



ILS CENTRE FOR INTERNATIONAL LAW



# NEWSLETTER



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# LETTER

*from the*

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In a world increasingly bound by human rights frameworks, the status of LGBTQ individuals remains a litmus test for global commitments to equality, dignity, and non-discrimination. As editor of this issue, I believe it is both timely and necessary to place LGBTQ rights firmly within the realm of international law—a field meant to transcend borders and protect all people, regardless of sexual orientation, gender identity, or expression.

International law offers both hope and contradiction. Core instruments such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) guarantee freedom from discrimination. Yet, these have historically been applied through heteronormative lenses, often excluding LGBTQ individuals.

A turning point came in 2011 when the UN Human Rights Council adopted its first resolution on sexual orientation and gender identity, expressing “grave concern” over violence and discrimination.

However, progress remains uneven. As of 2024, over 60 UN member states criminalize consensual same-sex relationships, and at least six impose the death penalty—a stark reminder of international law’s enforcement gap.

Article 2 of the UDHR prohibits discrimination “of any kind.” The Yogyakarta Principles build on this, urging states to ensure laws do not discriminate based on sexual orientation or gender identity. The UN’s Free & Equal Campaign echoes this imperative: “The rights of LGBTQ+ people are human rights.” These are not aspirational—they are legal standards, although they are inconsistently applied.

Mechanisms such as the Universal Periodic Review and treaty bodies must hold states accountable for structural neglect and symbolic erasure. Meanwhile, transnational advocacy networks are pushing boundaries through strategic litigation and global activism.

LGBTQ rights are not cultural preferences. They are binding obligations under international law. As former UN Secretary-General Ban Ki-moon urged, “The time has come to act.”

*Regards*



# UNCERTAIN REFUGE

## Queer Asylum and the Myth of the 'Friendlier' State

~Prarthana Bhat, II BA LLB

“Welcoming” is not always the same as safety and equality. For queer asylum seekers, even ‘friendlier’ European states can perpetuate the very discrimination they fled from. The Netherlands was among the first to consider sexual orientation as a legitimate basis for granting asylum, as ruled in Applicant v State Secretary for Justice (1981) by the Council of State. Even with the protection of the 1951 Refugee Convention citing “membership of a particular social group,” LGBTQ+ individuals continue to experience systemic hurdles. Bureaucratic neglect, cultural stigma, and social surveillance reveal a chasm between the

law and its practice, leading to protection promises remaining unfulfilled.

Sweden, often viewed as a queer utopia in Europe, still experiences ongoing challenges within its asylum system. People who are likely to be persecuted on grounds of their actual or perceived sexual orientation, gender identity, or gender expression are eligible to be protected and granted the status of a refugee in accordance with Chapter 4, Section 1 of the Swedish Aliens Act. A 2017 report by Oxford Research identified key flaws in the system, including underpaid legal counsel and the



absence of required expertise in asylum law. In 2024, [RFSL](#) published findings from over 3,360 asylum decisions, revealing that rejections frequently rely on stereotypes and require emotional narratives, undermining legal standards. While Migration Minister Johan Forssell [acknowledged](#) the shortcomings, no new directives have succeeded. A national [survey](#) by RFSL reported that LGBTQI+ individuals feel unsafe in their neighbourhoods and mistrust authorities. Though the 2025 [gender recognition law](#) will simplify procedures, rising rejection rates, continuing stigma, and the absence of 2024 budget [funding](#) have left vital LGBTQI+ initiatives under-supported.

