

[Redacted]

**From:** [Redacted] 5.1.2e  
**Sent:** donderdag 17 januari 2019 18:40  
**To:** [Redacted] 5.1.2e [Redacted] 5.1.2e [Redacted] 5.1.2e  
**Subject:** FW: Dinner Independent Expert during ILGA Conference in New Zealand

Ter info, moo!

Groet [Redacted] 5.1.2e

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**From:** [Redacted] 5.1.2e <[Redacted]@ohchr.org>  
**Date:** Thursday, 17 Jan 2019, 6:35 PM  
**To:** [Redacted] 5.1.2e <[Redacted]@minbuza.nl>  
**Cc:** [Redacted] 5.1.2e <[Redacted]@minbuza.nl>, [Redacted] 5.1.2e <[Redacted]@ohchr.org>  
**Subject:** RE: Dinner Independent Expert during ILGA Conference in New Zealand

Dear [Redacted] 5.1.2e

Thank you very much for your kind invitation to host a working dinner in honour of Independent Expert Madrigal-Borloz in the margin of ILGA Conference in Wellington.

Mr. Madrigal-Borloz is delighted to accept your invitation and is grateful for the kind initiative; he is flexible in terms of date.

I seize the opportunity to inform you that we are in contact with ILGA to organize a consultation with activists from the Pacific region (probably on Tuesday 19 March), and that Mr. Madrigal-Borloz will deliver a keynote speech around the issue of decriminalization on Thursday 21 March (TBC).

Many thanks again.

Best regards,

[Redacted] 5.1.2e

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[Redacted] 5.1.2e

Special Procedures Branch  
Office of the United Nations High Commissioner for Human Rights

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**Tel:** +41 [Redacted] 5.1.2e

**Web:** [www.ohchr.org](http://www.ohchr.org)

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**From:** [5.1.2e]@minbuza.nl]  
**Sent:** 15 January 2019 02:43  
**To:** [5.1.2e]  
**Cc:** [5.1.2e]  
**Subject:** Dinner Independent Expert during ILGA Conference in New Zealand

Dear [5.1.2e],

I got your contact details from my colleague of the NL Permanent Mission in Geneva [5.1.2e] as I wanted to write the Independent Expert SOGI Mr. Victor Madrigal-Borloz to invite him over during the ILGA Conference in Wellington, New Zealand in March.

I would very much like to host a working dinner in honor of Mr Madrigal-Borloz during his stay in Wellington, with a specific focus on the position and human rights situation of LGBTI in the Pacific.

The Netherlands is funding the participation of some Pacific activists at the conference and it would be very fruitful to facilitate an exchange of view with them as they are normally not able to travel to international conferences which take place in locations in Europe/US etc.

We could also invite representatives of other countries to participate.

If Mr Madrigal-Borloz is positive towards the idea, I would suggest a dinner on one of the following dates 17, 19, 20 or 21 March.

Best regards,

[5.1.2e]

[5.1.2e]

***Embassy of the Kingdom of the Netherlands***

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[Redacted]

**From:** [Redacted] 5.1.2e @ohchr.org>  
**Sent:** maandag 25 februari 2019 08:57  
**To:** [Redacted] 5.1.2e  
**Cc:** [Redacted] 5.1.2e [Redacted] 5.1.2e  
**Subject:** RE: Dinner Independent Expert during ILGA Conference in New Zealand

Dear [Redacted] 5.1.2e

Thank you very much for the kind invitation and apologies for the belated reply. I had to focus on report drafting. Mr. Madrigal-Borloz and myself will be delighted to attend the reception on 17 March.

Many thanks again.

Best regards,

[Redacted] 5.1.2e  
Top of Form



[Redacted] 5.1.2e  
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**From:** [Redacted] 5.1.2e @minbuza.nl]  
**Sent:** 25 February 2019 06:21  
**To:** [Redacted] 5.1.2e  
**Cc:** [Redacted] 5.1.2e [Redacted] 5.1.2e  
**Subject:** FW: Dinner Independent Expert during ILGA Conference in New Zealand

Hi [Redacted] 5.1.2e,

I am following up on my email below.

[Redacted] 5.1.2e will host a reception on 17 March from 6pm-8pm. At this reception the participants from the Pacific and Indigenous of Oceania Rainbow Human Rights Forum will present Forum outcomes. Their presentations will focus on barriers, solutions and strategies for the promotion and respect for human rights of LGBTI+ in the Pacific. On behalf of the Netherlands Embassy, we would be honored to invite Mr. Victor Madrigal-Borloz, and his UN staff. Would Mr. Madrigal-Borloz be available to attend? If so, I can include in the Embassy reception invite that he will also be present.

Kind regards,

5.1.2e

5.1.2e

5.1.2e



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[www.netherlandsworldwide.nl/countries/new-zealand](http://www.netherlandsworldwide.nl/countries/new-zealand)  
[netherlandsembassywellington](http://netherlandsembassywellington)

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**From:** [5.1.2e]

**Sent:** Friday, 22 February 2019 8:25 PM

**To:** [5.1.2e]@ohchr.org>

**Cc:** [5.1.2e]@minbuza.nl>; [5.1.2e]@ohchr.org>

**Subject:** RE: Dinner Independent Expert during ILGA Conference in New Zealand

Dear [5.1.2e]

My name is [5.1.2e] and I'm helping [5.1.2e] organise the Dutch Embassy's activities.

Can you confirm if the IE would be available to attend the reception on 17 March from 6pm-8pm. It takes place after the Pacific Forum; I understand that Mr. Madrigal-Borloz will take part in this Forum.

If he can attend, I will mention his attendance in the Embassy invite.

Kind regards

[5.1.2e]

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**From:** [5.1.2e]@minbuza.nl>

**Date:** Thursday, 21 Feb 2019, 3:33 PM

**To:** [5.1.2e]@ohchr.org>

**Cc:** [5.1.2e]@minbuza.nl>, [5.1.2e]@ohchr.org>, [5.1.2e]

[5.1.2e]@minbuza.nl>

**Subject:** RE: Dinner Independent Expert during ILGA Conference in New Zealand

Dear [5.1.2e]

No worry the date is set!

I will discuss here about the list to invite. Some EU colleagues will definitely be on the list I will suggest, including Australia I assume.

I will see how to approach Lord Fusitu'a. I donot have his contact details but ILGA might have.

I will also host a reception for all Pacific participants at the Pacific seminar on Sunday 17 March at the residence. Of course I will also invite the IE in case he is already in Wellington that day.

Best wishes,

5.1.2e

5.1.2e

**Embassy of the Kingdom of the Netherlands**

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**From:** 5.1.2e <5.1.2e@ohchr.org>  
**Sent:** zaterdag 16 februari 2019 01:27  
**To:** 5.1.2e <5.1.2e@minbuza.nl>  
**Cc:** 5.1.2e <5.1.2e@minbuza.nl>; 5.1.2e <5.1.2e@ohchr.org>; 5.1.2e <5.1.2e@minbuza.nl>  
**Subject:** RE: Dinner Independent Expert during ILGA Conference in New Zealand

Dear 5.1.2e

With my apologies for the belated reply. Independent Expert Madrigal-Borloz confirmed that the date of 20 March is fine with him.

It is great if you can work on a tentative list of guests with a local organization. Mr. Madrigal-Borloz is very interested in meeting with representatives of countries that are active in the Pacific region as he would like to seize the opportunity of his travel to New Zealand to better understand the SOGI dynamics in the region and possibilities for future collaboration.

In terms of possible guests, I was thinking of Lord Fusitu'a, who is a member of the Tonga Legislative Assembly and will be attending the ILGA World Conference. In addition, colleagues at ILGA told me that they have been approached by EU representatives in Wellington who would also be interested to meet with the Independent Expert to discuss engagement in the region. I however leave you to decide on the best combination of guests.

Many thanks again for organizing this dinner.

Best regards,

5.1.2e

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**From:** 5.1.2e <5.1.2e@minbuza.nl>  
**Sent:** 18 January 2019 00:06  
**To:** 5.1.2e  
**Cc:** 5.1.2e; 5.1.2e; 5.1.2e  
**Subject:** RE: Dinner Independent Expert during ILGA Conference in New Zealand

Dear 5.1.2e

Thank you for your quick reply.

