

Statement
UPR Pre-session on the United States of America
Delivered by Laurel Sprague, Research Director, The Williams Institute
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[703 words, 5 minutes]

SLIDE 1

Distinguished delegates, I am the research director at the Williams Institute on sexual orientation and gender identity law and policy.

SLIDE 2

Last year, I reviewed U.S. compliance with recommendations to end anti-LGBT discrimination and violence, combat racism, and protect immigrants and asylum seekers.

Since that review, the U.S. has retrogressed.

SLIDE 3

LGBT people remain 2 to 4 times more likely to live in poverty and five times more likely to be violently attacked. Reported hate crimes against transgender people nearly tripled between 2018 and 2024. The 40% of LGBT adults who are Black, Latino, Asian, or Indigenous fare the worst, an outcome of unaddressed racism.

SLIDE 4

Transgender people face increasing restrictions in public life, travel, and evidence-based health care.

Lacking explicit authority to close clinics serving transgender minors, the federal government wields the machinery of the state — subpoenas, investigations, funding cuts — to harass and intimidate. At least 40 clinics are reported to have closed.

Courts continue to legitimize state and federal government actions that prohibit the recognition of gender identity and force transgender and intersex people to "appreciate" the sex assigned to them at birth: transgender women forced into men's washrooms and shelters; ID documents that do not mirror a person's gender presentation; bans on transgender children in sports — opening the door for surveillance of every child's gender.

SLIDE 5

A Supreme Court ruling reversed efforts by U.S. states to stop conversion practices on LGBT minors—practices the UN Independent SOGI Expert found to be cruel, inhuman and degrading treatment that may amount to torture. Our research links it to nearly twice the rate of suicidal thoughts and attempts among LGB people; 85% of transgender youth who attended a conversion program reported past year suicidal thoughts.

SLIDE 6

My colleague from Haitian Bridge Alliance spoke about conditions facing immigrants and asylum seekers. Those who are LGBT face additional vulnerabilities.

Following the January 2025 executive order prohibiting federal recognition of transgender, nonbinary, and intersex people, LGBT-specific detention standards for housing, safety, medical care, and mandatory risk assessments have been eliminated.

Transgender women are now held in men's facilities, at greater risk of assault. Transgender people and people living with HIV report interrupted medication and delayed care. There has been one death from untreated HIV.

A proposed rule would require the medical exams for people seeking asylum or immigration visas to include documentation of gender dysphoria, and photos of gender surgeries and all tattoos and scars, including on children and survivors of torture and sexual assault.

SLIDE 7

In the absence of official data, we track media and NGO reports of deportations of LGBT persons—capturing a fraction of cases.

At least twelve people seeking protection based on SOGI status have been deported to third countries—eleven to countries that criminalize LGBT people. At least nine had been granted withholding of removal based on credible fear determinations. At least seven were returned to the countries they fled, making the US an agent of chain refoulement. At least four more LGBT asylum seekers face removal.

SLIDE 8

Federal agencies have removed sexual orientation or gender identity measures from at least 360 data collections.

These include the National Crime Victimization Survey; Office of Refugee Resettlement collections serving survivors of torture and trafficking; and immigration detention data.

Without data, discrimination and violence cannot be monitored, nor inequities in housing, poverty, and health be addressed.

SLIDE 9

Finally, the withdrawal of lifesaving humanitarian assistance has caused deep cuts in health services for people living with HIV, gay and bisexual men, transgender people, people who use drugs and sex workers, and is now estimated to have caused more than 700,000 additional deaths.

SLIDE 10

Our recommendations are in our factsheet, including that the US:

- Adopt comprehensive legislation that ensures legal recognition of gender identity at the federal level and prohibits 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 human rights monitoring in immigration detention and urgently ensure the safety of vulnerable people held there.
- Halt third-country deportations and establish oversight against refoulement.
- And develop safeguards against crises created by aid withdrawal, including an independent human rights analysis of the impact and restored support to community-led health programs.

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Thank you for your commitment to this important UPR process.