

**Submission to the UN Universal Periodic Review of the United States of America
44th Session of the UPR Working Group**

The Williams Institute

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[The Williams Institute at UCLA School of Law](#), established in 2001, is the leading academic research center in the United States on sexual orientation and gender identity law and public policy. The Institute is comprised of social scientists, public health experts, legal scholars, and international policy fellows. The Williams Institute is dedicated to conducting rigorous and independent research on sexual orientation and gender identity (“SOGI”), including on the demographics and experiences of lesbian, gay, bisexual, and transgender (“LGBT”) people, as well as on HIV laws and policies. The Williams Institute collects and analyzes original data, as well as analyzes governmental and private data, and has long worked with national and international agencies to improve data collection and shape effective policies related to LGBT populations and populations of people living with HIV.

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Introduction

1. This submission highlights the United States (U.S.) government's compliance with its human rights obligations to lesbian, gay, bisexual, transgender, and non-binary (LGBT) people, with particular attention to those from racialized and immigrant groups, and their socio-economic and health rights, since the U.S.'s last Universal Periodic Review (UPR) in 2020.
2. We refer to the UPR recommendations received and supported by the U.S. during the third review cycle (UPR 3)¹ related to protections for LGBT people (4 recommendations), as well as combatting racism and xenophobia (35 recommendations), protecting immigrants and asylum seekers (23 recommendations), and the right to health (11 recommendations), in relation to LGBT people.
3. Despite the U.S. government's support for these recommendations during the previous presidential administration, LGBT people continue to experience more discrimination and violence, and worse economic and health outcomes, compared to their non-LGBT counterparts. Currently, the U.S. government is actively implementing anti-human rights policies and promoting discrimination, especially against transgender people and immigrants, including through inflammatory public rhetoric.
4. Recent orders issued by the U.S. president that ban transgender children and adults from participation in various aspects of public life, dismantle anti-discrimination protections, remove federal sexual orientation and gender identity (SOGI) data, and cancel health research for LGBT people, and for racial and ethnic minorities, lead us to anticipate increasing risks to the health and safety of LGBT people, especially LGBT people from racial and ethnic minority communities.

Review of Progress on Previous Recommendations

Discrimination against LGBT people

Overview

5. In UPR 3, the U.S. supported four recommendations related to LGBT people,² including to eliminate discrimination and intolerance in economic and social areas of life, and to prevent and combat violence, with specific mention of murders of transgender women of color.
6. This submission focuses on federal government actions, initiated and implemented by the president and his administration. In terms of the other branches and levels of U.S. government: since the prior review, the U.S. Congress has not progressed LGBT

¹ United Nations Human Rights Council. (2021). *Report of the Working Group on the Universal Periodic Review: United States of America (A/HRC/46/15)*. <https://docs.un.org/en/A/HRC/46/15>

² A/HRC/46/15/, 26.148 (Malta), A/HRC/46/15/, 26.147 (France), A/HRC/46/15/, 26.146 (Belgium), A/HRC/46/15/, 26.140 (Iceland).

rights or protections; similarly, the U.S. Supreme Court has not expanded LGBT rights since 2020. The U.S. states have moved different directions on LGBT rights since the prior review with already supportive states becoming more supportive, and less supportive states becoming even less supportive.

7. For context, LGBT people are a minority of the U.S. population, equaling approximately 5.5% of the adult population, or 13.9 million LGBT adults.³ Of these, approximately 1.3 million people, identify as transgender (0.5% of the adult population).⁴ In addition, 300,100 youth, or 1.4% of the population aged 13-17, identify as transgender.⁵

Violence

8. Despite the recommendations, the government has not prevented violence against LGBT people. According to data collected by the U.S. government in 2022-2023, LGBT people were five times more likely than non-LGBT people to be victims of violent crime and nine times more likely to be victims of violent hate crimes.⁶ Black LGBT people experienced the highest rates of crime victimization overall, followed by Hispanic and White LGBT people. An analysis of publicly documented instances of fatal violence against transgender women occurring between 2013-2021 found that more than three quarters (78%) of transgender women who were murdered were Black.⁷ This reflects the latest available data on these murders. In a recent survey conducted by the Williams Institute, 80% of transgender people feared that they would become the victim of a hate crime under the current presidential administration.⁸
9. A Williams Institute national study of transgender people conducted after the 2024 election, but before the presidential inauguration in 2025, revealed that, as a result of the election outcome, significant portions were planning to limit their exposure to public life because of safety concerns, including through socially isolating (33%), reducing use of public transit (27%), and avoiding cultural events (22%) and restaurants (19%).⁹

