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General Assembly Third Committee Background Guide 2024

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Dear Delegates,

Welcome to the 2024 National Model United Nations New York Conference (NMUN•NY)! We are pleased to introduce to you our committee, the General Assembly Third Committee (GA3). Your committee's work is facilitated by volunteer staffers. This year's committee staff are: Director Kenny Van Nguyen and Assistant Director Maria Anne Ruedisueli (Session 1), and Director Johanna Günkel and Assistant Director Nadine Al Ali (Session 2). Kenny Nguyen is currently studying for his Master of Public Administration at the University of Colorado Denver. He has a B.A. in Political Science and Communication at the University of Colorado Boulder. Kenny is currently working as the Executive Assistant to Colorado's Lt Governor, Dianne Primavera. Maria Anne Ruedisueli studied Political Science and History at Alma College and currently works for a publishing company in marketing and sales. Johanna holds a Bachelor's degree in International Relations and a Master's degree in Food Politics and Sustainable Development. She currently works as a Project Officer for an international NGO focused on children's rights and development. Nadine Al Ali studies Political Science at the University of Ottawa and has a background in communication arts. She is a Language and Culture Specialist at Microsoft as well as a writer and director in the film and theatre industries. The preparation of these materials was supported by Under-Secretaries-General Eileen Austin (Session 1) and Danielle Curtis (Session 2).

The topics on the agenda for this committee are:

1. Promotion and Protection of the Rights of Children in Conflict
2. Preventing Violence and Discrimination Based on Sexual Orientation and Gender Identity

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State's policies in depth and use the bibliography to further your knowledge on these topics. In preparation for the conference, each delegation should submit a Position Paper by 11:59 p.m. ET on 1 March 2023 in accordance with the guidelines in the [Position Paper Guide](#) and the [NMUN•NY Position Papers website](#).

Two resources, available to download from the NMUN website, serve as essential instruments in preparing for the Conference and as a reference during committee sessions:

- The [NMUN Delegate Preparation Guide](#), which explains each step in the delegate process, from pre-conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions.
- The [NMUN Rules of Procedure](#), which includes the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory [NMUN Conduct Expectations](#) on the NMUN website. They include the conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for this committee, please contact the Deputy Secretaries-General at dsg.ny@nmun.org.

We wish you all the best in your preparations and look forward to seeing you at the Conference!

Kenny Van Nguyen, Director
Maria Anne Ruedisueli, Assistant Director
Session 1

Johanna Günkel, Director
Nadine Al Ali, Assistant Director
Session 2



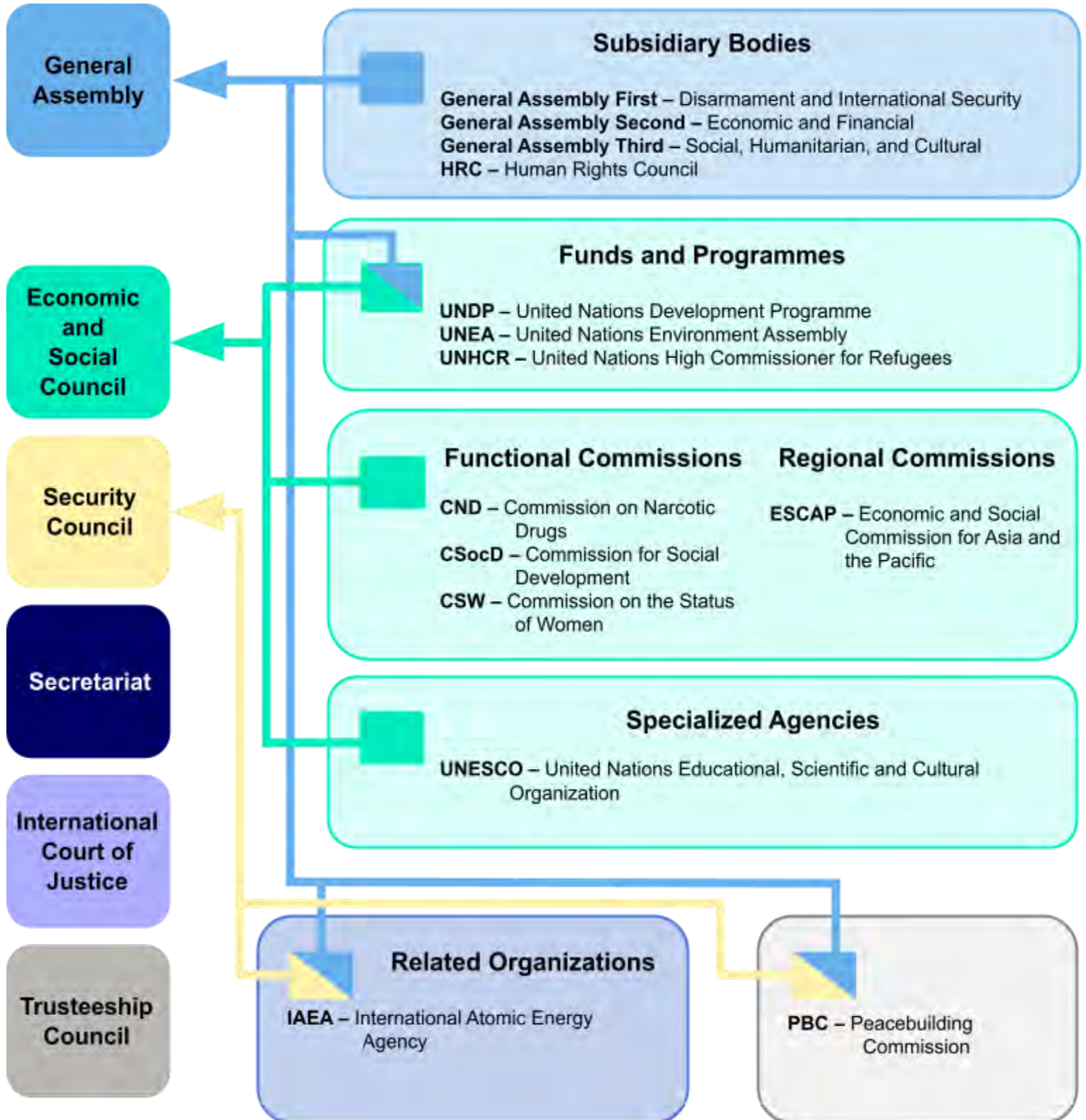
Table of Contents

United Nations System at NMUN·NY	4
Committee Overview	5
Introduction.....	5
Mandate, Function, and Powers.....	5
Governance, Funding, and Structure.....	6
1. Promotion and Protection of the Rights of Children in Conflict	10
Introduction.....	10
International and Regional Framework.....	11
Role of the International System.....	12
Eliminating violence against children.....	15
Rights of Children with Disabilities in Armed Conflict.....	16
Conclusion.....	18
Further Research.....	18
2. Preventing Violence and Discrimination Based on Sexual Orientation and Gender Identity	24
Introduction.....	24
International and Regional Framework.....	25
Role of the International System.....	26
The Right to Health.....	28
Discrimination and Violence in Armed Conflicts.....	30
Conclusion.....	31
Further Research.....	32



United Nations System at NMUN·NY

This diagram illustrates the United Nations system simulated at NMUN·NY. It shows where each committee “sits” within the system to demonstrate the reportage and relationships between entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee’s position, purpose, and powers within the United Nations system.





Committee Overview

Introduction

The General Assembly is the main deliberative and policy-making body in the United Nations system.¹ With its universal membership, the General Assembly makes policy recommendations to actors at all levels, including governments, regional organizations, and other United Nations bodies.² Its work is spread across six Main Committees, each of which discusses topics within a thematic area, adopting resolutions that are then considered by the broader General Assembly Plenary.³

The General Assembly Third Committee is mandated to discuss all matters related to social, humanitarian, and cultural affairs, including human rights issues.⁴ This involves a wide variety of agenda items, including: advancement of women; protection of children; treatment of refugees through the elimination of racism and discrimination; promotion of fundamental freedoms and the right to self-determination; indigenous issues; and a range of social matters such as issues related to youth, family, ageing, persons with disabilities, crime prevention, criminal justice, and international drug control.⁵

Mandate, Function, and Powers

The first article of the *Charter of the United Nations* (1945) established that one of the purposes of the United Nations is the achievement of international cooperation in the promotion of human rights.⁶ Its fourth chapter established the composition and capabilities of the General Assembly, and with it the mandate of the Third Committee.⁷ The Third Committee's work is also heavily influenced by the *International Bill of Human Rights* (1966), an overarching framework consisting of three fundamental human rights documents, namely the 1948 *Universal Declaration of Human Rights*, the 1966 *International Covenant on Civil and Political Rights*, and the 1966 *International Covenant on Economic, Social and Cultural Rights*.⁸

The General Assembly acts as a forum for dialogue and cooperation, providing general policy recommendations rather than carrying out operative tasks.⁹ Its policy recommendations are non-binding and their implementation is conducted by Member States, the United Nations Secretariat, and other United Nations bodies, each of which independently align their work with General Assembly resolutions.¹⁰ The General Assembly's resolutions are formal documents expressing the agreement and will of the international community, and the Third Committee adopts the majority of its resolutions by consensus, meaning no vote is taken and no Member States have objections to the content.¹¹ In line with the *Charter of the United Nations*, the mandate of the General Assembly can be summarized as:

- The General Assembly **will generally**: make recommendations to Member States, the Security Council, other United Nations bodies and organs, United Nations specialized

¹ United Nations, Department of Global Communications. *Main Bodies*. N.d.

² Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. pp. 1, 52.

³ United Nations, Dag Hammarskjöld Library. *UN General Assembly Documentation*. 2023.

