

UPR 19th Session
RECOMMENDATIONS RELATING TO
SEXUAL ORIENTATION & GENDER IDENTITY

Summary

(Detailed excerpts from working group reports can be found from page 4)

Norway

Recommendations: Continue to take steps to ensure the rights of LGBT persons are protected, including through implementation of the four new anti-discrimination acts; provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society; Continue efforts aimed at countering gender stereotypes and discriminative attitudes, as well as at further promotion of gender equality; Take effective actions to curb over-sexualisation of women in media.

Status: Pending to HRC27, September 2014

Albania

Recommendations: Study the possibility of strengthening the measures to fight discrimination, in order to eradicate the trend and/or the dissemination of stereotypes that lead to discrimination on the grounds of sexual orientation; Continue to provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society; Intensify efforts in the fight against all forms of discrimination, in particular against LGBTI persons and minorities, by fully implementing the Law on Protection against Discriminations.

Status: Accepted.

DRC

Recommendations: Revise the Family Law to ensure gender equality; Adopt provisions prohibiting polygamy, early marriage and female genital mutilation; Withdraw the discriminatory provisions contained in their Family Code and adopt the draft Law on Gender Equality.

Status: Accepted.

Cote d'Ivoire

Recommendation: Better protect LGBTI persons and persons with AIDS against any act of discrimination and violence and review its legislation in this context.

Status: Pending to HRC27, September 2014.

Recommendations: Take further steps to prevent discrimination on the grounds of gender identity and sexual orientation and to raise awareness on its consequences; Conduct such specific awareness raising campaigns which can help to sensitize the general Ivorian public regarding the rights of LGBTI persons.

Status: Rejected.

Portugal

Recommendations: Provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society; Foster and safeguard the family, based upon the stable relationship between a man and a woman, as the natural and fundamental unit of society; Take measures in order to allow the co-adoption of children by same-sex couples.

Status: Pending to HRC27, September 2014.

Bhutan

Recommendations: Decriminalize sexual acts between consenting same-sex adults; Continue to provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society.

Status: Pending to HRC27, September 2014.

Dominica

Recommendations: Step up the implementation of measures to reduce gender and sexual orientation discrimination, including awareness activities; Decriminalise consensual adult same-sex activity by amending article 14 and repealing article 16 of the Sexual Offences Act; Establish anti-discrimination laws and regulations ensuring that LGBT persons and other vulnerable groups enjoy equal treatment.

Status: Pending to HRC27, September 2014.

DPRK

Recommendation: Continue building social structure of her Country focusing on the promotion and protection of the family as the vital Unit of the society.

Status: Pending to HRC27, September 2014.

Brunei

Recommendations: Decriminalize sexual activity between consenting adults, and repeal all provisions of the newly enacted Penal Code discriminating against women and sexual minorities and introducing cruel or inhuman forms of punishment; Proceed to the abolition of current legislation criminalizing sexual relations between persons of the same sex; Continue to pursue its social policies upholding the institution of family in line with traditional family values.

Status: Pending to HRC27, September 2014.

Costa Rica

Recommendations: Continue the measures to combat discrimination against LGBTI persons; Design awareness raising policies and programs regarding prevention of discrimination of LGBT and to provide equal rights for LGBT; Fight discrimination against LGBT persons both in law and practice, which impacts on the possibilities of education, justice and access to health services, with emphasis on the difficulties faced by trans people; Continue to uphold the traditional values of family life.

Status: Pending to HRC27, September 2014.

Equatorial Guinea

Recommendation: Initiate an awareness raising campaign on the importance of equal rights for LGBT persons, in order to foster a climate of true social acceptance in the spirit of the Constitution of Equatorial Guinea.

Status: Pending to HRC27, September 2014.

Ethiopia

Recommendations: Continue strengthening the role and contribution of the family in the society; For the continued development of the country, take into account and support the family, based on the stable relationship between a man and a woman, as the natural and fundamental unit of society, both in taxation and general legislation.

Status: Accepted.