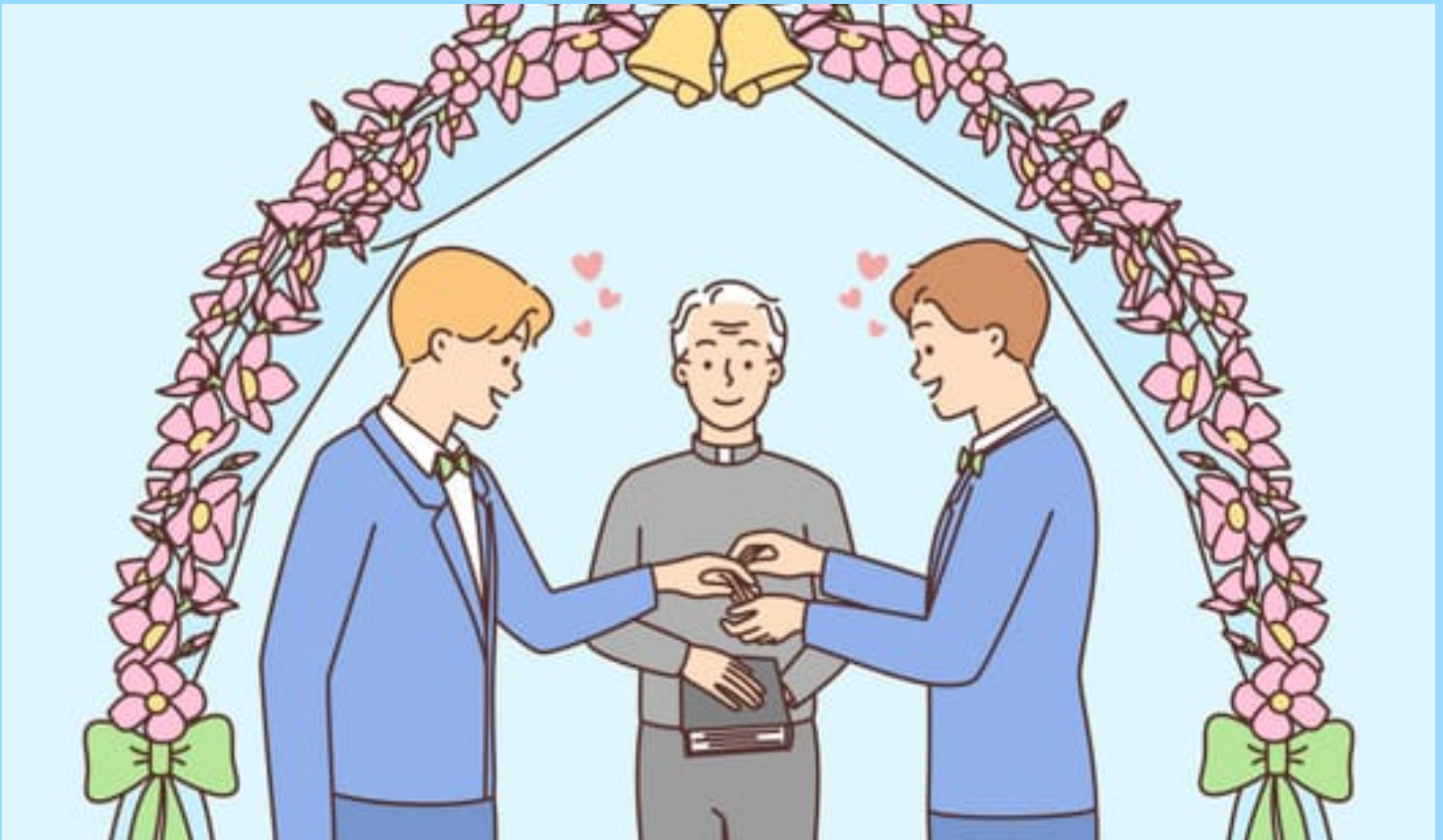
France, the birthplace of liberty and equality, has robust [legal protections for LGBTQ+ people](#), including anti-discrimination and recognizing same-sex relationships. LGBTQ+ asylum seekers, however, especially transgender women, migrants, or undocumented, encounter extreme obstacles in accessing justice. Eight groups [informed Amnesty International](#) that these women are systematically misgendered, stereotyped, and distrusted by the police, discouraging them from reporting violence. Groups such as '[Le STRASS](#)' highlight how intersecting discrimination—gender identity, profession, migration status, or HIV status—and police training enable widespread distrust of the justice system. Therefore, many turn to community support, which indicates systemic failure in the provision of equal justice.

These cases call for an urgent reassessment of how asylum systems establish protective policies for LGBTQIA+ individuals. Legal

recognition alone is insufficient without mechanisms that address structural biases, provide trauma-aware practices, train frontline workers, and place individuals' lived experiences at the forefront. For 'friendly' states to truly guarantee refuge, their disconnect between progressive discourse and marginalization of queer asylum claimants must be bridged—by upholding commitments under the Refugee Convention and [UNHCR Guidelines No.9](#), ensuring sensitive, individualized assessments, institutionalizing cultural competency, and building inclusive, affirming infrastructure and long-term support mechanisms for queer refugees.







# RAINBOWS VERSUS RULEBOOKS

Empowering Same-sex couples through International Recognition

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*~Kushagra Mishra, III BBA LLB*

‘Love knows no boundaries, so why then should the law?’ Despite deep-rooted conservatism at the domestic level, international forums have persisted in advancing the battle for securing marital equality for same-sex couples. The Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), often misread, are being amended through reinterpretation. For instance, while the words “men and women” under Art.16 of the UDHR were intended for

gender equality, but led to the exclusion of the same-sex, they are now interpreted progressively. Similarly, Art.26 has become the torchbearer, securing LGBTQ+ rights. While Toonen v. Australia was foundational in securing marital rights irrespective of sexual orientation, the textual ambiguity has allowed the states to resist inclusivity at domestic levels.

Even regional-level and intra-continental avenues recognize the right to marital equality

as a fundamental and basic human right. One significant precedent is the Inter-American Court of Human Rights’ (IACtHR) stance recognizing the marital right of same-sex couples, under the American Convention on Human Rights. Notably, it dismissed Joslin v. New Zealand (2002), wherein the United Nations’ Human Rights Council was censured globally, for its archaic interpretation and refusal to extend the protection of ICCPR Art.23 to same-sex couples. The IACtHR has therefore signalled a bold stance against the old-school approach to marriage and its supposed “sanctity.”

