implement human rights recommendations from the Universal Periodic Review (UPR)/ Treaty Bodies/Special Procedures which concern LGBTI people.
- Report on progress vis-a-vis human rights obligations and recommendations that are connected to the SDGs in the Voluntary National Review and other SDG review processes.
- Use the data and information produced by National Human Rights Institutions and other human rights actors as well as relevant national and international legislation to guide sustainable development efforts and ensure that LGBTI people are not left behind.
- Ensure that data on LGBTI people are collected and handled in an ethical and safe manner to avoid exposing them to further risks.

## The UPR, Treaty Bodies and Special Procedures:

- Include, where possible, reference to relevant SDG targets and indicators in country-specific recommendations and in the General Comments related to human rights obligations. This will make the links more explicit and facilitate the use of outcomes from the human rights systems to guide 2030 Agenda implementation and reporting. It will also add a layer of accountability for the SDGs.

## National Human Rights Institutions (NHRIs) and other human rights actors:

- Proactively engage in local, national, regional and global SDG processes to ensure that human rights underpin SDG planning, programming and reporting.
- Advocate to have LGBTI people and their rights included and considered in SDG processes.
- Systematize and offer human-rights information and data, including qualitative data, on the situation of LGBTI people to guide SDG processes and feed into the VNRs.

- Ensure that data on LGBTI people are collected and handled in an ethical and safe manner to avoid exposing them to further risks.
- Help states identify opportunities to follow-up on human rights recommendations in SDG processes, ensuring that the SDGs are used to promote and protect the rights of LGBTI people in your country.

## Civil society actors including LGBTI organisations and activists:

- Proactively engage with SDG follow-up and review mechanisms, particularly the Voluntary National Review processes in countries, as well as with international human rights monitoring mechanisms – possibly through civil society alliances – to shed light on LGBTI issues and priorities and call for action, including follow up to specific human rights recommendations.
- Lobby to make SDG follow-up and review processes open and inclusive to meaningful participation and input by civil society and particularly LGBTI people and their organisations.





## INTRODUCTION

**This report provides** guidance as to how human rights and the 2030 Agenda and the related international monitoring mechanisms can be leveraged to advance rights fulfilment for LGBTI people and thereby also contribute to fulfilling the 2030 Agenda pledge to “leave no one behind”<sup>1</sup>.

The first section of the report highlights the many human rights-violations faced by LGBTI persons around the world. The second section relates LGBTI rights to human rights frameworks and gives examples of how the UN Human Rights monitoring mechanisms have issued recommendations to ensure the rights of LGBTI people. The third section places LGBTI rights in relation to the

2030 Agenda and the commitment to “leave no one behind”. The section includes concrete examples of how some of the challenges faced by LGBTI people can be linked directly to SDG targets showing how the issues could be addressed by 2030 Agenda implementation that leaves no one behind. The fourth section gives concrete examples of how recommendations from the human rights system (such as the Universal Periodic Review, Treaty Bodies and Special Procedures) have been used by states to inform their SDG reporting and implementation. The conclusion (fifth section) points to significant potential to increase the synergies between human rights and SDG reporting and related implementation to ensure that 2030



Agenda implementation is guided by a human rights-based approach and fulfils the rights of LGBTI people. Finally, the report contains concrete recommendations for governments, human rights bodies, National Human Rights Institutions as well as civil society organisations, including LGBTI rights holders organisations.

**The acronym LGBTI** refers to lesbian, gay, bisexual, trans, and intersex people. It is very difficult to define terms related to sexual orientation, gender identity or expression, and sex characteristics (SOGIESC) across diverse cultural and national contexts. Individuals whose SOGIESC does not conform to the accepted norms of that individual's society and culture often experience social, legal and cultural marginalisation. The collective term "LGBTI people" is used here because they are a diverse group that nevertheless faces some common challenges: stigma, discrimination, and violence because of their sexual orientation, gender identity or expression, and sex characteristics. This definition is neither exclusive nor final; other concepts, terms, or identities may be relevant in different geographical or cultural settings, and concepts may evolve over time.



# 1. BACKGROUND

Across the world, there are certain laws in force that restrict the rights of LGBTI people and/or expose them to State interference:

- Same-sex behaviour between consenting adults is a crime in 70 United Nations (UN) Member States.
- 31 UN Member States have laws and regulations that have been enacted to restrict the right to freedom of expression in relation to sexual orientation issues (often referred to as “propaganda laws”).
- 41 UN Member States maintain laws and regulations that limit the possibility of civil society organisations working on issues related with sexual orientation to obtain legal registration.
- Only one State in the world has a law banning non-consensual and medically unnecessary surgeries on intersex infants and babies.
- 68 States have laws criminalising HIV non-disclosure, exposure, or transmission; and 33 countries have applied other criminal laws to HIV non-disclosure, exposure, or transmission. These laws exclude LGBTI populations and people living with and affected by HIV, effectively leaving them behind.

LGBTI people share common experiences of marginalisation due to their actual or perceived sexual orientation, gender identity and expression, and sex characteristics. In addition, many face varying degrees of intersecting forms of discrimination based on gender, age, race, ethnicity, ability, socioeconomic status, migration status, and other factors that drive exclusion.

The level of discrimination and violence against millions of LGBTI people around the world is vast and complex as indicated by the below examples from the joint statement to the 41st session of the Human Rights Council by a collective of 1316 NGOs from 174 States and territories:

“These abuses include: killings and extrajudicial executions; torture, rape and sexual violence; enforced disappearance; forced displacement; criminalisation; arbitrary detentions; blackmail and extortion; police violence and harassment; bullying; stigmatisation; hate speech; denial of one’s self defined gender identity forced; medical treatment, and/or forced sterilisation; repression of the rights to freedom of expression, association and assembly, religion

or belief; attacks and restrictions on human rights defenders; denial of services and hampered access to justice; discrimination in all spheres of life including in employment, healthcare, housing, education and cultural traditions; and other multiple and intersecting forms of violence and discrimination. These grave and widespread violations take place in conflict and non-conflict situations, are perpetrated by State and non-State actors (including the victims' families and communities) and impact all spheres of life".<sup>2</sup>

The examples are not exhaustive, and the level of discrimination and/or violence experienced by LGBTI people vary between regions and

contexts, but the joint statement gives an insight into the multitude of challenges, their severity, as well as the urgency to act.

Intersecting forms of discrimination against LGBTI people lead to a widespread experience of multidimensional poverty among this population. Discriminatory policies, laws and practices create overlapping deprivations and hinder access to adequate economic resources and essential services. Moreover, this is aggravated when LGBTI people are excluded from influencing the policies that affect their lives. Multidimensional poverty prevents LGBTI people from exercising their human rights and from reaching their full potential<sup>3</sup>.



## 2. THE RIGHTS OF LGBTI PEOPLE IN HUMAN RIGHTS FRAMEWORKS AND BODIES

Human rights are universal. By definition, every human being is born with the same rights, irrespective of ancestry, gender, colour, status and creed. Much like the SDGs, human rights are indivisible and interdependent, which means that one set of rights cannot be enjoyed fully without the other.

States are obliged by international law to respect, protect and fulfil the human rights of all persons within their jurisdiction. This naturally includes LGBTI persons. The universality and indivisibility of human rights mean that LGBTI people, like everyone else, enjoy the full range of rights set out in international human rights law.

States' responsibility under international human rights law specifically include the duties: to refrain from interfering in the enjoyment of people's rights; to prevent abuses by State agencies

and officials, private corporations and individuals; to monitor, investigate and combat such abuses when they occur; and to provide remedy to victims.<sup>4</sup> States should also 'collect, analyse and publish data on violence and discrimination against LGBTI individuals, and consult with relevant organisations representative of LGBTI communities while shaping relevant policies.'<sup>5</sup>

National Human Rights Institutions (NHRIs) have a key role to play as independent State institutions, with a constitutional and/or legislative mandate to protect and promote human rights. NHRIs undertake systematic analysis of the national human rights situation, including for LGBTI people, and issue reports and recommendations, which can be used for guiding SDG implementation. In addition, many NHRIs report to international and regional human rights mechanisms, including the United Nations treaty bodies<sup>6</sup>.