³ Flores, A. R., & Conron, K. J. (2023). *Adult LGBT population in the United States*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Adult-US-Pop-Dec-2023.pdf>

⁴ Herman, J. L., Flores, A. R., & O'Neill, K. K. (2022). *How many adults and youth identify as transgender in the United States?* The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Pop-Update-Jun-2022.pdf>.

⁵ Herman, J. L., Flores, A. R., & O'Neill, K. K. (2022). *How many adults and youth identify as transgender in the United States?* The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Pop-Update-Jun-2022.pdf>

⁶ Meyer, I. H., & Flores, A. R. (2025). *Anti-LGBT victimization in the United States: Results from the National Crime Victimization Survey (2022–2023)*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Anti-LGBT-Violence-Feb-2025.pdf>

⁷ Halliwell, P., Blumenthal, J., Kennedy, R., Lahn, L., & Smith, L. R. (2024). Characterizing the prevalence and perpetrators of documented fatal violence against Black transgender women in the United States (2013–2021). *Violence Against Women*, 1–24. <https://doi.org/10.1177/10778012241289425>

⁸ Goldberg, A. E., & Sears, B. (2025). *Perceptions of transgender adults preparing for a Trump presidency*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Election-Perceptions-Mar-2025.pdf>.

⁹ Goldberg, A. E., & Sears, B. (2025). *Perceptions of transgender adults preparing for a Trump presidency*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Election-Perceptions-Mar-2025.pdf>

Legal Recognition and Freedom of Movement

10. The government has regressed in meeting its human rights obligation to ensure the right to legal recognition and freedom of movement for transgender people. In 2025, the government reversed decades of public policy by suspending the ability for transgender citizens, and more recently intersex and non-binary citizens, to change their sex designation on their passports to match their current gender identity.¹⁰ Data show that 1.6 million people ages 13 and older in the U.S. are transgender and 1.2 million are non-binary (possessing a gender identity different from their sex assigned at birth) and an estimated 1.7% of the U.S. population are intersex (have sex characteristics that do not fit into the non-scientific definitions of sex upon which this rule is based).^{11,12} Refusing to provide legal identity documents consistent with a citizen's gender identity denies their right to legal recognition.
11. The denial of citizenship documentation that matches one's gender identity is also a denial of the right to freedom of movement. Without passports that match their gender presentation, transgender, nonbinary and intersex people are not able to safely travel internationally and to return. Data from the largest survey of transgender people in the U.S. show that more than one in five respondents reported mistreatment, including assault, when they have presented an ID with a name or gender that did not match their gender presentation.¹³

Discrimination in social and economic areas of life

12. The government has not complied with recommendations to ensure LGBT people are protected against discrimination. Instead, the current presidential administration has revoked anti-discrimination protections that were extended under the previous administration.
13. Through an executive order, the current administration banned transgender prisoners and homeless people from facilities that match their gender identity.¹⁴ The order also sought to limit protections from discrimination against transgender people (and likely LGB people) in housing, education, health care, and other facets of

¹⁰ The government is collecting public comments on the change although they have already stopped approving or renewing passports for people whose gender identity does not match their assigned sex at birth <https://www.federalregister.gov/documents/2025/02/14/2025-02648/30-day-notice-of-proposed-information-collection-application-for-a-us-passport>

¹¹ Herman, J. L., Flores, A. R., & O'Neill, K. K. (2022, June). *How many adults and youth identify as transgender in the United States?* The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Pop-Update-Jun-2022.pdf>.

¹² Public comment submitted by scholars from The Williams Institute via regulations.gov regarding **30-Day Notice of Proposed Information Collection: Application for a U.S. Passport [Public Notice 12665] OMB Control No. 1405-0004**, available on request from sprague@law.ucla.edu.