***“The IACtHR has therefore signalled a bold stance against the old-school approach to marriage and its supposed ‘sanctity’”***

Yet, fragmentation persists. The European Court of Human Rights (ECtHR), in Schalk and Kopf v. Austria (2010), legitimized same-sex relations as “family life” under Art.8 of the European Convention on Human Rights (ECHR), but fell short of mandating marital access. This was because the nation-states’ “margin of appreciation” allowed them to deny access, veiled behind the rather ‘ceremonial’ anti-discrimination frameworks.

Marital access also involves the consideration of transnational aspects. The UN Human Rights Committee in C v. Australia (2017) condemned Australia’s refusal to recognize a foreign same-sex marriage for divorce purposes. It further framed it as a denial of legal personality, emphasizing that marital dignity transcends borders, a principle enshrined in cross-border civil status

agreements and EU free movement laws.

Therefore, real change requires dismantling the cultural and religious dictates surrounding marriage rights. The weaponization of fundamentalist conceptions has crippled the legislative intent. As such, it is necessary to depart from the oppressive and majoritarian viewpoints, and to adopt the liberal and progressive stance integral to justice, assessing the right from the lens and foundations of civil law. Only then can the boundaries imposed be demolished!



# INTERNATIONAL LAW AND TRANSGENDER INDIVIDUALS

Discrimination, Challenges, and Protection Mechanisms

*~Tejashri Suradkar, III BA LLB*



Transgender people are persons whose gender, behaviour, or expressions do not conform to the sex they were assigned at birth. They face a lot of discrimination as our society feels that being a transgender is a disorder and these people do not come under the category of 'normal'. There are International Laws to protect transgender individuals from such discrimination. International Human Rights Laws guarantee equality and protection against discrimination to all people regardless of their 'sex.' Article 26 of the International Covenant on Civil and Political Rights states that all

people are equal before the law and are entitled to equal protection of the law without any discrimination.

Individuals belonging to the Transgender community have faced pervasive and severe discrimination, which was confirmed in the report released by the National Center for Transgender Equality and the National Gay and Lesbian Task Force titled 'Injustice at every turn'. They face hate crimes, fatal violence like targeted killings, and even sexual and physical assault, torture, and inhuman and

degrading treatment.

International laws, such as the International Human Rights laws, are formed to protect the human rights of all individuals. However, there are some challenges in enforcement and achieving the goal of equality.

Transgender individuals lack legal recognition of their gender identity, which makes them inaccessible to various facilities. They face discriminatory treatment in services like including health, education, employment and others.

There was a case of Bostock v. Clayton County; in this, Gerald Bostock was an employee who the employer fired for joining the gay softball league. The U.S. Supreme Court ruled that this violated Title VII of the Civil Rights Act of 1964. The Supreme Court ruled that Title VII prohibits discrimination based on sex at the workplace. This case played a significant role in protecting transgender individuals in the workplace from discrimination based on sexual orientation and gender identity.

***“The Supreme Court ruled that Title VII prohibits discrimination based on sex at the workplace.”***

There are various protection mechanisms for discrimination faced by transgender individuals. In 2006, the Yogyakarta Principles were developed to address issues related to sexual and Gender Identity. It provides international standards for protection of human rights and promotes equality throughout the world.



The Human Rights Campaign is constantly striving to protect the rights of transgender individuals. Through the Trans Justice Initiative Human Rights Campaign Foundation is constantly working to make the lives of transgender individuals better. Despite these efforts still there is no comprehensive federal non discrimination laws that include gender identity.

