

HUMAN RIGHTS VIOLATIONS AGAINST LGBTQ+ COMMUNITIES IN THE UNITED STATES

Discriminatory book bans and censorship of classroom instruction violate the rights to equality, freedom of expression, and education.

“Book banning is part of a larger scheme to erase LGBTQ+ people from schools.”

Simone Chriss, Director of Transgender Rights Initiative, Southern Legal Counsel

- A higher percentage of books faced complete bans in the 2023-2024 school year compared to previous years, with **39% of banned books focusing on LGBTQ+ topics**.
- **Executive Order 14190**, “Ending Radical Indoctrination in Schools,” **defunds schools promoting “gender ideology” and “discriminatory equity ideology,”** censoring LGBTQ+ inclusive curricula. It further encourages legal action against educators supporting students in their gender transition.
- “Don’t Say LGBTQ+” state laws restrict classroom discussions on sexual orientation, gender identity, and the use of transgender’s students’ names and pronouns.
 - **13 states have laws restricting LGBTQ+ topics in schools.**
 - **8 states require parental notification for LGBTQ+ inclusive instruction.**
 - **7 states require school staff to out transgender students to their families.**
 - **15 states censor discussions on sex-based structural inequality in schools.**
- LGBTQ+ students face disproportionate harassment and mental health struggles without inclusive curricula.

Denial of gender affirming care violates rights to equality, security of person; privacy; freedom from cruel, inhuman, and degrading treatment; health; and life.

“I can say that if I hadn't sought gender-affirming care, I wouldn't be here now.”

Nico Watson, Former Teacher

- Gender affirming care is considered the gold standard in the medical community for treating gender dysphoria. Impeding access to medically necessary gender affirming care is linked to higher rates of depression, anxiety, and suicidality.
- **Executive Order 14168**, “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,” **defunds entities supporting transgender people** and promoting “gender ideology.” Passports, social security records, and other federal documents now have to reflect an individual’s sex assigned at birth.
- The Secretary of Defense paused all gender-affirming care for transgender active-duty service members, and the Veterans Administration ended such care for veterans.
- **Executive Order 14187**, “Protecting Children from Chemical and Surgical Mutilation,” **severely restricts gender-affirming care for youth.**
- **25 states ban both gender-affirming medication and surgical care for transgender minors**, and 2 states ban gender-affirming surgical care for children. **6 of these states make it a felony to provide gender affirming care to children.**
- **29% of transgender people** report being **refused health care due to their identity.**

LGBTQ+ individuals face disproportionate housing insecurity and homelessness due to discrimination and economic barriers to the right to housing.

“Many states are now environments that are hostile for members of LGBTQ+ communities to live in.”

Yasemin Smallens, LGBT Rights Program Officer at Human Rights Watch

- **LGBTQ+ youth are 120% more likely to experience homelessness** compared to non-LGBTQ+ youth, in part because of family rejection.
- Even though only 10% of the general youth population identifies as LGBTQ+, they make up 40% of the total homeless youth population.
- **12% of transgender people experienced homelessness** in the past year.
- **70% of transgender people in shelters faced harassment or assault.**
- 51% of Black transgender women and 59% of Native American transgender women have experienced homelessness.
- The **Department of Housing and Urban Development (HUD) is forcing homeless service providers to accept anti-transgender restrictions** to receive funding.

RECOMMENDATIONS

- **The U.S. should immediately repeal Executive Orders 14190, 14168, and 14187 and enact comprehensive legislation prohibiting discrimination based on sexual orientation or gender identity.**
- **States should repeal discriminatory laws targeting individuals based on their sexual orientation or gender identity and enact comprehensive protections prohibiting discrimination on those grounds.**

Education:

- The U.S. Department of Education should continue its work investigating complaints of discrimination and rights violations based on sexual orientation and gender identity. The U.S. should robustly fund and promote this mechanism.
- The U.S. should provide resources to incentivize increased access to books and curricula with LGBTQ+ themes and history.
- States should lift bans on books and classroom instruction with LGBTQ+ themes and adopt rights-respecting policies ensuring coverage of LGBTQ+ topics in school curricula.

Health:

- The U.S. should provide detailed guidance to states on rights-respecting, medical best practice for the provision of gender-affirming care.
- States should rely on the evidence-based, best practice standards for transgender health in lifting barriers to medically prescribed gender-affirming care.

Housing:

- The U.S. should increase funding for HUD to address discrimination in housing based on gender identity or sexual orientation.
- States should implement policies that ensure LGBTQ+ people do not face discrimination in access to shelters, rental housing, or homeownership.