Recommendations: Amend the Penal Code to decriminalize homosexuality; Extend measures to combat discrimination to the entire vulnerable population, which is victim of stereotypes and discrimination, particularly discrimination based on sexual orientation, and thus amend the criminalization established in the Criminal Code relating to that sector of the population.

Status: Rejected.

Qatar

Discussions: There were no recommendations on SOGI issues, however Costa Rica expressed concern that a draft law would prohibit homosexuals and travestis from living or working in Qatar. Qatar stated that with regard to sexual freedoms and same-sex marriage, Sharia was the main source of Qatari legislation pursuant to article 1 of the Constitution. The corresponding principles were reflected in articles 279 to 289 of the Criminal Code.

Nicaragua

Recommendations: Continue the increased respect for LGBT rights and assure the approval of an inclusive Family Code respectful of the right to gender identity and sexual orientation; Continue with the measures aimed at combating stereotypes and discrimination suffered by LGBTI persons.

Status: Pending to HRC27, September 2014.

NORWAY

Date of review: Monday, 28 April 2014

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

61. South Africa expressed its appreciation for the continued and consistent contribution of Norway to development projects in Africa. It noted efforts made by Norway since its last review [including Norway's Action Plan to prevent discrimination against the LGBT community*] and encouraged it to continue in its efforts towards the promotion, protection and fulfilment of human rights in the country.

91. Australia observed that the UPR report highlighted Norway's consistent promotion of human rights and democratic principles. Norway had introduced four new anti-discrimination acts in January 2014, covering sexual orientation, gender equality, ethnicity and persons with disabilities.

111. Estonia said that Norway had taken positive steps in ratifying international human rights instruments and in protecting the rights of indigenous peoples and minorities, including LGBTI.

II. Conclusions and/or recommendations

131. The recommendations made during the interactive dialogue, and which appear below, will be examined by Norway, and that responses to each of the recommendations will be provided in due time, but no later than the 27th session of the Human Rights Council in September 2014:

131.36. Continue to take steps to ensure the rights of LGBT persons, women, ethnic minorities, and persons with disabilities are protected, including through implementation of the four new anti-discrimination acts that entered into force in January 2014 (Australia);

131.71. Provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt);

131.72. Continue efforts aimed at countering gender stereotypes and discriminative attitudes, as well as at further promotion of gender equality (Ukraine);

131.73. Take effective actions to curb over-sexualization of women in media (Bangladesh).

*Language from South Africa's statement as delivered

ALBANIA

Date of review: Monday, 28 April 2014

I. Summary of the proceedings of the review process

A. Presentation by the State under review

20. In addition to the legal measures adopted to combat discrimination, Albania developed a plan of measures on anti-discrimination on the grounds of sexual orientation and gender identity for 2012-2014, which included guidance and directions for the education institutions with a view to creating a safe environment in schools without practice of intolerance and social exclusion on the grounds of sexual orientation and gender identity.

B. Interactive dialogue and responses by the State under review

49. Belgium welcomed the broadening of protection against discrimination based on sexual orientation and the introduction of the national strategy for gender equality. Significant challenges remained regarding corruption and the independence of the judiciary. Despite relevant legislation, the situation of women and children were a cause of concern. Belgium made recommendations.

64. The Commissioner for Protection from Discrimination had examined complaints alleging discrimination based on sexual orientation or gender identity and had initiated an ex officio investigation in this field. The delegation provided information on the Commissioner's decisions (and the sanctions imposed), training and outreach activities across the country and noted that the Commissioner's competencies included the private as well as the public sector.

76. Ireland welcomed progress, including to protect the rights of lesbian, gay, bisexual and transgender persons, and asked about the implementation of the previously-accepted recommendation to educate police officers on sexual orientation issues. It urged Albania to intensify efforts to prevent violence against women in all its forms. It expressed concern regarding the prevalence of trafficking in persons. Ireland made recommendations.