⁴ United Nations, General Assembly. *Social, Humanitarian & Cultural Issues (Third Committee)*. N.d.

⁵ Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. p. 73.

⁶ Ibid.

⁷ Ibid; United Nations Conference on International Organization. *Charter of the United Nations*. 1945.

⁸ Office of the United Nations High Commissioner for Human Rights. *Fact Sheet No. 2 (Rev.1), The International Bill of Human Rights*. 1966; United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. 1966; United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966.

⁹ Permanent Mission of Switzerland to the UN. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. p. 36.

¹⁰ Ibid. p. 52.

¹¹ Ibid. p. 37, 52.



agencies, and other international actors; initiate studies and advance efforts to promote international cooperation; and consider or request reports from other United Nations bodies and specialized agencies; establish United Nations observance days, create expert groups or commissions, formulate mechanisms for treaty negotiation, or refer an issue to the International Court of Justice.¹²

- The General Assembly **will not generally**: dictate the specific actions required for the implementation of policies it recommends, allowing Member States and other bodies to determine and implement operational details; create new bodies except in those rare instances where ubiquitous international demand requires the consolidation of existing bodies or where a concept and mandate have been fully developed, typically through years of negotiations; make recommendations on situations under consideration by the United Nations Security Council.¹³

The Third Committee tends to focus on high-level policy recommendations, calling for meetings or conferences on specific issues, and the initiation of studies, often relying on bodies with specific expertise.¹⁴ Additionally, the Third Committee examines the reports of the Special Procedures of the Human Rights Council, which are independent human rights experts mandated to report and advise from a thematic or country-specific perspective.¹⁵

Governance, Funding, and Structure

The General Assembly is comprised of all 193 United Nations Member States, with observer status being granted to intergovernmental organizations and states without full membership.¹⁶ Each Member State receives a single, equal vote; observers may not vote on substantive items and most decisions require a simple majority.¹⁷

The Third Committee adopts approximately two-thirds of its resolutions by consensus and without a recorded vote.¹⁸ Its resolutions are passed on to the General Assembly Plenary for consideration in an annual report.¹⁹ The Third Committee's procedures are managed by a Secretariat and elected Bureau.²⁰ The Bureau assists with opening and closing each meeting, managing the discussions, pronouncing decisions, assisting with drafts and documents, and ensuring compliance with the rules of procedure.²¹ The United Nations Secretariat also assists General Assembly committees by delivering substantive and logistical support.²² The Third Committee specifically considers reports from and engages in deliberations

¹² Ibid. p. 36.

¹³ United Nations, Dag Hammarskjöld Library. *Are UN resolutions binding? 2023*; United Nations, Office of the Secretary-General's Envoy on Youth. *UN Women: The United Nations Entity for Gender Equality and the Empowerment of Women*. N.d.; United Nations, Human Rights Council. *Welcome to the Human Rights Council*. 2023; United Nations Conference on International Organization. *Charter of the United Nations*. 1945.

¹⁴ United Nations, General Assembly. *Functions and Powers of the General Assembly*. N.d.

¹⁵ Office of the United Nations High Commissioner for Human Rights. *Special Procedures of the Human Rights Council*. 2023.

¹⁶ International Service for Human Rights. *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*. 2017. p. 7.

¹⁷ Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. p. 13.

¹⁸ Ibid.; International Service for Human Rights. *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*. 2017. p. 30.

¹⁹ Ibid. pp. 37-38, 62, 68.

²⁰ Ibid. p. 12.

²¹ United Nations, General Assembly. *Rules of Procedure of the General Assembly (A/520/Rev.19)*. 2021. pp. 30-31.

²² Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017.



with the Human Rights Council and most human rights treaty bodies.²³ No subsidiary bodies report to the Third Committee.²⁴ All General Assembly meetings and events are funded through the United Nations regular budget.²⁵

²³ Ibid. pp. 73-74.

²⁴ Ibid.

²⁵ New Zealand Ministry of Foreign Affairs and Trade. *United Nations Handbook 2023-24*. 2022. p. 412.



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1. Promotion and Protection of the Rights of Children in Conflict

Introduction

The United Nations has confirmed over 325,000 violations committed against children between 2005 and 2022, displaying the expansive and growing nature of this issue.²⁶ With over 110 conflicts worldwide, one in six children lives within a conflict zone.²⁷ There has been an increase of attacks on schools and hospitals, disproportionately impacting students and children with disabilities.²⁸ As defined by the *Convention on the Rights of the Child* (CRC) (1989), a child is anyone under the age of 18.²⁹ Children are inherently more vulnerable than adults, with their mental, physical, and behavioral development relying heavily on their experiences during their adolescence, which for 1.6 billion children is in a conflict-affected country.³⁰ The distinct characteristics of children, significantly their age, physical and mental health, culture, gender, and location, cause them to be affected differently in conflict.³¹ Security Council resolution 1612 on “Children and Armed Conflicts” (2005) outlines six offenses towards children: murder and intentional harm; recruitment and use of child soldiers; attacks on schools or hospitals; any sort of sexual violence; abduction and trafficking; and, refusing or delaying humanitarian assistance.³²

Violent conflict occurs when two or more groups have opposing views and take actions to cause mental and/or physical damage to those involved or those near the conflict, including women and children.³³ In order to better serve communities that are living amongst conflict, the United Nations Development Group has identified common indicators in conflict-affected areas.³⁴ These areas may include an international or inter-state conflict, a time of transition from war into peace, the occurrence of human rights violations on a mass level, socio-political unrest, and/or weakness within the state and its government.³⁵

The number of children living in conflict has been rising steadily since 2000 due to acts of war, famine, and sickness.³⁶ During times of conflict, vulnerable populations, including persons with disabilities and students, often face increased discrimination.³⁷ Persons with disabilities may not have the ability to flee an unsafe area or they will be forced to make difficult decisions about continuation of their care, which contributes to additional challenges with reintegration efforts.³⁸ Schools have become a bigger target for groups to attack during armed conflicts.³⁹ Attacks on vulnerable populations create lasting negative

²⁶ United Nations Children’s Fund. *More than 300,000 Grave Violations Against Children in Conflict Verified Worldwide in Past 18 Years - UNICEF*. 2023.

²⁷ Geneva Academy. *RULAC Classifies a New Non-International Armed Conflict in Sudan*. 2023.

²⁸ United Nations Children’s Fund. *More than 300,000 Grave Violations Against Children in Conflict Verified Worldwide in Past 18 Years - UNICEF*. 2023; International Criminal Court. *Policy on Children*. 2016. p. 4.

²⁹ United Nations, General Assembly. *Convention on the Rights of the Child (A/RES/44/25)*. 1989. p. 2.

³⁰ United Nations, Department of Global Communications. *Children*. 2023.

³¹ Save the Children. *Countries in Conflict*. 2023.

³² United Nations, Security Council. *Children and armed conflict (S/RES/1612 (2005))*. 2005.

³³ European Union et al. *Land and Conflict: Toolkit and Guidance for Preventing and Managing Land and Natural Resources Conflict*. 2012; World Health Organization. *World Health Organization Violence Prevention Unit: Approach, Objectives and Activities, 2022-2026*. 2022. p. 1.

³⁴ United Nations Development Group. *Conducting a Conflict and Development Analysis*. 2016.

³⁵ Responsible Minerals Initiative. *Conflict Affected and High-Risk Areas (CAHRAs)*. 2023.

³⁶ United Nations, Department of Global Communications. *Recounting Harrowing Experience with Armed Groups, Briefer Urges Security Council to Enforce Resolutions Protecting Children Impacted by Armed Conflict (SC/14975)*. 2022; Food and Agriculture Organization of the United Nations et al. *The State of Food Security in Nutrition in the World*. 2023. p. 7.

³⁷ United Nations Children’s Fund. *Children with disabilities in situations of armed conflict*. 2018. p. 8.

³⁸ Office of the United Nations High Commissioner for Human Rights. *Protection measures needed to support children with disabilities in armed conflict: UN experts*. 2022.

³⁹ United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *Joint Statement for the commemoration of the International Day to Protect Education from Attack*



impacts on childrens' lives, affecting their ability to recover from conflict and live a healthy and productive adulthood.⁴⁰ According to Assistant Secretary-General Ilze Brands Kehris, the international community must work fervently to bring an end to violence and ensure further protections for future generations, as children in conflict remain the furthest behind in meeting the child protection-related Sustainable Development Goals (SDGs).⁴¹

International and Regional Framework

The foundational documents for promoting and protecting the rights of children are the *Universal Declaration of Human Rights* (UDHR) (1948), the *International Covenant on Economic Social and Cultural Rights* (ICESCR) (1966), and the *International Covenant on Civil and Political Rights* (ICCPR) (1966).⁴² The UDHR states that children are entitled to special care and social protections, with articles 25 and 26 stating that every person, including children, has the right to receive an education.⁴³ Article 10 of the ICESCR recognizes the importance of the family unit in society, as children are dependent on their family for care, education, and safety and well being.⁴⁴ By extending protections to the family unit, it provides greater protections to vulnerable children.⁴⁵ Article 24 of the ICCPR lays out basic rights for children, including the right to a nationality, a name, and protection from the state.⁴⁶

The CRC, adopted by the General Assembly, brought the importance of children's rights to the forefront of the international community.⁴⁷ The *Optional Protocols to the Convention on the Rights of the Child on the Involvement of the Children in Armed Conflicts* (Optional Protocol), adopted in 2001, directly extends the rights found in the CRC to children in conflict zones, including but not limited to children's rights to protection, education, healthcare, shelter, and adequate nutrition.⁴⁸ The Optional Protocols guide Member States with four general principles: equal treatment under the law, emphasizing child centric care, the right to a full life, and incorporation of the child in society.⁴⁹ Furthermore, the *Geneva Conventions* (1949) and the *Additional Protocols to the Geneva Conventions* (1977) created the foundations of international humanitarian law, including rules of war.⁵⁰ The *Fourth Geneva Convention*, in particular, focuses on civilians and their protections from inhumane treatment in times of conflict.⁵¹ Article 24 states that orphaned children are entitled to care, education, and connection to their culture, while article 89

by the Special Representative of the Secretary-General for Children and Armed Conflict and on Violence against Children. 2023.