If Mr Madrigal-Borloz is indeed flexible on the date I would propose Wednesday 20 March at 1900.  
I will inform you later about details on the location of the Dutch residence in Wellington.

It is very good news that you will have a broader consultation with activists from the Pacific region on 19<sup>th</sup>.

I would suggest that we think about a tentative list of guests together with a local organization, including some representatives of countries that are very active in the Pacific region and I am also open to any suggestion that you might have on who to invite.

Best regards,

5.1.2e

5.1.2e

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**From:** 5.1.2e <5.1.2e@ohchr.org>  
**Sent:** vrijdag 18 januari 2019 06:35  
**To:** 5.1.2e <5.1.2e@minbuza.nl>  
**Cc:** 5.1.2e <5.1.2e@minbuza.nl> 5.1.2e <5.1.2e@ohchr.org>  
**Subject:** RE: Dinner Independent Expert during ILGA Conference in New Zealand

Dear 5.1.2e

Thank you very much for your kind invitation to host a working dinner in honour of Independent Expert Madrigal-Borloz in the margin of ILGA Conference in Wellington.

Mr. Madrigal-Borloz is delighted to accept your invitation and is grateful for the kind initiative; he is flexible in terms of date.

I seize the opportunity to inform you that we are in contact with ILGA to organize a consultation with activists from the Pacific region (probably on Tuesday 19 March), and that Mr. Madrigal-Borloz will deliver a keynote speech around the issue of decriminalization on Thursday 21 March (TBC).

Many thanks again.

Best regards,

5.1.2e

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5.1.2e

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**From:** 5.1.2e [mailto:5.1.2e@minbuza.nl]  
**Sent:** 15 January 2019 02:43  
**To:** 5.1.2e  
**Cc:** 5.1.2e  
**Subject:** Dinner Independent Expert during ILGA Conference in New Zealand

Dear 5.1.2e,

I got your contact details from my colleague of the NL Permanent Mission in Geneva, Maurice Paulussen, as I wanted to write the Independent Expert SOGI [Mr. Victor Madrigal-Borloz](#) to invite him over during the ILGA Conference in Wellington, New Zealand in March.

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If Mr Madrigal-Borloz is positive towards the idea, I would suggest a dinner on one of the following dates 17, 19, 20 or 21 March.

Best regards,

5.1.2e

5.1.2e

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[Redacted]

**From:** [Redacted] 5.1.2e  
**Sent:** maandag 6 mei 2019 17:51  
**To:** [Redacted] 5.1.2e; [Redacted] 5.1.2e; [Redacted] 5.1.2e  
**Cc:** [Redacted] 5.1.2e; [Redacted] 5.1.2e  
**Subject:** FW: Mandate on SOGI: Letter to all Permanent Missions to the United Nations Office in Geneva  
**Attachments:** Letter to all PMs in Geneva - E - 06 05 2019.pdf

Hi allen,  
Zie hierbij verzoek van IE SOGI voor zijn aankomende AV rapport, zoals eerder al even aangekondigd.  
Zou mooi zijn als we opnieuw input kunnen leveren – willen jullie ajb uitzetten bij andere ministeries?  
Veel dank, [Redacted] 5.1.2e

---

**From:** GEV  
**Sent:** maandag 6 mei 2019 15:29  
**To:** [Redacted] 5.1.2e <[Redacted]@minbuza.nl>; [Redacted] 5.1.2e <[Redacted]@minbuza.nl>;  
[Redacted] 5.1.2e <[Redacted]@minbuza.nl>; [Redacted] 5.1.2e <[Redacted]@minbuza.nl>; [Redacted] 5.1.2e <[Redacted]@minbuza.nl>;  
[Redacted] 5.1.2e <[Redacted]@minbuza.nl>; [Redacted] 5.1.2e <[Redacted]@minbuza.nl>; [Redacted] 5.1.2e <[Redacted]@minbuza.nl>  
**Subject:** FW: Mandate on SOGI: Letter to all Permanent Missions to the United Nations Office in Geneva

---

**From:** [Redacted] 5.1.2e <[Redacted]@ohchr.org>  
**Sent:** maandag 6 mei 2019 12:42  
**Subject:** Mandate on SOGI: Letter to all Permanent Missions to the United Nations Office in Geneva

Dear Madam/Sir,

Please find attached a letter from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Mr. Victor Madrigal-Borloz, concerning a call for submissions for his thematic report, which he will present to the 74<sup>th</sup> session of the General Assembly.

Veillez trouver ci-joint une lettre de l'Expert indépendant sur la protection contre la violence et la discrimination en raison de l'orientation sexuelle et l'identité de genre, M. Victor Madrigal-Borloz, concernant un appel à contributions pour la préparation de son rapport thématique qu'il va présenter à la 74<sup>ème</sup> session de l'Assemblée générale.

Sírvase encontrar adjunta una carta del Experto Independiente sobre protección contra la violencia y la discriminación basadas en orientación sexual e identidad de género, Sr. Víctor Madrigal-Borloz, en relación con una solicitud de contribuciones para su informe temático que será presentado a la 74<sup>a</sup> sesión de la Asamblea General.

Many thanks.

Kind regards,  
Mandate on SOGI

TÉLÉCOPIER FACSIMILE TRANSMISSION

DATE: 6 May 2019

À TO: All Permanent Missions to the United Nations Office in Geneva

FAX:

TEL:

EMAIL:

DE FROM: 5.1.2e  
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TEL: +41  
EMAIL: ie-sop@5.1.2e

REF:

PAGES: 5 (Y COMBINS CETTE PAGE/CLUDED TO THIS PAGE)

COPIES:

OBJET/SUBJECT: **Letter from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.**

Please find attached a letter from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Mr. Victor Madrigal-Borloz, concerning a call for submissions for his thematic report, which he will present to the 74<sup>th</sup> session of the General Assembly.

### Call for Inputs

**Deadline 31 May 2019**

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

6 May 2019

Excellency,

I have the honour to address you in my capacity as an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, pursuant to Human Rights Council resolution 32/2. I intend to present a thematic report at the 74<sup>th</sup> session of the General Assembly, which will focus on marginalisation and exclusion from socio-cultural environments. The report will 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. Finally, it will formulate recommendations to States and other relevant stakeholders.

My report will examine these issues in relation to the themes of education, health, housing, employment/economic empowerment and an adequate standard of living. I 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.

#### **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 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 240 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.

#### **Call for input**

To inform my report, I am seeking inputs from relevant stakeholders (Member States, National Human Rights Institutions, civil society organizations, United Nations agencies, regional institutions, corporate entities, etc.) on the basis of the following topics:

1. 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, in particular,
  - a) What knowledge, including data, exists in the State planning bases in relation to socio-cultural and economic exclusion based on sexual orientation and gender identity, including levels of poverty, homelessness, education, employment, health, political participation and any other relevant social indicator?

- b) How are individuals, groups or communities differently affected, based on their sexual orientation and/or gender identity?
  - c) What are the main barriers in ensuring equal access to education, health care, employment and occupation, housing and other relevant sectors?
2. 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. State efforts to address socio-cultural and economic exclusion through legislation, policies, data gathering, and other means, for example:
    - a) Destitution and poverty;
    - b) Current efforts by States to address bullying and exclusion of LGBT people from education, including in education curricula teacher training, measures to promote continuing education or reinsertion in education settings and vocational training;
    - c) Homelessness among LGBT people, particularly youth, and inclusion in shelter programs;
    - d) Coverage by social security and benefits, as well as public and private health insurance (Taking into account survivor's pensions for same-sex couples, insurance coverage for gender affirming care, social housing for LGBT youth and older persons etc.);
    - e) Equal access to health (including through training and sensitisation of health care personnel), regardless of sexual orientation, gender identity or expression;
  4. Complaints mechanisms available and accessible to LGBT people facing discrimination.
  5. Actions to ensure socio-cultural and economic inclusion based on sexual orientation and gender identity in measures undertaken to ensure implementation of the Sustainable Development Goals at the national and regional levels.
  6. Actions 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. Services provided by civil society to excluded and marginalised LGBT people.