83. Montenegro asked whether further regulations would be implemented to increase women's participation in government positions, and whether additional measures would be taken to promote equal participation of national minorities. It highlighted the appointment of the Commissioner for Protection from Discrimination and adoption of the Law on Protection from Discrimination. It noted efforts to protect women from violence and integrate Roma minorities and LGBT persons.

85. The Netherlands welcomed Albania's commitment to promote equal rights for LGBT persons and prevent discrimination, and hoped this would lead to legislative amendments regarding gender identity, gender expression and hate speech. It expressed concern regarding the impartiality of and access to the judicial system and prevailing attitudes leading to harmful practices such as prenatal sex selection. It made recommendations.

89. Portugal welcomed Albania's extension of a standing invitation to the Special Procedures of the Human Rights Council. It noted the 2013 amendment to the Penal Code to widen protection against discrimination on the basis of sexual orientation. It remained concerned about violence against, and trafficking and sexual abuse of children. Portugal made recommendations.

101. Albania had joined the global fight against discrimination on the basis of gender and sexual orientation, and measures were being implemented in collaboration with responsible government structures, civil society, international organizations, academia and independent institutions, which included legislative review, public awareness activities, and capacity building among police, social workers and health workers. Awareness-raising activities had previously taken place during the week against homophobia, which had resulted in increased public awareness. There were proposals to amend the Family Code concerning cohabitation for LGBTI persons, and to amend the Labour Code to broaden the concept of non-discrimination based on sexual orientation and gender identity in matters of employment and vocational training.

II. Conclusions and/or recommendations

104. The recommendations formulated during the interactive dialogue and listed below have been examined by Albania and enjoy the support of Albania:

104.38 Study the possibility of strengthening the measures to fight discrimination, in order to eradicate the trend and/or the dissemination of stereotypes that lead to discrimination on the grounds of sexual orientation (Argentina 2);

104.82 Continue to provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt 1);

105. The following enjoy the support of Albania which considers that they are in the process of implementation.

105.13 Intensify efforts in the fight against all forms of discrimination, in particular against LGBTI persons and minorities, by fully implementing the Law on Protection against Discriminations (France 4);

105.14 Continue to take steps to fully implement the Law on Protection from Discrimination in relation to discrimination based on sexual orientation and gender identity (Portugal 1).

DEMOCRATIC REPUBLIC OF THE CONGO

Date of review: Tuesday, 29 April 2014

II. Conclusions and/or recommendations

133. The following recommendations enjoy the support of the Democratic Republic of the Congo which considers that they are already implemented or in the process of implementation:

133.17. Revise the Family Law to ensure gender equality (Norway);

133.18. Adopt provisions prohibiting polygamy, early marriage and female genital mutilation (Poland);

133.19. Withdraw the discriminatory provisions contained in their Family Code and adopt the draft Law on Gender Equality (Israel).

COTE D'IVOIRE

Date of review: Tuesday, 29 April 2014

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

91. Switzerland expressed concern about the lack of judicial impartiality regarding human rights violations and acts of torture; the number of people at risk of statelessness; the number of cases of sexual violence; and rights violations of LGBTI persons and those with AIDS.

II. Conclusions and/or recommendations

129. The following recommendations will be examined by Cote d'Ivoire which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014:

129.6. Better protect LGBTI persons and persons with AIDS against any act of discrimination and violence and review its legislation in this context (Switzerland).

130. The recommendations below did not enjoy the support of Côte d'Ivoire and would thus be noted:

130.1. Take further steps to prevent discrimination on the grounds of gender identity and sexual orientation and to raise awareness on its consequences (Netherlands);

130.2. Conduct such specific awareness raising campaigns which can help to sensitize the general Ivorian public regarding the rights of LGBTI persons (Slovenia).

PORTUGAL

Date of review: Wednesday, 30 April 2014

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

53. Mexico welcomed the establishment of the PNHRC and commended its impressive efforts to submit pending reports to the treaty bodies. It noted the progress made in combating racial discrimination and discrimination based on sexual orientation and the inclusion of such issues in the National Plan for Equality.

