Summary of the Report of the Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation and Gender Identity on the Human Right to Education

INTRODUCTION

This report focuses on the human right to education in the context of protection against violence and discrimination based on sexual orientation and gender identity. Education is a fundamental right that enables individuals to develop their potential, participate fully in society, and enjoy other human rights. For lesbian, gay, bisexual, transgender and gender-diverse (LGBT) persons, access to safe, inclusive, and quality education remains a critical yet often denied right. The report explores the barriers faced by LGBT students and educators, the harmful consequences of exclusion, and the importance of ensuring education systems are inclusive and affirming of diversity. Everyone has the right to education.

Education shall be free, at least in the elementary and fundamental stages, and it be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.
(Article 26, Universal Declaration of Human Rights)

KEY ISSUES & FINDINGS DISCRIMINATION AT STAGE OF DISPLACEMENT



BULLYING AND VIOLENCE IN SCHOOLS

LGBT students are frequently subjected to bullying, harassment and violence within educational institutions. This creates hostile environments that undermine learning, contribute to absenteeism, and increase dropout rates. In many cases, school authorities fail to take adequate measures to prevent or address such violence.

EXCLUSION FROM CURRICULA

School curricula often omit or distort the existence and contributions of LGBT persons. In some contexts, laws explicitly prohibit the teaching of LGBT-related issues, reinforcing stigma and denying students the opportunity to learn in inclusive environments. This silencing contributes to invisibility, misinformation, and negative stereotypes.

BARRIERS FOR TRANS AND GENDER-DIVERSE STUDENTS

Trans and gender-diverse students face additional challenges when schools refuse to recognize their gender identities. Issues include denial of access to facilities, refusal to use correct names and pronouns, and exclusion from school activities. Such practices violate dignity and lead to higher risks of marginalization and mental health struggles.

Education must empower all learners to develop respect for diversity, equality, and human rights, including for LGBT persons.
(UN Human Rights Council guidance)