¹³ James, S. E., & National Center for Transgender Equality. (2024, February). *Early insights: A report of the 2022 U.S. Transgender Survey*. National Center for Transgender Equality. https://transequality.org/sites/default/files/2024-02/2022%20USTS%20Early%20Insights%20Report_FINAL.pdf

¹⁴ Redfield, E., & Chokshi, I. (2025, January). *Impact of the executive order redefining sex on transgender, nonbinary, and intersex people*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Sex-Definition-EO-Jan-2025.pdf>

life that had been adopted by the previous administration. Another executive order revoked protections against discrimination for transgender federal government employees and LGBT employees of federal contractors; the order simultaneously revoked long-standing protections based on race, sex, religion, and national origin for employees of federal contractors.¹⁵

14. Further, since taking office, the current government has actively sought to remove transgender people, especially women and girls, from public life and to erase them in federal data. New executive orders seek to ban transgender people, particularly girls and women, from multiple public and social spaces that match their gender identity and that they could previously access, including sports teams, locker rooms, and toilets.¹⁶
15. These orders specifically describe the existence of transgender women as a harm to women's "dignity, safety, and well-being"¹⁷ and ban their access to public washrooms, that match their gender identity in federal buildings, including national parks, museums, courthouses, and the US Capitol Building.¹⁸ This means that transgender women, including elected representatives, are required to use the men's washrooms and transgender men are required to use the women's washrooms.
16. Evidence shows that there is no increase in violence when transgender people are legally able to access the washrooms that match their gender identity. However, forcing transgender people to use washrooms that do not match their gender identity puts them at risk of harassment, violence. In addition, they risk medical issues if they avoid toilets outside of their own home altogether.¹⁹
17. Additionally, the U.S. government has ordered transgender people to be banned from serving in the military, stating that being transgender "conflicts with a soldier's commitment to an honorable, truthful, and disciplined lifestyle..." and is a

¹⁵ Sears, B. (2025, January). *Impact of executive order revoking non-discrimination protections for LGBTQ federal employees and employees of federal contractors*. The Williams

Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Federal-ND-Protections-EO-Jan-2025.pdf>

¹⁶ Trump, D. J. (2025, January 30). Defending women from gender ideology extremism and restoring biological truth to the federal government, Exec. Order No. 14,168, 90 Fed. Reg. 8,615. <https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal>

¹⁷ Trump, D. J. (2025, January 30). Defending women from gender ideology extremism and restoring biological truth to the federal government, Exec. Order No. 14,168, 90 Fed. Reg. 8,615. <https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal>

¹⁸ Trump, D. J. (2025, January 30). Defending women from gender ideology extremism and restoring biological truth to the federal government, Exec. Order No. 14,168, 90 Fed. Reg. 8,615. <https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal>

¹⁹ Herman, J. L., Flores, A. R., & Redfield, E. (2025, February). *Safety and privacy in public restrooms and other gendered facilities*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Bathroom-Access-Feb-2025.pdf>

“falsehood” that is “not consistent with the humility and selflessness required of a service member.”²⁰ The military has been instructed to fire all service members with gender dysphoria diagnoses.²¹ A federal court has temporarily halted this order.

18. Even before the current presidential administration attempted to revoke existing protections against discrimination, and despite the UPR 3 recommendations, LGBT people continued to fare poorly in socio-economic areas of life. Data collected in 2021 found that LGBT people in the U.S. continued to be substantially poorer, with larger proportions of LGBT people living below the poverty line, than non-LGBT people.²²
19. Previous studies have demonstrated that lesbian and bisexual women have higher labor force participation rates than straight women, and gay men have higher participation rates than heterosexual and bisexual men.³⁴ Similarly, same sex couples have higher participation rates than different sex couples.³⁵ Transgender individuals have participation rates similar to those of cisgender individuals.³⁶ Despite similar or higher labor force participation, recent research has found that LGBT workers receive lower wages²³ and experience higher rates of job loss,²⁴ unemployment,²⁵ and poverty²⁶ compared to non-LGBT counterparts. Research has also consistently