58. The Netherlands commended Portugal on its forward position on equal rights for LGBT, as reflected in the Law on Gender Identity. It expressed concerns about the status of minorities, including Roma, particularly their access to public services and on the duration of legal procedures and the conditions of detainees.

81. Slovenia welcomed the progress in combating violence against women and in particular the legal amendments introduced in order to extend the concept of domestic violence and the measures taken to reduce social acceptance of domestic and gender-based violence. It appreciated positive developments in the field of sexual orientation and gender balance.

II. Conclusions and/or recommendations

127. The following recommendations will be examined by Portugal which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014

127.47. Provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt);

127.48. Foster and safeguard the family, based upon the stable relationship between a man and a woman, as the natural and fundamental unit of society (Holy See);

127.49. Take all necessary measures to guarantee the protection of the family, and lay down an efficient system for families in order to guarantee the enhancement of social cohesion and prevent family disintegration and social fracturing (Mauritania);

127.50. Support and protect the family as a fundamental and natural unit of society (Uzbekistan);

127.51. Take measures in order to allow the co-adoption of children by same-sex couples (Brazil).

BHUTAN

Date of review: Wednesday, 30 April 2014

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

88. Spain welcomed measures to promote inclusive education, especially for persons with disabilities, and efforts to combat gender-based violence. It was concerned about discrimination on grounds of sexual orientation. It made recommendations.

102. The United States of America commended strides made by Bhutan in its democratization agenda. It was disappointed at the failure to allow the return of ethnic Nepali-Bhutanese refugees from camps in Nepal. It was concerned that laws and practices restricted religious freedom and that the Criminal Code criminalized consensual sexual acts between same-sex adults. It made recommendations.

II. Conclusions and/or recommendations

120. The following recommendations will be examined by Bhutan which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014:

120.40. Decriminalize sexual acts between consenting same-sex adults (United States of America, France);

120.41. Proceed to the abolition of existing legislation criminalizing relations between persons of the same sex (Spain);

120.42. Consider amending legislation criminalizing relations between persons of the same sex (Argentina);

120.43. Continue to provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt).

DOMINICA

Date of review: Thursday, 1 May 2014

I. Summary of the proceedings of the review process

A. Presentation by the State under review

22. The Dominican Constitution guarantees the protection to all individuals from discrimination based on their race, place of origin, political opinions, colour, creed or sex as well as guarantees the right of freedom of association. The head of the delegation indicated that the Government had never used fear or intimidation to prevent defenders of any cause from exercising their rights and that there was no law requiring individuals to state their sexual preference or conscientious position when associating. The Act only criminalizes the act and not what may be considered to be physical manifestations or association, and the State has not arrested or prosecuted anyone under that law. That being said, the Government is not prepared to introduce however to the Parliament any legislation to decriminalize sexual relations between adults of the same sex.

24. Since the establishment of the National HIV/AIDS Prevention Unit in the Ministry of Health in 2003, there have been a number of programs geared at creating greater awareness, care, understanding and tolerance for those whom have been affected by the disease. Counselling, drugs and other treatment are provided to all people infected by the disease irrespective of sexual orientation. However, the challenge of removing the stigma and the taboo associated with the disease has been very difficult but efforts continue to be made to educate the public in Dominica.

B. Interactive dialogue and responses by the State under review

33. The Netherlands commended the progress made by Dominica on the advancement and promotion of women's rights, gender mainstreaming and the overall empowerment of women, and hoped that this would be sustained and lead to equal rights for women. It expressed concern about the situation of LGBT persons in Dominica, mainly when it comes to the unsafe environment for human rights defenders advocating equal rights for LGBT persons.

38. Slovenia commended Dominica for its efforts to address domestic violence and physical abuse of children, and for its positive gains regarding gender equality and women's empowerment. It encouraged Dominica to continue fighting discrimination and prejudice against LGBTIs. While noting that the death penalty as the capital punishment was not applied in practice since 1986, Slovenia was concerned that it continued to be retained.