The international human rights mechanisms can play an important role in advancing the rights of LGBTI people as they can monitor the situation for LGBTI people in national contexts and issue resolutions and recommendations to countries on how to realize the rights of LGBTI people. Countries are obliged to respond to the recommendations and report on the implementation.

## Human Rights Bodies at the United Nations

The **HUMAN RIGHTS COUNCIL** is an intergovernmental body within the United Nations system made up of 47 States responsible for the promotion and protection of all human rights around the globe. The Council discusses all thematic human rights issues and situations that require its attention throughout the year.

The **UNIVERSAL PERIODIC REVIEW (UPR)** is a unique peer-review mechanism under the Human Rights Council, which provides periodic reviews of the human rights records of all 193 UN Member States. Every fourth year, states report to the UPR on the human rights situation in their country and the UPR issues concluding observations and recommendations to each Member State.

**TREATY BODIES** consist of committees of independent experts that monitor states' obligation to respect, protect and fulfil the rights enshrined in each of the core international human rights treaties.<sup>7</sup> They monitor and produce recommendations on the full range of civil, political, economic, social and cultural rights, as well as the rights of specific categories of persons including women, migrants, children and persons with disability.

**SPECIAL PROCEDURES** are independent human rights experts with a mandate to report and advise on all civil, cultural, economic, political and social rights, from a thematic or country-specific perspective. Some examples include the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Special Rapporteur on the Rights of Indigenous Peoples and the Special Rapporteur on the Right to Development.



The United Nations' Human Rights Council has made a number of resolutions reaffirming the rights of LGBTI people. In 2014, the Council passed a resolution on 'Human rights, sexual orientation and gender identity'<sup>8</sup> and in 2016 it adopted a resolution on the 'Protection against violence and discrimination based on sexual orientation and gender identity'<sup>9</sup>. The 2016 resolution strongly deplored 'acts of violence and discrimination, in all regions of the world, committed against individuals because of their sexual orientation or gender identity'<sup>10</sup>. It also established a Special Procedure mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

The UPR and the Special Procedures of the UN have issued numerous recommendations to enhance the protection and enjoyment of the rights of LGBTI people.<sup>11</sup> In the 2019 reporting cycle of the UPR, Albania received several recommendations to e.g. 'reform the Family Code so as to give legal recognition to couples of the same sex', 'guarantee access to health services for lesbian, gay, bisexual, transgender and intersex persons', and 'implement public education and awareness programmes on issues related to sexual orientation and gender equality and provide training to

law enforcement, judicial and other relevant authorities with the same objective'.<sup>12</sup>

The United Nations' Human Rights Committee, which is a Treaty Body, has on several occasions called on States Parties to address violence and discrimination against LGBTI people. This call is grounded on States' obligation to guarantee equal rights to all individuals regardless of their sexual orientation and gender identity, as enshrined in the International Covenant on Civil and Political Rights.<sup>13</sup>

Similarly, the Committee on Economic, Social and Cultural Rights, which monitors compliance with the International Covenant on Economic, Social and Cultural Rights, has affirmed that the principle of non-discrimination laid down in the Covenant includes sexual orientation, gender identity and intersex status.<sup>14</sup>

In addition, several other Treaty Bodies have made comments and recommendations that underscore the universality of human rights as inclusive to all persons, regardless of sexual orientation, gender identity or sex characteristics. This includes the Committee on the Rights of Persons with Disabilities, which has expressed concern about discrimination against LGBTI people with disabilities, sterilisation and other procedures on intersex persons.<sup>15</sup>

### 3. THE 2030 AGENDA AND THE SDGS – AN IMPORTANT FRAMEWORK FOR HUMAN RIGHTS

#### The interlinkages between human rights and the 2030 Agenda

The 2030 Agenda for Sustainable Development<sup>16</sup> was adopted by all United Nations Member States in 2015. It is explicitly grounded in

human rights and at its heart are the 17 Sustainable Development Goals (SDGs), which “seek to realize the human rights of all”<sup>17</sup>. Analysis by the Danish Institute for Human Rights shows that more than 90% of SDG targets are linked to specific provisions of international human rights instruments.

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#### The Human Rights Guide to the SDGs

The Human Rights Guide to the SDGs is an online tool that identifies the linkages between the SDGs and universal human rights, labour standards and key environmental instruments. The Guide allows for tailored research related to the instruments applicable to a specific country, and is therefore an essential tool to: understand the links between country specific human rights obligations and the SDGs; and develop a human rights-based approach to sustainable development programming, implementation, reporting and monitoring. Visit the Guide at [sdg.humanrights.dk](http://sdg.humanrights.dk)

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The 2030 Agenda **pledge to “leave no one behind”** mirrors the fundamental human rights principles of non-discrimination and equality. Even though the 2030 Agenda does not explicitly mention LGBTI people, the core principle of “leaving no one behind” means that “[t]argets [are to be] met for all nations and peoples and for all segments of society.” The 2030 Agenda also envisages “[a] just, equitable, tolerant, open and socially inclusive world in which the needs of the most vulnerable are met.” In other words, the 2030 Agenda is grounded in the commitment to inclusion, non-discrimination and delivering a better world for all, including LGBTI people. By realising the SDGs, states will also fulfil many of their legally binding human rights obligations,

including related to the rights fulfilment of LGBTI people.

The 2030 Agenda provides an opportunity to further the realisation of human rights in development efforts. The strong links between human rights and sustainable development offer potential to make the SDG follow-up and review processes better aligned and thus more effective, efficient and accountable. Aligning human rights and development reporting and bringing human rights and development actors together can contribute to ensure coherence in the way countries follow up on human rights-recommendations as regards LGBTI rights and integrate LGBTI people’s perspectives and priorities in the 2030 Agenda implementation.

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## The SDG-Human Rights Data Explorer

The SDG-Human Rights Data Explorer is an online tool developed by the Danish Institute for Human Rights that shows the connections between the recommendations produced by the main international human rights monitoring bodies and the 169 SDG targets. Information can be filtered to specific countries, groups of rights holders or human rights mechanisms. The tool supports integrated implementation of and reporting on human rights and SDGs. The Data Explorer has analysed and linked more than 150,000 human rights recommendations and observations produced by the UPR, Treaty Bodies, and Special Procedures. Visit the Data Explorer at: [sdgdata.humanrights.dk](https://sdgdata.humanrights.dk)

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## Engaging with the SDG follow-up and review mechanisms

While human rights are monitored through the international human rights monitoring mechanisms, the global review of SDG progress takes place under the auspices of the UN Economic and Social Council (ECOSOC) High-Level Political Forum (HLPF) on Sustainable Development through countries' presentations of Voluntary National Reviews (VNRs). As per the 2030 Agenda (§ 74) SDG follow-up and review processes are "voluntary and country-led". Most UN Member States have already carried out VNRs and are planning to carry out more reviews.

The SDG review processes are meant to be "open, inclusive, participatory and transparent for all people and will support reporting by all relevant stakeholders". They are also intended to be "people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind".

Depending on the degree to which states live up to their commitments regarding "open and inclusive" processes, there is potential for LGBTI organisations and LGBTI people, to contribute directly to the review

processes in their countries. Civil society organisations can for example join SDG platforms and coalitions in countries and contribute to civil society parallel reports<sup>18</sup> or to the VNR report itself, if the government-led engagement process enables this. Civil society reports cannot be submitted directly to the UN, unlike the stakeholder reports in the UPR process, but states can choose to upload the reports along with the VNR. Also, the reports can still shine a light on critical issues and serve as a basis for joint civil society advocacy and dialogue with the government even if not part of the official VNR documentation. There is also potential for engagement in the review process at the annual HLPF in New York through the Major Groups and Other Stakeholders<sup>19</sup> for example by commenting on a country's VNR presentation.

