



MANDATE OF THE IE SOGI

PARLIAMENTARIANS FOR GLOBAL ACTION

PRESENTATION

26 AUGUST 2020



MANDATE

In general

- Analyse
- Advise
- Alert UN organs and bodies (part. HRC)
- Advocate
- Activate and mobilise local and international community
- Follow up to recommendations

Resolution 32/2

(a) To assess the implementation of existing international human rights instruments with regard to ways to overcome violence and discrimination against persons on the basis of their sexual orientation or gender identity, while identifying both best practices and gaps;

(b) To raise awareness of violence and discrimination against persons on the basis of their sexual orientation or gender identity, and to identify and address the root causes of violence and discrimination;

(c) To engage in dialogue and to consult with States and other relevant stakeholders, including United Nations agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, civil society organizations and academic institutions;

(d) To work in cooperation with States in order to foster the implementation of measures that contribute to the protection of all persons against violence and discrimination based on sexual orientation and gender identity;

(e) To address the multiple, intersecting and aggravated forms of violence and discrimination faced by persons on the basis of their sexual orientation and gender identity;

(f) To conduct, facilitate and support the provision of advisory services, technical assistance, capacity-building and international cooperation in support of national efforts to combat violence and discrimination against persons on the basis of their sexual orientation or gender identity;



RESEARCH METHODOLOGY

PROCESS

- On 9 March 2020, the World Health Organisation declared COVID-19 a pandemic, it became evident that its impact in the enjoyment of human rights would be unprecedented in our times, and the assessment of impact on the lives of LGBT persons around the world became a fundamental stream of work for the mandate.
- On 27 March 2020: opening of the dialogue process.
- Three virtual Town Hall meetings between 30 April and 1 May 2020.
- Over three dozen virtual consultations and meetings gathering activists, human rights defenders, civil society leaders, government officials and scholars.
- In total, over 1000 individuals from more than 100 countries contributed anecdotal evidence and perspectives on the implications of the pandemic on LGBT persons.

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- On 17 May 2020 the Independent Expert joined a group of 96 United Nations and regional Independent Experts in in a statement on the impact of the pandemic on LGBT persons. In their joint statement of 17 May 2020, 96 Independent Experts recognised that “ [i]n all latitudes, LGBT persons are disproportionately represented in the ranks of the poor, people experiencing homelessness, and those without healthcare, meaning that they may be particularly affected as a result of the pandemic.”

PROCESS

- “These experiences of inequality and discrimination are compounded by disability, age, ethnicity/race, sex, indigenous or minority status, socioeconomic status and/or caste, language, religion or belief, political opinion, national origin, migration or situation of displacement, marital and/or maternal status, urban/rural location, health status, and property ownership. If States and other stakeholders, including businesses and faith-based organizations, are to meaningfully address the impact of the pandemic, they must unreservedly acknowledge that LGBT persons represent a meaningful cross-section of all of these identities, and they must act accordingly.”


ASPIRE Guidelines


Guidelines on COVID-19 policies free from violence and discrimination based on sexual orientation and gender identity

- A**cknowledge that LGBT and gender diverse persons are everywhere (and that they are hard-hit by the pandemic). Denying the existence of LGBT persons in any society is a violation of their human rights at all times, but it is particularly harmful in times of a pandemic, when understanding the different ways it impacts their lives is the key to effective and efficient responses.
- S**upport the work of LGBT civil society and human rights defenders (and learn from their significant achievements). Civil society organizations are vital to fill in the gaps left by States. A complex system of early warning, sense of community, advocacy and follow-up has been forged over the last five decades. That system is an asset of profound value for the global community.
- P**rotect LGBT persons from violence and discrimination in the pandemic context (and prosecute perpetrators). Pre-existing inequalities are exacerbated in humanitarian settings, putting those who are already most vulnerable at further risk. Government measures to combat the pandemic must be limited to the protection of public health and must not advance anti-LGBT agendas.
- I**ndirect discrimination is a real and significant risk (and stigmatization against LGBT persons must be prevented). Indirect discrimination occurs when an otherwise neutral provision or practice puts a marginalized population at a disadvantage compared to others or impacts them in a way that is disproportional.
- R**epresentation of LGBT persons in the process of design, implementation and evaluation of COVID-19 specific measures is a must (and it needs to be meaningful). Policy-makers should not rely on intuitive thinking when designing responses that will impact the LGBT community. Only the effective involvement of concerned populations will create responses with increased positive impact.
- E**vidence and data concerning the impact of COVID-19 on LGBT persons must be collected (and States must follow good practices). Disaggregation of data is essential to understand how different populations are affected by the pandemic. States also need to ensure that victims of human rights violations perpetrated during the pandemic will have access to redress, including reparations.



GUIDELINES

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- On 18 June 2020 the mandate communicated to all UN Member States the ASPIRE Guidelines
 - The mandate reviewed claims of human rights violations under the communication procedure
 - Over 100 reports, documents and essays published until 30 June 2020
 - 86 submissions presented as a result of the call for inputs made by the mandate.

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- The mandate concludes that COVID-19 has disproportionate impact on LGBT persons; that, with few exceptions, the response to the pandemic reproduces and exacerbates the patterns of social exclusion and violence already identified by the Independent Expert; and that urgent measures must be adopted by States and other stakeholders to ensure that pandemic response is free from violence and discrimination and, therefore, in conformity with the tenets of international human rights law.