⁴⁰ Frounfelker et al. *Living through war: Mental health of children and youth in conflict-affected areas.* 2019.

⁴¹ Office of the United Nations High Commissioner for Human Rights. *Children affected by armed conflict and violence.* 2022; United Nations, Sustainable Development Goals. *Violence against children.* 2018.

⁴² United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III)).* 1948; United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI)).* 1966; United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI)).* 1966.

⁴³ United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III)).* 1948.

⁴⁴ United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI)).* 1966. p. 3.

⁴⁵ Ibid.

⁴⁶ United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI)).* 1966. p. 13.

⁴⁷ United Nations, General Assembly. *Convention on the Rights of the Child (A/RES/44/25).* 1989

⁴⁸ United Nations, General Assembly. *Optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (A/RES/54/263).* 2001.

⁴⁹ Office of the United Nations High Commissioner for Human Rights. *Children affected by armed conflict and violence.* 2022.

⁵⁰ International Committee of the Red Cross. *The Geneva Conventions of 1949 and their Additional Protocols.* 2014.

⁵¹ Save the Children. *Summary of the Geneva Conventions of 1949 and their Additional Protocols: international humanitarian law.* 2011. p. 4.



highlights the preferential treatment of children when distributing food, as they have different requirements than adults to remain in good health.⁵²

With the adoption of the *Rome Statute of the International Criminal Court* (1998), Member States collectively identified the most serious crimes of concern to the international community, which include crimes against and involving children.⁵³ Article 6 condemns the trafficking of children, stating it is an act of genocide, while article 8 prohibits and classifies recruiting children under the age of 15 to fight as a war crime.⁵⁴ In 2016, the International Criminal Court (ICC) published the *Policy on Children* to have a common language when discussing the gravity of crimes against children, and outlining how children can be impacted in unique ways by crimes due to their age, sex, gender, and other identities.⁵⁵ Through this policy, ICC affirms their commitment to investigating crimes against children, as well as the various rights afforded to children under international law.⁵⁶

In 2007, the *Free Children from War* conference, organized by the United Nations Children's Fund (UNICEF) and the French Government, adopted the *Paris Principles and Commitments on Children Associated with Armed Forces or Armed Groups* (Paris Principles and Commitments) to reaffirm support for children's rights in conflict zones and express continued concern at their involvement in the armed forces.⁵⁷ The Paris Principles and Commitments highlight four objectives: combat recruitment of children in war by armed groups; ensure the release of children affiliated with armed groups; support the reintegration of children into society; and support best practices to protect children from recruitment by armed groups.⁵⁸

The rights of children are also outlined in the *2030 Agenda for Sustainable Development* (2030 Agenda) (2015), with many SDGs encompassing the overarching goal of ending conflict and mitigating abuse.⁵⁹ SDG 3 (good health and well-being), SDG 4 (quality education), SDG 5 (gender equality), SDG 8 (decent work and economic growth), SDG Goal 16 (peace, justice, and strong institutions) each take into account the promotion and protection of the rights of children in conflict.⁶⁰ In particular, target 16.2 aims to end the abuse, trafficking, and torture of children.⁶¹ Target 4.A focuses on providing safe and non-violent learning environments for children and persons with disabilities.⁶²

Role of the International System

The United Nations, in particular the General Assembly Third Committee, works to promote, preserve, and protect the rights of children in all conflicts.⁶³ At the 66th session of the Third Committee in 2011, Member States were called to strengthen their collaboration with the United Nations to further protect children in conflict.⁶⁴ During the first plenary meeting of the 77th session in 2022, Member States included

⁵² *Geneva Convention relative to the Treatment of Prisoners of War*. 1949.

⁵³ International Criminal Court. *Understanding the International Criminal Court*. 2020. p. 9.

⁵⁴ United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court. *Rome Statute of the International Criminal Court*. 1998. pp. 5-8.

⁵⁵ International Criminal Court. *Policy on Children*. 2016. p. 4.

⁵⁶ *Ibid.* pp. 11-16.

⁵⁷ United Nations Children's Fund. *The Paris Commitments*. 2007. p. 2.

⁵⁸ United Nations Children's Fund. *The Paris Principles*. 2007. p. 15.

⁵⁹ United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

⁶⁰ United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *Children and armed conflict and the SDGs*. N.d.

⁶¹ United Nations, Sustainable Development Goals. *Goal 16: Promote just, peaceful and inclusive societies*. 2023.

⁶² United Nations, Sustainable Development Goals. *Quality Education*. 2023.

⁶³ United Nations, Department of Global Communications. *Peace and Security*. N.d.; United Nations, General Assembly. *Social, Humanitarian & Cultural Issues (Third Committee)*. N.d.

⁶⁴ United Nations, General Assembly. *Strengthening collaboration on child protection within the United Nations system (A/C.3/66/L.22/Rev.1)*. 2011.



the “promotion and protection of the rights of children” in their agenda, showing its importance in the current global sphere.⁶⁵ Moreover, General Assembly resolution 71/177 on “Rights of the child” (2016) acknowledges the great evil that violence against children is and emphasizes the need for their special protections in the form of access to health care, continuity of quality education, and reintegration into society.⁶⁶ General Assembly resolution 74/133 on “Rights of the child” (2019) affirms many rights of children in conflict zones, including their right to family, and delineates the duties of a state when a child does not have parental care.⁶⁷ In 2021, the General Assembly adopted resolution 76/147 on “Rights of the child,” in which Member States reaffirmed a child’s right to a nationality through registration at birth, and denounced all abuse committed against children, including physical, mental, and sexual abuse.⁶⁸

UNICEF is the world’s leading source of data, research, and reporting on topics concerning children, such as the education of children in conflict; vaccination status and the effects of armed conflict; and, nutrition and food security during armed conflicts.⁶⁹ UNICEF works collaboratively with other bodies of the United Nations to provide humanitarian care and support to those experiencing armed conflict, natural disasters, or other crisis situations.⁷⁰ UNICEF also aims to integrate monitoring and reporting within their programs with hopes of increased accountability for Member States.⁷¹ UNICEF works to protect children in conflict zones through the continuation of education during emergencies, which provides children and students with emotional support, external protections from armed groups, and sanitation facilities.⁷² In 1997, UNICEF and the NGO Group on the Convention on the Rights of the Child organized a symposium to address the recruitment of children into armed forces and implemented the *Cape Town Principles and Best Practice on the prevention of recruitment of children in the armed forces and on demobilization and social reintegration of child soldiers in Africa*.⁷³ This convention establishes the minimum age for membership in an armed group at 18 and requests Member States to require proof of age and a regulated recruitment process.⁷⁴ It encourages Member States to prioritize the demobilization of children in a way that is sensitive to their emotional and physical health and to start the reunification process with their families as soon as possible.⁷⁵

The United Nations Security Council has taken a strong stance for children in conflict zones by protecting their rights and condemning those who violate them through its resolutions.⁷⁶ Security Council resolution 1379 (2001) on “Children in armed conflict” requested that the parties that continue to use children in their armed services be listed in the annual report of the Secretary-General.⁷⁷ In 2003, Security Council resolution 1460 on “Children in armed conflict” noted with concern the cases of sexual exploitation and abuse of children, especially by peacekeepers and humanitarian workers.⁷⁸ Adopted by a unanimous vote in 2005, Security Council resolution 1612 on “Children and armed conflict” establishes a working group and a monitoring and reporting mechanism for the use of child soldiers and strongly condemns their

⁶⁵ United Nations, General Assembly. *Allocation of agenda items to the Third Committee (A/C.3/77/1)*. 2022. p. 2.

⁶⁶ United Nations, General Assembly. *Rights of the child (A/RES/71/177)*. 2017. pp. 8-9.

⁶⁷ United Nations, General Assembly. *Rights of the child (A/RES/74/133)*. 2020. pp. 2, 8, 15.

⁶⁸ United Nations, General Assembly. *Rights of the child (A/RES/76/147)*. 2022. pp. 8-9.

⁶⁹ United Nations Children’s Fund. *Impact of armed conflict on education: new evidence from Ivory Coast*. 2016; United Nations Children’s Fund. *The State of the World’s Children 2023: For every Child, Vaccination*. 2023; Food and Agriculture Organization of the United Nations et al. *The State of Food Security in Nutrition in the World*. 2023.

⁷⁰ United Nations Children’s Fund. *Theory of Change, UNICEF Strategic Plan, 2022-2025 (UNICEF/2021/EB/10)*. 2021; United Nations, Children’s Fund. *Child Protection*. N.d.

⁷¹ United Nations Children’s Fund. *Monitoring*. N.d.

⁷² United Nations Children’s Fund. *Education in emergencies*. N.d.

⁷³ United Nations Children’s Fund. *The Paris Commitments*. 2007. p. 4.

⁷⁴ United Nations Children’s Fund. *CapeTown Principles*. 1997. pp. 1-2.

⁷⁵ *Ibid.* pp. 4-5.

⁷⁶ Security Council Report. *United Nations Documents for Children and Armed Conflict*. 2023.

⁷⁷ United Nations, Security Council. *Children in armed conflict (S/RES/1379 (2001))*. 2001. p. 5.

