LGBTI advocacy continued to feature prominently at the UN in 2018. LGBTI equality issues were systematically addressed by Treaty bodies, Special Procedures and the Universal Periodic Review (UPR) mechanism alike.

On 1 January, Victor Madrigal-Borloz took up his mandate as the second UN Independent Expert on Protection against violence and discrimination based on sexual orientation and gender identity, following Vitit Muntarbhorn. The Independent Expert released two thematic reports in 2018. One provided an overview of violence and discrimination based on sexual orientation and gender identity (SOGI) and the other examined the process of abandoning the classification of certain forms of gender as a pathology and the full scope of the duty of the state to respect and promote respect of gender recognition as a component of identity. The SOGI Expert carried out country visits to Georgia and Mozambique. He hosted a general consultation in January and a thematic consultation with civil society on depathologisation and legal gender recognition in June.

At the 62nd session of the Commission on the Status of Women in March in New York, all Member States adopted a text that included strong language recognising the diversity of women and girls, comprehensive sexuality education, the need to address multiple and intersecting forms of discrimination and marginalisation, and negative social norms and gender stereotypes, and called for providing support to all family members. These were hard fought by the LBTI Caucus and other civil society organisations in a more-and-more conservative space, where states are pushing back against women’s rights and anti-gender rhetorics are thriving.

On 1 September, Michelle Bachelet assumed her function as the new UN High Commissioner for Human Rights, following Zeid Ra’ad Al Hussein. Ms. Bachelet has made several important statements on the rights of LGBTI people since starting her mandate. The second Trans Advocacy Week was held in Geneva in June, organised jointly by ILGA, RFSL, GATE, APTN, and TGEU. TAW brought together 23 trans and gender diverse human rights defenders from 19 countries for the 38th Session of the Human Rights Council in Geneva.

OHCHR held an expert meeting on the 2030 Agenda and women’s rights in May. The meeting was attended by LGBTI human rights defenders. The outcome report highlighted that “gender equality” should encompass equality among all genders, including LGBTI and non-binary persons. At the July High Level Political Forum, the central platform for follow-up and review of the 2030 Agenda for Sustainable Development, LGBTI activists made a statement at the Leaving No One Behind session and SOGIESC issues came up in several Voluntary National Reviews (VNRs) and reviews of some of the SDGs.

**Bias-motivated speech**

The Human Rights Committee (HRCtee) recommended Bulgaria to prevent and condemn hate speech and include SOGI as protected grounds in relevant laws. The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) recommended Luxembourg to monitor and counter hate speech against sexual minorities.

During his country visit in Georgia, the Independent Expert on sexual orientation and gender identity recommended sanctioning hate speech against LGBT people, particularly by politicians.

As part of the UPR, France and Romania accepted recommendations to punish hate speech against LGBTI people.

**Bias-motivated violence**

The Committee against Torture (CAT) urged Russia to hold perpetrators of the “anti-gay purge” in Chechnya responsible. It recommended the Netherlands to promptly, impartially and thoroughly investigate hate crimes and hold perpetrators accountable; and Belarus to protect LGBTI people and particularly trans women in detention from violence by public
officials and inmates, and to ban solitary confinement and other degrading practices. The CAT and the HRCtee recommended Belarus to investigate hate crimes on grounds of SOGI. The HRCtee recommended Bulgaria and Hungary to investigate, prosecute and punish hate crimes on grounds of SOGI. The HRCtee recommended Lithuania to increase efforts against anti-LGBTI hate crimes, and train law enforcement officials. The CAT also recommended Russia to provide training.

During his country visit to Georgia, the UN SOGI Expert recommended increased efforts against domestic violence on the basis of SOGI and data collection. The Special Rapporteur on the situation of human rights defenders visited Moldova in June, and urged authorities to adopt the pending regulations on hate crime and hate speech.

As part of the UPR, Russia was recommended to investigate violence, torture, detention, and killings of LGBTI people in Chechnya. Montenegro was recommended to address hate crimes based on SOGI. Romania was recommended data collection on hate crimes. These recommendations were all accepted. Azerbaijan noted recommendations on combating violence and hate crimes against LGBTI people.

