I. LEGISLATION

a. The constitution:
    i. Is there a provision limiting marriage to a man and a woman?
    ii. Is there an anti-discrimination provision?
        - If so, is does this provision prohibit discrimination on the grounds of sexuality?
            a. This may be based on how the statute has been interpreted by the courts. Try your best to find a website for the country's constitutional court and investigate whether this question has been addressed.
b. The criminal/penal code
    i. Is it illegal to have homosexual relations?
        - Has this provision been enforced?
            a. Do a Google search for articles on any prosecutions.
    ii. Is the age of consent higher for a homosexual relationship than for a heterosexual relationship?
c. A human rights code
    i. Is there a code?
    ii. On what grounds can a person claim discrimination?
d. Other issues that may be found in a statute
    i. Can homosexual people serve in the military?
    ii. Can homosexual people marry?
    iii. Can LGBT people adopt?

To answer these questions, please check the following sources:

□ The interactive map at www.ilga.org – this gives a starting overview of the laws of a country
□ Amnesty International USA's interactive map: http://www.amnestyusa.org/lgbt-human-rights/country-information/page.do?id=1106576.
□ *State-sponsored homophobia: a world survey of laws prohibiting same sex activity between consenting adults* (May 2010):
http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2010.pdf.
□ GayLawNet: http://www.gaylawnet.com/laws/laws.htm.

Note: while the above sources are useful as an overview, please try and find the actual legislation. To do so, check:
□ WorldLii database: www.worldlii.org .
□ QuickLaw's foreign legislation disrectory: Quicklaw>>Source Directory>>The country/region you're researching>>Legislation
□ The website of the state department or government responsible for the legislation.
□ Once you know the name of the statute, a basic Google search may turn up an electronic copy.

Even if this law is in another language, we want to know where it is.

Finally, we want to know if there are any proposed changes in the law that would positively/negatively affect LGBT people. Please do a Google search for news articles to determine if there is legislation in the works.

II. CANADIAN JURISPRUDENCE

Information to look for:

a. Treatment of LGBT people from the same country at the IRB.
b. Treatment of LGBT people from the same country at the Federal Court (on judicial review).
c. Cases of LGBT people from similar countries (with similar cultural backgrounds) – this is only necessary if you cannot find sufficient cases from the assigned country.

To find these cases, please check the following sources:

To research tribunal decisions on QuickLaw:
□ Quicklaw database for Immigration and Refugee Board (tribunal) decisions: QuickLaw>>Tribunal Cases>>Immigration Tribunal Decisions-Topical>>Enter search terms
>> a. Please try the following search terms: *Your country* AND gay OR homosexual OR lesbian
□ Quicklaw database for Federal Court cases (judicial review):   QuickLaw>>Court Cases>>Federal Court of Canada, Group Source>>Enter search terms
>> a. Please try the following search terms: *Your country* AND gay OR homosexual OR lesbian AND refugee
□ the Michigan-Melbourne Refugee Caselaw Site at www.refugeecaselaw.org. The site contains jurisprudence from a multitude of asylum countries, and can be organized by the claimant's country of origin and by issue (such as sexual orientation). Refugee Case Law Homepage>>Search>>Enter search criteria
□ the UNHCR Refworld site: http://www.unhcr.org/refworld/country. Canada >> Legal Information >> Canada: Immigration and Refugee Board of Canada >> Enter search criteria

Note: Please include a copy of the decision in your final report.

III. DOMESTIC JURISPRUDENCE
Information to look for:
>> a. Constitutional rights cases involving LGBT claimants from the country being studied
>>>> a. What was the claimant's challenge? What was the remedy sought?
>>>> b. If the claim was unsuccessful, what were the reasons?
>>>> c. If the claim was successful, what was the impact of that ruling on LGBT rights in that country?

To find answers to these questions, use these resources as a starting point:
>> a. NYU GlobaLex: http://www.nyulawglobal.org/globalex/
>>>> a. On front page select 'Foreign Law Research'
>>>> b. Select your country's report from database. If the country has a link marked 'UPDATE' use that report rather than the original report.
>>>> c. The report will detail how and where to search different legal information and materials from that country.
>> b. Bora Laskin Law Library Electronic Library: http://www.law-lib.utoronto.ca/e-res/index.asp
>>>> a. Select 'Foreign Law Guide' from available databases, and select your country

b. The guide for each country will provide the best sources for primary and secondary sources on legal information and reports from that country.
c. Be aware that the Electronic Law Library is often only accessible from campus!