⁷⁸ United Nations, Security Council. *Children in armed conflict (S/RES/1460 (2003))*. 2003. pp. 1-3.



use.⁷⁹ The working group, made up of the Security Council members, is responsible for preparing an annual report of their activities and making recommendations to the Security Council on possible measures to promote the rights and well-being of children in conflict.⁸⁰ As further proof of the gravity of crimes against children, Security Council resolution 1698 (2006) on “Democratic Republic of the Congo” implemented sanctions against Member States targeting children in armed conflict.⁸¹ More recently, the Security Council adopted resolution 2427 (2018) on “Children and armed conflict,” highlighting a framework for mainstreaming protections and rights of children in times of conflict.⁸² Security Council resolution 2601 (2021) on “Children and armed conflict” urges Member States to prevent and address attacks on schools and hospitals.⁸³

The mandate of the United Nations Special Representative of the Secretary-General for Children and Armed Conflict (SRSG CAAC) was established through General Assembly resolution 51/77 (1997) on “The rights of the child” to focus on the disproportionate impact of war on children through broad and effective protection for children.⁸⁴ The SRSG CAAC, currently Virginia Camba from Argentina, is concerned that children with disabilities are more vulnerable at the time of attack, more susceptible to face stigma, more likely to lack access to basic needs.⁸⁵ Camba calls for the adoption and implementation of policies that criminalize those who violate international law, especially grave violations against children.⁸⁶ In her 2022 annual report, *Children and armed conflict*, Camba focuses on children being deprived of their liberty and emphasizes that detention should be used as a last resort.⁸⁷

Collaboration with non-governmental organizations (NGOs) and civil society organizations (CSOs) is imperative in efforts supporting the rights and protection of children in conflict.⁸⁸ International and national NGOs are crucial in delivering specialized support to Member States in times of crisis.⁸⁹ The SRSG CAAC has established an advisory group of NGOs to share their opinions, foster collaboration on best practices, and strengthen North-South cooperation.⁹⁰ Human Rights Watch, a NGO on the SRSG CAAC advisory board, established their Children’s Rights division in 1994 and works with the United Nations to investigate abuses against children through fact finding missions.⁹¹ Human Rights Watch also works closely with local human rights groups to enact positive change in their communities.⁹² Save the Children, another NGO on the advisory board, has a youth-led initiative to build trust within communities and bring about lasting programs for health, education, and protection.⁹³ In addition, World Vision works closely with children who have had their rights violated to reunite them with their families and communities when possible through providing care, shelter, and therapy to the children.⁹⁴

⁷⁹ United Nations, Security Council. *Children in armed conflict (S/RES/1612 (2005))*. 2005. p. 2.

⁸⁰ Ibid. p. 3.

⁸¹ United Nations, Security Council. *Democratic Republic of the Congo (S/RES/1698 (2006))*. 2006.

⁸² United Nations, Security Council. *Children and armed conflict (S/RES/2427 (2018))*. 2018

⁸³ United Nations, Security Council. *Children and armed conflict (S/RES/2601 (2021))*. 2021. pp. 4-6.

⁸⁴ United Nations, General Assembly. *The rights of the child (A/RES/51/77)*. 1997. p. 7.

⁸⁵ United Nations, Special Representative of the Secretary-General on Violence Against Children. *Children with Disabilities*. N.d.

⁸⁶ United Nations, General Assembly, Security Council. *Children and armed conflict: Report of the Secretary-General (A/77/895-S/2023/363)*. 2023. p. 40.

⁸⁷ United Nations, General Assembly, Security Council. *Children and armed conflict: Report of the Secretary-General (A/76/871-S/2022/493)*. 2022. pp. 25-37.

⁸⁸ United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *Civil Society Partners*. N.d.

⁸⁹ United Nations, Department of Global Communications. *Deliver Humanitarian Aid*. N.d.

⁹⁰ United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *Civil Society Partners*. N.d.

⁹¹ Human Rights Watch. *The Children’s Rights Project*. N.d.

⁹² Ibid.

⁹³ Save the Children. *What We Do*. 2023.

⁹⁴ World Vision. *Child protection*. 2023.



Eliminating violence against children

Violence against children causes a myriad of consequences in communities and institutions, including schools; perpetrators could include teachers, caretakers, family members, law enforcement authorities, or other children.⁹⁵ Specifically, tens of thousands of children that are living within a war zone suffer from acts of violence.⁹⁶ The definition of violence as stated in the CRC includes “all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.”⁹⁷ In several parts of the world, violence is common and socially accepted as a form of punishment for children.⁹⁸ Furthermore, children that live within a conflict zone are greatly affected by the violence taking place around them, and they are unable to access the protection that they need.⁹⁹ No Member State is immune to violence against children, which can span across socio-economic class, race, religion, and culture.¹⁰⁰ Violence can result in the death of children, and survivors often face physical and emotional disturbances for their entire lives that can affect their communities and those around them.¹⁰¹

The SRSG CAAC has launched a global campaign to generate global awareness of atrocities committed against children living in a conflict zone.¹⁰² This campaign, called the *ACT to Protect Children Affected by Conflict*, aims to bring together members of the international community to develop and implement action plans to protect children that are suffering in conflict zones.¹⁰³ The purpose of this campaign is to educate the public on measures that are being taken to protect children, and also what can be done by the global community to help with these efforts.¹⁰⁴ The SRSG CAAC has identified six grave offenses that have most affected children with the goal being to work with the international community to collect information, generate reports, and take action to improve the situations of these children.¹⁰⁵

The first grave offense is that children are recruited to participate in the conflicts.¹⁰⁶ Children are recruited to roles such as cooking for fighters, laying mines, spying, and active fighting, and frequently have their rights violated.¹⁰⁷ The next grave offense is that children are often horribly injured, or worse, killed as a result of the violence taking place in their community.¹⁰⁸ Next, children in conflict zones are sometimes victims of sexual abuse and exploitation, sexual violence, and forced marriage.¹⁰⁹ Another grave offense is attacks against schools and hospitals, which are supposed to be safe havens for children.¹¹⁰ Also, mass abductions of children have been used as a tactic within a conflict zone to target specific groups and terrorize communities.¹¹¹ Finally, the last grave offense is that communities are denied access to humanitarian aid, especially children that are displaced due to conflict.¹¹² The SRSG CAAC aims to enlist

⁹⁵ Pinheiro. *World Report on Violence against Children*. 2006. p. XI

⁹⁶ United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *ACT to protect children affected by conflict*. 2019.

⁹⁷ *Ibid.* p. 4

⁹⁸ United Nations Children's Fund. *Violence Against Children*. 2020.

⁹⁹ United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *ACT to protect children affected by conflict*. 2019.

¹⁰⁰ Pinheiro. *World Report on Violence against Children*. 2006. p. XI.

¹⁰¹ *Ibid.*

¹⁰² United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *ACT to protect children affected by conflict*. 2019.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

¹⁰⁷ United Nations Children's Fund. *The Paris Principles*. 2007. p. 4.

¹⁰⁸ United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *ACT to protect children affected by conflict*. 2019.

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² *Ibid.*



the help of United Nations organizations, CSOs, and parties to conflict to implement their *ACT to Protect Children Affected by Armed Conflict*.¹¹³

The Paris Principles' efforts for sustainable humanitarian and development practices include child-centered coordination between CSOs, humanitarian organizations, and peacekeeping and development organizations that can address the recruitment of child soldiers.¹¹⁴ These efforts will lead to the deterrence of child recruitment and protect them from violence by being directly involved at early stages to prevent unlawful recruitment, and to allow for reintegration of children back to civilian life and society.¹¹⁵ The SDGs have a unique relationship that reflects the lives of children within political, economic, social frameworks, and cultural environments.¹¹⁶ SDG 5 focuses on the progress for children's protection from domestic and other forms of violence such as gender-based violence.¹¹⁷ SDG 5 also establishes that gender-based violence, such as child marriage and female genital mutilation, are direct human rights violations.¹¹⁸

The Third Committee has held several sessions to discuss the impacts of conflict and inequalities on children.¹¹⁹ The Third Committee concluded discussions around the vulnerability of young girls with regards to violence and discrimination, with additional statements that armed conflicts create significant threats to all children's development and access to their human rights.¹²⁰ Children are often fragile and vulnerable, and investing in their well-being and protection from violence has been emphasized by the international community.¹²¹ Neurological and behavioral research shows that early childhood experiences are crucial in developing the brain and social structures, yet challenges remain within schools and in children's lives, including sexual exploitation, trafficking, child labor, and the effects of armed conflict.¹²² These acts of violence are concealed or hidden from the public, as perpetrators will abandon the children themselves.¹²³ The children most at risk are often part of marginalized communities, such as children with HIV and AIDS or refugees from conflict zones.¹²⁴ The vast majority of child victims are unable to seek assistance due to their age and lack of advocacy, or do not have the resources to recover from their traumas, and the post traumatic effects often will perpetuate cycles of abuse and neglect.¹²⁵

Rights of Children with Disabilities in Armed Conflict

Approximately 15% of the world's population, or 1 billion people, have some form of disability, including nearly 240 million children with disabilities.¹²⁶ The *Convention on the Rights of Persons with Disabilities* (CRPD), established and ratified in 2007, defines a disability as "a long-term physical, mental, intellectual, or sensory impairment that, in interaction with the environment, hinders one's participation in society on an equal basis with others."¹²⁷ Children with disabilities can face a range of impairments that lead to functional difficulties in their lives, such as difficulty seeing, moving, communicating, making friends, or

¹¹³ Ibid.

¹¹⁴ United Nations Children's Fund. *The Paris Principles*. 2007. p. 5.

¹¹⁵ Ibid.

¹¹⁶ United Nations, Office of the Special Representative of the Secretary-General on Violence Against Children. *Ending Violence Against Children*. 2020. p. 3.