Responses to the questions above can be submitted in English, French or Spanish, and in Word format. Please note that if you wish your submissions to be kept confidential, you are required to make an explicit request in your submission, as otherwise information may be referenced in the report and / or published.

I would be particularly grateful to receive the information requested at your earliest convenience, and preferably by 31 May 2019 at the latest. Responses may be addressed to the Independent Expert at the Office of the UN High Commissioner for Human Rights and can be submitted by email ([is-sogij@5.1.2e](mailto:is-sogij@5.1.2e))

For any further question or clarification, please do not hesitate to contact me through the Office of the United Nations High Commissioner for Human Rights.

5.1.2e

Please accept, Excellency, the assurances of my highest consideration.

5.1.2e

Victor Madrigal-Borloz

Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

[Redacted]

**From:** [Redacted] 5.1.2e  
**Sent:** vrijdag 24 mei 2019 13:09  
**To:** [Redacted] 5.1.2e; [Redacted] 5.1.2e; [Redacted] 5.1.2e  
**Cc:** [Redacted] 5.1.2e; [Redacted] 5.1.2e  
**Subject:** RE: Mandate on SOGI: Letter to all Permanent Missions to the United Nations Office in Geneva  
**Attachments:** 190522reply NL questions UN IE SOGI.docx

Hi [Redacted] 5.1.2e

Hierbij de (ietwat summiere) input vanuit OCW.

Groet,  
[Redacted] 5.1.2e

---

**From:** [Redacted] 5.1.2e  
**Sent:** maandag 6 mei 2019 17:51  
**To:** [Redacted] 5.1.2e @minbuza.nl>; [Redacted] 5.1.2e @minbuza.nl> [Redacted] 5.1.2e  
[Redacted] 5.1.2e @minbuza.nl>  
**Cc:** [Redacted] 5.1.2e @minbuza.nl>; [Redacted] 5.1.2e @minbuza.nl>  
**Subject:** FW: Mandate on SOGI: Letter to all Permanent Missions to the United Nations Office in Geneva

Hi allen,  
Zie hierbij verzoek van IE SOGI voor zijn aankomende AV rapport, zoals eerder al even aangekondigd.  
Zou mooi zijn als we opnieuw input kunnen leveren – willen jullie ajb uitzetten bij andere ministeries?  
Veel dank, [Redacted] 5.1.2e

---

**From:** GEV  
**Sent:** maandag 6 mei 2019 15:29  
**To:** [Redacted] 5.1.2e @minbuza.nl>; [Redacted] 5.1.2e @minbuza.nl>;  
[Redacted] 5.1.2e @minbuza.nl>; [Redacted] 5.1.2e @minbuza.nl> [Redacted] 5.1.2e  
[Redacted] 5.1.2e @minbuza.nl>; [Redacted] 5.1.2e @minbuza.nl>  
**Subject:** FW: Mandate on SOGI: Letter to all Permanent Missions to the United Nations Office in Geneva

---

**From:** [Redacted] 5.1.2e @ohchr.org>  
**Sent:** maandag 6 mei 2019 12:42  
**Subject:** Mandate on SOGI: Letter to all Permanent Missions to the United Nations Office in Geneva

Dear Madam/Sir,

Please find attached a letter from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Mr. Victor Madrigal-Borloz, concerning a call for submissions for his thematic report, which he will present to the 74<sup>th</sup> session of the General Assembly.

Veuillez trouver ci-joint une lettre de l'Expert indépendant sur la protection contre la violence et la discrimination en raison de l'orientation sexuelle et l'identité de genre, M. Victor Madrigal-Borloz, concernant un appel à contributions pour la préparation de son rapport thématique qu'il va présenter à la 74<sup>ème</sup> session de l'Assemblée générale.

Sírvase encontrar adjunta una carta del Experto Independiente sobre protección contra la violencia y la discriminación basadas en orientación sexual e identidad de género, Sr. Víctor Madrigal-Borloz, en relación con una solicitud de contribuciones para su informe temático que será presentado a la 74ª sesión de la Asamblea General.

Many thanks.

Kind regards,  
Mandate on SOGI

**Input from The Netherlands**

1. 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; in particular,

a) What knowledge, including data, exists in the State planning bases in relation to socio-cultural and economic exclusion based on sexual orientation and gender identity, including levels of poverty, homelessness, education, employment, health, political participation and any other relevant social indicator?

Netherlands Institute for Social Research (SCP) keeps track of the wellbeing of LGBT people and levels of employment and health (LGBT monitor).

b) How are individuals, groups or communities differently affected, based on their sexual orientation and/or gender identity?

Transgender people suffer difficulties in accessing labour market or keeping their job after their transition.

c) What are the main barriers in ensuring equal access to education, health care, employment and occupation, housing and other relevant sectors?

See answer b

2. 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?

Prejudice, ignorance and lack of knowledge about transgender people.

3. State efforts to address socio-cultural and economic exclusion through legislation, policies, data gathering, and other means, for example:

a) Destitution and poverty;  
 b) Current efforts by States to address bullying and exclusion of LGBT people from education, including in education curricula teacher training, measures to promote continuing education or reinsertion in education settings and vocational training;

Comprehensive national policy approach, consisting of: anti-discrimination law applicable to education, action plan, inclusive national curricula, transgender recognition, data collection of bullying, support systems, information and guidelines, partnership with NGO's and international commitment (source: LGBTI inclusive education index 2018 - IGLYO-Europe)

c) Homelessness among LGBT people, particularly youth, and inclusion in shelter programs;  
 d) Coverage by social security and benefits, as well as public and private health insurance (Taking into account survivor's pensions for same-sex couples, insurance coverage for gender affirming care, social housing for LGBT youth and older persons etc.);

Social security and benefits, as well as public and private health insurance makes no difference on sexual orientation and gender identity

e) Equal access to health (including through training and sensitisation of health care personnel), regardless of sexual orientation, gender identity or expression;

The capacity of health care provisions for transgender persons does - currently - not match the needed capacity. Measures are being taken to redress this capacity problem.

4. Complaints mechanisms available and accessible to LGBT people facing discrimination.

A nationwide network of local antidiscrimination services has been put in place. Furthermore the Netherlands Institute for Human Rights (CRM) is accessible to LGBT people to make complaints.

5. Actions to ensure socio-cultural and economic inclusion based on sexual orientation and gender identity in measures undertaken to ensure implementation of the Sustainable Development Goals at the national and regional levels.

A national Gender & LGBTI equality policy action plan 2018-2021 with policy measures related to SDG's: 3, 4, 5, 8, 10, 11, 16 and 17.

6. Actions 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.

See answer 5

7. Services provided by civil society to excluded and marginalised LGBT people.

More than 20 regional (all volunteer) peer-to-peer support and capacity building branches of the national LGBTI advocacy organisation COC Netherlands.

Homo-cc/internationaal/VN/190522reply NL questions UN IE SOGI

## Call for input UN IE Sexual Orientation and Gender Identity – thematic report on Gender

**2) Has the State ratified, signed, or adhered regional or international human rights treaties, declarations, programs or policies or any other international instruments aiming to address violence and discrimination based on SOGI that involve the implementation of a gender framework?**

**a) if that is the case, has the State carried out evaluations, assessments or evidence-gathering about the impact of the implementation of such actions and, if so, what are the main trends identified?**

The Netherlands has ratified several international human rights treaties that address violence against Women, and/or discrimination based on SOGI, including the Istanbul Convention. Our national policy documents on gender equality and/or equal rights of LGBTI people should always comply with international human rights standards.

The Dutch Gender & LGBTI Equality Policy Plan 2018 - 2021 shows the government's commitment for equal treatment, for equal opportunities and for the right to live your own life in safety. You can find the Gender & LGBTI Equality Policy Plan by clicking [here](#).

The Netherlands Institute for Social Research, and Statistic Netherlands produce reports that examine gender equality in the Netherlands, as well as, the life situation of lesbian, gay, bisexual and transgender (LGBT) people.

