

# The Phenomenon of Torture: Readings and Commentary (Pennsylvania Studies in Human Rights)

Human Rights Law Review Advance Access published July 21, 2014

Human Rights Law Review, 2014, 0, 1–37  
doi: 10.1093/hrlr/ngu019  
Article



## The UN Human Rights Committee and LGBT Rights: What is it Doing? What Could it be Doing?

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### ABSTRACT

The United Nations Human Rights Committee has been praised as one of the most influential human rights bodies in the world; however, its track record for the protection of the rights of lesbian, gay, bisexual and transgender (LGBT) persons has not yet been comprehensively or systematically examined. Individuals in many parts of the world face severe human rights violations because of their sexual orientation or gender identity. In many countries, men caught engaging in homosexual conduct can be imprisoned or even sentenced to death, and LGBT people are still subjected to widespread violence and legally sanctioned discrimination on a daily basis. This article critically analyses the work of the Human Rights Committee over a ten-year period to determine what it has done to protect the rights of sexual minorities, and whether there is more it could do to enhance this protection of the LGBT rights. An examination of the Committee's concluding observations, General Comments and Views in individual communications, reveals that while progress is being made by this body of experts, there is still room for a greater emphasis on the distinct challenges facing LGBT communities for the complete fulfilment of the norms of the International Covenant on Civil and Political Rights.

**KEYWORDS:** lesbian, gay, bisexual and transgender rights, sexual orientation, non-discrimination, International Covenant on Civil and Political Rights, United Nations Human Rights Committee

### 1. INTRODUCTION

In many parts of the world, individuals continue to face severe human rights abuses due to their sexual orientation or gender identity. For example, in 2014 there are 80 states where consensual same-sex conduct between adult males is still a criminal

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