IV. INTERNATIONAL LAW

Information to look for:
a. Treatment of LGBT claimants at regional human rights courts
    a. Has the country signed and ratified any regional human rights conventions (European Convention on Human Rights, American Convention on Human Rights, Africa Charter on Human and Peoples' Rights)?
    b. Have discrimination claims based on LGBT status been brought before the court or body responsible for supervising compliance with those conventions (European Convention on Human Rights, American Convention on Human Rights, Africa Charter on Human and Peoples' Rights)?
    c. What were the reasons given for upholding or rejecting the claim?
    d. Focus only on case-law directly involving the country being studied, rather than the LGBT rights jurisprudence of human rights courts more broadly.
b. Treatment of LGBT claimants by international human rights treaty-monitoring bodies
    a. Has the country signed and ratified major human rights instruments at the UN?
        i. Focus on the ICCPR, ICESCR, and CAT, and Optional Protocols of each
    b. Review the last two country reports from the relevant Treaty Body and summarize any findings or recommendations relevant to LGBT rights
        i. Human Rights Committee – monitors ICCPR
        ii. Committee on Economic, Social and Cultural Rights – monitors ICESCR
        iii. Committee Against Torture – monitors CAT
    c. Summarize any relevant complaints made under the Optional Protocols of each treaty – focus only on complaints directly involving the country being studied
    d. Review the last two reviews from the Universal Periodic Reviews of the country by the Human Rights Council and summarize any findings or recommendations relevant to LGBT rights
    e. Summarize Special Procedures of the Human Rights Council
        i. Country Mandates – include any relevant reports from the country mandate in the country being studied (if any)
        ii. Thematic Mandates - include any relevant country specific reports from the following thematic mandate bodies:
- Adequate Housing
- Arbitrary Detention
- Extrajudicial Executions
- Peaceful Assembly and Association
- Freedom of Expression
- Human Rights Defenders
- Minority Issues
- Torture

To find the answers to these questions, please check the following sources
UN Treaties and Monitoring Bodies
- To find which treaties have been signed and ratified by your country:

- o http://indicators.ohchr.org/ (Status of Ratification Interactive Dashboard – can search by country and/or by treaty)
- To find reports from treaty bodies monitoring compliance with treaties:
  - o OHCHR Treaty Bodies Database: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en
- To find jurisprudence from Optional Protocols of the various treaties: http://www.bayefsky.com/docs.php/area/jurisprudence/node/3/treaty/ccpr/opt/0
- To find reports from the Universal Periodic Review by the Human Rights Council:
  - o http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx
- To find country mandates: http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx
- To find thematic mandates: http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx

Shadow Reports
- Shadow reports are a method for NGOS to supplement or present alternative information to the government reports that states submit under the treaties
- These are available on the UN Human Rights website: http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx
  - o Select the relevant Treaty Body from the list (ex: Human Rights Committee)
  - o Click on 'Sessions' on that Treaty Body's page and select the country you are researching
  - o Select the most recent session at which a state report was considered from your country
  - o Look for the headings 'Info from Civil Society Organizations' and 'Follow-up information from other sources' for the shadow reports from NGOs.

Regional Treaties and Monitoring Bodies
- European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)
  - o For information on which states have signed and ratified the ECHR and for related declarations, reservations and communications: http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=005&CM=8&DF=19/01/2015&CL=ENG
  - o For the European Court of Human Rights case-law: http://www.echr.coe.int/Pages/home.aspx?p=home
- African Charter on Human and People's Rights
  - o For signature and ratification dates: http://www.achpr.org/instruments/achpr/ratification/
  - o For the African Court of Human and People's Rights: http://www.african-court.org/en/
- American Convention on the Rights of Man
  - o For information on signatory and ratifying states: http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights_sign.htm
  - o For reports from the Inter-American Commission on Human Rights: http://www.oas.org/en/iachr/
  - o For the Inter-American Court on Human Rights: http://www.corteidh.or.cr/index.php/en

V. GOVERNMENTAL REPORTS

Questions to investigate:
- What is it like to be an LGBT person in this country?
- What is the public/social attitude toward LGBT people?
- What kinds of persecution are experienced by this population? Is this persecution different for different sub-groups of LGBT people?
- Who is persecuting LGBT people?
- Is the state protecting LGBT people from persecution, or persecuting them?
  o What is the attitude of the police to LGBT people?
- Are certain parts of the country safer than others for LGBT people?