You can find the reports by clicking [here](#) and [here](#) (report in Dutch)

### 3) OCW/Justitie

#### 4) Is comprehensive sexuality education taught in schools?

Sexuality education is obligated in the Netherlands since 2012 in primary, secondary and special education. It is part of the key targets of the curriculum that all schools have to comply to.

*Key target 38 for primary education:*

Students are taught about the essential aspects of different religions that are present in the Dutch multicultural society and they learn to act respectfully in regards to sexuality and diversity in our society, including sexual diversity.

*Key target 43 for the first three years of secondary education*

Students are taught about the similarities, differences and changes in culture in the Netherlands. They are taught to associate their own and others' lives with these ideologies and are taught the meaning of respect for other people's views and ways of life and they are taught to act respectfully towards sexuality and diversity in our society, including sexual diversity.

*Key target 53 for special education*

The students are taught the key aspects of different religions that are present and play an important part in our Dutch multicultural society. They are taught to act respectfully towards sexuality and diversity within our society including sexual diversity.

There are European guidelines for sexual development and sexual health education.

The WHO and BZgA wrote these guidelines: [www.bzga-whocc.de](http://www.bzga-whocc.de)

**5) Are there examples where the concept of gender has been used in religious narratives or narratives of tradition, traditional values or protection of the family to hinder the adoption of legislative or policy measures aimed at addressing or eradicating violence and discrimination based on sex, gender, SOGI?**

**6) Are there examples where a concept of gender has been used in religious, traditional or indigenous narratives or values in a manner which promotes the acceptance of persons with diverse SOGI, or protects LGBTI individuals from violence and discrimination as well as covering a wider range of persons?**

**7) Are there examples in which narratives or 'gender ideology', 'genderism', or other gender-related concepts have been used to introduce regressive measures, in particular but not limited to LGBTI persons or communities?**

**8) Are there initiatives taken by States in connection with FoRB that have had the practical impact of limiting the enjoyment of human rights (including SRHR, LGBTI)?**

**9) Have there been public expressions or statements by political and/or religious leaders that have led to indefinite extension, modification or suppression of actions, activities, projects, public policies or application of gender frameworks?**

**10) Who are main actors who argue that the defenders of human rights of LGBTI people are furthering a so-called 'gender-ideology'? What are their main arguments? Have they been effective in regressing the human rights of LGBTI people? Have their strategies (in)directly also impacted on the human rights of women and girls?**

**11) Can you provide examples of coalitions working together on resisting attacks on gender ideology? Please share examples of feminist and LGBTI and other groups working together and with what kind of frameworks, arguments and results?**

The Dutch Ministry of Education, Culture and Science invests in multi-annual programs and alliances that tackle myths and stereotypes around LGBTI people. Two examples:

**Alliance 'Change from within'.** OCW is part of an alliance with the 'consortium zelfbeschikking (self-determination) in which migrant- and refugee organisation work towards gender and lgbti-equality and acceptance within their own communities. They focus on changing norms from within. <https://www.movisie.nl/tool/toolbox-verandering-binnenuit-uitgebreid>

**Alliance 'Act4Respect'.** Act4respect works towards ending gender based violence among young women and men. Central to their work is addressing gender stereotypes that are the root of gender based violence. <https://act4respect.nl/>

**12) What policies, programs and/or practices has the State adopted to meet SDG5 and 10? Do these rely on gender frameworks inclusive to diverse sexual orientations and gender identities and/or aiming to address violence and discrimination based on sexual orientation and gender identity? Please identify relevant examples.**

The Government has a gender and LGBTI strategy for the years 2018-2021. In the document, '[putting principles into practice](#)' you can find the main areas of the Dutch policy towards more gender and LGBTI equality. The Dutch government is committed to safety, security and acceptance

for everyone in the Netherlands, with special attention to LGBTI persons and gender based violence. For more details about the Dutch policy please see the document '[putting principles into practice](#)'.

**From:** [redacted] 5.1.2e @un.org >  
**Sent:** dinsdag 21 september 2021 10:56  
**To:** [redacted] 5.1.2e  
**Cc:** [redacted] 5.1.2e @ [redacted] 5.1.2e gov.ar; NYV [redacted] 5.1.2e  
**Subject:** RE: Invitation from the UN LGBTI Core Group for an UNGA event on Wednesday 22 September 2021 at 11 am.

Dear [redacted] 5.1.2e

Thank you very much for your message, we discussed [redacted] 5.1.2e participation at our team meeting yesterday and I realized there had been parallel communication channels. I am glad to see that all is fine, and I shared the link to the test call and the event with Victor this morning.

The event promises to be very exciting, congratulations and good luck.

Best regards,

[redacted] 5.1.2e



[redacted] 5.1.2e

Mandate on sexual orientation & gender identity  
Special Procedures Branch  
Office of the United Nations High Commissioner for Human Rights  
**Tel:** +41 [redacted] 5.1.2e  
**Web:** [www.ohchr.org](http://www.ohchr.org)

**From:** [redacted] 5.1.2e @minbuza.nl >  
**Sent:** 20 September 2021 21:34  
**To:** [redacted] 5.1.2e @un.org >; nyv [redacted] 5.1.2e MINBUZA] <nyv [redacted] 5.1.2e @minbuza.nl >  
**Cc:** [redacted] 5.1.2e @ [redacted] 5.1.2e gov.ar  
**Subject:** RE: Invitation from the UN LGBTI Core Group for an UNGA event on Wednesday 22 September 2021 at 11 am.

Dear [redacted] 5.1.2e

Thank you for the confirmation. We will share the link for Mr. Madrigal-Borloz soon incl. details for a test call. Below, you can find the questions that the moderator will ask the Independent Expert as the set-up will be a Q&A session instead of presentations/speeches.

Best,

[redacted] 5.1.2e

1. The UN Human Rights machinery bases its work on the human rights-based approach, while SDG furtherance is done relying on developmental frameworks. Sometimes the connection between these is not immediately evident. As Independent Expert, how do you experience the relation between these two fundamental United Nations pillars of work?



A confirmation upon receipt would be wonderful.

Warm regards,

5.1.2e

5.1.2e

5.1.2e

.....  
**Permanent Mission of the Kingdom of the Netherlands to the UN**

666 3<sup>rd</sup> Avenue | 19th fl. | New York, NY 10017 | United States

.....  
M +1

5.1.2e

[ny5.1.2e@minbuza.nl](mailto:ny5.1.2e@minbuza.nl)

[www.netherlandsmission.org](http://www.netherlandsmission.org)

.....  
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[Redacted]

**From:** 5.1.2e  
**Sent:** dinsdag 3 mei 2022 19:02  
**To:** OHCHR-IE Sexual Orientation And Gender Identity  
**Subject:** RE: Meeting [Redacted] 5.1.2e with IE SOGI Victor Madrigal-Borloz?

Dear [Redacted] 5.1.2e

My colleague [Redacted] 5.1.2e will soon contact you about this in my absence (I'm on leave until the 15th of May).

Warm regards,

[Redacted] 5.1.2e

Sent with BlackBerry Work  
(www.blackberry.com)

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**From:** OHCHR-IE Sexual Orientation And Gender Identity <[Redacted] 5.1.2e @un.org>  
**Date:** Monday, 25 Apr 2022, 5:38 PM  
**To:** [Redacted] 5.1.2e @minbuza.nl>  
**Subject:** RE: Meeting [Redacted] 5.1.2e with IE SOGI Victor Madrigal-Borloz?

Dear [Redacted] 5.1.2e

Thank you very much for coming back to me. Would 14:00 or 14:30 CET be a suitable time for a meeting on Friday 3 June?

Best regards,

[Redacted] 5.1.2e

---

**From:** [Redacted] 5.1.2e @minbuza.nl>  
**Sent:** 21 April 2022 13:35  
**To:** OHCHR-IE Sexual Orientation And Gender Identity [Redacted] 5.1.2e @un.org>  
**Subject:** RE: Meeting [Redacted] 5.1.2e with IE SOGI Victor Madrigal-Borloz?  
**Importance:** High

Dear [Redacted] 5.1.2e

Unfortunately the agendas of several Human Rights Ambassador (HRA's), among of which our own, do not allow for enough time in between meetings at a conference which they are attending on the 12<sup>th</sup>, I'm very sorry. All HRA's could attend on the 3<sup>rd</sup> of June in the afternoon, would that perhaps be possible for the agenda of the Independent Expert SOGI?