²⁰ Trump, D. J. (2025, January 27). Prioritizing military excellence and readiness. The White House. <https://www.whitehouse.gov/presidential-actions/2025/01/prioritizing-military-excellence-and-readiness/>

²¹ Trump, D. J. (2025, January 27). Prioritizing military excellence and readiness. The White House. <https://www.whitehouse.gov/presidential-actions/2025/01/prioritizing-military-excellence-and-readiness/>

²² Wilson, B. D. M., Bouton, L. J. A., Badgett, M. V. L., & Macklin, M. L. (2023, February). LGBT poverty in the United States: Trends at the onset of COVID-19. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Poverty-COVID-Feb-2023.pdf>

²³ Wilson, B. D. M., Bouton, L. J. A., Badgett, M. V. L., & Macklin, M. L. (2023, February). LGBT poverty in the United States: Trends at the onset of COVID-19. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Poverty-COVID-Feb-2023.pdf>

²⁴ Koppam, R. (2022, June 29). New U.S. Census Bureau data show significant economic disparities among the LGBTQ+ community. *Washington Center for Equitable Growth*. <https://equitablegrowth.org/new-u-s-census-bureau-data-show-significant-economic/>

²⁵ Conron, K. J., Guardado, R., O'Neill, K. K., & Wilson, B. D. M. (2022, April). Food insufficiency among LGBT adults during the COVID-19 pandemic. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Food-Insufficiency-Apr-2022.pdf>

²⁶ Conron, K. J., Guardado, R., O'Neill, K. K., & Wilson, B. D. M. (2022, April). Food insufficiency among LGBT adults during the COVID-19 pandemic. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Food-Insufficiency-Apr-2022.pdf>

²⁷ Conron, K. J., Guardado, R., O'Neill, K. K., & Wilson, B. D. M. (2022, April). Food insufficiency among LGBT adults during the COVID-19 pandemic. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Food-Insufficiency-Apr-2022.pdf>; Macklin, M. L., Redfield, E., & Conron, K. J. (2023). *Food insufficiency among LGBT youth*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/publications/food-insecurity-lgbtq-youth/>; Leslie, I. S., Carson, J., & Bruce, A. (2023). LGBTQ+ food insufficiency in New England. *Agriculture and Human Values*, 40(6), 1039–1051. <https://doi.org/10.1007/s10460-022-10403-5>.

documented higher rates of food insecurity,²⁷ and homelessness²⁸ for LGBT people.

Health

20. The US government supported 11 recommendations focused on ensuring all people in the US have access to health care,²⁹ including sexual and reproductive health,³⁰ and without discrimination based on sexual orientation or gender identity.³¹ Contrary to these recommendations, the government has taken steps to limit access to health care and healthy activities for transgender children and youth, and to stop health research and remove data related to LGBT health and to HIV, which disproportionately affects LGBT communities in the US.³²
21. For transgender youth, the government reversed prior policy and prohibited all federal support for gender-affirming care, which affects youth who receive health care through public programs such as Medicaid,³³ and banned transgender girls and women from participating in girls' and women's sports³⁴ -- despite evidence that gender-affirming care reduces suicidality,³⁵ and sports participation is associated with lower levels of depression and a greater sense of belonging.³⁶

²⁷ Conron, K. J., Guardado, R., O'Neill, K. K., & Wilson, B. D. M. (2022, April). Food insufficiency among LGBT adults during the COVID-19 pandemic. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Food-Insufficiency-Apr-2022.pdf>; Macklin, M. L., Redfield, E., & Conron, K. J. (2023). *Food insufficiency among LGBT youth*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/publications/food-insecurity-lgbtq-youth/>; Leslie, I. S., Carson, J., & Bruce, A. (2023). LGBTQ+ food insufficiency in New England. *Agriculture and Human Values*, 40(6), 1039–1051. <https://doi.org/10.1007/s10460-022-10403-5>.