45. The United States of America stated that despite efforts, domestic violence remained a serious problem with support systems for survivors and resources for enforcement agencies being insufficient. A critical gap exists in the legal framework to keep children away from the worst forms of child labour. It remained concerned about the criminalization of consensual same-sex activity between adults. Also, LGBT victims of violence and harassment often avoid reporting the abuse.

51. Australia remained concerned by the legal provisions criminalising sexual relations between LGBTI persons. It commended Dominica for the ratification of the CRPD and the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children. It welcomed the de facto moratorium on executions but remained concerned that legislation allowed for the death penalty.

77. Germany requested to know the reason Dominica had not submitted a national report. It acknowledged the progress made by the country to fully realise the human rights of its citizens, in the areas of combating domestic violence and physical abuse of children. It called for the abolition of corporal punishment and noted that LGBTI persons were exposed to prejudice and violence due to the criminalization of consensual same-sex activity.

81. Ireland encouraged continued improvements in the areas of combating domestic violence and physical abuse of children, and gender equality and empowerment of women. It commended Dominica for issuing a standing invitation to Special Procedures mandate-holders. It urged consideration of the abolition of the death penalty and the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights. It expressed concern about the criminalization of consensual same-sex activity and defamation and regretted that recommendations made during the first cycle regarding the Sexual Offences Act did not enjoy the support of Dominica. It was also concerned that defamation was a criminal offence.

II. Conclusions and/or recommendations

94. The following recommendations will be examined by Dominica which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014:

94.13 Step up the implementation of measures to reduce gender and sexual orientation discrimination, including awareness activities (Chile);

94.14 Take the necessary measures to reduce prejudices and discrimination based on the sexual orientation of the person (Argentina);

94.15 Intensify its efforts to reduce discrimination based on gender and on sexual orientation (Portugal);

94.16 Make every effort to reduce discrimination based on sexual orientation and consider abolishing all legislation which entails constraints to the realization of LGBT population's rights, including laws which criminalize sexual relations between consenting adults of the same sex (Brazil);

94.17 Decriminalize homosexuality and combat discrimination based on sexual orientation or gender identity (France);

94.18 Decriminalise consensual adult same-sex activity by amending article 14 and repealing article 16 of the Sexual Offences Act (Ireland);

94.19 Repeal all provisions that criminalize same sex relations, including in particular Article 16 of the Sexual Offences Act (Germany);

94.20 Repeal all provisions that discriminate against persons on the grounds of their sexual orientation or gender identity, including those in the Sexual Offences Act (United Kingdom of Great Britain and Northern Ireland);

94.21 Repeal provisions in national law that criminalize same sex relations, including in the Sexual Offences Act and take steps to ensure the rights of these persons are protected (Australia);

94.22 Modify existing sections of the criminal code that apply to buggery and indecency so that same-sex sexual activity between consenting adults is not criminalized and adopt legislation that prohibits discrimination on the basis of sexual orientation and gender identity (United States of America);

94.23 Establish anti-discrimination laws and regulations ensuring that LGBT persons and other vulnerable groups enjoy equal treatment (Netherlands);

94.24 Reinforce its anti-discriminatory legal framework in order to provide for a strengthened protection of the rights of the LGBTI community (Italy).

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Date of review: Thursday, 1 May 2014

II. Conclusions and/or recommendations

124. The following recommendations will be examined by the Democratic People's Republic of Korea which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014.

124.121. Continue building social structure of her Country focusing on the promotion and protection of the family as the vital Unit of the society (Uganda).

BRUNEI DARUSSALAM

Date of review: Friday, 2 May 2014

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

50. Spain noted Brunei Darussalam's introduction of legislation to combat gender-based violence but was concerned by the criminalization of same-sex sexual relations. Gaps existed in legislation combating prostitution of minors. The Islamic Penal Code was incompatible with international human rights legislation.

62. Egypt invited Brunei Darussalam to share its views on best practices and major challenges relating to the implementation of integrated pro-family policies and measures to protect and support the family as the fundamental unit of society.