¹¹⁷ Ibid.

¹¹⁸ United Nations, Department of Economic and Social Affairs. *The Sustainable Development Goals Report*. 2022. p. 36.

¹¹⁹ United Nations, Department of Global Communications. *Children's Lives Are Still Threatened by Violence, Discrimination, Conflicts, Third Committee Emphasizes as It Discusses Their Rights*. 2022.

¹²⁰ Ibid.

¹²¹ Pinheiro. *World Report on Violence against Children*. 2006. p. 3.

¹²² Ibid.

¹²³ United Nations Children's Fund. *Violence Against Children*. 2020.

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ United Nations Children's Fund. *Children with disabilities*. N.d.

¹²⁷ Ibid.



caring for themselves.¹²⁸ Often, children with disabilities are the most marginalized group of individuals within their communities, resulting in additional barriers and challenges in accessing social services like healthcare and education.¹²⁹ Children with disabilities should be able to participate in society and have fulfilling lives; however, this depends on the extent of accommodations they receive that allow for equitable standing with their non-disabled peers.¹³⁰

In times of armed conflict, children with disabilities are especially impacted and vulnerable to extreme disruptions in their lives, including compromised health care services and loss of access to education.¹³¹ Destruction of social service infrastructures can result in compromised rehabilitation service, health care, and social supports.¹³² In addition, attacks on schools can impact inclusion of children with disabilities disproportionately, pushing children with disabilities into isolation or exploitative work.¹³³ For refugees, these disruptions can cause a loss of access to humanitarian assistance.¹³⁴ A study in 2018 by Syria Relief found that four out of five children with disabilities in Syria did not have access to education.¹³⁵ Furthermore, children with disabilities face higher risks of abandonment and the inability to escape attacks without assistance, due to physical limitations or being unable to hear attacks, like airstrikes.¹³⁶

The international community has recognized the need to safeguard the rights of persons with disabilities in armed conflict.¹³⁷ In 2016, the World Humanitarian Summit adopted the Charter on Inclusion of Persons with Disabilities on Humanitarian Action, which recognized the disproportionate risks and intersecting forms of discrimination that children with disabilities face.¹³⁸ Moreover, in 2019, the Security Council adopted resolution 2475 on “Ground-Breaking Text on Protection of Persons with Disabilities in Conflict,” requesting the Secretary-General incorporate data and information regarding children and people with disabilities in his report.¹³⁹ This was the first time that the Secretary-General’s Office reviewed matters related to abuses against disabled people and children with a focus on specific reports and briefings to the Security Council.¹⁴⁰ Resolution 2475 also incorporated measures for appropriate and inclusive assistance for children with disabilities affected by armed conflict with “access to basic services, including health care, education, assistive devices, and psychosocial support.”¹⁴¹ In 2022, the Committee on the Rights of the Child and the Committee on the Rights of Children with Disabilities issued a joint statement that sought to strengthen the rights and protections of children with disabilities with guidance to Member States surrounding the adoption of laws and policies that would be in line with a human rights approach to children with disabilities.¹⁴² Additionally, this statement incorporated tools for civil society and stakeholders to be advocates for targeted strategies and action plans for deinstitutionalization to eliminate all forms of discrimination.¹⁴³ Special Representative of the Secretary-General for Children and Armed Conflict Virginia Gamba, in a joint statement with the UN Special Rapporteur on the rights of persons with disabilities and the chair of the Committee on the Rights of Persons with Disabilities, urged the

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ United Nations Children’s Fund. *Children with Disabilities in Situations of Armed Conflict*. 2018.

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Humans Right Watch. *UN: High Risk in Conflicts for Children with Disabilities*. 2022.

¹³⁷ United Nations Children’s Fund. *Children with Disabilities in Situations of Armed Conflict*. N.d.

¹³⁸ Ibid.

¹³⁹ International Review of the Red Cross. *Advancing towards inclusive peace and security: Persons with disabilities and Security Council Resolution 2475*. 2022.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Office of the United Nations High Commissioner for Human Rights. *Joint Statement: The rights of children with disabilities*. 2022.

¹⁴³ Ibid.



international community to meaningfully include children with disabilities in humanitarian responses, conflict prevention, reconciliation, reconstruction, and peacebuilding.¹⁴⁴

Conclusion

Conflict results in significant physical, emotional, mental, and social damage to the development of children.¹⁴⁵ Conflict and violence constitute serious human rights violations and directly impact the development of children.¹⁴⁶ Children with disabilities are one of the most marginalized and deeply affected groups of people, with limited resources and the inability to support themselves during crises.¹⁴⁷ The Security Council, Third Committee, UNESCO, CRC and CRPD have contributed to addressing the crisis with children and the tolls these conflicts have on childrens' development.¹⁴⁸ Yet, these international efforts to mitigate violence have been limited over the years during conflicts and, in many cases, have only recently begun to address children, especially children with disabilities.¹⁴⁹

Further Research

As delegates conduct further research and consider how to address this topic, they should consider: how can the General Assembly Third Committee further protect and promote children's rights within conflict taking into consideration their specific physical, emotional, mental and cultural needs? What responsibilities do governments and international bodies have to protect children and report the violations when they occur? What can be done to strengthen reporting mechanisms? How can future offenses be mitigated in the first place?

¹⁴⁴ Office of the United Nations High Commissioner for Human Rights. *Protection measures needed to support children with disabilities in armed conflict: UN experts*. 2022.

¹⁴⁵ United Nations Children's Fund. *The Paris Principles*. 2007. p. 5.

¹⁴⁶ Ibid.

¹⁴⁷ United Nations Children's Fund. *Children with disabilities*. N.d.

¹⁴⁸ United Nations Educational, Scientific and Cultural Organization. *Safe learning environments: Preventing and addressing violence in and around school*. 2023.

¹⁴⁹ Humans Right Watch. *UN: High Risk in Conflicts for Children with Disabilities*. 2022.



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<https://childrenandarmedconflict.un.org/2023/09/joint-statement-for-the-commemoration-of-the-international-day-to-protect-education-from-attack-by-the-special-representatives-of-the-secretary-general-for-children-and-armed-conflict-and-on-violence/>

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2. Preventing Violence and Discrimination Based on Sexual Orientation and Gender Identity

"I appeal to all governments and societies to promote the values of tolerance and respect for diversity, and to build a world where no one has to be afraid because of their sexual orientation and gender identity."¹⁵⁰

Introduction

Globally, people who identify as lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA+) face violations of their fundamental human rights based on their sexual orientation and gender identity (SOGI).¹⁵¹ According to the United Nations Free and Equal Campaign (UNFE), a person's sexual orientation "refers to a person's physical, romantic, and/or emotional attraction towards other people."¹⁵² Sexual orientation encompasses, among others, heterosexuality, where individuals experience attraction to those of the opposite sex, homosexuality, characterized by an attraction to individuals of the same sex, and bisexuality, which involves attraction to both the same and opposite sex.¹⁵³ Gender identity, on the other hand, is defined as a person's subjective identification as man, woman, third gender, in-between genders, or agender.¹⁵⁴ A person is regarded as transgender when their gender identity does not align with their biological sex and the gender role assigned to them by society.¹⁵⁵ Intersex individuals have distinct biological sex characteristics, such as sexual anatomy, reproductive organs, hormonal, or chromosomal characteristics that deviate from typical male or female sex characteristics.¹⁵⁶ Within the LGBTQIA+ community, individuals with different sexual orientations, gender identities, gender expressions, and gender characteristics are often referred to under the umbrella term queer.¹⁵⁷

LGBTQIA+ persons face various types of discrimination and stigma, including in the education, employment, and healthcare sectors.¹⁵⁸ They often experience sexual and gender-based violence (SGBV), which encompasses a range of harmful acts directed against their sexuality and gender, such as rape, abuse, torture, or killings.¹⁵⁹ Moreover, same-sex relationships are criminalized in over 70 countries and are subject to the death penalty in 12 countries.¹⁶⁰ In the past decades, the international community has increasingly addressed this issue.¹⁶¹ For instance, since 2003, the United Nations General Assembly has adopted seven resolutions on extrajudicial, summary, or arbitrary executions, including those related

¹⁵⁰ Office of the United Nations High Commissioner for Refugees. *Statement by António Guterres, UN High Commissioner for Refugees (UNHCR), International Day Against Homophobia and Transphobia (IDAHOT)*. 2015.

¹⁵¹ United Nations, Department of Global Communications. *LGBTQI+ Free and Equal, not criminalized*. N.d.

¹⁵² United Nations, Free and Equal. *Definitions*. N.d.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ International Labour Organization. *Inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in the world of work: A learning guide*. 2022. p. 4.

¹⁵⁸ Office of the United Nations High Commissioner for Human Rights. *OHCHR and the human rights of LGBTI people. Overview*. 2023.

¹⁵⁹ Office of the United Nations High Commissioner for Human Rights. *Sexual and gender-based violence in the context of transitional justice*. 2014.

¹⁶⁰ Human Dignity Trust. *Map of Countries that Criminalise LGBT People*. 2023; Office of the United Nations High Commissioner for Human Rights. *OHCHR and the human rights of LGBTI people: About LGBTI people and human rights*. 2023; Bandera. *Which countries impose the death penalty on gay people?* 2023.