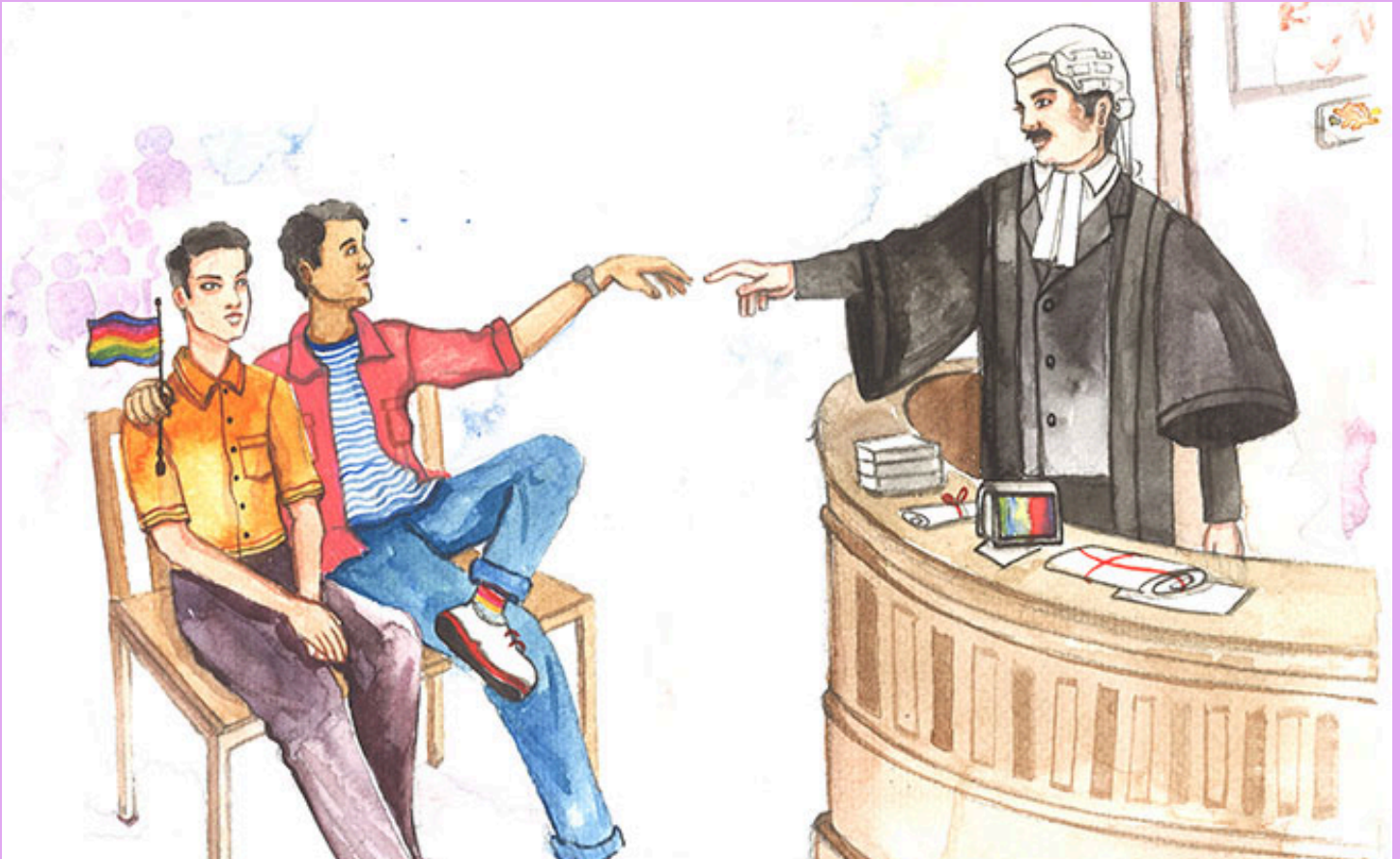
In conclusion, there are International Laws to protect the rights of transgender individuals. However, some more dedicated efforts like spreading awareness about transgender rights, taking efforts to prohibit discrimination against them, etc. are needed to achieve the equality for transgender individuals. Also, the vague clauses in the laws should be made clear. All human beings, despite their sexual orientation, gender identification, etc, deserve to lead a dignified life.



# LEGALISING LOVE

## Marriage Equality in International Human Rights

*~Aayushi Bhalerao, III BA LLB*



The month of January this year saw marriage equality acts come into force in two countries, Liechtenstein and Thailand. They join 36 other countries where same-sex marriage is legally recognised. Rampant homophobia and institutional discrimination persist and obstruct the right to marriage and family for same-sex couples and queer people worldwide. In light of this, international legal and judicial frameworks play a crucial role in upholding the human rights of same-sex couples, and evolving a global culture of tolerance and pluralism. The right to marriage for all is not

only enshrined in express provisions protecting it, but also other human rights provisions in international conventions upholding it.

The right to marry is enshrined in international instruments such as the Universal Declarations of Human Rights (hereinafter “UDHR”) and the International Covenant on Civil and Political Rights. Article 12 and 16 of the UDHR and Article 23 of the ICCPR read together delineate the right to marriage, privacy, home, and family for all; and require the State to take appropriate steps

to ensure equality of rights and responsibilities of spouses as to marriage.

The right to equality and non-discrimination (Article 2, UDHR) requires the State to recognise the right to marriage for same-sex couples, especially in light of the interpretation in Toonen vs. Australia that the prohibition on discrimination based on 'sex' also includes discrimination based on 'sexual orientation'. The right to liberty and dignity (Article 3 and 5, UDHR) and the right to be free from cruel, inhuman, or degrading treatment, provide an individual with autonomy and choice over their lives and protect them from stigmatization and exclusion. A legal recognition of relationships for same-sex couples, who have been historically marginalized and oppressed, is imperative as it lends legitimacy and dignity and is a step towards an inclusive society. Lastly, the right to family (Article 16, UDHR) and the rights of children and parents, as enshrined in Article 2 of the United Nations Convention on the Rights of Child which requires States to protect children against discrimination through their parents or legal guardians, also protect the right to marriage and family for same-sex couples. A family is considered the most natural unit in the current society for the flourishing of a marriage and a child, and the denial of right to marriage restricts the right and opportunities for queer people to form families and also leads to ambiguous legal relationships to their children.

Regional and international jurisprudence is evolving; the Inter-American Court of Human Rights issued an advisory opinion maintaining that States must extend legal rights such as marriage to same-sex couples, and the



European Court of Justice directed member States to recognise same-sex marriages of EU and non-EU citizens for immigration and residency.