**Bodily integrity**

The CEDAW recommended Liechtenstein and Luxembourg to ban non-consensual and medically unnecessary interventions on intersex children and the Committee on Economic, Social and Cultural Rights (CESCR) recommended the same to Germany. The CAT recommended the Netherlands to ban surgeries on intersex children, guarantee counseling services for them and their parents, and investigate all non-consensual interventions undertaken.

As part of the UPR, Russia noted a recommendation on banning such surgeries.

**Education**

The Committee on the Rights of the Child (CRC) urged Norway to apply a zero tolerance approach to SOGI based discrimination in schools, provide training for school staff and students. The CRC recommended Spain to prevent school drop-outs and combat bullying and harassment.

An individual communication was submitted by four Special Procedures to Hungary, concerning the recent ban on gender studies. The Independent Expert Group on the issue of discrimination against women in law and in practice visited Poland and was concerned about barriers civil society faces when trying to tackle homophobia and transphobia in schools. The Special Rapporteur in the field of cultural rights also noted the issue of homophobic textbooks in Poland.

**Equality and non-discrimination**

The HRCtee recommended Belarus to eradicate discrimination on grounds of SOGI, include these grounds in anti-discrimination legislation, and provide training to law enforcement. It recommended Bulgaria to include gender identity in anti-discrimination laws and eradicate SOGI based discrimination in all spheres of life. The CESCR recommended that Germany prohibit discrimination on grounds of SOGI by employees of church-run institutions. The HRCtee recommended Lithuania to eliminate discrimination on grounds of SOGI and refrain from adopting any discriminatory legislation. The CEDAW recommended Luxembourg to include in the mandate of the Ministry of Equal Opportunities the elimination of discrimination against sexual minority women. The Committee on the Rights of Persons with Disabilities (CRPD) recommended Poland and Slovenia to prohibit multiple and intersectional discrimination on grounds of disability and SOGI. The Committee on the Elimination of Racial Discrimination (CERD) recommended Sweden to provide information on hate crimes on the basis of intersecting forms of discrimination. The CERD recommended Kyrgyzstan to combat multiple forms of discrimination faced by LGBT people and investigate rights violations by law enforcement officials against LGBT people.
The Special Rapporteur on the situation of human rights defenders urged authorities in Moldova to include SOGI in the anti-discrimination law. The Working Group of Experts on People of African Descent noted during its country visit in Spain that people of African descent often suffer from multiple discrimination on grounds of their race, colour, gender and sexual orientation.

As part of the UPR, states recommended France to protect intersex people from discrimination and monitor the implementation of the national plan against discrimination on grounds of SOGI. Liechtenstein was recommended to continue its efforts against discrimination against LGBTI people and improve social inclusion. Several countries noted that only sexual orientation was included in the country's Criminal Code with regard to discrimination and hate speech. Luxembourg was recommended to continue progressing legal protections for LGBTI people and make available information on intersex people's rights. States recommended Montenegro to fully implement its anti-discrimination measures, investigate and prosecute discrimination against LGBTI people. Malta was recommended to ensure the full implementation of its anti-discrimination laws. Several states recommended Germany, Monaco, Romania, Russia, Serbia to strengthen protections against discrimination affecting LGBTI people. These recommendations were all accepted. Azerbaijan noted all recommendations relating to protecting LGBTI people from discrimination.

Family
The HRCtee recommended Bulgaria and Lithuania to recognize the equality of same-sex couples. The CEDAW recommended Cyprus to ensure equality to same-sex couples, and to their children. The HRCtee recommended Hungary to eliminate discrimination on SOGI grounds with regard to marriage and family. The CEDAW recommended Liechtenstein to achieve equality between registered partnerships and marriage. The CEDAW recommended Luxembourg to ensure equal treatment to women in same-sex relationships, with regard to dissolving relationships and property distribution, and adoption.

The Independent Expert Group on the issue of discrimination against women in law and in practice visited Poland and was concerned about the exclusionary rhetoric with regard to the “traditional Polish family” and “gender ideology”. Four Special Procedures sent a communication to Russia regarding the forced removal of two foster children from Yulia Savinovskih, who is a trans woman.