²⁸ Wilson, B. D. M., O'Neill, K., & Vasquez, L. A. (2021). *LGBT renters and eviction risk*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/publications/lgbt-renters-and-eviction-risk/>; Visalli, K., Mehrotra, A., Hill, T., & Pruitt, M. (2023). Three trends in LGBTQ+ homeownership gaps underscore research and policy needs. *Urban Institute*. <https://www.urban.org/sites/default/files/2024-02/Three%20Trends>; Small, S. F. (2024). Gender marker laws and access to emergency rental assistance for transgender renters in the United States during COVID-19. *Housing Policy Debate*. <https://doi.org/10.1080/10511482.2024.2365255>

²⁹ A/HRC/46/15/, 26.293 (Iraq), A/HRC/46/15/, 26.292 (Ethiopia), A/HRC/46/15/, 26.291 (Azerbaijan), A/HRC/46/15/, 26.290 (Angola), A/HRC/46/15/, 26.288 (Poland).

³⁰ A/HRC/46/15/, 26.308 (Luxembourg), A/HRC/46/15/, 26.307 (Iceland), A/HRC/46/15/, 26.306 (France), A/HRC/46/15/, 26.305 (Finland), A/HRC/46/15/, 26.302 (Austria).

³¹ A/HRC/46/15/, 26.146 (Belgium).

³² Centers for Disease Control and Prevention. (2024, April 22). *Fast facts: HIV in the United States*. U.S. Department of Health & Human Services. <https://www.cdc.gov/hiv/data-research/facts-stats/index.html>

³³ Redfield, E. (2025, January). *Impact of the ban on gender-affirming care on transgender minors*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/GAC-Access-EO-Jan-2025.pdf>

³⁴ Redfield, E. (2025, February). *The impact of transgender sports participation bans on transgender people in the US*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Sports-Ban-EO-Feb-2025.pdf>

³⁵ Herman, J. L., & O'Neill, K. K. (2021, September). *Suicide risk and prevention for transgender people: Summary of research findings*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Suicide-Summary-Sep-2021.pdf>

³⁶ Redfield, E. (2025, February). *The impact of transgender sports participation bans on transgender people in the US*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Sports-Ban-EO-Feb-2025.pdf>

22. Hundreds of federally-funded research grants focused on developing the best evidence to improve the health of LGBT people and to address the HIV epidemic have been cancelled^{37 38 39} federal health agencies are in a chaotic state with large numbers of staff fired and agencies restructured. The outcomes of this restructuring are unknown, however, deep cuts in the number of federal health staff with expertise into LGBT health or HIV prevention and care have already occurred.⁴⁰

Discrimination against Racial, Ethnic, and Indigenous Minorities who are LGBT

23. In UPR 3, the U.S. supported 35 recommendations related to discrimination and mistreatment based on race that are relevant, as well, for LGBT people of color.⁴¹ Despite this, LGBT people of color in the U.S. continue to face higher levels of discrimination and violence than either both White LGBT people or and non-LGBT people from their same racial, ethnic, or Indigenous groups.⁴²
24. Black, Latino, Asian, and Indigenous minorities make up 40% of U.S. LGBT adults.⁴³ LGBT people of color are more likely to experience workplace discrimination and harassment,⁴⁴ violent crime victimization,⁴⁵ and poverty than either White LGBT

³⁷ U.S. Department of Health & Human Services. (2025, March 28). *HHS grants terminated*. https://taggs.hhs.gov/Content/Data/HHS_Grants_Terminated.pdf

³⁸ NBC News. (2025, April 2). *Trump administration axes more than \$125M in LGBTQ health funding, upending research field*. <https://www.nbcnews.com/feature/nbc-out/trump-administration-axes-125m-lgbtq-health-funding-upending-research-rcna199175>.