There are multiple ways in which National Human Rights Institutions (NHRIs) can engage in SDG review. For example, NHRIs in Qatar, Oman, the Philippines and New Zealand have collaborated with national statistical offices on how to fill data gaps, particularly as regards information on vulnerable groups for the VNR. The NHRI in Ghana trained state actors and NGOs on human rights-based approaches to data collection and budget analysis.



## Examples of how the SDGs relate to challenges faced by LGBTI people

In order for the 2030 Agenda implementation to truly live up to the principle of leaving no one behind, the challenges faced by LGBTI people in all their diversity need to be acknowledged and addressed. It is necessary to apply specific, targeted and human rights-based responses at country level that address the

different needs of LGBTI people. In some cases, issues are of concern to a particular sub-group, for example intersex persons, which makes one-size fits all policies ineffective in ensuring the protection of the rights of the LGBTI+ community.

Below are illustrative examples of the diversity of human rights issues and challenges experienced by LGBTI people and how they are directly linked to specific SDGs.



## Violence based on sexual orientation, gender identity, gender expression, and sex characteristics

International human rights bodies have recognised that violence targeting people because of their actual or perceived sexual orientation, gender identity, gender expression, and sex characteristics is pervasive, and no region of the world is immune to this phenomenon.<sup>20</sup> The expression of this violence ranges from murders, beatings, kidnappings, rape and sexual assault, threats, coercion and arbitrary deprivations of liberty.<sup>21</sup> Specific forms of gender-based violence are perpetrated against lesbian and bisexual women, including “corrective” rape.<sup>22</sup>

The lived experience of many LGBTI people indicates that violence can be omnipresent: at home, at school, at the hospital, at the workplace, on the street, while travelling or migrating, in prisons, among other settings. One of the SDG targets relevant to this situation is 5.2. This target specifically addresses gender-based violence, with states committing to ‘eliminate all forms of violence against

all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.’ States must ensure that relevant programming to implement SDG 5.2 extends to lesbian, bisexual and trans women to ensure that these groups are not left behind.

Human rights monitoring bodies have produced over 9.000 recommendations, which are relevant for the implementation of SDG 5.2, with over 450 of them being specifically relevant for LGBTI people. For example, in 2017 the Committee on the Elimination of Discrimination against Women (CEDAW) issued a detailed recommendation for Guatemala ‘to implement, as a matter of priority and within a specific time frame, a national plan for the prevention of gender-based violence against women, including [among others] lesbian, bisexual and transgender women and intersex persons’.<sup>23</sup> CEDAW has also urged Kenya to “exercise



due diligence to protect all women, including lesbian, bisexual and transgender women and intersex persons, against discrimination by adopting comprehensive anti-discrimination legislation affording such protection".<sup>24</sup>

This and other recommendations of similar nature serve as guiding steps for countries to achieve gender equality broadly and to further the achievement of both human rights and the 2030 Agenda with an inclusive perspective.





## Stigma and prejudice against LGBTI persons hinder access to health care

Research indicates that due to stigma and prejudice, LGBTI people in some countries experience exclusion from the health care system and can have limited access to health care in general.<sup>25</sup>

For instance, trans people have serious difficulties accessing some basic health care services, including cancer screenings.<sup>26</sup> Lesbians often struggle to access sexual and reproductive health services, ranging from assisted reproduction, to breast cancer screenings, and access to testing for sexually transmitted infections (STI).<sup>27</sup> Intersex infants are continuously subjected to so-called “normalizing surgeries” in order to have their bodies categorised within the sex binary of male or female. Such surgeries are medically unnecessary and are performed without an informed consent of the child.<sup>28</sup>

SDG 3 (good health and well-being) is

relevant to different groups of LGBTI people. This includes:

- Target 3.3: in the efforts to end HIV-AIDS and other communicable diseases
- Target 3.7: in ensuring universal access to sexual and reproductive rights
- Target 3.8: in guaranteeing universal health coverage, access to quality essential health-care services and access to affordable essential medicines and vaccines for all.

To reach the targets without leaving anyone behind, the needs and rights of LGBTI people must be taken into consideration. Human rights monitoring mechanisms have produced nearly 400 country-specific recommendations and observations related to SDG 3 and LGBTI people, which are relevant for achieving this goal in accordance with international standards.<sup>29</sup>



## Discrimination against LGBTI people in education

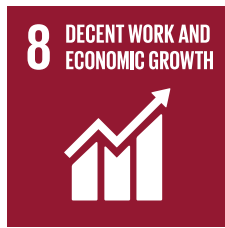
LGBTI people face a set of obstacles in the educational system. The barriers to education range from being bullied by fellow students and teachers, to experiencing higher levels of harassment which often results in school drop-out.<sup>30</sup> It has been documented that bullying results in worsened mental health amongst LGBTI students, especially those who break the binary gender norms.<sup>31</sup> Discrimination in schools against LGBTI people needs to be systematically addressed as an integral part of states' efforts to leave no-one behind in the implementation of SDG 4 (quality education). This is particularly true in the context of SDG target 4.5 which aims to 'eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable.'

The UN Treaty Bodies such as the Committee on the Rights of the Child have been diligent in providing guidance to States on how to promote values and behaviours which are

free of discrimination on any ground, including against LGBTI people. For instance, when Brazil was under review in 2015, the Committee very specifically recommended that Brazil<sup>32</sup>:

- Enact legislation to prohibit discrimination or the incitement of violence on the basis of sexual orientation and gender identity while continuing with the "Schools without Homophobia" project.
- Prioritise the elimination of patriarchal attitudes and gender stereotypes, including through educational and awareness-raising programmes.

At the time of writing, the SDG – Human Rights Data Explorer<sup>33</sup> has found more than 300 such recommendations issued by the UN human rights mechanisms to a multitude of countries. Following the guidance from these mechanisms can be a game-changer in enabling the achievement of SDG 4 to LGBTI people.



## Intersecting discrimination against LGBTI persons affects rights to work, food and housing

There are numerous obstacles for LGBTI people in the labour market. They can include discrimination in recruitment, harassment at the workplace, wage disparities and so on.<sup>34</sup> For example, trans people are particularly affected by bias and discrimination in recruitment processes. This is aggravated by oppressive or non-existent laws regulating legal gender recognition, which often leave them without correct ID documents that reflect their gender identity.<sup>35</sup>

Discrimination against LGBTI people in the labour market pushes them further to marginalisation in other intersecting areas of their lives. Even though this is not the sole cause, economic exclusion contributes to LGBTI people experiencing poverty, homelessness and food insecurity. These are also exacerbated by intersecting factors such as family rejection and discrimination in the housing market.<sup>36</sup>

SDG 8 (decent work and economic growth), SDG 11 (sustainable cities and communities) and SDG 2 (zero hunger) are intrinsically related in such cases. In particular:

- Target 8.8 'protect labour rights and promote safe and secure working environments for all workers'
- Target 11.1 'access for all to adequate, safe and affordable housing'
- Targets 2.1 and 2.2 on ending hunger and malnutrition

The Human Rights Guide to the SDGs<sup>37</sup> can help identify which human rights and labour provisions (e.g. from international treaties) are relevant to guide the implementation of SDG targets 8.8, 11.1, 2.1 and 2.2, as applicable to each country. For example, there are eight core conventions of the International Labour Organisation (ILO) which