As part of the UPR, several countries welcomed France and Luxembourg legalising same-sex marriage. Monaco, Montenegro and Romania were recommended to legalise same-sex relationships. Romania and Monaco noted the recommendations. Germany noted a recommendation on recognising unmarried same-sex couples.

UN Women launched a paper exploring a contemporary view of the concept of family in international human rights law and the implications for the Agenda 2030, ensuring that all members of various forms of families in all contexts are protected equally.

Freedom of assembly
The Special Rapporteur on the rights to freedom of peaceful assembly and of association visited Armenia in November and expressed concern over LGBT events being cancelled due to fear. Five Special Procedures submitted a communication to Turkey concerning the indefinite ban on public LGBTI-related gatherings and events in Ankara.

As part of the UPR, Serbia and Russia accepted recommendations to protect LGBTI people’s freedom of assembly.
**Freedom of expression**

The CAT urged Russia to repeal the propaganda law. The Special Rapporteur in the field of cultural rights visited Poland and expressed concern that flags combining the rainbow flag and the Polish eagle symbol were criticized, despite them being an exercise of cultural rights to express one’s identity. As part of the UPR, Serbia was recommended to protect LGBTI people’s freedom of expression. Russia noted recommendations on the withdrawal of its propaganda law.

**Freedom from torture, cruel, inhuman or degrading treatment**

The CRPD recommended Poland to ban conversion therapy and offer support to persons with psychosocial disability that respects their SOGI. The CAT recommended Tajikistan to condemn acts of torture and abuse against LGBTI people, in particular when committed by public officials, and investigate and prosecute such crimes.

As part of the UPR, Germany was recommended to avoid the detention of trans migrants. Germany accepted this recommendation, but only noted one on setting up a compensation fund for trans people who had to undergo sterilisation to have their gender recognised. Azerbaijan noted recommendations on eradicating torture, ill-treatment and arbitrary arrests against LGBT people.

**Health**

On 18 June, the World Health Organisation (WHO) depathologised trans identities by removing all trans related diagnoses from the chapter on mental health disorders of ICD-11, into a new chapter on Condition Related to Sexual Health. ICD-11 will still have to be approved in 2019 by the World Health Assembly (WHA). The global trans community had been fighting for this historic achievement for many years, but have highlighted some gaps in ICD-11. In particular, they called for the deletion of Gender Incongruence of Childhood (GIC) and universal health coverage, among other issues.

ICD-11 failed intersex people, as people with variations of sex characteristics are still being pathologized and called disordered.

The CEDAW recommended Macedonia to address stigma against LBTI women in healthcare, including sexual and reproductive health.

The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health visited Kyrgyzstan in May and noted with concern discrimination on grounds of SOGI. He recommended the full dissemination of the guidelines on trans healthcare to healthcare practitioners and the removal of any barriers in trans healthcare.

As part of the UPR, Germany noted the recommendation on updating its guidelines on trans healthcare.

**Legal gender recognition**

The HRCtee recommended Belarus, Bulgaria and Lithuania to ensure LGR is compatible with the International Covenant on Civil and Political Rights (ICCPR), including regarding the right to privacy. The CESCR recommended Germany to revise its Transsexuelligesetz (Trans Law) and depathologize trans identities. During his country visit in Georgia, the UN SOGI Expert recommended that Georgia introduce legal gender recognition on the basis of self-determination.

As part of the UPR, states recommended France to make it easier for trans people to change their gender marker. These recommendations were accepted. Germany noted a recommendation on introducing a third option gender marker for both trans and intersex people.
Participation in public, cultural and political life
The CRPD recommended Poland to consult organisations of people with disabilities, including LGBT+ organisations. The Special Rapporteur in the field of cultural rights was concerned that biased opinions and hate speech are common against LGBT cultural events in Poland, including by public officials.

Police and law enforcement
The CEDAW recommended Tajikistan to address complaints of police abuse by LBTI women and dismantle lists of LGBT persons.

Public opinion
The HRCtee recommended Bulgaria to combat negative stereotypes and prejudice against LGBTI people and raise awareness.

As part of the UPR, several states recommended Romania to organise awareness raising campaigns on LGBTI rights, including among students. These recommendations were accepted.