⁴⁰ Basilio, H. (2025, March 31). Trump team guts AIDS-eradication programme and slashes HIV research grants. *Nature*. <https://doi.org/10.1038/d41586-025-00969-5>

⁴¹ A/HRC/46/15/, 26.262 (South Sudan), A/HRC/46/15/, 26.260 (Turkey), A/HRC/46/15/, 26.259 (Timor-Leste), A/HRC/46/15/, 26.258 (Saudi Arabia), A/HRC/46/15/, 26.257 (Russian Federation), A/HRC/46/15/, 26.256 (Romania), A/HRC/46/15/, 26.250 (Japan), A/HRC/46/15/, 26.249 (Qatar), A/HRC/46/15/, 26.235 (Sri Lanka), A/HRC/46/15/, 26.234 (Ecuador), A/HRC/46/15/, 26.233 (Cyprus), A/HRC/46/15/, 26.228 (Belarus), A/HRC/46/15/, 26.227 (Azerbaijan), A/HRC/46/15/, 26.226 (Austria), A/HRC/46/15/, 26.225 (Australia), A/HRC/46/15/, 26.223 (Angola), A/HRC/46/15/, 26.220 (Togo), A/HRC/46/15/, 26.148 (Malta), A/HRC/46/15/, 26.144 (Kenya), A/HRC/46/15/, 26.143 (Kenya), A/HRC/46/15/, 26.142 (China), A/HRC/46/15/, 26.141 (Iran), A/HRC/46/15/, 26.140 (Iceland), A/HRC/46/15/, 26.139 (Ghana), A/HRC/46/15/, 26.137 (Canada), A/HRC/46/15/, 26.135 (Malaysia), A/HRC/46/15/, 26.134 (Algeria), A/HRC/46/15/, 26.122 (Montenegro), A/HRC/46/15/, 26.121 (Chile), A/HRC/46/15/, 26.120 (Singapore), A/HRC/46/15/, 26.119 (Lesotho), A/HRC/46/15/, 26.118 (Lebanon), A/HRC/46/15/, 26.117 (Italy), A/HRC/46/15/, 26.116 (Czechia), A/HRC/46/15/, 26.115 (Republic of Korea).

⁴² The Williams Institute. (n.d.). *LGBT data & demographics*. UCLA School of Law. <https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/?topic=LGBT#density>

⁴³ The Williams Institute. (n.d.). *LGBT data & demographics*. UCLA School of Law. <https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/?topic=LGBT#density>

⁴⁴ Sears, B., Castleberry, N. M., Lin, A., & Mallory, C. (2024, August). *LGBTQ people's experiences of workplace discrimination and harassment: 2023*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Workplace-Discrimination-Aug-2024.pdf>

⁴⁵ Meyer, I. H., & Flores, A. R. (2025, February). *Anti-LGBT victimization in the United States: Results from the National Crime Victimization Survey (2022–2023)*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Anti-LGBT-Violence-Feb-2025.pdf>

people or non-LGBT people from their same racial, ethnic, or Indigenous groups.⁴⁶ Further, Black people living with HIV in the US, regardless of sexual orientation, gender identity, or sex, are disproportionately arrested and convicted under outdated and unscientific HIV criminal laws.⁴⁷

Discrimination against LGBT immigrants

25. In UPR 3, the US supported 23 recommendations related to protecting human rights of immigrants and asylum seekers.⁴⁸ The government is not progressing toward achieving these recommendations and is currently engaging in practices contrary to human rights obligations. Approximately 3% of immigrants in the US, or 640,000 people, identify as LGBT.⁴⁹
26. Falsely accusing many immigrants and asylum seekers of “committing vile and heinous acts against innocent Americans” and “engaging in hostile activities,”^{50,51} the government has issued orders to revoke protections for certain asylum seekers and that keep immigrant families together and to prioritize detaining, prosecuting, and removing immigrants without legal status.⁵²
27. At this time, it is impossible to know how many affected immigrants identify as LGBT; however, LGBT immigrants and asylum seekers, when detained, face distinct vulnerabilities created by the US government, including, a ban on placing transgender migrants in facilities that match their gender identity (i.e. requiring transgender women to be placed in men’s detention facilities).⁵³ Research has

⁴⁶ Wilson, B. D. M., Bouton, L. J. A., Badgett, M. V. L., & Macklin, M. L. (2023, February). *LGBT poverty in the United States: Trends at the onset of COVID-19*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Poverty-COVID-Feb-2023.pdf>

⁴⁷ The Williams Institute. (n.d.). *HIV criminalization*. UCLA School of Law. <https://williamsinstitute.law.ucla.edu/issues/hiv-criminalization/>