¹⁶¹ United Nations, Department of Global Communications. *LGBTQI+ Free and Equal, not criminalized*. N.d.



to discrimination based on SOGI.¹⁶² Despite the efforts of the international community, millions of people worldwide still face SOGI-related discrimination and violence.¹⁶³

International and Regional Framework

The *Universal Declaration of Human Rights* (UDHR) (1948) established the principles of non-discrimination and equality for all individuals, which serves as the basis for safeguarding the rights of the LGBTQIA+ community, including the right to health and well-being as emphasized in article 25.¹⁶⁴ The *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966) highlighted in Article 12 the right of everyone to the enjoyment of the highest attainable standard of physical and mental health with no discrimination.¹⁶⁵ Similarly, the *International Covenant on Civil and Political Rights* (ICCPR) (1966), especially in Article 26, reinforced the fundamental principles of non-discrimination in the realm of civil and political rights.¹⁶⁶ While these treaties do not explicitly mention sexual orientation or gender identity, they recognize fundamental rights related to various aspects of well-being and civil liberties, which extend to all persons, including LGBTQIA+ individuals.¹⁶⁷ In 2006, General Assembly resolution 60/125 entitled “International cooperation on humanitarian assistance in the field of natural disasters, from relief to development” established the United Nations Human Rights Council (HRC) to address human rights issues globally.¹⁶⁸ In 2011, HRC adopted resolution 17/19 on “Human rights, sexual orientation and gender identity,” acknowledging human rights violations based on SOGI and calling for an end to violence and discrimination against LGBTQIA+ individuals, which marked a significant and historical step towards recognizing LGBTQIA+ rights at the international level.¹⁶⁹ Although the General Assembly has addressed LGBTQIA+-related issues, this has only led to resolutions within the context of extrajudicial killings.¹⁷⁰ For example, the General Assembly’s first resolution 69/182 (2014) on “Extrajudicial, summary or arbitrary executions” urges states to ensure the protection of all people and conduct any necessary investigations into hate killings including those that are SOGI motivated and this underscored the importance of accountability and justice.¹⁷¹

Additionally, in 2015, the General Assembly adopted the *2030 Agenda for Sustainable Development*, which set out 17 Sustainable Development Goals (SDGs): in particular, SDG 3 (good health and well-being) aims to guarantee universal access to covered sexual and reproductive health services, including educational awareness (targets 3.7 and 3.8).¹⁷² Other pertinent SDGs are SDG 4 (quality education) and SDG 10 (reduced inequalities).¹⁷³ In 2016, HRC established the Independent Expert on Sexual Orientation and Gender Identity (IESOGI) with resolution 32/2 on “Protection against violence and discrimination based on sexual orientation and gender identity,” wherein the expert is mandated to

¹⁶² Office of the United Nations High Commissioner for Human Rights. *OHCHR and the human rights of LGBTI people: Resolutions on sexual orientation, gender identity and sex characteristics*. 2023.

¹⁶³ Office of the United Nations High Commissioner for Human Rights. *OHCHR and the human rights of LGBTI people. Overview*. 2023.

¹⁶⁴ United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 (III))*. 1948.

¹⁶⁵ United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966.

¹⁶⁶ United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. 1966.

¹⁶⁷ Ibid.

¹⁶⁸ United Nations Human Rights Council. *About HRC*. 2023.

¹⁶⁹ United Nations, General Assembly. *Human rights, sexual orientation and gender identity (A/RES/17/19)*. 2011.

¹⁷⁰ United Nations, General Assembly. *Extrajudicial, summary or arbitrary executions (A/RES/69/182)*. 2014.

¹⁷¹ Ibid.

¹⁷² United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

¹⁷³ Ibid.



monitor and report on human rights violations against LGBTQIA+ people globally.¹⁷⁴ IESOGI has identified the SDGs as a powerful tool to address the drivers of SOGI-based discrimination and violence and pinpointed three challenges that need to be faced to ensure the SDGs' promise of inclusivity, namely inadequate and uneven efforts by states to address SOGI discrimination and violence, barriers faced by LGBTQIA+ human rights organizations and a lack of disaggregated data on the scale and prevalence of SOGI-based discrimination and violence.¹⁷⁵

The *Yogyakarta Principles*, founded in 2006 by a group of human rights experts, play a vital role in guiding the application of international human rights law to issues of SOGI.¹⁷⁶ While not part of the official United Nations framework or legally binding, these principles have shaped LGBTQIA+ rights-related discussions and policies within the United Nations and in the broader context of international human rights and are often referenced by United Nations entities and cited as a source of non-binding guidance on international human rights interpretation related to SOGI issues.¹⁷⁷ Additionally, *Yogyakarta Principles + 10* provides supplemental information to the original principles and reinforces the importance of protecting the rights of LGBTQIA+ individuals by intertwining international human rights law developments with the new-found understanding of violations against people based on SOGI.¹⁷⁸

At the regional level, the Inter-American Commission on Human Rights under the Organization of American States adopted resolution 01/18 in 2018, calling on Member States to prevent violence and discrimination and promote equality for LGBTQIA+ individuals in the Americas.¹⁷⁹ Moreover, the European Union (EU), through its *Charter of Fundamental Rights*, explicitly prohibits discrimination based on sexual orientation.¹⁸⁰ The EU's *LGBTIQ Equality Strategy (2020-2025)* further reinforces the commitment to promote equal rights for LGBTQIA+ people across its Member States.¹⁸¹ The African Commission on Human and Peoples' Rights, a regional human rights body for Africa, adopted a resolution on "Protection against Violence and other Human Rights Violations against Persons on the Basis of their Real or Imputed Sexual Orientation or Gender Identity" in 2014, which recognized the rights of LGBTQIA+ individuals and urged African states to take measures to protect them from violence and discrimination.¹⁸²

Role of the International System

UNFE, an initiative under the Office of the United Nations High Commissioner for Human Rights (OHCHR), has advocated since 2013 for policy changes to combat discrimination and promote LGBTQIA+ rights globally by engaging with governments, civil society, and the public to raise awareness and challenge stereotypes.¹⁸³ The United Nations Development Programme (UNDP) has been actively promoting inclusive development and human rights through initiatives such as an *LGBTQIA+ Inclusion Index* that measures development outcomes for LGBTQIA+ individuals which in turn informs policies and

¹⁷⁴ United Nations, General Assembly. *Protection against violence and discrimination based on sexual orientation and gender identity (A/RES/32/2)*. 2016.

¹⁷⁵ United Nations Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation and Gender Identity. *Ensuring healthy lives for all, leaving no-one behind*. 2022.

¹⁷⁶ International Panel of Experts in International Human Rights Law and on Sexual Orientation and Gender Identity. *Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity*. 2006.

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

¹⁷⁹ Organization of American States and Inter-American Commission on Human Rights. *Corruption and Human Rights (Resolution 1/18)*. 2018.

¹⁸⁰ European Union. *Charter of Fundamental Rights of the European Union (C 326/391)*. 2012.

¹⁸¹ European Commission. *LGBTIQ Equality Strategy 2020-2025*. 2020.

¹⁸² African Commission on Human and Peoples' Rights. *Resolution on Protection against Violence and other Human Rights Violations against Persons on the Basis of their Real or Imputed Sexual Orientation or Gender Identity*. 2014.

¹⁸³ Office of the United Nations High Commissioner for Human Rights. *United Nations Free & Equal Campaign*. 2013.



programs to strengthen inclusion.¹⁸⁴ UNDP launched a handbook in 2017 that offers parliamentarians tools for inclusive reform initiatives.¹⁸⁵ Moreover, they provide legal advocacy backing to challenge discriminatory laws, enhance the capacity of civil society organizations through training, and promote anti-discrimination campaigns to combat stigma.¹⁸⁶ UNDP also works to improve healthcare access for LGBTQIA+ individuals and supports the establishment of safe spaces and community centers.¹⁸⁷ Additionally, UNDP advocates for better data collection and research on LGBTQIA+ issues to inform evidence-based policies and engage with the private sector to promote LGBTQIA+ inclusion in workplaces.¹⁸⁸

Furthermore, the United Nations Educational, Scientific and Cultural Organization (UNESCO) plays a pivotal role in promoting inclusive education and combating discrimination in educational settings through its support of initiatives such as the Education Sector Responses to Homophobic Bullying program which provides guidelines for educational institutions to address and prevent bullying based on sexual orientation and gender identity.¹⁸⁹ Additionally, in contribution to the SDGs, UNESCO has developed a strategy on education for health and well-being that addresses issues such as gender-based violence, gender disparities, bullying, and discrimination in schools.¹⁹⁰ These educational initiatives destigmatize LGBTQIA+ relationships, providing a queer-safe environment to promote healthy and consensual relationships, foster gender equality, and empower people to make informed decisions which, in turn, prevents early pregnancies and reduces the risks of sexually transmitted infections (STIs).¹⁹¹

The World Health Organization (WHO) has provided many countries with guidelines to develop inclusive healthcare systems.¹⁹² For instance, WHO has developed the *Consolidated Guidelines on HIV, Viral Hepatitis, and STI Prevention, Diagnosis, Treatment, and Care for Key Populations* (2022), which include specific recommendations for human immunodeficiency virus (HIV) prevention and care tailored to key populations, including LGBTQIA+ individuals.¹⁹³ Furthermore, WHO has developed the *Comprehensive Mental Health Action Plan 2013-2020* (2021), which includes strategies to promote mental health, prevent mental disorders, and ensure access to quality mental health services for all, including LGBTQIA+ individuals.¹⁹⁴ Moreover, the International Labour Organization (ILO), in accordance with the right to health for all, has developed the *ILO Code of Practice on HIV/AIDS and the World of Work* to address HIV-related discrimination, including discrimination against LGBTQIA+ individuals living with HIV.¹⁹⁵ ILO also actively advocates for workplace equality, supporting non-discrimination policies and inclusive practices to protect LGBTQIA+ workers from violence and discrimination.¹⁹⁶

¹⁸⁴ United Nations Development Programme. *LGBTI Index*. 2019.