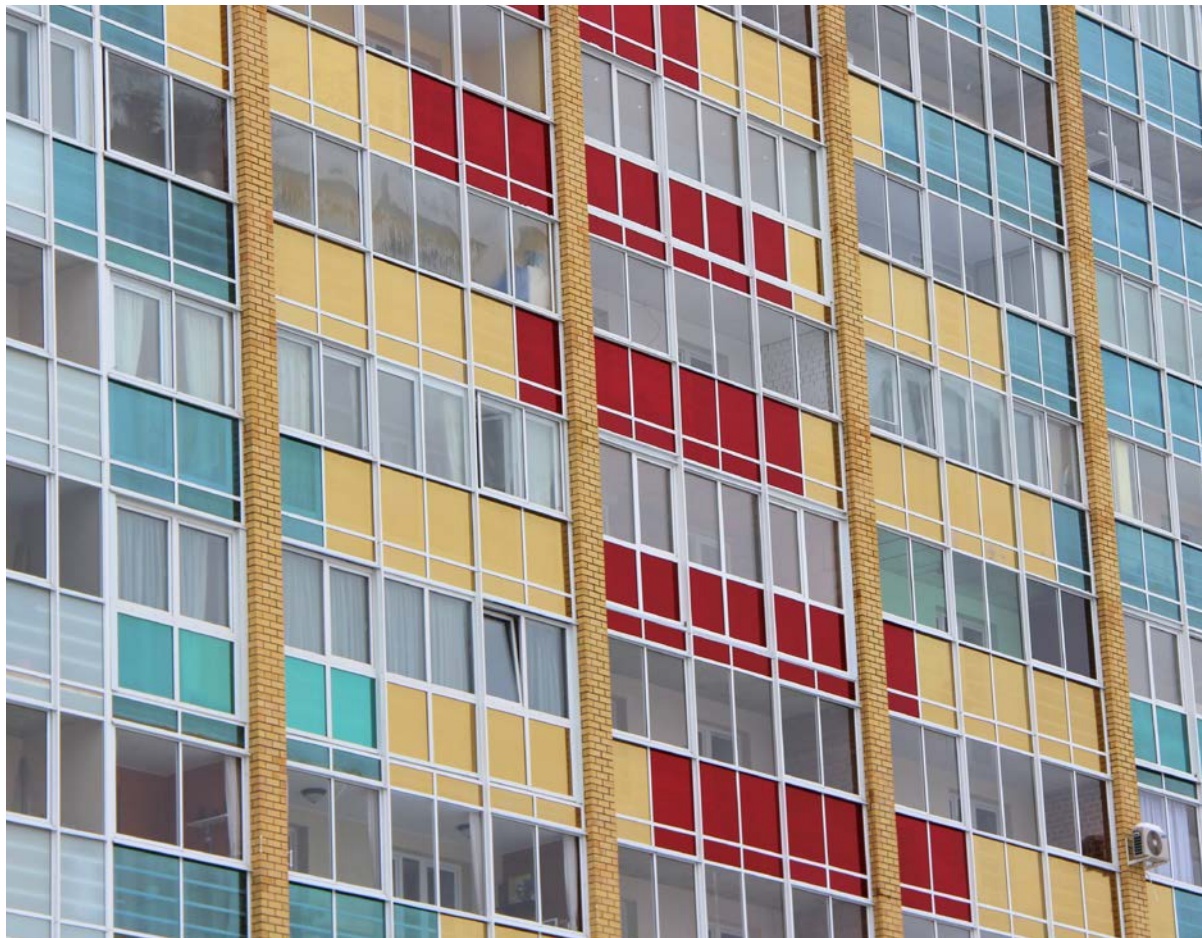


covers subjects that are considered to be fundamental principles and rights at work. They are known as ILO Fundamental Conventions<sup>38</sup> and they must be a centerpiece in guiding the implementation of SDG 8.

In addition, the human rights Treaty Bodies offer specific guidance on how to implement the right to adequate housing<sup>39</sup> (relevant for SDG 11) and the right to adequate food<sup>40</sup> (relevant

for SDG 2).

The human rights conventions and guidance are key instruments to operationalise the principles of equality and non-discrimination. Therefore, combining efforts to implement both SDGs and human rights commitments will ensure a more robust response to LGBTI people, particularly to overcome intersecting challenges.







## Legal identity for trans persons: a matter of dignity and freedom

Each person's self-defined gender identity is an integral part of their personality and is one of the most basic aspects of life. Legal gender recognition is the recognition of a person's gender identity through the amendment of official personal identification documents.

All legal registrations systems in the world assign each person a legal gender at birth. Cisgender people (whose gender identity corresponds with their gender assigned at birth) will never need to alter these documents. However, for trans individuals, the ability to obtain proper identification, which reflects their gender identity, is vital.

Government-issued legal identity document is required for voting, using bank services, travelling, accessing housing, registering in schools, seeking medical assistance, to name a few. Trans persons who attempt to access these services and rights with an ID that does not reflect

who they are, have been exposed to harassment, unfounded suspicion, and sometimes violence.

Unfortunately, most countries do not yet have laws allowing trans people to change their gender markers (or names). When such law exists, they often contain a set of discriminatory requirements (e.g. a need to be divorced or single), medical demands (need to undergo hormonal treatment), and even amount to inhuman or degrading treatment (e.g. forced sterilisation).

To fulfill the pledge of leaving no one behind and to protect the dignity and freedom of transgender individuals, SDG target 16.9 on providing 'legal identity for all' must include legal identity in conformity with a person's gender identity. The European Court of Human Rights has set a positive standard, which strengthens this argument. The Court has ruled that 'a state's failure to alter the birth certificate of a person who has

undergone gender reassignment, and to recognise the “new” gender, constitutes a violation of Article 8 (right to respect for private and family life) of the European Convention on Human Rights<sup>41</sup>. In another case<sup>42</sup> the Court established that requirement of sterilisation as prerequisite for legal gender recognition also violates the same article of the Convention.

Regional human rights systems, such as the European one, can be fundamental in pushing for progress on the rights of LGBTI people and providing guidance on how member states can ensure respect for their rights. These experiences must be leveraged to guide and broaden the implementation of related SDGs and ensure LGBTI people are not left behind.

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## 4. LGBTI RIGHTS IN SDG MONITORING PROCESSES

Countries and regions are at different stages of progress when it comes to protecting and fulfilling the rights of LGBTI people. As explained above, doing so is not only an obligation under international human rights law, but it is also an integral part of states' commitment to leave no one behind in the 2030 Agenda. Thus, operationalising synergies between SDG and human rights monitoring and reporting processes can help states identify gaps and opportunities

to improve the lives of LGBTI people in the implementation of both the 2030 Agenda and human rights.

The recommendations from the human rights monitoring processes offer qualitative data, which is useful to contextualise and guide the implementation of specific SDG targets in the respective countries and in connection to specific groups, including LGBTI people. At the same time, data produced to monitor the





SDG indicators can be directly or indirectly relevant for the monitoring of specific human rights.<sup>43</sup>

It is therefore important that states apply an integrated approach to monitoring human rights and the SDGs, and that human rights implementation is an integral part of fulfilling SDG obligations. The implementation of human rights recommendations related to LGBTI people constitutes positive progress that states can report on in their VNRs, and vice-versa.

Below is an illustrative analysis of selected countries, examining how these countries refer to and use recommendations from international human rights-monitoring mechanisms (the UPR, Special Procedures and Treaty Bodies) in their VNRs with a particular focus on the rights of LGBTI people.

The analysis refers to human rights-recommendations received between 2010 and 2019 and examines how countries have them reflected – or not – in the VNRs presented between 2016 and 2020. It should be noted that the analysis is based on data from the Human Rights SDG Data Explorer<sup>44</sup> which does not encompass recommendations from regional human rights mechanisms. Also, the analysis does not cover how the countries are generally progressing on human rights-fulfilment for LGBTI people.



#leave  
no one  
behind



## Cabo Verde

Cabo Verde received two recommendations concerning LGBTI people from the human rights system between 2010 and 2020. A recommendation from the Human Rights Committee calls on Cabo Verde to collect disaggregated data on complaints related to discrimination, to ‘provide full and effective protection from discrimination in all spheres, public and private’ including access to remedy, and to ‘effectively protect and safeguard the fundamental rights of persons living with HIV/AIDS, persons with disabilities and lesbian, gay, bisexual and transgender persons’.<sup>45</sup> Meanwhile a UPR recommendation calls for Cabo Verde to “work with national bodies and non-governmental organisations to promote and protect the rights of lesbian, gay, bisexual, transgender and intersex persons.”