As international jurisprudence evolves and the aspirations of people are voiced louder, marriage equality must be universally recognised and secured through domestic legislation, which is a legal and moral obligation grounded in universal human rights.



# OUT OF SIGHT, OUT OF VOICE

## Censored Expressions of the LGBTQIA+

*~Ishwaree Mahajan, III BBA LLB*



Identity is an elemental human truth that must not demand an explanation. Yet for the LGBTQIA+ community, it becomes the very reason that their voices are silenced, their existence politicised, and their rights denied. Most International human rights law instruments define the right to freedom of expression quite broadly. It includes freedom of opinion as well as freedom to impart and receive information and ideas of all kinds, through any media. This creates both positive and negative obligations on the States to actively protect sexual and gender minorities

from denial and violation of these rights. While Article 19 of the International Covenant on Civil and Political Rights (“ICCPR”) does permit limited restrictions, such as those necessary for national security, public order, public health, or morality, the threshold of justifying these limitations is demanding and must be construed narrowly.

However, these grounds meant to safeguard are weaponised to rationalise anti-LGBTQIA+ legislations. A striking example is Russia’s vague and ambiguous understanding of

‘morality’, coupled with an excessively wide margin of appreciation in its case before the European Court of Human Rights (“ECHR”). The Court in this case expressly condemned the infamous ‘gay propaganda’ law of Russia, holding that morality as a ground cannot justify curtailing public debate. These legislations reinforce social stigmas and encourage homophobia under the garb of ‘morality’ and ‘public health’.

The chilling effect of such laws quickly takes root in other nations, creating an impending threat to the global LGBTQIA+ community. The legal barriers imposed by at least 62 UN Member States on freedom of expression of the LGBTQIA+ community suppress queer narratives in education and media. These barriers are not mutually exclusive and usually flow through channels of executive action, like book bans. As classroom censorship floods American states, a recent report suggests that, of all the books banned in schools nationwide, 39% have LGBTQIA+ content. Concerns, not just regarding lack of access to information but also of mental well-being and overall development of children, are raised due to such harsh actions.

The very obvious offshoot of these violations can be observed in the digital sphere. Historically, digital spaces were among the first tools leveraged by the LGBTQIA+ community in their pursuit of recognition and rights. This also makes them highly vulnerable to the traps of content moderation and shadowbanning at the hands of either the state or private companies. Activities of private actors like Meta are, unfortunately, quite often derived from or in accordance with government orders,

creating a leeway for rather apparent anti-queer policies. On the flip side, Russia fined Apple for violating their LGBT propaganda law by distributing content that they deemed illegal under their anti-gay law. The irony is stark, for states are obligated to protect, not punish private actors for upholding the right to freedom of speech and expression. Additionally, restricting or filtering LGBT content breaches this right via surveillance. While highlighting this concern, the UN Special Rapporteur expressed how such practices push a wide range of vulnerable groups, including sexual minorities, towards censorship due to the fear of being tracked.

Safeguarding queer expression in the digital age requires more than mere legal recognition of rights. Most international human rights documents still fail to fully and explicitly recognise queer censorship and the social cost attached to it. Moreover, multi-stakeholder internet governance favours corporate interests and cybersecurity over human rights considerations. Strengthening soft law instruments like the UN Guiding Principles on Business and Human Rights (“**UNGPs**”) could improve diligence standards and policy inclusivity, aiding greater accountability towards Queer users. Regressive actions by states need condemnation not just from judicial bodies but also from the international community as a whole because, in the words of Harvey Milk, “Freedom is too enormous to be slipped under a closet door.”

# INTERNATIONAL HUMAN RIGHTS LAW

## And its Loopholes with Respect to Same Sex Marriage

*~Sragvi Gaur, III BBA LLB*



Marriage is a ceremony that is considered a symbol of love, support, responsibility, and unification. But is it true that individuals all over the world do have a right to marry the one they want to? Of course not. One of the prime example of this is same-sex marriage. Some countries have agreed to provide the privilege of same sex marriage to their people. Countries still showcase firm opposition towards the tying of knot between homosexual couples. As per the Human Rights Campaign report 2025, there were in total 38 countries that have

legalised marriage equality through both legislation and court decisions, but the rest remain to do so irrespective of sexual orientation. This act of not allowing same sex marriage not only snatches away the right of homosexual couples to be recognised as “married couples” by society, but also deprives them of ownership rights, property rights, many financial benefits, child adoption which in many countries is only kept in store for “married couples”. In International Human Rights Laws the Universal Declaration of



Human Rights 1948 (UDHR), International Covenant on Civil and Political Rights 1966 (ICCPR), European Convention on Human Rights (ECHR) 1950, there are provisions in support of same sex-marriage like the Article 16(1) of UDHR, Article 23(2) of ICCPR and Article 12 of ECHR. These provisions talk about the “Right to Marry”, which is vested in the hands of individuals, i.e. the men and women, as well as their right to found a family and marriage irrespective of what race, nationality, and religion the individuals belong to.