⁴⁸ A/HRC/46/15/, 26.347 (Nicaragua), A/HRC/46/15/, 26.343 (Ghana), A/HRC/46/15/, 26.342 (Fiji), A/HRC/46/15/, 26.341 (Colombia), A/HRC/46/15/, 26.339 (Cuba), A/HRC/46/15/, 26.337 (Zambia), A/HRC/46/15/, 26.336 (Slovenia), A/HRC/46/15/, 26.335 (Thailand), A/HRC/46/15/, 26.334 (Peru), A/HRC/46/15/, 26.333 (Norway), A/HRC/46/15/, 26.331 (Venezuela), A/HRC/46/15/, 26.330 (Turkey), A/HRC/46/15/, 26.329 (Egypt), A/HRC/46/15/, 26.328 (Myanmar), A/HRC/46/15/, 26.327 (El Salvador), A/HRC/46/15/, 26.287 (Azerbaijan), A/HRC/46/15/, 26.281 (Nigeria), A/HRC/46/15/, 26.274 (South Sudan), A/HRC/46/15/, 26.273 (Peru), A/HRC/46/15/, 26.257 (Russian Federation), A/HRC/46/15/, 26.236 (Germany), A/HRC/46/15/, 26.54 (Niger), A/HRC/46/15/, 26.53 (Indonesia).

⁴⁹ Flores, A. R., & Sprague, L. D. (2025, February). *Impact of mass deportations on LGBT people*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Mass-Deportations-EO-Feb-2025.pdf>

⁵⁰ Trump, D. J. (2025, January 20). *Protecting the American people against invasion* (Executive Order 14159). The White House. <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>

⁵¹ Ruiz Soto, A. G. (2024, October). *Explainer: Immigrants and crime in the United States*. Migration Policy Institute. <https://www.migrationpolicy.org/content/immigrants-and-crime>

⁵² Trump, D. J. (2025, January 20). *Protecting the American people against invasion* (Executive Order 14159). The White House. <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>

⁵³ Trump, D. J. (2025, January 30). *Defending women from gender ideology extremism and restoring biological truth to the federal government*, Exec. Order No. 14,168, 90 Fed. Reg. 8,615. <https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal>

documented harsh and unsanitary living conditions, failures to protect against sexual and physical violence, and disproportionate use of solitary confinement for LGBT immigrants in U.S. detention, as well as refusals to provide necessary medications for transgender immigrants and for people living with HIV, including those who are LGBT.⁵⁴

Elimination of data and research on SOGI disparities

28. For the U.S. to comply with the recommendations related to LGBT people in UPR 3, data collection to monitor health, economic status, discrimination, criminalization, violence, and social exclusion of LGBT people is required. This data must include sufficient sample sizes of LGBT people to allow the identification of disparities by race, ethnicity, Indigenous status, immigrant status, age, disability, and other key variables. LGBT people must also be able to safely share information about their sexual orientation and gender identity without fear of harm.
29. Instead, the government has required federal agencies to remove from their websites all federal data related to transgender people, and to LGBT people and minorities more broadly, including health data. A court order has temporarily halted this order although the integrity of the data is now unclear.⁵⁵ Government agencies have started processes to remove gender identity questions from the US Census and multiple large nationally representative surveys^{56,57,58} and the Centers for Disease Control announced it will stop gathering data on transgender people,⁵⁹ affecting the nation's largest health surveillance surveys.

Foreign Assistance

30. In early 2025, the U.S. government abruptly cut its foreign and humanitarian assistance programs worldwide, such that countries which partnered with the US to provide health care and services to their populations were left, without notice, to urgently build new systems for care. Similarly, vulnerable communities, including children and adults living with HIV, faced abrupt loss of health care and medications, and saw clinical trials halted midstream. LGBT human rights defenders faced deep cuts leaving their organizations without funding for services, advocacy, or support.