¹⁸⁵ United Nations Development Programme. *Advancing Human Rights and Inclusion of LGBTI People: Handbook for Parliamentarians*. 2022.

¹⁸⁶ Dominguez. United Nations Development Programme. *Being LGBTI*. 2019.

¹⁸⁷ Ibid.

¹⁸⁸ United Nations Development Programme. *Private Sector and SDGs*. 2017.

¹⁸⁹ United Nations Educational, Scientific and Cultural Organization. *Education Sector Responses to Homophobic Bullying: A Practical Guide for Educational Institutions*. 2019.

¹⁹⁰ United Nations Educational, Scientific and Cultural Organization. *UNESCO strategy on education for health and well-being: contributing to the Sustainable Development Goals*. 2016.

¹⁹¹ Office of the United Nations High Commissioner for Human Rights. *Comprehensive Sexuality Education*. 2023.

¹⁹² World Health Organization. *Improving LGBTQI Health and Well-being in Consideration for SOGIESC*. 2023.

¹⁹³ World Health Organization. *Consolidated guidelines on HIV, viral hepatitis and STI prevention, diagnosis, treatment and care for key populations*. 2022.

¹⁹⁴ World Health Organization. *Comprehensive Mental Health Action Plan 2013-2020*. 2021.

¹⁹⁵ International Labour Organization. *ILO Code of Practice on HIV/AIDS and the World of Work*. ILO Publications. 2018. p. 25.

¹⁹⁶ International Labour Organization. *Inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in the world of work: A learning guide*. 2022.



To ensure the protection of LGBTQIA+ individuals in humanitarian response settings, the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration have jointly developed the *Training Package on the Protection of LGBTI Persons in Forced Displacement* (2015) which includes guidelines and capacity assessments for personnel.¹⁹⁷ Additionally, its document on protecting LGBTQIA+ people in situations of forced displacement provides insights into challenges and advancements related to safeguarding forcibly displaced LGBTQIA+ individuals, discussing efforts made by UNHCR and organizations to ensure their safety, rights, and well-being, covering topics such as legal protections, healthcare access, social integration, regional challenges, including case studies, statistics and recommendations to enhance support for LGBTQIA+ persons in forced displacement situations.¹⁹⁸

The International Lesbian, Gay, Bisexual, Trans, and Intersex Association is a non-governmental organization (NGO) whose efforts in the #RenewIESOGI campaign, which gathered support from 1312 NGOs from 174 states and territories, contributed to the successful renewal of the United Nations IESOGI.¹⁹⁹ Another NGO that promotes LGBTQIA+ rights at regional and international human rights forums as well as comprehensive sexual education is Outright International, a US-based organization that holds a consultative status at the United Nations Economic and Social Council.²⁰⁰

The EU's Agency for Fundamental Rights (FRA) has been actively involved in protecting LGBTQIA+ individuals from violence and discrimination by conducting research and surveys on various aspects of LGBTQIA+ rights such as discrimination, hate crime, and access to healthcare.²⁰¹ Moreover, they have collaborated with civil society organizations, providing support and expertise in addressing issues faced by LGBTQIA+ communities.²⁰² In turn, the EU has also undertaken initiatives like the EU List of Actions to Advance LGBTI Equality, outlining steps and recommendations to promote and protect the rights of LGBTQIA+ people across the EU Member States.²⁰³

The Right to Health

The right to health is established in Article 25 of the UDHR and in Article 12 of the ICESCR.²⁰⁴ It includes “the right to control one's health and body, including sexual and reproductive freedom, and the right to be free from interference, such as the right to be free from torture, non-consensual medical treatment and experimentation,” and the right to a health care system free from discrimination.²⁰⁵ Despite the international recognition of the fundamental right to health, people worldwide are often denied access to health services because of their SOGI.²⁰⁶ The challenges go beyond denying these individuals access to

¹⁹⁷ Office of the United Nations High Commissioner for Refugees et al. *Training Package: SOGIESC and working with LGBTIQ+ persons in forced displacement*. 2015.

¹⁹⁸ Office of the United Nations High Commissioner for Refugees. *Protecting LGBTIQ+ people in situations of forced displacement: A Stocktaking on UNHCR progress since the 2021 Roundtable*. 2023.

¹⁹⁹ International Lesbian, Gay, Bisexual, Trans, and Intersex Association. *Renewal of the Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity: Compilation of the Adoption of the 2019 SOGI Resolution 41/18*. 2019.

²⁰⁰ Outright International. *Our Work: United Nations Engagement*. 2023.

²⁰¹ Council of Europe. *Combating Discrimination on the Grounds of Sexual Orientation and Gender Identity*. 2011.

²⁰² Ibid.

²⁰³ European Commission. *Final Report 2015-2019 on the List of actions to advance LGBTI equality*. 2020.

²⁰⁴ United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948; United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966.

²⁰⁵ Office of the United Nations High Commissioner for Human Rights. *CESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12)*. 2000.

²⁰⁶ United Nations, General Assembly. *The right to the enjoyment of the highest attainable standard of physical and mental health of persons, communities and populations affected by discrimination and violence based on sexual orientation and gender identity in relation to the Sustainable Development Goals (A/HRC/50/27)*. 2022.



health services and include sexual and gender-based violence, increased vulnerability to STIs such as HIV and acquired immunodeficiency syndrome (AIDS) due to exclusionary health programs, and higher mental health risks due to stigmatization.²⁰⁷

To address the susceptibility of LGBTQIA+ persons to STIs, OHCHR and the United Nations Joint Programme on HIV/AIDS (UNAIDS) published the *Consolidated Version of the International Guidelines on HIV/AIDS and Human Rights* (2006), which provides recommendations for states on action against HIV/AIDS.²⁰⁸ This includes the recommendation to adopt anti-discrimination laws that criminalize violence against homosexual people and legally recognize same-sex relationships in order to reduce the vulnerability of homosexual persons to HIV/AIDS.²⁰⁹ Further to this, the *WHO Consolidated Guidelines on HIV, Viral Hepatitis, and STI Prevention, Diagnosis, Treatment, and Care for Key Populations* (2022) provides concrete recommendations for states on protecting vulnerable populations, including LGBTQIA+ individuals, from STIs.²¹⁰ These recommendations include actions to provide supportive interventions, such as education and information, and to address structural barriers to health care, common health concerns, and immediate health impacts related to STIs.²¹¹ Through SDG 3 (good health and well-being), specifically targets 3.7 and 3.8, the United Nations has committed to providing access to health care, including sexual and reproductive health care, for all people regardless of their SOGI.²¹² However, in implementing SDG 3 (good health and well-being), entities such as UNDP and LGBTQIA+ rights organizations have identified the lack of data and evidence-based research on LGBTQIA+ health concerns as a major challenge to inclusive and universal health for all.²¹³ Overall, collecting LGBTQIA+ health data while upholding privacy and confidentiality has been recognized as a key priority for LGBTQIA+ inclusion in attaining SDG 3 (good health and well-being).²¹⁴ In addition, IESOGI has called on Member States not only to systematically collect data but to disaggregate the extent and patterns of discrimination based on SOGI and use the resulting evidence as a basis for action.²¹⁵

The 2022, IESOGI report HRC 50/27 on “The right to the enjoyment of the highest attainable standard of physical and mental health of persons, communities, and populations affected by discrimination and violence based on sexual orientation and gender identity in relation to the SDGs” identifies the structural causes of discrimination in the health sector based on SOGI, specifically the criminalization, pathologization, and stigmatization of homosexuality or trans identification in many countries.²¹⁶ In this context, the report underlines that LGBTQIA+ people often avoid seeking healthcare due to discrimination and stigmatization by healthcare providers.²¹⁷ The report also highlights that in many countries education about sexuality is often either absent or exclusionary and puts LGBTQIA+ people at increased risk of

²⁰⁷ Office of the United Nations High Commissioner for Human Rights. *UN Expert: Tackling Discrimination Against LGBTI Persons is a Right to Health and Sustainable Development Imperative*. 2022.

²⁰⁸ Office of the United Nations High Commissioner for Human Rights et al. *International Guidelines on HIV/AIDS and Human Rights*. 2006.

²⁰⁹ Ibid.

²¹⁰ World Health Organization. *Consolidated guidelines on HIV, viral hepatitis and STI prevention, diagnosis, treatment and care for key populations*. 2022.

²¹¹ Ibid.

²¹² United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

²¹³ Swedish Federation for Lesbian, Gay, Bisexual, Transgender and Queer Rights. *For All: The Sustainable Development Goals and LGBTI People*. 2019. p. 42; United Nations Development Programme. *UNDP Support to the Implementation of Sustainable Development Goal 3*. 2017. p. 12.

²¹⁴ Swedish Federation for Lesbian, Gay, Bisexual, Transgender and Queer Rights. *For All: The Sustainable Development Goals and LGBTI People*. 2019. p. 46.

²¹⁵ United Nations Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation and Gender Identity. *Ensuring healthy lives for all, leaving no-one behind*. 2023.

²¹⁶ United Nations, General Assembly. *The right to the enjoyment of the highest attainable standard of physical and mental health of persons, communities and populations affected by discrimination and violence based on sexual orientation and gender identity in relation to the Sustainable Development Goals (A/HRC/50/27)*. 2022. pp. 4-5.

²¹⁷ Ibid. p. 6.