Warm regards,

[Redacted] 5.1.2e

humanitarian affairs & human rights

**Permanent Representation of the Kingdom of the Netherlands**  
31-33, Avenue Giuseppe-Motta | 1202 Geneva

M: +41 [5.1.2e]  
E: [5.1.2e]@minbuza.nl  
geneva.nlmission.org

---

**From:** OHCHR-IE Sexual Orientation And Gender Identity <[5.1.2e]@un.org>  
**Sent:** vrijdag 8 april 2022 16:07  
**To:** [5.1.2e]@minbuza.nl>  
**Subject:** RE: Meeting [5.1.2e] with IE SOGI Victor Madrigal-Borloz?

Dear [5.1.2e]

Thank you very much for your message. Indeed, I didn't receive your last email!

Unfortunately Victor Madrigal-Borloz is not available on 6 May as he will be on a mission in California. However, it would be possible to organise it on 12 May in the afternoon.

It is not possible to organise the meeting in the morning because of the time difference, the IE SOGI being based in Washington DC.

Best regards,

[5.1.2e]

---

**From:** [5.1.2e]@minbuza.nl>  
**Sent:** 08 April 2022 15:56  
**To:** OHCHR-IE Sexual Orientation And Gender Identity <[5.1.2e]@un.org>  
**Subject:** RE: Meeting [5.1.2e] with IE SOGI Victor Madrigal-Borloz?  
**Importance:** High

Dear [5.1.2e]

First of all I'd like to apologize if some mails were sent twice, I've experienced some problems with my computer and have heard from some colleagues that they have either not received my mails or received multiple of the same.

I'd furthermore like to say that we very much appreciate all your help and hope that we can find a day and time that suits all agendas. May I therefore propose one more date that could perhaps work for all agendas, namely the **6<sup>th</sup> of May, for example 30 min. somewhere between 09:00-10:30?** We could also try to find a moment on the 12<sup>th</sup> of May, although we're not sure yet how the agenda for that day will look like. Your advice would be very much appreciated.

Man thanks again in advance,

Warm regards,

[5.1.2e] humanitarian affairs & human rights

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---

**From:** [5.1.2e]  
**Sent:** donderdag 31 maart 2022 11:36  
**To:** 'OHCHR-IE Sexual Orientation And Gender Identity' [5.1.2e]@un.org>  
**Subject:** RE: Meeting [5.1.2e] with IE SOGI Victor Madrigal-Borloz?

Dear [5.1.2e]

Many thanks for your swift reaction! May I quickly inquire if there would still be a free spot in Victor's agenda for the 9<sup>th</sup>? Most Human Rights Ambassadors are unfortunately not available on the 10<sup>th</sup>, but if Victor would have an hour free on the 9<sup>th</sup>, then that would be hugely appreciated... If you could let me know what time slot(s) might perhaps still be possible, then I'll do my best to make sure that all HRA's are flexible and change any conflicting appointments accordingly! Please let me know if you think that this would be possible,

Warm regards,

[5.1.2e]

humanitarian affairs & human rights

**Permanent Representation of the Kingdom of the Netherlands**

31-33, Avenue Giuseppe-Motta | 1202 Geneva

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E: [5.1.2e]@minbuza.nl  
geneva.nlmission.org

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**From:** OHCHR-IE Sexual Orientation And Gender Identity [5.1.2e]@un.org>  
**Sent:** maandag 28 maart 2022 13:57  
**To:** [5.1.2e]@minbuza.nl>  
**Subject:** RE: Meeting [5.1.2e] with IE SOGI Victor Madrigal-Borloz?

Dear [5.1.2e]

I hope you also had a lovely weekend.

As Victor is based in Washington DC, he is only available in the afternoon (CET) because of the time difference. I see that he just placed a placeholder for another event in his calendar on 9 May, therefore **Tuesday 10 May** would be ideal, if it also works on your side. It could be anytime in the afternoon, ideally from **15:00** CET (but it can be a bit earlier if necessary).

Best regards,

[5.1.2e]

---

**From:** [5.1.2e]@minbuza.nl>  
**Sent:** 28 March 2022 11:53  
**To:** OHCHR-IE Sexual Orientation And Gender Identity [5.1.2e]@un.org>  
**Subject:** RE: Meeting [5.1.2e] with IE SOGI Victor Madrigal-Borloz?

Dear [5.1.2e]

I hope you've had a good weekend? Many thanks for your mail. My colleagues from capital would like to quickly inquire at what time Victor would be available on the 9th or 10th of May?

Warm regards,

5.1.2e

humanitarian affairs & human rights

**Permanent Representation of the Kingdom of the Netherlands**

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geneva.nlmission.org

5.1.2e

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**From:** OHCHR-IE Sexual Orientation And Gender Identity [5.1.2e]@un.org>  
**Date:** Thursday, 17 Mar 2022, 8:58 AM  
**To:** [5.1.2e]@minbuza.nl>  
**Subject:** RE: Meeting [5.1.2e] with IE SOGI Victor Madrigal-Borloz?

Dear [5.1.2e]

Unfortunately, during those dates the Independent Expert will be on his way to an official visit to Spain. He would be very happy to make himself available from 9 to 13 May or 23 to 27 May. Hopefully one of those dates could work?

Best,

[5.1.2e]

---

**From:** [5.1.2e]@minbuza.nl>  
**Sent:** 15 March 2022 11:20  
**To:** OHCHR-IE Sexual Orientation And Gender Identity [5.1.2e]@un.org>  
**Subject:** RE: Meeting [5.1.2e] with IE SOGI Victor Madrigal-Borloz?  
**Importance:** High

Dear [5.1.2e]

Unfortunately [5.1.2e] is unable to join on any of the proposed dates due to her travels to several countries in Africa. May I inquire whether the 4<sup>th</sup> or 5<sup>th</sup> of April would by any chance be possible for Mr. Madrigal-Borloz?

Awaiting your response,

Warm regards,

5.1.2e

humanitarian affairs & human rights

**Permanent Representation of the Kingdom of the Netherlands**

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E: [5.1.2e]@minbuza.nl  
geneva.nlmission.org

---

**From:** OHCHR-IE Sexual Orientation And Gender Identity [redacted]@un.org>  
**Sent:** maandag 7 maart 2022 13:46  
**To:** [redacted]@minbuza.nl>  
**Subject:** RE: Meeting [redacted] with IE SOGI Victor Madrigal-Borloz?

Dear [redacted]

I hope this finds you well and apologize for the delayed reply. The Independent Expert would be thrilled to participate in a meeting with several EU Human Rights Ambassadors, thank you for this kind invitation. Please find below his availabilities in April:

- 12 April: 14:00-16:00 CET
- 13 April: 15:00-17:00 CET
- 14 April: 15:00-17:00 CET
- 15 April: 15:00-17:00 CET
- 27 April: 15:00-17:00 CET

Please let me know if one of these time slots would suit you. Otherwise do not hesitate to propose alternative dates and times and I will try to make it fit his schedule. Please note that Victor Madrigal-Borloz is based in Washington DC, therefore his earliest availability is 14:00 pm CET/ 8:00 am EST.

Best regards,

[redacted]

---

**From:** [redacted]@minbuza.nl>  
**Sent:** 22 February 2022 11:25  
**To:** OHCHR-IE Sexual Orientation And Gender Identity [redacted]@un.org>  
**Subject:** RE: Meeting [redacted] with IE SOGI Victor Madrigal-Borloz?

Dear [redacted]

After consulting with our capital, we were wondering if Mr. Madrigal Borloz would be available for a virtual meeting with several EU Human Rights Ambassadors in April, after the Human Rights Council has concluded? This would provide several EU countries with the opportunity to discuss his mandate and other themes at the same time. Are there any dates on which he might be available for such a meeting?