⁵⁴ Flores, A. R., & Sprague, L. D. (2025, February). *Impact of mass deportations on LGBT people*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Mass-Deportations-EO-Feb-2025.pdf>

⁵⁵ Meyer, I. H., & Bouton, L. J. (2025, February). *Impact of executive orders on access to federal data*. The Williams Institute. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/SOGI-Data-Removal-EO-Feb-2025.pdf>

⁵⁶ U.S. Census Bureau. (2025, February 14). *HTOPS non-substantive change request submission_2.14.25* (OMB Control No. 0607-1029). <https://omb.report/icr/202502-0607-003/doc/152412000>

⁵⁷ Wang, H. L. (2025, February 21). Census Bureau stopped work on data for protecting trans rights, former director says. *NPR*. <https://www.npr.org/2025/02/21/nx-s1-5305265/census-lgbtq-sogi-data-robert-santos>

⁵⁸ U.S. Department of Housing and Urban Development, Office of Policy Development and Research. (2025, March 12). *2025 American Housing Survey (AHS)* (ICR Reference No. 202502-2528-006). <https://omb.report/icr/202502-2528-006>

⁵⁹ Gaffney, T. (2025, February 25). CDC will no longer process transgender data. *STAT News*. <https://www.statnews.com/2025/02/25/cdc-will-no-longer-process-transgender-data/>

Exact numbers are difficult to verify; however, the government has announced cuts equaling 90% USAID's grants and 60 billion USD overall in U.S. foreign assistance.⁶⁰

Recommendations

31. Recommendations for the U.S. during the fourth UPR cycle are as follows:

Non-discrimination

1. Adopt and fully fund a National Action Plan to combat discrimination and violence based on gender identity, sexual orientation, sex, race, ethnicity, and country of origin, developed in consultation with organizations from communities that the empirical data show have faced high levels of discrimination and violence and require regular reporting to the U.S. Congress, state governments, and affected communities.
2. Adopt federal legislation that ensures legal recognition of gender identity.
3. Adopt federal legislation to prohibit discrimination based on sex, sexual orientation, or gender identity with respect to businesses, employment, housing, federally funded programs, and other settings.

Violence

4. Recommit to and fully fund the National Action Plan on Gender-Based Violence and ensure that it fully includes women in all their diversity, including transgender, intersex, lesbian, and bisexual women, women from racialized communities, and women who are immigrants, refugees, or asylum seekers.

Immigration

5. Implement accessible accountability systems with multiple confidential entry points for LGBT people who encounter immigration enforcement officers to report grievances against personnel and other detainees, and ensure prompt and comprehensive follow-up on these grievances.
6. Improve the asylum system to allow better access to protected statuses for LGBT immigrants facing persecution in their countries of origin, working in partnership with LGBT asylum seekers and LGBT immigrant organizations to develop policies based on lived experience with asylum processes.
7. Clarify in immigration policy and training documents that representation of a sincerely-held gender identity different from sex assigned at birth is not a form of fraud for the purposes of seeking authorization, entry or other form of immigration relief.

Data, Accountability, and Implementation

⁶⁰ Associated Press. (2025, February 26). *Trump administration says it's cutting 90% of USAID foreign aid contracts*. <https://apnews.com/article/6292f48f8d4025bed0bf5c3e9d623c16>

8. Systematically collect survey research data on sexual orientation and gender identity in all government research activities that collect demographic information, including those used to monitor health, education, employment, and housing outcomes, with the purpose of reducing disparities based on sexual orientation and gender identity and their interactions with race, age, economic and immigration status, complying with stringent protections against misuse and unauthorized disclosure of such data.
9. Increase efforts at the federal and state levels to address underreporting of and impunity for hate crimes based on sexual orientation and gender identity, including by reinforcing dialogue with affected communities and populations.
10. Identify and institute good practices, developed in partnership with communities and organizations with lived experience of the asylum system for LGBT people, to securely gather data on LGBT persons' identities throughout the asylum and refugee systems, to better protect them from discrimination and violence upon reception, detention, and resettlement.

Foreign Assistance

11. Establish an independent expert commission to research and produce a public report on the effects of the 2025 withdrawal of US foreign assistance on vulnerable communities, including LGBT people and people living with HIV, with recommendations for restarting lifesaving humanitarian assistance, redressing harms, and, where warranted, orderly transitions from funding.
12. Support a multi-donor pooled fund to support LGBT and PLHIV human rights defenders and organizations.