It is pertinent to note that these provisions have their roots in the traditional viewpoint of marriage, i.e., heterosexual marriage. Their reference in collaboration with the precedents given in various cases like Juliet Joslin v. New Zealand and Schalk and Kopf. v. Austria (2010), then we understand that there still exists ambiguity in accepting and promoting homosexual marriage. Article 26 of ICCPR and Articles 8 and 14 of ECHR do talk about prohibiting discrimination in marriage, but the word “discrimination” is highly confined to matters that are about heterosexual marriage only.

The Human Rights Committee had pronounced its decision in Juliet Joslin v. New Zealand in 2002. It involved four women, i.e., two lesbian couples, who were denied marriage licenses by New Zealand. The Human Rights Committee in this regard pronounced the decision that, “New Zealand cannot allow homosexual couples to get married”, even though this act of state party violates Article 26 of International Covenant on Civil and Political Rights (ICCPR), which states about the right to

equal protection and freedom from discrimination. The principle of lex specialis, which the Human Rights Committee (HRC) had applied here, is used in an inappropriate manner. The principle of lex specialis talks about the predominance of special law over general law, but it does not mean to completely ignore the general law in that subject matter, which HRC had done in that particular case. HRC relied on Article 23(2) Right to Marry of ICCPR, and only focused on its scope to allow only heterosexual marriage. Although later it was concluded to include “sexual orientation” in “sex” of Article 26. This decision of HRC ignores the broader meaning of Article 26, and encourages discrimination among couples on the basis of their sexual orientation. Therefore, there is a greater need to review the interpretation of this principle in regard to this particular case, which forms the basis for promoting same sex marriage.

It is the need of the hour for governing bodies to review the precedents and laws related to marriage, and give the right direction to them so that same sex marriage could be recognised more openly. The prevailing loopholes due to unclear and non-rigid precedents make it highly ambiguous to pave the way for the recognition of homosexual couples eligible for marriage. As has already been discussed in the Juliet Joslin case, countries can't be forced to allow same-sex marriage until their countries laws themselves recognise the same. And therefore, it is only through active campaigns and discussion by people on the international and national level that the country's governing body can understand and allow the concept of same sex marriage.



# HOW INTERNATIONAL ORGANIZATIONS PROMOTE LGBTQ+ RIGHTS

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*~Bhumika Jadhav and  
Dnyaneshwari Dange, III BA LLB*



LGBTQ+ members are still encountering barriers to their human, social, and economic rights across the world. LGBTQ+ members are openly attacked and killed, and they are excluded from the world today in over 70 countries. Gay, lesbian, and transgender members, however, have been accorded the right to be respected and have achieved rights in most countries in the Global North, where legislation has been enacted to ensure their common rights in the workplace and society.

In 2013, the United Nations introduced the

Free and Equal Campaign to fight violence and sexual orientation discrimination and advance LGBTQ+ rights. The UN Human Rights Council resolved by a vote to call upon member states to adopt non-discrimination laws and fight violence on the grounds of sexual orientation and gender identity. The World Bank discovered in the World Bank report that exclusion of LGBTQ+ results in reduced education, increased unemployment, and reduced access to housing, healthcare, and basic services. Two theoretical models that quantify the fiscal and economic losses

resulting from the exclusion of LGBTI individuals from the job market are developed in one of the World Bank Group's publications. The first model calculates the total wage losses brought on by the effects of exclusion, such as lower wages from employed LGBTI people's incapacity to fully utilize their human capital, higher unemployment and related wage losses, and lower labor force participation or higher inactivity among LGBTI people and related wage losses. The second model considers the detrimental impact of exclusion on accrued fiscal revenues and expenditures.

The International Lesbian, Gay, Bisexual, Transgender, Intersex Association (ILGA) has more than 1,900 member organizations and campaigns for human rights, equality, and self-expression. ILGA strives for human rights for everyone, equality, and self-expression. Researchers collect information on laws affecting the communities and produce key reports such as the Trans Legal Mapping Report and the State-Sponsored Homophobia report for activists. ILGA organizes capacity building for LGBTQ+ groups across the globe and organizes regional and worldwide conferences for networking and strategic planning.

Some of the achievements of the organisation are: Consensual same-sex sexual actions were decriminalized in the Cook Islands and Mauritius, while similar laws were enacted in Singapore and for Venezuelan military personnel. Laws were established in Spain, Iceland, and Cyprus to restrict "conversion therapy." Nepal granted an interim order to allow same-sex marriages, while Andorra, Estonia, and Slovenia instituted marriage

equality.

GATE (Global Action on Trans Equality) aims to battle for equality and justice for transgender and non-conforming genders all over the globe. Their mission is to provide the resources, know-how, and opportunities to trans activists so that they can bring about long-term change. Hearing the voices of the trans communities from various regions of the globe, they have then influenced their work.

The Kaleidoscope Trust works to protect the human rights of LGBT people all around the world. It connects grassroots activists and gives them the money, training, and advice they need to build LGBTQ+ movements all around the world. One of their proudest achievements to date is their ongoing role in fundraising for strengthening and leading The Commonwealth Equality Network (TCEN), which they co-founded with eight other organisations in 2013.