Many thanks in advance,

Warm regards,

[redacted]

humanitarian affairs & human rights

**Permanent Representation of the Kingdom of the Netherlands**

31-33, Avenue Giuseppe-Motta | 1202 Geneva

M: +41 [redacted]  
E: [redacted]@minbuza.nl  
geneva.nlmission.org

---

**From:** [redacted]  
**Sent:** dinsdag 15 februari 2022 17:40

**To:** 'OHCHR-IE Sexual Orientation And Gender Identity' <[redacted]@un.org>  
**Subject:** RE: Meeting [redacted] with IE SOGI Victor Madrigal-Borloz?

Dear [redacted]

Many thanks for your quick reply! As [redacted] was really hoping for in-person meetings during her stay in Geneva, I'd like to propose that we discuss dates for a possible meeting between mr. Madrigal-Borloz and [redacted] at a later stage. We'll revert to our capital, and come forward with new proposals for dates at a later stage. Please don't hesitate to contact me in case of any questions,

Warm regards,

[redacted]  
humanitarian affairs & human rights

**Permanent Representation of the Kingdom of the Netherlands**  
31-33, Avenue Giuseppe-Motta | 1202 Geneva

M: +41 [redacted]  
E: [redacted]@minbuza.nl  
geneva.nlmission.org

---

**From:** OHCHR-IE Sexual Orientation And Gender Identity [redacted]@un.org>  
**Sent:** dinsdag 15 februari 2022 14:18  
**To:** [redacted]@minbuza.nl>  
**Subject:** RE: Meeting [redacted] with IE SOGI Victor Madrigal-Borloz?

Dear Daniëlle

Thank you for your email and for inviting the IE SOGI for a meeting with [redacted]. We will transmit your message to Mr. Madrigal Borloz and revert back to you, but please note that Mr. Madrigal Borloz will not be in Geneva in the dates you mentioned, so the meeting may have to be organised online. I hope this would be convenient for you.  
Best regards

[redacted]

**Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (IE SOGI)**  
Office of the United Nations High Commissioner for Human Rights  
Email: [ohchr-ie-sogi@\[redacted\]](mailto:ohchr-ie-sogi@[redacted])  
<https://www.ohchr.org/en/issues/sexualorientationgender/pages/index.aspx>

---

**From:** [redacted]@minbuza.nl>  
**Sent:** 15 February 2022 11:06  
**To:** OHCHR-IE Sexual Orientation And Gender Identity <ohchr-ie-sogi@[redacted]>  
**Subject:** Meeting NL Human Rights Ambassador with IE SOGI Victor Madrigal-Borloz?  
**Importance:** High

Dear team of the IE SOGI,

I am writing you to inquire about the availability of IE SOGI Victor Madrigal-Borloz for an in-person meeting with [redacted] [redacted], between 28 February and 2 March.

Safeguarding and further promoting equal rights for LGBTI-persons has been among one of the top priorities of the Dutch government for years. With the upcoming renewal of the SOGI mandate, [5.1.2e] would be very interested to hear the views of mr. Madrigal-Borloz on the future of the mandate, the main challenges, and his ideas on how the NL could further help safeguard the mandate. We therefore very much hope that he will be available for an in-person meeting, whereby it should of course be noted that all covid-safeguards will be fully applied.

We look forward to your response. Please don't hesitate to contact me in case of any questions,

Warm regards,

[5.1.2e] humanitarian affairs & human rights

**Permanent Representation of the Kingdom of the Netherlands**

31-33, Avenue Giuseppe-Motta | 1202 Geneva

M: +41 [5.1.2e]

E: [5.1.2e]@minbuza.nl  
geneva.nlmission.org

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**From:** [redacted] 5.1.2e  
**Sent:** maandag 16 mei 2022 23:39  
**To:** 'HRC-IE Sexual Orientation And Gender Identity'  
**Cc:** [redacted] 5.1.2e; [redacted] 5.1.2e f@[redacted] 5.1.2e gov.ar); [redacted] 5.1.2e; [redacted] 5.1.2e  
**Subject:** RE: Invitation to Independent Expert on SOGI - May 17 (in person)  
**Attachments:** Flyer IDAHOT event.jpeg

Hi [redacted] 5.1.2e

So sorry for the late response. Please see the flyer you can use in social media about this IDAHOT event. You can also link to UN Web TV: <https://media.un.org/en/asset/k1b/k1b7amd2trWe> , where the event will be livestreamed. We will share a tweet as cochairs today and after the event tomorrow as well. We usually use the UN #LGBTICoreGroup in our tweets, so feel free to use that hashtag as well.

Best,

[redacted] 5.1.2e

---

**From:** HRC-IE Sexual Orientation And Gender Identity [redacted] 5.1.2e @un.org>  
**Sent:** maandag 16 mei 2022 10:50  
**To:** [redacted] 5.1.2e @minbuza.nl>  
**Cc:** [redacted] 5.1.2e @un.org>; [redacted] 5.1.2e @un.org>; gzf [redacted] 5.1.2e gov.ar) <gzf [redacted] 5.1.2e gov.ar>; [redacted] 5.1.2e @un.org>; [redacted] 5.1.2e @gmail.com>  
**Subject:** RE: Invitation to Independent Expert on SOGI - May 17 (in person)

Dear [redacted] 5.1.2e

I hope you are doing well.

I am writing to kindly ask if you would have any promotional material that we could share on social media about the event?

Thank you very much in advance.

Best regards,

[redacted] 5.1.2e

---

**From:** [redacted] 5.1.2e @minbuza.nl>  
**Sent:** 13 May 2022 21:06  
**To:** HRC-IE Sexual Orientation And Gender Identity <[redacted] 5.1.2e @un.org>  
**Cc:** [redacted] 5.1.2e @un.org>; [redacted] 5.1.2e @un.org>; gzf [redacted] 5.1.2e gov.ar) <gzf [redacted] 5.1.2e gov.ar>; [redacted] 5.1.2e @un.org>  
**Subject:** RE: Invitation to Independent Expert on SOGI - May 17 (in person)

Dear [redacted] 5.1.2e

Thanks for the confirmation and we're happy that Mr. Victor Madrigal-Borloz will be able to join the event.

Best,

5.1.2e

---

**From:** HRC-IE Sexual Orientation And Gender Identity <5.1.2e@un.org>  
**Sent:** vrijdag 13 mei 2022 09:19  
**To:** 5.1.2e@minbuza.nl>  
**Cc:** 5.1.2e@un.org>; 5.1.2e@un.org>; gzf (gzf@5.1.2e.gov.ar) <5.1.2e.gov.ar>; 5.1.2e@un.org>  
**Subject:** RE: Invitation to Independent Expert on SOGI - May 17 (in person)

Dear 5.1.2e

My name 5.1.2e and I have recently joined the SOGI team supporting the work of the Independent Expert.

We would like to thank you for the invitation. Mr. Victor Madrigal-Borloz will be available to attend the event.

Please, let me know if you need any additional information.

Thank you once again.

Best regards,

5.1.2e

---

**From:** 5.1.2e@minbuza.nl>  
**Sent:** 04 May 2022 19:01  
**To:** OHCHR-IE Sexual Orientation And Gender Identity <5.1.2e@un.org>  
**Cc:** 5.1.2e@un.org>; 5.1.2e@un.org>; 5.1.2e@un.org>; 5.1.2e@un.org>; gzf 5.1.2e.gov.ar) <5.1.2e.gov.ar>  
**Subject:** Invitation to Independent Expert on SOGI - May 17 (in person)

Good afternoon,

As co-chairs of the UN LGBTI Core Group in New York, the Permanent Missions of the Netherlands and Argentina would like to extend an invitation to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Victor Madrigal-Borloz, for an in person IDAHOT event on May 17 at 9:00-10:30AM in New York. We hope that the Independent Expert would be willing to speak during the event as one of the key note speakers on the theme of IDAHOT.