Cabo Verde has some of the most progressive laws on LGBTI rights in Africa. Nonetheless, the 2018 VNR

report<sup>46</sup> falls short on addressing in practical terms the challenges and opportunities to implement the SDGs and the human rights obligations for LGBTI people. I.e., Cabo Verde mentions LGBT only once in its VNR, in the executive summary: “The LGBT community is still the victim of ignorance, incomprehension or intolerance.” Cabo Verde could have used the VNR reporting mechanism to address the rights of LGBTI people more prominently.

Cabo Verde will present its second VNR in 2021 and there is an opportunity to highlight challenges that remain but also progress that has been made on the rights of LGBTI people in Cabo Verde. Including LGBTI issues and consulting with LGBTI people in the 2021 VNR process will result in a more comprehensive and coherent path to delivery on Cabo Verde’s international commitments and fulfil the 2030 Agenda pledge to leave no one behind.





## Canada

Canada has received less than ten recommendations related to LGBTI rights from the human rights system in the past decade. Despite this, Canada addresses the rights of LGBTI people over 30 times in its VNR report. The recommendations from the human rights system focus on developing measures to protect the rights of LGBTI persons,<sup>47</sup> and investing in research on the attitudinal barriers faced by LGBTI persons living with disabilities.<sup>48</sup>

Meanwhile, Canada goes beyond these concerns in its 2018 VNR,<sup>49</sup> addressing the multiple barriers faced by LGBTI persons (referred to in the report as LGBTQ2<sup>50</sup>), acknowledging that LGBTI persons are more likely to face poverty, discrimination and social exclusion. Canada also reports

barriers facing LGBTI and non-binary persons in the labour market, and disproportionate homelessness rates among LGBTI youth. In its VNR, Canada reports on the government's first network for the protection and promotion of the human rights of LGBTI persons and also showcases legislation introduced to protect trans and non-binary persons.

Canada has taken inclusion of the rights of LGBTI people very seriously in its VNR report and has included challenges and successes that go well beyond what has emerged from the human rights system. It has clearly demonstrated that it takes the rights of LGBTI people to be an integral part of its SDG actions and reporting, integrating LGBTI concerns into its work on most SDG targets.



## Chile

The human rights system has generated around 30 recommendations relevant to LGBTI people since 2010. These focus on a range of issues, including multiple recommendations and observations relating to the legal protection of LGBTI people,<sup>51</sup> including in the Constitution; protection of transgender and intersex children;<sup>52</sup> legal protection of LBT women and intersex persons as well as proper access to justice and training of the judiciary regarding their rights;<sup>53</sup> discrimination of indigenous LGBTI persons in Chile;<sup>54</sup> the introduction of same-sex marriage,<sup>55</sup> etc.

Despite this wealth of opportunities for human rights guidance for 2030 Agenda implementation to ensure that LGBTI people are not left behind, Chile only addresses LGBTI persons or their rights fleetingly in their 2019 VNR report.<sup>56</sup> The only, though significant mention of public action taken in favour of LGBTI people

in the Chilean VNR refers to the establishment of an Observatory on Violence against LGBTI persons.

Chile should further take the opportunity to use the recommendations from the human rights system to guide action to ensure that LGBTI people are not left behind in SDG implementation. It should also use the VNRs to report on progress towards implementation of SDG-related human rights recommendations. For example, in 2019 Chile underwent its periodic review under the UPR mechanism. The 2020 VNR could have been used to present plans for following-up on the recommendations received. For example the recommendation from Australia for Chile to “examine legal protections for intersex children from non-therapeutic medical procedures before they reach an age where they can consent”<sup>57</sup>, which is related to SDG 3.7 on sexual and reproductive rights.



## Ghana

Ghana has received more than 30 recommendations from the human rights system relating to the rights of LGBTI people. More than ten of these relate to the decriminalisation of homosexual acts between consenting adults.<sup>58</sup> A high number of recommendations also relate to protecting LGBTI people from discrimination,<sup>59</sup> violence and stigmatisation and ensuring that perpetrators of violence and discrimination against LGBTI people are brought to justice.<sup>60</sup>

Ghana has also received many recommendations specifically about carrying out and funding anti-discrimination campaigns aimed at decreasing LGBTI discrimination in society.<sup>61</sup> Specific recommendations also relate to preventing discrimination against LGBTI people in schools and universities<sup>62</sup> and the need to train police, first responders, justice system and social services officials to respect and fully protect LGBT people.<sup>63</sup>

Despite this vast amount of valuable and targeted information from the human rights system on the rights of LGBTI people, this is not being used in the country's VNR report. The VNR report mentions the role of the NHRI in human rights-based reporting but does not use the recommendations from the human rights system to guide its reporting of SDG progress. It may also imply that human rights recommendations and concerns related to LGBTI rights have not been taken into account in SDG planning and implementation.

Given the large amount of recommendations from the human rights system on this issue, there is an opportunity for Ghana to take the rights of LGBTI people as an integral part of its obligation to leave no-one behind. Ghana could benefit from using human rights recommendations to guide the 2030 Agenda implementation efforts in the country.



## Poland

The human rights system has generated over 20 recommendations to Poland related to the rights of LGBTI persons between 2010 and 2020. The majority of these focus on the lack of adequate legal protections against discrimination for LGBTI people,<sup>64</sup> as well as the lack of hate speech<sup>65</sup> provisions. Some other recommendations relate to combating violence against LGBTI people<sup>66</sup> and recognising same sex civil unions and partnerships.<sup>67</sup> In addition, there is a specific recommendation for police and law enforcement to institute outreach with the LGBTI community in order to increase reporting of hate crimes.<sup>68</sup>

Despite the clear impetus from the human rights system for Poland to

take action on realising the rights of LGBTI people, Poland did not address any of these issues in its 2018 VNR report.<sup>69</sup> The silence in Poland's VNR suggests a lack of alignment between human rights recommendations and 2030 Agenda implementation and reporting. It could also reflect a failure to see LGBTI people as an important stakeholder in the SDG process, and/or a lack of coordination between human rights and 2030 Agenda implementation.

Ultimately, the 2030 Agenda offer an opportunity for Poland to align efforts to deliver on its international commitments in a coherent and effective manner, and the VNR is a good opportunity to show how this can be done.



## South Korea

South Korea received around 40 recommendations concerning LGBTI people from the human rights system between 2010 and 2020. Of these recommendations around 30 make reference to combatting discrimination against LGBTI persons, including through comprehensive anti-discrimination legislation.<sup>70</sup> Six recommendations also highlight that South Korea needs to repeal article 92-6 of the Military Criminal Code which criminalises consensual sexual relations between people of the same sex in the army.<sup>71</sup> In addition, two recommendations call on South Korea to deal with violence against LGBT persons in the military.<sup>72</sup> Other recommendations address the existence of so-called ‘conversion therapies’ on state premise; extending domestic violence legislation to same-sex couples; providing access to medical services for transgender people; and adding LGBTI issues to the sex education curriculum.

The vast amount of specific recommendations from the human rights system offers clear guidance for South Korea to take action in favor of LGBTI people. The rights of LGBTI people are, however, not addressed in the country’s VNR. The lack of explicit mentions of human rights recommendation in the VNR report suggests that South Korea has not used the human rights system to guide its monitoring and reporting of SDG progress. It may also imply that human rights recommendations and concerns have not been taken into account in SDG planning and implementation.

It should be noted that the South Korean VNR is fairly short and by virtue does not cover many issues in depth. In any case, it reflects a missed opportunity to benefit from the vast amount of information available from the human rights system to guide SDG reporting and ensuring that LGBTI people are not left behind in 2030 Agenda implementation.