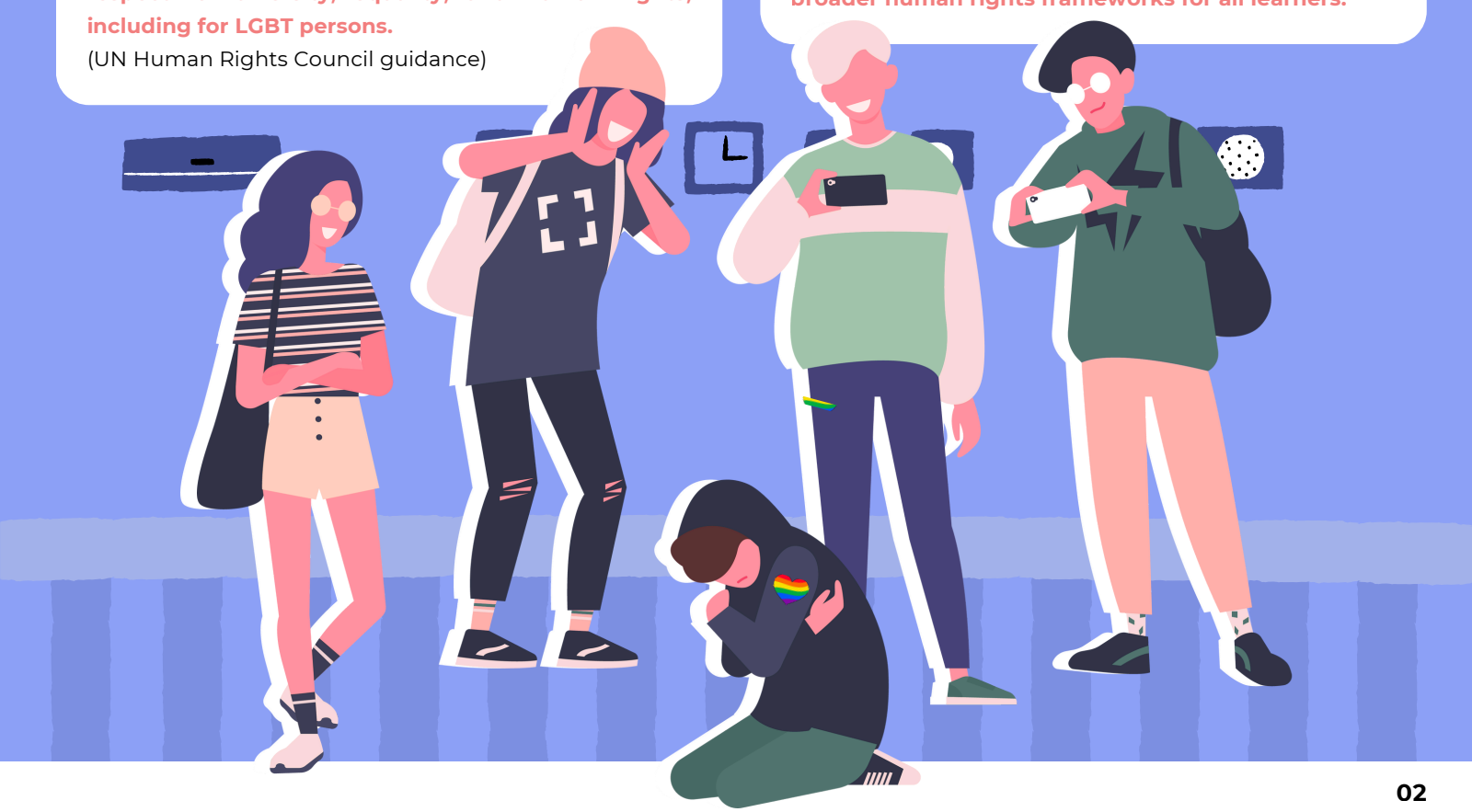
RESTRICTIVE LAWS AND POLICIES

In several countries, laws and policies restrict inclusive education by banning "LGBT propaganda" or punishing educators who address sexual orientation or gender identity. These laws contribute to environments where discrimination is normalized, and teachers are unable to support LGBT students effectively.

IMPACT ON TEACHERS AND STAFF

Educators who are LGBT themselves or who support LGBT students are often stigmatized, harassed, or punished. This creates climates of fear and self-censorship within schools, depriving students of role models and supportive mentors.

Inclusive education policies not only ensure the protection of LGBT students but also reinforce the broader human rights frameworks for all learners.



POSITIVE DEVELOPMENTS

The report also highlights examples of progress in advancing inclusive education.

In Uruguay, comprehensive sexuality education programs include LGBT content and promote respect for diversity.

In Nepal, the Supreme Court has affirmed the rights of gender-diverse persons to education without discrimination.

In Portugal, anti-bullying programs explicitly address homophobia and transphobia in schools.

In South Africa, the Department of Basic Education has developed guidelines to support LGBT students and prevent discrimination in schools.

IMPACT OF EXCLUSION

Exclusion from education has long-term consequences for LGBT individuals, including reduced economic opportunities, poorer health outcomes, and limited participation in civic and political life. On a broader level, discrimination in education undermines equality, weakens democratic values, and fosters environments where prejudice and violence can flourish.



"Education is not only a fundamental human right in itself but also a multiplier of rights. When LGBT persons are denied inclusive access to education, the principles of equality and justice for all are undermined. The right to education must be guaranteed for everyone, without discrimination, so that all learners are able to thrive and contribute fully to society."

GRAEME REID, UN INDEPENDENT EXPERT ON SOGI

RECOMMENDATIONS

The mandate recommends that States and stakeholders:

Adopt Inclusive Laws and Policies that guarantee equal access to education regardless of sexual orientation or gender identity.

Ensure Safe Learning Environments by preventing and addressing bullying, harassment, and violence against LGBT students.

Integrate LGBT Content into Curricula to promote understanding, diversity, respect for human rights.

Partner with Civil Society to develop and implement programs that advance inclusive education.

Support Teachers and Staff with training, protections, and resources to foster inclusive schools.

Affirm the Rights of Trans and Gender-Diverse Students, including recognition of gender identity in school records and access to appropriate facilities.



UNITED NATIONS HUMAN RIGHTS SPECIAL PROCEDURES
SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

GRAEME REID
UNITED NATIONS INDEPENDENT EXPERT

#IESOGI