Following this year's theme for IDAHOT, "Our Bodies, Our Lives, Our Rights", the Group will host an event at UN Headquarters to feature discussions with various stakeholders to speak about the bodily autonomy of LGBTI persons and the full realization of their rights. The event will highlight best practices when it comes to the addressing existing barriers to LGBTI bodily autonomy including policies and regulations aimed at banning so-called conversion practices, unnecessary surgical interventions on intersex children, and topics such as hormone therapy and avenues to gain legal gender recognition to trans persons. Member States, UN Agencies and civil society will also discuss existing challenges and opportunities to promote and protect the rights of LGBTI persons.

Please let me know if the Independent Expert is willing and available to join this in person event.

Kind regards,

5.1.2e

5.1.2e

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Permanent Mission of the Kingdom of the Netherlands to the UN

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E 5.1.2e @minbuza.nl  
W [www.netherlandsmission.org](http://www.netherlandsmission.org)  
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TÉLÉCOPIER FACSIMILE TRANSMISSION

DATE: 3 February 2022

À TO: All Permanent Missions to the United Nations Office in Geneva

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Special Procedures Branch

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TEL: +41

EMAIL: ohchr-ie-sog

REF:

PAGES: 8 (Y COMPRIS CETTE PAGE INCLUDANT CETTE PAGE)

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OBJET/SUBJECT: **Letter from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.**

Please find attached a letter from the Independent Expert against violence and discrimination based on sexual orientation and gender identity.

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

**Call for Inputs**

**Deadline 30 March 2022**

**Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity on Peace, Security, Sexual Orientation and Gender Identity**

3 February 2022

Excellency,

In accordance with my mandate as Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, pursuant to Human Rights Council resolutions 32/2 and 41/18, I intend to present a thematic report to the 77<sup>th</sup> United Nations General Assembly (UNGA77) focused on the dynamics between sexual orientation, gender identity, and armed conflict.

More specifically, I aim to address the concrete types of conflict-related sexual and gender-based violence committed by different armed actors -State and non-State actors- in situations of conflict, as well as States' responses to such forms of violence in peacebuilding and transitional justice endeavours. In turn, I seek to develop recommendations and avenues for action to prevent, protect, and comprehensively address the consequences of conflict-related violence and discrimination based on sexual orientation and gender identity.

To that end, this report will examine the relationship between different forms of past and present armed confrontations with the lived experience of lesbian, gay, bisexual, trans and intersex (LGBTI) persons, as well as Gender Diverse (GD) persons in such contexts.<sup>1</sup> I aim to explore the entrenched gender norms that serve both as drivers and exacerbators of the consequences of conflict-related armed violence.

<sup>1</sup> As I have acknowledged elsewhere, gender and sexuality are both complex human experiences and social structures from which cross-cutting power imbalances and inequalities derive. Consequently, the use of some categories to refer to that intricate relation might be reductive. Notwithstanding that complexity, throughout this research process I will use LGBTI (lesbian, gay, bisexual, trans, and intersex) as well as gender diverse persons (GD) as main categories which seek to address in a sort of comprehensive way sexual orientation and gender identity and expression (SOGIE), and sexual characteristics as societal drivers of violence and discrimination, from an intersectional approach. See "*The line of inclusion*", Report of the Independent Expert on protection against violence and discrimination based on sexual orientation

The report will also explore how LGBTI and GD experiences during conflict have been addressed in different State-led mechanisms that respond to the consequences of armed conflict in war-torn societies, such as truth commissions, special judicial mechanisms, or reparations programs.

This report aims to support the work of existing international legal and policy frameworks related to the incorporation of gender-sensitive approaches and frameworks to peace and security measures. In that regard, the report will provide practical insight on the application of international human rights and humanitarian law, and the policies of Women, Peace and Security (UNSC Res. 1325/2000 and following) as well as the program on the Rule of Law and Transitional Justice of the United Nations Secretary-General.

This call for inputs will serve as one of the channels through which I will collect information to inform the preparation of my report to the UNGA77. The information-gathering process will also include a literature review, a review of the work of various truth commissions, special judicial mechanisms or reparations programs, an expert meeting, and consultations with LGBTI and GD persons with lived experiences in conflict settings.

#### **Background**

The maintenance of peace and security is a central part of the United Nations' mission and purpose. During the 1990s, with the surge of heinous human rights violations and humanitarian law breaches in different conflicts (such as Rwanda and the Balkans), feminist movements called for the international community to address the differentiated impact women and girls endured in war-torn contexts. This call focused specifically on the use of sexual violence as a fundamentally gendered form of conflict-related violence. At the time, the gendered use of sexual violence in situations of conflict had received little attention from the international community. Although some customary prohibitions of international humanitarian law (IHL) stated that all forms of sexual violence were barred from conflict, they were couched in the framework of "honor" rather than "human dignity".

In response, 1993 Vienna Conference Program of Action included several references to conflict-related sexual violence as a particularly heinous human rights violation in conflict. The appointment of the first Special Rapporteur on violence against women, its causes and consequences in 1994 (Human Rights Commission, Res. 1994/45) helped to raise awareness on the lived experience of women in conflict and to the understanding of gender-based violence in general as a matter of human rights concern. These experiences paved the way for the Rome Statute of the International Criminal Court, a treaty which included for the first time in history a wide range of gendered crimes, including sexual violence as a form of genocide (art. 6(d)), a crime against humanity (art. 7(g)), and a war crime (art. 8 2 (b)(xxii), (e)(vi)), and gender-based persecution as a crime against humanity (art. 7(h)).

Similarly, in 2000 the United Nations Security Council adopted the landmark resolution 1325 requiring States to implement certain measures in situations of armed conflict. Such measures entail (I) the prevention of all forms of gender-based violence in

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<sup>1</sup>Identity, Victor Madrigal-Borloz, to the Human Rights Council (2021), [A/HRC/47/27](#), paras 3,

and end conflict; (II) securing the effective and substantial participation of women in any peacebuilding endeavors undertaken by states and other conflict parties, including proper access to justice, truth and reparation; (III) render sufficient protection to women and girls, especially refugees or internally displaced, and finally, (IV) to provide relief and recovery for victims and to ensure their significant involvement in peace consolidation in the long-term.

Although most of these mechanisms have fostered gender-sensitivity in the international legal and policy response to armed conflict, SOGI-related understandings and issues have been widely overlooked. Some United Nations entities have incorporated intersectional approaches in defining international legal standards in contexts such as counter-terrorism and transitional justice, and the UN Secretary General has acknowledged the need to include sexual orientation and gender identity as elements of the Women, Peace and Security Agenda. However, overall little attention has been paid to the gendered impacts of conflict on LGBTI and GD persons.

Indeed, the international community lacks specific information as to how conflict affects LGBTI and GD people. Without such information, little action from the international fora is possible. This report aims to fill such gaps by providing global-scale documentation on the lived experience of LGBTI and GD people during different forms of armed conflict. Moreover, this report seeks to show how specific gendered and sexual drivers of conflict disproportionately impact LGBTI and GD people.

This report also seeks to map ways in which SOGI considerations may inform the way in which States comply with their international legal obligations when facing war and other large-scale peace and security threats. As such, the report will collect information on domestic legal and policy mechanisms that have integrated SOGI considerations into specific peacebuilding or transitional justice measures. This information is of the utmost importance for the Mandate to provide recommendations to principal United Nations organs that are informed by the experience of LGBTI and GD persons.

Finally, considering the fundamental role of civil society organizations as well as States in advancing more inclusive and diverse societies, this report will rely on local reconciliation and transitional experiences that can serve as possibility horizons for those countries to address the cultural foundations and root causes of conflict-related SOGI violence as well as the specific material consequences of such violence on victims.

Given the wide range of aspects covered in this report, the Mandate invites different actors – including victims of violence, as well as persons from the security and military sectors – to provide inputs into the report's preparation. All inputs will be vital to provide a comprehensive picture of the situation of LGBTI and GD people in conflict settings, as well as potential measures to address its causes and consequences.