Although these organisations have somewhat succeeded in initiating global discourse on queer rights, the bodies are subject to certain shortcomings. To a large degree, such bodies are faulted for adopting the Western approach where their agenda of LGBTQ rights is read through the lens of Euro-America, which largely contradicts the politics and culture of the Global South. LGBTQ+ identities are often universalized by international organizations using Western terms like "gay," "lesbian," or "transgender." While being essential to Western legal thought, these categories might not accurately represent the deeply rooted identities found in many regions of the Global South. The Hijra community, for example, is

is recognized in South Asia and has a distinct gender space that transcends binary frameworks. Indigenous, flexible gender and sexual expressions face the risk of being erased when fixed Western identities are imposed. The LGBTQ+ movement in the West advocates legal equality and individual freedom. However, kinship-based and communitarian moral systems drive many Global South nations, where rights are viewed collectively.



International organizations have been strong partners in the fight for LGBTQ+ and human rights around the world. These organizations are very important in the fight against discrimination and in promoting equal rights around the world by doing things like advocacy, formulating policies, and supporting grassroots movements. But what really makes them valuable is not just their legal achievements but also how well they build transnational solidarity by connecting LGBT actions across national boundaries, collecting funds, and putting pressure on governments through focused diplomacy. International organizations have to tackle their limitations, particularly their reliance on Western frameworks, which might miss indigenous identities and context-specific issues. A decolonizing, intersectional, and community-led method is needed in order to influence the future of their work. Future initiatives must stress inclusive education, mental wellness, transgender rights, and intersectional policy design, particularly in the Global South, where legislative reforms alone cannot guarantee social justice. Only then can the worldwide queer rights movement achieve real revolution.

# INTERNATIONAL LAW AND TRANSGENDER INDIVIDUALS

Discrimination, Challenges, and Protection Mechanisms

*Vaishnavi Kapkar and Srushti Sawalakhe,*  
*II BA LLB*



If all humans are born free and equal, why do so many transgender people still have to live in fear or silence or shame? This is a profound question about human dignity.

Throughout the world, violence against transgender people continues to rage; they are denied healthcare services where those would be available for other persons and do not have protection from families and societal structures. True, equality means seeing and hearing everyone. That means recognizing

the existence of everyone who needs protecting, especially those most at risk of being erased. The right to equality and non-discrimination is among the fundamental rights in human rights law, as provided for in the Charter of the United Nations and the Universal Declaration of Human Rights (UDHR).

It guarantees that all people are born free and equal in dignity and rights. Systemic violence



and discrimination against gender-diverse and transgender people start with bullying, the family decides to reject such an individual, and the person becomes homeless; therefore, access to education, employment, and housing is restricted. Instead of being places that offer support, healthcare settings become additional sites of abuse through forced psychiatric evaluation and coercive surgery and sterilization. More importantly, legal recognition is lacking, misaligned identity documents blocking rights and fostering stigma, prejudice, and violence; even progressive laws are barely enforced, with the legal systems still largely operating within a strict male-female binary.

Though recognized as survivors of gender-based violence in law, the identities of being transgender and gender-diverse were negated in the processes of immigration and asylum. These compound and layered challenges require an ongoing multi-pronged response over the long term: legislative reform, public education, and institutional accountability. International law as an active protection for transgender and gender-diverse people, with strong confidence in the United Nations that human beings are entitled to equal rights regardless of their gender identity or sexual orientation. Dudgeon v. United Kingdom (1981). The European Court of Human Rights said it was not right to keep homosexual acts as a crime since doing so went against human rights. This marked the beginning of today's international rules regarding sex and gender differences. The Treaty of Amsterdam (1997) allowed the European Union to stop workplace discrimination based on sexual orientation. It also stated that if a person is discriminated

Yogyakarta Principles demonstrate that SOGI rights belong to existing human rights law. These principles have gained recognition internationally and are cited in various places. 2011: For the first time, the UN Human Rights Council joined in the condemnation of violence and discrimination based on SOGI.

These milestones reflect the process through which, little by little, the world came to mainstream LGBTQIA rights as human rights. Legal provisions for the third gender are extremely important for inclusivity, equality, and standard practice aligned with international human rights. For example, Germany, Australia, India, Nepal, and Canada have allowed individuals who do not identify as male or female to have their identity recognized. Germany permits the entry of a third gender on birth certificates; Australia and Canada expanded their gender markers on official documents. In 2014, the Supreme Court of India recognized transgender individuals as a third gender with equal rights. Nepal was an early frontrunner when its court ruling in 2007 mandated recognition of the third gender.

International law recognizes LGBTQ+ rights, but low enforcement measures backed by binary norms and a lack of self-identification mechanisms for true equality. For global diversity, policies should demand legal gender recognition without any medical barriers, criminalize hate crimes against LGBTQ+ people, and introduce LGBTQ+ education and representation in public institutions. These will reduce stigma; they will help in better assimilation and protection of the rights and dignity of all gender-diverse individuals.