## Sweden

Sweden has received several human rights-recommendations regarding the promotion and protection of the rights of LGBTI people. These include overall recommendations,<sup>73</sup> but also specific recommendations to protect against discrimination on the basis of sexual orientation in the constitution,<sup>74</sup> to combat violence in same sex relationships, and to take further action on hate crimes towards LGBTI people.<sup>75</sup>

In its 2017 VNR report,<sup>76</sup> Sweden mentions legal measures it has taken to counter discrimination of LGBT people (see e.g. p. 18 of the VNR) and acknowledges that more is needed to achieve equality for them. Sweden also acknowledges the work done by the civil society organisation RFSL to provide LGBTQ certification to socially important activities such as elderly care and schools, and includes

LGBT people in its generic section on Leaving No One Behind. However, it does not reflect on the majority of recommendations coming out of the human rights system in the VNR.

Sweden has, in other words, included LGBT issues in its VNR and considered the rights of LGBT people as an integral part of its work to leave no one behind. It seems, however, that Sweden could go further in integrating its human rights and SDG work to achieve full synergies and alignment both in its interventions and in its monitoring and reporting. In 2021 Sweden will present its second VNR, and there it should consider the opportunity to also follow-up on its human rights obligations and on the recommendations received by the human rights monitoring mechanisms.



## Timor L'Este

Timor L'este received very few recommendations related to the rights of LGBTI people from the human rights system, while it mentions LGBTI issues an impressive 12 times in its VNR. The human rights recommendations to Timor L'este focus on investigating and punishing violence against LGBT people committed on the basis of 'real or perceived sexual orientation or gender identity.'<sup>77</sup>

For the development of its 2019 VNR,<sup>78</sup> Timor L'este consulted with LGBTI organisations and included a dedicated section to LGBTI people in its 'Leaving No One Behind' chapter. There, it stressed that it has accepted two relevant UPR recommendations and acknowledged that the country collects insufficient data related to LGBTI people and has insufficient legal protection for LGBTI people. It also

acknowledges that LGBTI women is a group particularly affected by gender-based violence.

Timor L'este maximised the use of the VNR to follow-up on recommendations from the human rights system. In fact, it went beyond the recommendations and addressed other human rights issues faced by LGBTI people in the country. By acknowledging in the VNR the limitations faced by LGBTI people to exercise their human rights, the country established a coherent path towards improving the promotion and protection of the rights of LGBTI people in Timor L'este as part of its sustainable development efforts. This is a good and practical example that reinforces the interconnections and interdependence of the SDG and human rights frameworks and increases efficiency in the delivery of both.

## 5. CONCLUSION

LGBTI people face human right violations and multiple challenges, many of which could be addressed through 2030 Agenda implementation that truly respects the commitment to leave no one behind and puts groups “left behind”, frequently LGBTI people, at the centre of the effort. The examples shine a light on how challenges faced by LGBTI people can be directly linked with the SDGs and human rights frameworks, as well as how recommendations from the human rights systems regarding LGBTI rights

can be integrated in country reviews of SDG progress.

The country examples showcase the diversity in how governments are integrating the human rights and SDG-reporting processes. Countries such as Canada and Timor L’este, for example, have made explicit reference to human rights recommendations in their VNRs and have gone beyond these to include a broader range of LGBTI rights issues in their SDG reporting. Their experience can serve as positive



examples for how countries can integrate the outcomes from their engagement with the human rights system with their commitments to the 2030 Agenda. While the analysis shed light on these good practices, it also showed that there is significant potential to improve the integration. Many countries did not report on efforts to implement human rights recommendations, even when relevant for the achievement of the SDGs.

SDG follow-up and review, including Voluntary National Reviews, offer an opportunity for applying and demonstrating an integrated approach to SDG and human rights fulfilment. In addition to using recommendations from the human rights monitoring bodies, governments can access a wealth of relevant information and data to guide 2030 Agenda implementation from national human rights actors. These include the national human rights institutions and civil society actors. Aligning human rights and development processes and bringing the relevant actors together can ensure that resources are used efficiently and that there is coherence in the delivery and reporting of human rights and SDGs. Better alignment can contribute to improved policy coherence and follow-up on relevant commitments to the benefit of LGBTI rights holders and the wider society.





## 6. RECOMMENDATIONS ON INTEGRATING HUMAN RIGHTS INTO SDG REVIEW TO ADVANCE LGBTI RIGHTS

### Governments:

- Include LGBTI people and organisations in 2030 Agenda implementation, monitoring, review and follow-up processes, to ensure that their perspectives and rights are considered and addressed.
- Use SDG related planning and programming as an opportunity to implement human rights recommendations from the Universal Periodic Review (UPR)/ Treaty Bodies/Special Procedures which concern LGBTI people.
- Report on progress vis-a-vis human rights obligations and recommendations that are connected to the SDGs in the Voluntary National Review and other SDG review processes.
- Use the data and information produced by National Human Rights Institutions and other human rights actors as well as relevant

national and international legislation to guide sustainable development efforts and ensure that LGBTI people are not left behind.

- Ensure that data on LGBTI people are collected and handled in an ethical and safe manner to avoid exposing them to further risks.

### The UPR, Treaty Bodies and Special Procedures:

- Include, where possible, reference to relevant SDG targets and indicators in country-specific recommendations and in the General Comments related to human rights obligations. This will make the links more explicit and facilitate the use of outcomes from the human rights systems to guide 2030 Agenda implementation and reporting. It will also add a layer of accountability for the SDGs.





## National Human Rights Institutions (NHRIs) and other human rights actors:

- Proactively engage in local, national, regional and global SDG processes to ensure that human rights underpin SDG planning, programming and reporting.
- Advocate to have LGBTI people and their rights included and considered in SDG processes.
- Systematise and offer human rights information and data, including qualitative data, on the situation of LGBTI people to guide SDG processes and feed into the VNRs.
- Ensure that data on LGBTI people are collected and handled in an ethical and safe manner to avoid exposing them to further risks.
- Help states identify opportunities to follow-up on human rights recommendations in SDG processes, ensuring that the SDGs are used to promote and protect the rights of LGBTI people in your country.

## Civil society actors including LGBTI organisations and activists:

- Proactively engage with SDG follow-up and review mechanisms, particularly the Voluntary National Review processes in countries, as well as with international human rights monitoring mechanisms – possibly through civil society alliances – to shed light on LGBTI issues and priorities and call for action, including follow up to specific human rights recommendations.
- Lobby to make SDG follow-up and review processes open and inclusive to meaningful participation and input by civil society and particularly LGBTI people and their organisations.

## LIST OF TERMS

<b>Assigned at birth</b>	The gender or sex of a child at birth according to the child's family or caregivers, often indicated on a birth or baptism certificate, or indicated by the gender associated with a child's name or pronouns used to refer to the child.
<b>Bisexual</b>	A person who identifies themselves as bisexual, or is attracted to, or has engaged in sexual activity with, individuals of more than one sex or gender identity.
<b>Cisgender</b>	A person whose current gender identity and expression aligns with those typically associated with the gender assigned to them at birth.
<b>Gay</b>	A person who identifies themselves as gay, or is attracted to, or has engaged in sexual activity with, individuals of the same gender.
<b>Gender</b>	The cultural, and legal attributes and opportunities associated with being a man, woman, or other gender.
<b>Gender identity</b>	One's internal awareness of one's own gender. Gender identity can be the same or different from the gender assigned at birth.
<b>Intersex</b>	Intersex people are born with sex characteristics (including genitals, gonads and chromosome patterns) that do not fit typical binary notions of male or female bodies. Being intersex does not imply any specific sexual orientation, gender identity or gender expression.
<b>Lesbian</b>	A woman who identifies herself as a lesbian, or is attracted to, or has engaged in sexual activity, with other women.

<b>Non-binary</b>	Binary refers to the traditional notion of gender which consists of a single set of binary options, male or female. Non-binary is an umbrella term for a person who does not identify their gender as either male or female.
<b>Sex characteristics</b>	Physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty.
<b>Sexual orientation</b>	A characteristic of a person based on the gender of those to whom one is attracted, the gender of sexual activity partners, and self-determined identity.
<b>Stigma</b>	A shared social belief about a particular characteristic that negatively reflects on the person or group possessing that characteristic. Stigmas are often expressed as stereotypes and false assumptions. Prejudice refers to the attitude or opinion of an individual when they believe the stigma to be true. Discrimination occurs when stigma is acted upon.
<b>Transgender</b>	An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Transgender identity does not depend on medical procedures. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

## ENDNOTES

- <sup>1</sup> See *Transforming our world: the 2030 Agenda for Sustainable Development*, UN Doc. A/RES/70/1, 21 October 2015, Introduction, paragraph 4.
- <sup>2</sup> 41st session of the Human Rights Council, Item 8. General Debate Oral Statement, available at [https://ilga.org/downloads/HRC41\\_item8\\_general\\_debate\\_global\\_statement.pdf](https://ilga.org/downloads/HRC41_item8_general_debate_global_statement.pdf)
- <sup>3</sup> More on multidimensional poverty can be found in UNDP's *Human Development Report 2019: Beyond income, beyond averages, beyond today: Inequalities in human development in the 21st century*, available at <http://hdr.undp.org/sites/default/files/hdr2019.pdf>
- <sup>4</sup> See 'Born Free and Equal', OHCHR, 2019, HR/PUB/12/06/Rev.1, [https://ohchr.org/Documents/Publications/Born\\_Free\\_and\\_Equal\\_WEB.pdf](https://ohchr.org/Documents/Publications/Born_Free_and_Equal_WEB.pdf)
- <sup>5</sup> *Ibid*, 'Born Free and Equal'
- <sup>6</sup> [https://www.humanrights.dk/sites/humanrights.dk/files/media/migrated/a4\\_guarantors\\_.pdf](https://www.humanrights.dk/sites/humanrights.dk/files/media/migrated/a4_guarantors_.pdf)
- <sup>7</sup> See core International Human Rights Treaties: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx>
- <sup>8</sup> *Human rights, sexual orientation and gender identity*, A/HRC/RES/27/32, 2 October 2014.
- <sup>9</sup> *Protection against violence and discrimination based on sexual orientation and gender identity*, A/HRC/RES/32/2, 15 July 2016.
- <sup>10</sup> *Ibid*. A/HRC/RES/32/2
- <sup>11</sup> See full list of human rights recommendations concerning LGBTI people at the SDG – Human Rights Data Explorer: <https://sdgdata.humanrights.dk/>
- <sup>12</sup> Report of the Working Group on the Universal Periodic Review, Albania (A/HRC/42/4)
- <sup>13</sup> See e.g. Human Rights Committee, Concluding Observations on Ecuador (CCPR/C/EQU/CO/6) 2016, paras. 11-12; Austria (CCPR/C/AUT/CO/5), 2015, paras. 11-12; Republic of Korea (CCPR/C/KOR/CO/4), 2015, para. 13; and Iraq (CCPR/C/IRQ/CO/5), 2013, para. 12(d).

- <sup>14</sup> See e.g. Committee on Economic, Social and Cultural Rights, General Comments No. 23 (E/C.12/GC/23), 2016, paras. 11, 48, 65(a); No. 22 (E/C.12/GC/22), 2016, at para. 23; No. 20 (E/C.12/GC/20), 2009, para. 32; No. 19 (E/C.12/GC/19), para. 29; No. 18 (E/C.12/GC/18), 2006, para. 12(b); No. 15 (E/C.12/2002/11), 2003, para. 13; No. 14 (E/C.12/2000/4), 2000, para. 18.
- <sup>15</sup> See, for example, Committee on the Rights of Persons with Disabilities, Concluding Observations on Canada (CRPD/C/CAN/CO/1), 2017, para. 19, Lithuania (CRPD/C/LTU/CO/1), 2016, paras. 15-16, Uganda (CRPD/C/UGA/CO/1), 2016, paras. 8-9, Chile (CRPD/C/CHL/CO/1), 2016, para. 42.
- <sup>16</sup> <https://sustainabledevelopment.un.org/post2015/transformingourworld>
- <sup>17</sup> See Transforming our world: the 2030 Agenda for Sustainable Development, UN Doc. A/RES/70/1, 21 October 2015, Preamble.
- <sup>18</sup> Sometimes referred to as ‘spotlight reports’ or ‘stakeholder reports’.
- <sup>19</sup> Read more about Major Groups and Other Stakeholders: <https://sustainabledevelopment.un.org/mgos>
- <sup>20</sup> United Nations Human Rights Council, “Discriminatory Laws and Practices and Acts of Violence against Individuals Based on Their Sexual Orientation and Gender Identity” (A/HRC/19/41, 2011), 8–12.
- <sup>21</sup> United Nations Human Rights Council, “Discriminatory Laws and Practices and Acts of Violence against Individuals Based on Their Sexual Orientation and Gender Identity” (A/HRC/19/41, 2011), 8–12.
- <sup>22</sup> Lea Mwambene and Maudri Wheal, “Realisation or Oversight of a Constitutional Mandate? Corrective Rape of Black African Lesbians in South Africa,” *African Human Rights Law Journal* 15, no. 1 (2015): 58–88; Luis Abolafia Anguita, “Tackling Corrective Rape in South Africa: The Engagement between the LGBT CSOs and the NHRIs (CGE and SAHRC) and Its Role,” *International Journal of Human Rights* 16, no. 3 (2012): 489–516.
- <sup>23</sup> [CEDAW/C/GTM/CO/8-9](#)
- <sup>24</sup> [CEDAW/C/KEN/CO/8](#)



- <sup>25</sup> Tim Lane et al., “‘They See You as A Different Thing’: The Experiences of Men Who Have Sex with Men with Healthcare Workers in South African Township Communities,” *Sexually Transmitted Infections* 84, vol. 6 (2008): 430-433. *Surveying Nepal’s Sexual and Gender Minorities: An Inclusive Approach* (Bangkok: United Nations Development Programme (UNDP), The Williams Institute, 2014), 9-10.
- <sup>26</sup> Sarah M. Peitzmeier et al., “Pap Test Use Is Lower among Female-to-Male Patients than Non-Transgender Women,” *American Journal of Preventive Medicine* 47, no. 6 (2014): 808–12, <https://doi.org/10.1016/j.amepre.2014.07.031>; Hayley Braun et al., “Cancer in Transgender People: Evidence and Methodological Considerations,” *Epidemiologic Reviews* 00, no. 9 (2017): 1–15, <https://doi.org/10.1093/epirev/mxw003>; Anne E Mattingly, John V Kiluk, and M Catherine Lee, “Clinical Considerations of Risk, Incidence, and Outcomes of Breast Cancer in Sexual Minorities.,” *Cancer Control : Journal of the Moffitt Cancer Center* 23, no. 4 (2016): 373–82, <http://www.ncbi.nlm.nih.gov/pubmed/27842326>.
- <sup>27</sup> Kathleen A. Dolan and Phillip W. Davis, “Nuances and Shifts in Lesbian Women’s Constructions of STI and HIV Vulnerability,” *Social Science and Medicine* 57, no. 1 (2003): 25–38, [https://doi.org/10.1016/S0277-9536\(02\)00305-2](https://doi.org/10.1016/S0277-9536(02)00305-2); Jennifer Power, Ruth McNair, and Susan Carr, “Absent Sexual Scripts: Lesbian and Bisexual Women’s Knowledge, Attitudes and Action Regarding Safer Sex and Sexual Health Information.,” *Culture, Health & Sexuality* 11, no. 1 (2009): 67–81, <https://doi.org/10.1080/13691050802541674>; C H Logie, D Navia, and M R Loutfy, “Correlates of a Lifetime History of Sexually Transmitted Infections among Women Who Have Sex with Women in Toronto, Canada: Results from a Cross-Sectional Internet-Based Survey,” *Sex Transm Infect* 91, no. 4 (2015): 278–83, <https://doi.org/10.1136/sextrans-2014-051745>.
- <sup>28</sup> “The Malta Declaration,” 2013, <https://www.intersexequality.com/consensus-public-statement-by-the-third-international-intersex-forum/>.
- <sup>29</sup> See more at SDG – Human Rights Data Explorer: <https://sdgdata.humanrights.dk/>
- <sup>30</sup> O’Shaughnessy et al., “A Safe Place to Learn: Consequences of Harassment Based on Actual or Perceived Sexual Orientation or Gender Non-Conformity and Steps for Making Schools Safer”.

- <sup>31</sup> Michael J. Higdon, “To Lynch a Child: Bullying and Gender Nonconformity in Our Nation’s Schools,” *Indiana Law Journal* 86, no. 3 (2011): 827; Andrea Daley et al., “Traversing the Margins: Intersectionalities in the Bullying of Lesbian, Gay, Bisexual and Transgender Youth,” *Journal of Gay and Lesbian Social Services* 19, no. 3–4 (2008): 23; Arnold H. Grossman et al., “Lesbian, Gay, Bisexual and Transgender Youth Talk about Experiencing and Coping with School Violence: A Qualitative Study,” *Journal of LGBT Youth* 6, no. 1 (2009): 35.
- <sup>32</sup> CRC/C/BRA/CO/2-4
- <sup>33</sup> <https://sdgdata.humanrights.dk/>
- <sup>34</sup> Nagarajan, Rama, “First Count of Third Gender in Census: 4.9 lakh,” *The Times of India*, May 30, 2014. <http://timesofindia.indiatimes.com/india/First-count-of-third-gender-in-census-4-9-lakh/articleshow/35741613.cms>.
- <sup>35</sup> These regulations can range, depending on a country, from requirements of hormonal treatment, psychiatric diagnosis, forced sterilisation or divorce. Some laws demand one, some or all of them to be fulfilled for the legal gender recognition to be approved and new ID documents to be released.
- <sup>36</sup> Valfort, “Lgbti in Oecd Countries: A Review,” 110; Tumaini R. Coker, S. Bryn Austin, and Mark A. Schuster, “The Health and Health Care of Lesbian, Gay, and Bisexual Adolescents,” *Annual Review of Public Health* 31, no. 1 (2010): 457–77, <https://doi.org/10.1146/annurev.publhealth.012809.103636>.
- <sup>37</sup> <https://sdg.humanrights.dk/>
- <sup>38</sup> The ILO Fundamental Conventions: <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm#:~:text=The%20ILO%20Governing%20Body%20has,forced%20or%20compulsory%20labour%3B%20the>
- <sup>39</sup> CESCR General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant) (E/1992/23)
- <sup>40</sup> CESCR General Comment No. 12: The Right to Adequate Food (Art. 11) (E/C.12/1999/5)
- <sup>41</sup> Council of Europe, 2016. *Protecting Human Rights of Transgender Persons: a short guide to legal gender recognition*, p. 7.
- <sup>42</sup> See A.P., Garçon and Nicot v. France [https://hudoc.echr.coe.int/eng#{%22itemid%22:\[%22001-172556%22\]}](https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-172556%22]})

- <sup>43</sup> Danish Institute for Human Rights, 2019. Indicators and data for human rights and sustainable development.
- <sup>44</sup> <http://sdgdata.humanrights.dk>
- <sup>45</sup> See <http://undocs.org/CCPR/C/CPV/CO/1/ADD.1>
- <sup>46</sup> See [https://sustainabledevelopment.un.org/content/documents/19580Cabo\\_Verde\\_VNR\\_SDG\\_Cabo\\_Verde\\_2018\\_ING\\_final\\_NU\\_280618.pdf](https://sustainabledevelopment.un.org/content/documents/19580Cabo_Verde_VNR_SDG_Cabo_Verde_2018_ING_final_NU_280618.pdf)
- <sup>47</sup> See e.g. <http://undocs.org/A/HRC/39/11>
- <sup>48</sup> See e.g. <http://undocs.org/CRPD/C/CAN/CO/1>
- <sup>49</sup> See <https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=1049&menu=3170>
- <sup>50</sup> LGBTQ2 generally refers to Lesbian, Gay, Bisexual, Transgender, Queer or Questioning and Two-Spirit.
- <sup>51</sup> See e.g. <http://undocs.org/A/HRC/41/6>
- <sup>52</sup> See <http://undocs.org/A/HRC/41/6>
- <sup>53</sup> See e.g. <http://undocs.org/CEDAW/C/CHL/CO/7>
- <sup>54</sup> See <http://undocs.org/CEDAW/C/CHL/CO/7>
- <sup>55</sup> See e.g. <http://undocs.org/A/HRC/41/6>
- <sup>56</sup> See e.g. <https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=1607&menu=3170>
- <sup>57</sup> [A/HRC/41/6](http://undocs.org/A/HRC/41/6)
- <sup>58</sup> See e.g. <http://undocs.org/A/HRC/22/6>
- <sup>59</sup> See e.g. <http://undocs.org/A/HRC/37/7>
- <sup>60</sup> See e.g. <http://undocs.org/A/HRC/37/7>
- <sup>61</sup> See e.g. <http://undocs.org/A/HRC/37/7> [147.22]
- <sup>62</sup> See <http://undocs.org/A/HRC/37/7> [147.26]
- <sup>63</sup> See <http://undocs.org/A/HRC/22/6> [126.25]

- <sup>64</sup> See e.g. <http://undocs.org/A/HRC/36/14>
- <sup>65</sup> See e.g. <http://undocs.org/A/HRC/36/14>
- <sup>66</sup> See <http://undocs.org/CAT/C/POL/CO/5-6>
- <sup>67</sup> See <http://undocs.org/A/HRC/36/14>
- <sup>68</sup> See <http://undocs.org/A/HRC/21/14>
- <sup>69</sup> See [https://sustainabledevelopment.un.org/content/documents/19409Poland\\_VNR\\_20180615.pdf](https://sustainabledevelopment.un.org/content/documents/19409Poland_VNR_20180615.pdf)
- <sup>70</sup> See e.g. <http://undocs.org/A/HRC/37/11>
- <sup>71</sup> See <http://undocs.org/A/HRC/37/11>
- <sup>72</sup> See e.g. <http://undocs.org/CAT/C/KOR/CO/3-5>
- <sup>73</sup> See e.g. <http://undocs.org/A/HRC/15/11>
- <sup>74</sup> See <http://undocs.org/A/HRC/15/11>
- <sup>75</sup> See <http://undocs.org/CAT/C/SWE/CO/6-7>
- <sup>76</sup> See <https://www.government.se/49f428/contentassets/400a118a14b94750a61e42b620a9def9/sweden-and-the-2030-agenda-report-to-the-un-high-level-political-forum-2017-on-sustainable-development.pdf>
- <sup>77</sup> See e.g. <http://undocs.org/CAT/C/TLS/CO/1>
- <sup>78</sup> See [https://sustainabledevelopment.un.org/content/documents/23417TimorLeste\\_VNR\\_2019\\_FINAL.pdf](https://sustainabledevelopment.un.org/content/documents/23417TimorLeste_VNR_2019_FINAL.pdf)



The SDG wheel with a blue dove in the center is often used as a symbol to reflect the interface between the 2030 Agenda and Human Rights. The dove is the international human rights logo and in combination with the SDG wheel it represents the aspiration to have the human rights-based approach at the heart of sustainable development processes.





This report provides guidance as to how human rights and the 2030 Agenda and the related international monitoring mechanisms can be leveraged to advance rights fulfilment for LGBTI people and thereby also contribute to fulfilling the 2030 Agenda pledge to “leave no one behind”.

The conclusion points to significant potential to increase the synergies between human rights and SDG reporting and related implementation to ensure that 2030 Agenda implementation is guided by a human rights-based approach and fulfils the rights of LGBTI people. The report contains concrete recommendations for governments, human rights bodies, National Human Rights Institutions as well as civil society organisations, including LGBTI rights holders organisations.