#### **Call for inputs**

To inform my report, I am seeking inputs with information, data, and views from all relevant stakeholders (among others, States, civil society organizations, National Human Rights Institutions, United Nations agencies, regional institutions, corporate entities, and individuals). I kindly invite you to consider the following **questions**:

1. Does the response relate to a particular armed conflict? If so, please indicate the type of international legal standards (Non-International Armed Conflict, International

Armed Conflict), the parties involved, the duration in time, the overall characteristics of such conflict with special focus on the root causes and drivers (ethnic, religious, political, gender, territorial domination, control over illegal economies, among others). Please reserve one or two paragraphs to describe generally the sex- or gender-based dimensions of the conflict (for example, forced recruitment of girls and boys, specific rules imposed to civilian population regarding dressing and other norms of conduct informed by gender roles/stereotypes, situation of sexual violence).

2. Has the relevant State ratified, signed, or adhered to regional or international human rights/ humanitarian law / international criminal law treaties, declarations, programs or policies or any other international instruments aiming to address the causes and consequences of armed conflict? If so, please indicate which ones, the date of ratification/adherence, and the correspondent domestic act/instrument. Please also consider the following questions:
  - a. Have any of these instruments been utilized or interpreted by domestic courts or other authorities with a gender-specific perspective? (i.e., to provide redress for victims of conflict-related sexual violence, individualize reparations for gender-based violence, criminal responsibility for serious breaches to IHL or grave violations of IHRL).
  - b. Have SOGI-specific considerations been incorporated in such interpretative process? If so, please detail the domestic sources and provide a brief summary of the relevant rulings/standards adopted.
  - c. Is there an ongoing National Action Plan (NAP) aiming to implement the recommendations of the Women, Peace and Security agenda (Res. 1325 and subsequent)? If so, are there any SOGI-related measures included in the NAP? If not, please outline the reasons as to why it has not been considered, as well as any information you deem fundamental provide a comprehensive picture of the SOGI situation in the relevant NAP.
3. Has the country undergone a peacebuilding (including peace talks /negotiations) or any other process aiming to conclude the armed confrontation? If so, please provide the following information:
  - a. Have LGBTI and GD persons participated in those processes? Indicate the forms of participation (civil society, appointed officials) and elaborate on specific examples that inform the overall characteristics of that participation process. Indicate also if through the participation of other affected groups LGBTI and GD people have had indirect involvement in those processes.
  - b. Are/were SOGI-related issues part of the negotiations and/or agreements reached by the parties involved in conflict? Indicate the extent of both the debates and the measures adopted. Include any gender-specific measures or gender blind measures that have been understood as benefiting or undermining of LGBTI and GD people's rights in the aftermath of conflict.
  - c. Describe the overall engagement of LGBTI and GD persons (organized or unorganized) with such processes. Provide any relevant sources documenting such engagement.
  - d. If no engagement or participation has been planned or taken place, please indicate the hindrances for such participation as well as its causes (cultural, social, political, legal). Provide any relevant source on this subject.
4. Has any documentation process of gender-specific forms of conflict-related violence been undertaken by local, regional, or international actors regarding the conflict described in section 1? If so, please provide the following information:

- a. Which type of relevant stakeholders have conducted such assessment? (i.e., Truth Commissions, public data officials, special judicial mechanisms, reparations programmes, international organizations, NGOs, others). Provide the specific sources and describe the general outcomes of such documentation process.
  - b. Has any of the information gathering and/or analysis processes included any SOGI-related data/reflections? If so, please indicate the specific sources with its respective authority and utilize one paragraph to summarize its core outcomes.
  - c. Have any official processes of statistical data gathering regarding conflict been in place? If so, indicate if those processes include any specific information on SOGI, its extent, development, problems in the implementation and any other information you deem relevant to provide a comprehensive picture of those initiatives.
  - d. Provide any information you consider valuable in understanding the SOGI-specific logics that underlie armed violence in the relevant conflict, as well as any source narrating or documenting the lived experience by LGBTI and GD people.
  - e. If no substantial information has been collected or no documentation process has taken place, please indicate the obstacles impeding such actions and describe them (cultural, social, political, legal). Provide any relevant source on this subject.
5. Has the State adopted any transitional justice-related measures, i.e., truth, justice, reparation, and non-recurrence? If so, please indicate if those measures include a gender-specific approach and if LGBTI people have been considered as specific stakeholders in such measures. More concretely, please indicate:
- a. In the truth-seeking measures/experiences, such as Truth Commissions, have there been any form of acknowledgement of SOGI-specific conflict-related violence? If so, describe the extent of such acknowledgement and the characteristics of the SOGI-related conflict dynamics identified.
  - b. In the justice measures/experiences, such as special or ordinary criminal procedures, have there been any acknowledgement of SOGI-specific conflict-related violence? Have any convictions resulted? Please indicate the extent in which transitional judicial mechanisms have involved with SOGI-related issues.
  - c. In the reparations and non-recurrence measures/experiences, such as administrative reparations programs, has there been any prioritization or special consideration to facilitate access to LGBTI and GD victims and their relatives? Have SOGI factors been considered as an element to be considered when acknowledging the extent of the harm inflicted to the victims and awarding reparations? What types (individual/collective) and modalities (restitution, rehabilitation, satisfaction, compensation, non-recurrence) have been adopted to address the harms caused to LGBTI and GD persons in conflict? Please provide all relevant information on this subject.
  - d. If there has not been any reflection or acknowledgement of the situation of LGBTI and GD persons, please indicate the cultural, legal, and political obstacles to such recognition. Specify which discourses, cultural practices or even legislations impede the substantial engagement of LGBTI and GD persons with the transitional justice measures adopted.

6. Has the State adopted any other relevant domestic policies or legislation addressing the causes and consequences of armed conflict that explicitly or implicitly benefited or undermined LGBTI and GD people (for example, internal security legislation, mechanisms forbidding the enrollment of LGBTI or GD people in the military)? Please elaborate on any relevant domestic measures not mentioned above, with a particular emphasis on the acknowledgment of specific-SOGI conflict-related violence and its victims.
7. What reconciliation measures or practices have been adopted? State-sponsored, civil society and community-based experiences should all be mentioned. Have any of those measures/practices or experiences been initiated by LGBTI and GD persons/organizations? Please describe those processes and signal all relevant stakeholders and actors.
8. Describe any civil society alliances, coalitions or initiatives aiming to raise awareness on the causes and consequences of armed conflict in the lives of LGBTI and GD people, as well as specific forms of SOGI-related violence. Indicate how their collective action operations and strategies work to make visible lived experience of LGBTI and GD people during conflict. Outline any obstacles they face in such work and the ways in which they have or have not been addressed.
9. Include any relevant information of international advocacy initiatives before regional and international organizations' mechanisms and organs, such as the United Nations Security Council. Describe any obstacles and challenges organizations face in these processes of engagement with international institutions. Furthermore, describe the role such institutions have played (or not) in acknowledging the SOGI-related conflict dynamics and forms of violence.
10. Provide any additional information you consider relevant to enrich the understanding of the overall relationship between SOGI, peace and security that might have gone overlooked in the previous questions.

Responses to the questions above can be submitted in **English, French or Spanish, and in Word or accessible PDF format**. Please note that this questionnaire is also available on the webpage of my mandate, on <https://www.ohchr.org/EN/Issues/SexualOrientationGender/Pages/SOGIconflict.aspx>

**If you wish your submissions to be kept confidential, you are kindly required to make an explicit request in your submission. Otherwise, information will be published online<sup>2</sup> and may be referenced in the report.**

I would be particularly grateful to receive the information requested at your earliest convenience, and no later than **30 March 2022**. Kindly note that inputs received after this deadline will not be disregarded, but I may not be able to take them fully into consideration given the planning process for the drafting of the report.

Responses may be addressed to the Independent Expert at the Office of the United Nations High Commissioner for Human Rights and can be submitted by email ([ohchr-le-sogi@unhcr.org](mailto:ohchr-le-sogi@unhcr.org)) with the heading "Submission: report on Peace, Security and SOGI." *Submissions should not exceed 3000 words in length.*

For any further question or clarification, please do not hesitate to contact me through the Office of the United Nations High Commissioner for Human Rights at [chchri-je-sca@hcr.org](mailto:chchri-je-sca@hcr.org) **5.1.2e**

Please accept, Excellency, the assurances of my highest consideration.

**5.1.2e**

Victor Madrigal-Borloz

Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity