

**Mandate of the Independent Expert on protection against violence and discrimination
based on sexual orientation and gender identity**

**CONSULTATION ON MARGINALISATION AND EXCLUSION OF LESBIAN,
GAY, BISEXUAL, TRANS AND GENDER DIVERSE PEOPLE FROM SOCIO-
CULTURAL AND ECONOMIC ENVIRONMENTS**

25 June, 1-3 pm

Room Concordia 1, Palais des Nations

CONCEPT NOTE

Purpose

The next report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity to the General Assembly (October 2019) will focus on marginalization and exclusion of lesbian, gay, bisexual, trans and gender diverse people from socio-cultural and economic environments.

The report will also examine how inclusion protects people from violence and discrimination, and the key role of the State in promoting and nurturing that inclusion in the social, cultural, political and other fields; and formulate recommendations to States and other relevant stakeholders.

The Independent Expert will examine these issues in relation to the themes of education, health, housing, employment/economic empowerment and an adequate standard of living. He will also consider the following sub-themes/actors (among others): culture, family, faith, migration, urban/rural, older persons, youths, political participation, social security/benefits, business sector, and media.

This consultation will serve as one of the channels through which the Independent Expert will collect views and inputs to inform the preparation of his report to the 74th session of the General Assembly.

Background

Discriminatory laws and socio-cultural norms continue to marginalize and exclude lesbian, gay, bisexual, trans and gender diverse persons from education, health care, housing, employment and occupation, and other sectors. The marginalization and peripheralization are part of a vicious cycle that give rise to a host of other problems; in a context where access to economic, social and cultural rights is hampered, a series of

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negative impacts on individuals, their families, groups and communities can be observed, resulting in poverty and exclusion, lower socioeconomic status, and limiting access to assets that are essential to enjoy the full range of human rights. The excluding environment inevitably lends themselves to violence and discrimination, as it hampers access to their rights, creates inequality of opportunity and access to resources.

A [joint statement](#) released by 12 UN entities in 2015 expressed concern about these issues:

“Children face bullying, discrimination or expulsion from schools on the basis of their actual or perceived sexual orientation or gender identity, or that of their parents. [...] Discrimination and violence contribute to the marginalization of LGBTI people and their vulnerability to ill health including HIV infection, yet they face denial of care, discriminatory attitudes and pathologization in medical and other settings. [...] The exclusion of LGBTI people from the design, implementation and monitoring of laws and policies that affect them perpetuates their social and economic marginalization.”

Some important steps are already being taken at the international, regional and national levels to address these issues. For example, UNESCO convened an international [consultation on homophobic bullying in educational institutions](#) in 2011, bringing together education ministries, UN agencies, NGOs and academia from more than 25 countries around the world. The World Bank is managing a [project](#) aimed at filling the LGBT data gap, focused on inclusion in markets, services, and other spaces. UNDP is leading and partnering in the development of the LGBTI Inclusion Index, which will measure inclusion of LGBTI people in health, civic and political participation, personal safety and security, education, and economic empowerment. Together with the World Bank, civil society, governments and academics UNDP has developed a proposed set of [51 indicators for the LGBTI Inclusion Index](#), aligned with the framework of the SDG with a view to identifying who is “left behind” and why. Trade unions and employers’ organisations have worked to promote the meaningful inclusion of LGBT people in the workplace, and around 246 businesses have expressed support to the [Standards of Conduct for Business](#) in tackling discrimination based on sexual orientation and gender identity. States have passed legislation explicitly protecting LGBT people from discrimination in housing and access to social security.

A glance at these issues quickly affirms the interdependence and inter-relatedness of all human rights. Addressing the social and economic rights of LGBT people is critical to any efforts to address violence and discrimination on the basis of sexual orientation and gender identity. Under the 2030 Agenda for Sustainable Development, the international community committed to leaving no-one behind. In order to lift LGBT people from cycles of exclusion and abuse, we must critically examine these issues as well as emerging good practices. With my report I further seek to highlight the unique role of leaders in different fields, which will allow to break the cycle of exclusion and which can have a positive impact on misconceptions, fears and prejudices that fuel violence and discrimination.

Objective and output

The purpose of the meeting is to seek views and inputs from all relevant stakeholders around the issue of marginalisation and exclusion of LGBT people from socio-cultural and economic environments; discuss how inclusion protects LGBT people from violence and discrimination; and examine the key role of the State in promoting and nurturing that inclusion in the social, cultural, political and other fields.

Information shared will inform the report of the Independent Expert to the 74th session of the General Assembly.

Participants and methodology

The consultation is open to States, UN agencies, programmes and funds, regional human rights mechanisms, National Human Rights Institutions, members of civil society organizations, academic institutions, corporate entities, and all other interested stakeholders. The consultation will be held in English, no interpretation will be made available.

The consultation will start with a general segment during which the Independent Expert will introduce his work and his initial thoughts about the issue. Thereafter, participants will be invited to present their views and provide inputs to the discussion. A list of speakers will be circulated in the room and the Independent Expert will hear three interventions from each cluster of participants, i.e. States, civil society organizations, and other stakeholders, successively.

Guiding questions for the consultation

The following questions may guide the contributions of the participants at the consultation:

1. What are the key areas in which people (in your country, region or worldwide) suffer socio-cultural and economic exclusion as a result of violence and discrimination on the basis of sexual orientation and/or gender identity?
2. What are the root causes and structural factors responsible for marginalisation and socio-cultural and economic exclusion, such as laws, public policies, institutional practices, organizational behaviours, and prevailing ideologies, values and beliefs?
3. What efforts are State taking to address socio-cultural and economic exclusion through legislation, policies, data gathering, and other means, for example in the fields of education, health, housing, and employment?
4. Are complaints mechanisms available and accessible to LGBT people facing discrimination?
5. What actions are being undertaken to ensure socio-cultural and economic inclusion based on sexual orientation and gender identity and what measures are taken to ensure implementation of the Sustainable Development Goals at the national and regional levels?

6. What actions are taken to raise public awareness and sensitisation on issues of sexual orientation and gender identity, in order to promote the meaningful socio-cultural and economic inclusion of LGBT people?
7. What services are provided by civil society to excluded and marginalised LGBT people?

Practical details and contact information

The consultation will take in Palais des Nations, **Room Concordia 1, on Tuesday 25 June from 13:00 to 15:00.**

If you do not have a badge to enter the Palais des Nations, should you have any questions about this event, or should you wish to submit information related to the topics under consideration, please contact the Independent Expert through the Office of the High Commissioner for Human Rights (ie-sogi@ohchr.org, +41 22 917 9327 or +41 22 917 3298).

Questions and comments can be sent in advance of the meeting to the Independent Expert at: ie-sogi@ohchr.org

The following hashtag will be used during the meeting: #IESOGI