STIs.²¹⁸ Additionally, the report emphasizes that LGBTQIA+ individuals frequently experience mental health issues resulting from physical and psychological attacks linked to their SOGI, often leading to suicide or suicide attempts.²¹⁹ Building on this identification of structural causes, the report offers guidance on how to overcome the discrimination of queer persons in the health sector by introducing the *ASPIRE Guidelines*.²²⁰ The ASPIRE approach comprises acknowledging the discrimination and vulnerabilities of LGBTQIA+ persons; supporting LGBTQIA+ human rights defenders and organizations; protecting persons from SGBV through legislative and programmatic measures; combatting indirect discrimination; fostering representation of LGBTQIA+ persons in monitoring and evaluating measures against SGBV; and promoting comprehensive research to enable evidence-based action to combat SGBV.²²¹ The *ASPIRE Guidelines* were first introduced in the context of the COVID-19 pandemic in 2020, encouraging governments to comprehensively address the increased vulnerability of LGBTQIA+ persons during the pandemic by working with LGBTQIA+ rights organizations.²²²

Discrimination and Violence in Armed Conflicts

LGBTQIA+ individuals are particularly vulnerable in armed conflicts because of their SOGI and are susceptible to sexual violence in the form of rape, torture, persecution, killing, as well as physical and psychological assault.²²³ The vulnerability of queer persons in armed conflict settings was first acknowledged by the United Nations Security Council in 2015 during a meeting on crimes against LGBTQIA+ persons in Iraq and Syria.²²⁴ The vulnerability of LGBTQIA+ people to violence in armed conflicts is often driven by offenders' pursuit of societal homogeneity.²²⁵ Perpetrators' motives often involve intimidating LGBTQIA+ communities and regarding all LGBTQIA+ individuals as potential threats within resistance movements.²²⁶ This violence, driven by personal or societal bias, gains legitimacy in the eyes of perpetrators through the enactment of laws criminalizing same-sex relationships, and the absence of readily available legal avenues further intensifies the vulnerability of LGBTQIA+ individuals.²²⁷ While LGBTQIA+ persons are not explicitly protected in armed conflicts under international humanitarian law (IHL), many scholars argue that they are protected as civilians under the common Article III of the *Geneva Conventions* (1949), which calls for the humane treatment of non-combatants "without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria."²²⁸ In this context, scholars suggest that "any other similar criteria" covers a person's SOGI.²²⁹ For violations based on a person's SOGI to be treated as violations of IHL, there must be a causal link between the person's SOGI and the violation, as well as a sufficient connection to the armed conflict.²³⁰

²¹⁸ Ibid. pp. 9-10.

²¹⁹ Ibid. p. 11.

²²⁰ Ibid. p. 19.

²²¹ Ibid. pp. 19-21.

²²² Office of the United Nations High Commissioner for Human Rights, Special Procedures. *ASPIRE Guidelines on COVID-19 response and recovery free from violence and discrimination based on sexual orientation and gender identity*. 2020.

²²³ United Nations Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation and Gender Identity. *From Wars Against Diversity to an Inclusive Peace*. 2022.

²²⁴ Security Council Report. *What's in Blue: Arria-formula Meeting on Integrating the Human Rights of LGBTI Persons into the Work of the Security Council*. 2023.

²²⁵ Outright International. *LGBTQ Lives in Conflict and in Crisis: A Queer Agenda for Peace, Security, and Accountability*. 2023.

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ Margalit. *Still a Blind Spot: The Protection of LGBT Persons During Armed Conflict and Other Situations of Violence*. 2018; *Geneva Convention relative to the Treatment of Prisoners of War*. 1949.

²²⁹ Ibid.

²³⁰ International Review of the Red Cross. "Or any other similar criteria": *Towards advancing the protection of LGBTIQI detainees against discrimination and sexual and gender-based violence during non-international armed conflict*. 2021.



The 2022 IESOGI report 77/235 on “Protection against violence and discrimination based on sexual orientation and gender identity” highlights the lack of a contemporary interpretation of gender and sexuality in IHL, particularly in relation to the experiences of LGBTQIA+ persons in conflict.²³¹ The report highlights the need to update IHL with the explicit inclusion of SOGI, moving beyond a binary understanding of sex and gender, to offer comprehensive protection for LGBTQIA+ individuals during armed conflicts.²³² Moreover, the report emphasizes that conflict-related violence against LGBTQIA+ individuals is not an isolated issue but rather a structural problem, requiring a structural approach to address SGBV in armed conflicts.²³³ During a side event of the General Assembly Third Committee to the 77th session of the General Assembly in 2022, IESOGI further called for preventive measures in armed conflicts to protect LGBTQIA+ persons from conflict-related SGBV, such as legal recognition of LGBTQIA+ rights or training of border guards.²³⁴ Other measures to protect LGBTQIA+ persons from conflict-related SGBV include creating safe shelters for LGBTQIA+ persons as well as identifying and addressing barriers faced by LGBTQIA+ persons in accessing emergency services and assistance.²³⁵ To address these barriers, IESOGI highlighted the importance of including LGBTQIA+ rights organizations in the planning and implementation of humanitarian assistance.²³⁶ The work of the United Nations to prevent violence based on SOGI in armed conflicts is informed by civil society organizations, such as Outright International, which advocates for enhanced data collection on the needs of LGBTQIA+ persons in conflict settings to provide a basis for comprehensive strategies to protect LGBTQIA+ individuals from conflict-related violence.²³⁷

In addition to data collection, IESOGI has identified raising awareness of the experiences of LGBTQIA+ individuals in armed conflicts as an important step towards preventing conflict-related violence based on SOGI.²³⁸ In certain contexts, and predominantly in retrospect, this has already been put into action with various post-conflict countries highlighting the experiences of queer persons in armed conflicts in their reconciliation efforts.²³⁹ In addition to raising awareness, recommendations to prevent further violence and discrimination based on SOGI include measures such as access to justice, preserving the historical memory of the LGBTQIA+ community's experiences in armed conflict, and promoting economic and political equality for LGBTQIA+ persons.²⁴⁰

Conclusion

In recent decades, violence and discrimination based on SOGI have been increasingly addressed by the international community.²⁴¹ Although the United Nations and several Member States have committed to

²³¹ United Nations, General Assembly. *Protection against violence and discrimination based on sexual orientation and gender identity (A/77/235)*. 2022.

²³² *Ibid.* p. 22.

²³³ *Ibid.* p. 15.

²³⁴ United Nations, Department of Global Communications. *Sexual orientation and gender identity in armed conflict and peacebuilding (Side Event of the Third Committee, General Assembly, 77th session)*. 2022.

²³⁵ Office of the United Nations High Commissioner for Refugees & Protection Cluster Ukraine. *Protection of LGBTIQ+ people in the context of the response in Ukraine*. 2022.

²³⁶ Office of the United Nations High Commissioner for Human Rights. *Ukraine: Protection of LGBTI and gender-diverse refugees remains critical - UN expert*. 2022.

²³⁷ Outright International. *Our Work: United Nations Engagement*. 2023; Outright International. *Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*. 2022.

²³⁸ United Nations, General Assembly. *Protection against violence and discrimination based on sexual orientation and gender identity (A/77/235)*. 2022.

²³⁹ Office of the United Nations High Commissioner for Human Rights. *Contemporary Perspectives on Transitional Justice Issues. User-friendly Version*. 2022.

²⁴⁰ Institute on Race, Equality, and Human Rights. *Colombia: First Transitional Justice Experience in the World that Includes a Sexual and Intersectional Diversity Approach*. 2022.

²⁴¹ Office of the United Nations High Commissioner for Human Rights. *OHCHR and the human rights of LGBTI people: About LGBTI people and human rights*. 2023.



addressing SGBV, LGBTQIA+ individuals continue to be victims of this on a daily basis.²⁴² For instance, members of the LGBTQIA+ community often face obstacles in realizing their right to health, education, and work.²⁴³ Regarding discrimination in the health sector, LGBTQIA+ individuals are more vulnerable to STIs such as HIV/AIDS due to discriminatory and exclusionary healthcare systems and education programs.²⁴⁴ Furthermore, they are at a higher risk of experiencing mental health problems due to the stigma and discrimination they encounter.²⁴⁵ Additionally, in conflict settings, they are particularly exposed to SGBV due to inadequate preventative measures and limited access to judicial remedies.²⁴⁶ The General Assembly and other United Nations entities have raised awareness about the issue through dedicated resolutions and reports.²⁴⁷ The United Nations, in collaboration with civil society organizations, has continually emphasized the need to enhance data collection efforts to develop evidence-based measures aimed at preventing discrimination and violence based on SOGI.²⁴⁸

Further Research

When researching this topic, delegates may consider the following questions: Given the stigmatization of individuals based on their SOGI across the world, along with the criminalization of same-sex relationships in approximately 70 countries, what measures can the international community take to advocate for equal rights and safeguard LGBTQIA+ persons from human rights violations? How can the General Assembly provide policy oversight to enhance the implementation of the SDGs and ensure equitable access to education, work, and healthcare for all individuals, regardless of their SOGI? How can the global community promote preventative measures in areas of conflict to safeguard LGBTQIA+ individuals from violence during armed conflicts?

²⁴² Ibid.

²⁴³ Office of the United Nations High Commissioner for Human Rights. *OHCHR and the human rights of LGBTI people. Overview*. 2023.

²⁴⁴ Office of the United Nations High Commissioner for Human Rights. *UN Expert: Tackling Discrimination Against LGBTI Persons is a Right to Health and Sustainable Development Imperative*. 2022.

²⁴⁵ Ibid.

²⁴⁶ Outright International. *LGBTQ Lives in Conflict and in Crisis: A Queer Agenda for Peace, Security, and Accountability*. 2023.

²⁴⁷ Office of the United Nations High Commissioner for Human Rights. *OHCHR and the human rights of LGBTI people: Resolutions on sexual orientation, gender identity and sex characteristics*. 2023.

²⁴⁸ Outright International. *Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*. 2022; United Nations, Department of Global Communications. *Sexual orientation and gender identity in armed conflict and peacebuilding (Side Event of the Third Committee, General Assembly, 77th session)*. 2022.



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