85. The Netherlands commended the country for ensuring access to education and health care. It was concerned by provisions criminalizing sexual relations between consenting adults and the proposed introduction of the death penalty in the Penal Code.

II. Conclusions and/or recommendations

113. The following recommendations will be examined by Brunei which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014:

113.56. Decriminalize sexual activity between consenting adults, and repeal all provisions of the newly enacted Penal Code discriminating against women and sexual minorities and introducing cruel or inhuman forms of punishment (Czech Republic);

113.70. Proceed to the abolition of current legislation criminalizing sexual relations between persons of the same sex (Spain);

113.71. Decriminalize sexual activity between same-sex consenting adults and ensure the protection of human rights for sexual minorities in conformity with the State's human rights obligations (Canada)

113.72. Decriminalise sexual relations between consenting adults of the same sex (France);

113.91. Continue to pursue its social policies upholding the institution of family in line with traditional family values (Bangladesh).

COSTA RICA

Date of review: Monday, 5 May 2014

I. Summary of the proceedings of the review process

A. Presentation by the State under review

17. Costa Rica had also been discussing ways to guarantee the rights of the LGBTI population. Activities were being carried out and initiatives were being developed, in which civil society had played a fundamental role.

B. Interactive dialogue and responses by the State under review

70. Iceland encouraged Costa Rica to strengthen efforts to combat trafficking in persons. It was concerned about the inadequate protection of sexual and reproductive health and rights. It raised questions on the implementation of programs ensuring child protection and on measures to eliminate discrimination against LGBT people.

88. The rights of LGBTI persons were one of the challenging areas. Debate had been growing in Costa Rica on the recognition of the rights arising from the union of two persons of the same sex. Concerning recommendation 91.4 made by Spain in the context of the first review, relating to the right of transsexual persons to identify themselves in keeping with their gender identity, Costa Rica noted that in 2010 the Supreme Electoral Court had issued a decree which set out that "everyone had the right to enjoy respect for their image and sexual identity when a photograph was taken for their identity card". Costa Rica acknowledged the challenge to change cultural attitudes. A protocol on harassment, bullying and cyberbullying in secondary schools had also been prepared.

95. The Netherlands welcomed progress made in the field of protecting women against domestic violence by adopting a national response and prevention system. It was concerned about the suffering of the LGBT community as a result of discrimination.

103. Portugal welcomed the establishment of the CIIDDHH, and measures to protect persons who suffered from persecution in their countries of origin due to their sexual orientation. It welcomed measures to prevent school dropout and low attendances.

124. The United Kingdom of Great Britain and Northern Ireland welcomed Costa Rica's ongoing emphasis on protecting children from abuse and urged Costa Rica to ensure that all offenders are prosecuted. It encouraged Costa Rica to strengthen efforts to safeguard women from domestic violence and to further reduce discrimination against LGBT.

II. Conclusions and/or recommendations

129. The following recommendations will be examined by Costa Rica which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014:

129.69. Continue the measures to combat discrimination against LGBTI persons (Argentina);

129.70. Design awareness raising policies and programs regarding prevention of discrimination of LGBT and to provide equal rights for LGBT. In practical terms this means providing better access to justice for people whose rights have been infringed because of their

gender identity, gender expression or sexual orientation; it also means allowing cohabitation contracts to same sex couples in order to remove inequalities relating to inheritance, health care, social security; and finally it means removing discriminatory provisions from the Criminal Code and other laws and regulations (Netherlands);

129.71. Conduct public awareness policies and programmes, in cooperation with the civil society, to change cultural paradigms and attitudes in order to encourage and promote respect for LGBTIs and to fight against prejudice and discrimination against LGBTIs (Slovenia);

129.72. Fight discrimination against LGBT persons both in law and practice, which impacts on the possibilities of education, justice and access to health services, with emphasis on the difficulties faced by trans people (Uruguay);

129.139. Continue to uphold the traditional values of family life (Bangladesh).

EQUATORIAL GUINEA

Date of review: Monday, 5 May 2014

I. Summary of the proceedings of the review process

A. Presentation by the State under review

86. On other issues the delegation stated, inter-alia that: sexual orientation is contemplated within general rights which means that all citizens of Equatorial Guinea are equal and protected under the law; a monitoring and supervision commission dealt with transparency and a standing committee to fight corruption was designated by the Chamber of Deputies; human rights awareness campaigns, human rights programs and human rights departments in a number of institutions were being developed; and that the two Chambers would appoint an Ombudsman.