# NEWS AT A GLANCE



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AA US federal judge in Colorado has ruled that Filipino workers can pursue forced labor claims against US-based companies involved in building FIFA World Cup stadiums in Qatar. Magistrate Judge Cyrus Chung held that under 18 USC §§ 1595 and 1596, US courts have extraterritorial jurisdiction over trafficking offenses if the defendants are US nationals, residents, or present in the United States. As a result, claims against Qatari employers were dismissed. However, claims can proceed against Colorado-based CH2M and Texas-based Jacobs Engineering. The court found it had specific jurisdiction over Jacobs due to its sufficient ties to the district. The workers allege their passports were confiscated, they worked excessive hours, and lived in harsh conditions under Qatar's restrictive kafala sponsorship system. For more information, view [here](#)

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The Democratic Republic of the Congo (DRC) and Rwanda signed a US-brokered peace agreement on Friday, ending a 30-year conflict that has killed thousands. The deal builds on the April 25, 2025 Declaration of Principles and seeks to restore diplomatic relations, promote regional economic development, and support ongoing Qatar-led talks between the DRC and M23/AFC rebels. It also commits both nations to facilitating the safe, voluntary return of refugees and displaced persons with UN support. US Senator Jim Risch praised former President Trump's role, calling the agreement a step toward lasting peace. However, critics argue it overlooks key issues like ethnic tensions, land disputes, and justice for war crimes. The conflict, rooted in Rwanda's 1996 invasion and fueled by DRC's vast mineral wealth, has created a humanitarian crisis, displacing over 6.9 million people. For more information, view [here](#)

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Human Rights Watch (HRW) has warned that Ecuador's new Public Integrity Law endangers children's rights, especially those exploited by organized crime. Signed by President Daniel Noboa on June 25, the law increases prison sentences for children from 8 to 15 years, extends pretrial detention to one year, and removes access to rehabilitation or early release. HRW says this shift from protection to punishment violates Ecuador's Constitution and international obligations. Though the government declared child protection a national priority, HRW argues the law criminalizes vulnerable youth, especially from Indigenous, Afro-Ecuadorian, and low-income communities. It follows other reforms expanding state power, which HRW warns undermine rights, privacy, and accountability. For more information, view [here](#)

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At the NATO summit in The Hague, Spanish Prime Minister Pedro Sánchez rejected the alliance's new 5% GDP defense spending goal by 2035. Spain secured an exemption, making it the only member to do so. Critics argue this weakens NATO unity amid rising tensions with Russia. However, Spain did not violate any legal obligation, as NATO spending targets are political, not binding under the North Atlantic Treaty. Spain cites national priorities and past precedent for its stance. The incident raises questions about NATO's reliance on soft law and consensus, highlighting growing tensions between political unity and legal autonomy within the alliance's structure, especially as strategic burdens grow unevenly distributed. For more information, view [here](#)



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On June 26, the UAE Supreme Court reconvicted 24 individuals, issuing life sentences and bringing total convictions in the case to 83. Human Rights Watch condemned the decision, citing an unfair mass trial with restricted legal access, coerced testimony, and double jeopardy. UN experts also criticized vague terrorism laws used to silence dissent. Many defendants were previously convicted in the 2013 "UAE94" trial for advocating democratic reforms. Rights groups demand their immediate release. For more information, view [here](#)

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# UPCOMING ACTIVITIES

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## **Webinar Announcement: Focus on the Arms Trade – State Responsibility, Accountability, and Private Actor Compliance**

A webinar presented by the IBA War Crimes Committee and supported by various IBA committees and regional forums. Taking place on 30 July 2025, it will examine legal frameworks governing arms transfers, state obligations, and private sector compliance. The session includes updates from Sudan, Yemen, Iran, and Palestine, and is part of the ‘War Crimes and Justice: A Monthly Webinar Series’. For more information, view [here](#).

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## **Webinar Announcement: The Rule of Law in the Middle East – Promises and Challenges**

This webinar explores the complex legal, economic, and political landscape of the Middle East, where diverse legal systems and varying levels of prosperity coexist amid regional instability. It will examine the prospects and obstacles to upholding the rule of law across the region. For more information, view [here](#).

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## **Certificate Course on Space Laws – Policies and Practice (Hybrid Mode)**

Organized by the Indian Society of International Law, this three-month certificate course offers in-depth understanding of international and national space law frameworks, covering foundational principles, soft law instruments, militarization of space, and India’s legal approach. Conducted on Saturdays starting 12 July 2025, the course addresses the growing significance of space in global security, law, and policy. For more information, view [here](#).

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## **One-Day Seminar on Protection of Environment During War and Armed Conflict** **Webinar Announcement: The Rule of Law in the Middle East – Promises and Challenges**

Organized by the Indian Society of International Law, the seminar highlights the devastating and long-term environmental impacts of armed conflict. The event will be held on 6 November 2025. For more information, view [here](#).

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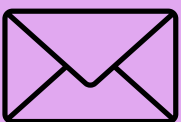
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