

The United States of America

4th Cycle UPR Review

Laurel D. Sprague, Ph.D.

Blachford/Cooper Distinguished Scholar and Research Director

INTRODUCTION

Our report reviews the compliance of the United States with its human rights obligations to lesbian, gay, bisexual, transgender, and non-binary (LGBT) people in light of the UPR Cycle 3 recommendations it supported to:

- Eliminate discrimination and prevent violence against LGBT people (4),
- Combat racism and xenophobia (35), and
- Protect immigrants and asylum seekers (23).

As well as the human rights issues created by the U.S. withdrawal of lifesaving humanitarian assistance to countries worldwide.

DISCRIMINATION, INTOLERANCE, AND VIOLENCE

No progress since the last review. The US has regressed.

Compared to non-LGBT people, LGBT people continue to be:

- More than **2 to 4 times** more likely to live in poverty.
- **Five times** more likely to be violently attacked and **nine times** more likely to be victims of violent hate crimes.
- Discriminated against in workplaces, experienced by nearly **1 in 2**.
- The **40%** of LGBT adults who are Black, Latino, Asian, or Indigenous fare worse still — an outcome of unaddressed racism.

Transgender people are only 0.8% of US adults, yet **reported hate crimes** against them **tripled** between 2018 and 2024.

DISCRIMINATION, INTOLERANCE, AND VIOLENCE

Restrictions in public life, travel, and health care are increasing:

- Clinics serving transgender minors harassed through subpoenas, investigations, and funding cuts.
- Courts legitimize federal and state actions that legally force transgender people to “appreciate” the sex assigned at birth.
 - Transgender women forced into men’s single-sex spaces.
 - ID documents that do not match gender identity.
 - Sports bans for children -- that open the door to surveillance of every child’s gender.

At least **40 clinics** serving transgender minors have closed.

Comprehensive anti-discrimination protections for transgender people do not exist.

DISCRIMINATION, INTOLERANCE, AND VIOLENCE

A recent Supreme Court ruling reverses U.S. state efforts to stop “conversion” practices with LGBT minors.

The practices treats sexual orientation and gender identity as an illness:

- **Nearly twice** the rate of suicidal thoughts and attempts among LGB people who underwent conversion practices.
- **85%** of young transgender people in such programs later report suicidal thoughts.
- **Ineffective:** sexual orientation and gender identity are not changeable.

**“Inherently discriminatory...
cruel, inhuman and degrading
treatment”**

— UN Independent Expert
on SOGI, 2020

LGBT IMMIGRANTS AND ASYLUM SEEKERS

LGBT immigrants and asylum seekers face additional vulnerabilities

- Immigration detention standards and mandatory risk assessments eliminated for LGBT detainees.
- Transgender women held in men's facilities. Hormone therapy and medications denied despite prescriptions.
- People living with HIV experience medication interruptions, delayed care, one death from untreated illness.
- New proposed rule requires reporting of gender dysphoria diagnosis, and photo-documentation of tattoos, scars, and markings — including of children, survivors of torture, FGM and other sexual trauma, and transgender people.

An estimated
**640,000 non-citizen
LGBT immigrants**
live in the US.

LGBT ASYLUM SEEKERS

Deportations and chain refoulement of LGBT asylum seekers

- At least **12** asylum seekers fleeing SOGI persecution deported to third countries
- **11** to countries that criminalize LGBT people.
- At least **9** had been granted withholding of removal based on credible fear.
- At least **7** were returned to the countries they fled,
 - making the U.S. an agent of chain refoulement.
- At least **4** more reportedly facing removal: two transgender women, a lesbian, and a gay man.

Absent official data,
we track media and
NGO reports —
a fraction of cases.

Cases reported by Immigration Equality, Human Rights Watch, ACLU, and the New York Times.

ERASURE FROM OFFICIAL DATA

SOGI measures removed from a minimum of 360 federal data collections.

Mostly gender identity measures — and some sexual orientation measures, despite no direct order. These include:

- The **National Crime Victimization Survey**, precluding reporting of SOGI-based discrimination and violence.
- **Office of Refugee Resettlement** collections serving unaccompanied children and torture and trafficking survivors.
- **ICE detention data** on gender identity, despite a Congressional mandate to collect this data.
- Without data, services and inequities cannot be monitored.

360+
federal data
collections affected

OUTCOMES OF THE U.S. FOREIGN AID CUTS

An estimated **700,000+ additional deaths** have occurred since the 2025 aid cuts.

73% of organizations serving key populations stopped at least one service.

At least **1700 HIV service sites** closed.

Services for key populations were the **most likely to be dropped**, even by organizations that did not lose funding.

“Key populations” refers to gay and bisexual men, transgender people, people who use drugs, and sex workers.

Sources for the data on this slide: [amfAR](#), [Boston University PEPFAR Program Impact Tracker](#), [UNAIDS](#), [The Lancet](#)

RECOMMENDATIONS

- **Adopt comprehensive legislation** ensuring legal recognition of gender identity at the federal level and prohibiting discrimination based on SOGISC.
- **End impunity** for, and underreporting of, violence rooted in anti-LGBT bias.
- **Reinstate SOGI data collection** with stringent privacy protections.
- **Allow independent monitoring** in immigration detention and urgently ensure the safety of LGBT people and people with health conditions.
- **Halt third-country deportations** and establish oversight against refoulement.
- **Develop safeguards** against crises created by aid withdrawal, cooperate with independent human rights mechanisms to assess impacts, and restore support to community- and key population-led health programs.



CONTACT US

 williamsinstitute.law.ucla.edu

 williamsinstitute@law.ucla.edu

 [@williamspolicy](https://twitter.com/williamspolicy)

   [@williamsinstitute](https://www.tiktok.com/@williamsinstitute)