B. Interactive dialogue and responses by the State under review

114. The Netherlands expressed concern about discrimination based on sexual orientation and gender identity despite the fact that discrimination against LGBT persons was punishable by law.

II. Conclusions and/or recommendations

135. The following recommendations will be examined by Equatorial Guinea which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014.

135.51. Initiate an awareness raising campaign on the importance of equal rights for LGBT persons, in order to foster a climate of true social acceptance in the spirit of the Constitution of Equatorial Guinea (Netherlands).

ETHIOPIA

Date of review: Tuesday, 6 May 2014

II. Conclusions and/or recommendations

155. The recommendations formulated during the interactive dialogue listed below enjoy the support of Ethiopia:

155.96. Continue strengthening the role and contribution of the family in the society (Egypt);

155.97. For the continued development of the country, take into account and support the family, based on the stable relationship between a man and a woman, as the natural and fundamental unit of society, both in taxation and general legislation (Holy See).

158. Ethiopia considers that the recommendations below cannot be accepted and would thus be noted:

158.23. Amend the Penal Code to decriminalize homosexuality (Portugal);

158.24. Reform the penal code with the aim of decriminalizing homosexuality (France);

158.25. Extend measures to combat discrimination to the entire vulnerable population, which is victim of stereotypes and discrimination, particularly discrimination based on sexual orientation, and thus amend the criminalization established in the Criminal Code relating to that sector of the population (Argentina).

QATAR

Date of review: Wednesday, 7 May 2014

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

58. Costa Rica commended Qatar on the measures it had taken to improve human rights. In preparing for the Football World Cup 2022, it encouraged Qatar to ensure the protection of all workers. It was concerned that a draft law would prohibit homosexuals and transvestites* from living or working in Qatar.

70. The delegation explained that with regard to sexual freedoms and same-sex marriage, Sharia was the main source of Qatari legislation pursuant to article 1 of the Constitution. The corresponding principles were reflected in articles 279 to 289 of the Criminal Code.

* *travestis* in original Spanish statement

NICARAGUA

Date of review: Wednesday, 7 May 2014

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

76. Norway congratulated Nicaragua on the ratification of ILO Convention No. 169 and increased respect for LGBT rights. It expressed concern at violence against women and the criminalization of abortion. Norway made recommendations.

101. The United Kingdom of Great Britain and Northern Ireland encouraged Nicaragua to raise awareness of abuse against vulnerable groups, and legislate LGBTI rights. It made recommendations.

104. With regards to the situation of the LGBTI community, the delegation remarked that the Criminal Code did not criminalize the concept of hate but criminalized instead discrimination. Discrimination based on sexual orientation was considered an aggravating circumstance. In Nicaragua, a very few cases involving deaths of LGBTI people have occurred and none of them were considered hate crimes. The perpetrators of these cases have been prosecuted according to the Criminal Procedure Code. No defender of the rights of sexual diversity had ever been disturbed in the exercise of his or her work.

105. The Special Prosecutor for the Right to Sexual Diversity run a five-year training strategy on the right to sexual diversity for government officials, mainly members of the National Police, Judiciary and Ministry of Education.

II. Conclusions and/or recommendations

116. The following recommendations will be examined by Nicaragua which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014.

116.14. Continue the increased respect for LGBT rights and assure the approval of an inclusive Family Code respectful of the right to gender identity and sexual orientation (Norway);

114.34. Continue with the measures aimed at combating stereotypes and discrimination suffered by LGBTI persons (Argentina).