State sources:

□ reports by the Research Directorate of the IRB: http://www.irb-cisr.gc.ca/eng/resrec/respro/Pages/index.aspx
  a. IRB Homepage>>National Documentation Packages>>Click on "National Documentation Packages">>Select Country>>Date of most recent report>>Sexual Orientation
  b. IRB Homepage>>Issue Papers and Country Fact Sheets>>Issue Papers>>Select Country>>Select Issue Papers (if available)
  c. IRB Homepage>>Issue Papers and Country Fact Sheets>>Country Fact Sheets>>Select Country>>Select Country Fact Sheet (if available)
  d. IRB Homepage>>Responses to Information Requests>>Responses to Information Requests>>Enter search terms
□ U.S. Department of State Country Reports on Human Rights Practices: http://www.state.gov/g/drl/hr/
  a. U.S. Department of State; Bureau of Democracy, Human Rights, and Labour; Human Rights Homepage>>Country Reports>>Select Year>>Select Region>>Select Country
    - Please try to date these reports back to at least 2003.
□ United Kingdom Home Office Research Development & Statistics: http://www.homeoffice.gov.uk/rds
  a. Home Office Research Development & Statistics Homepage>>Subjects>>Country of origin information reports>>Country

Supranational governmental sources:

□ UN High Commissioner for Refugees (UNHCR): http://www.unhcr.org/cgi-bin/texis/vtx/home
□ UN Integrated Regional Information Networks (IRIN): http://www.irinnews.org/
□ UN Working Group on the Universal Periodic Review Reports (Office of the High Commissioner for Human Rights): http://www.ohchr.org/EN/HRBODIES/UPR/Pages/UPRMain.aspx
□ European Union Agency for Fundamental Human Rights (FRALEX): http://fra.europa.eu/fraWebsite/research/fralex/fralex_en.htm
□ Council of Europe Commissioner for Human Rights: http://www.coe.int/t/commissioner/default_en.asp
□ Inter-American Commission on Human Rights: http://www.cidh.org/publi.eng.htm

Regional:

□ African Commission on Human and Peoples Rights: http://www.achpr.org/
□ Asian Human Rights Commission: http://www.ahrchk.net/index.php
□ Human Rights Commission South Asia: http://www.hrcsa.org/
Note: If these reports are only available in another language, please tell the leader of your research request and we will look into translation.

VI. NON-GOVERNMENTAL ORGANIZATIONS

Questions to investigate:
- What is it like to be an LGBT person in this country?
- What is the public/social attitude toward LGBT people?
- What kinds of persecution are experienced by this population? Is this persecution different for different sub-groups of LGBT people?
- Who is persecuting LGBT people?
- Is the state protecting LGBT people from persecution, or persecuting them?
    - o What is the attitude of the police to LGBT people?
- Are certain parts of the country safer than others for LGBT people?

Sources:

□ Refworld: www.refworld.org)
   a. Refworld Homepage>>Select country from "Countries" bar and click GO>>Use *full text* filter using search terms (i.e. "gay + Cuba")
□ Asylum Law: www.asylumlaw.org:
   a. Asylum Law Homepage>>Sexual Minorities/HIV Status>>Packets by Country of Origin>>Country

Note: These databases also incorporate media and government reports. To avoid duplication of work, please notify your co-workers who have been assigned to work on these sections.

□ International Gay and Lesbian Human Rights Commission (IGLHRC): http://www.iglhrc.org/cgi-bin/iowa/home/index.html
   a. IGLHRC Homepage>>Information by Country>> Region>> Country
□ International Lesbian and Gay Association: www.ilga.org
   a. ILGA Homepage>>Double-click to select country (interactive map)
□ Human Rights Watch: www.hrw.org
   a. Human Rights Watch Homepage>>Publications>>Reports>>Country
   Note: Do not select "Issue" along with Country. This makes the search too narrow, yielding no results.
   b. Human Rights Watch Homepage>>Our Work>>Topics>>LGBT Rights
   Note: Some of the broad reports may require you to scan them looking for specific information on the particular country you are researching.
□ Amnesty International: www.amnesty.org
   a. Amnesty Homepage>>Search>>Enter search terms under "Key words" tab
□ Local LGBT NGOs which may have prepared reports. If you do not find a report (many of the organization have produced translations of their reports, and SOGI may be able to translate sections), it is often helpful to contact a representative asking about the availability of any materials documenting LGBT human rights abuses. Some organizations have been willing to provide letters in support of refugee claimants in the past.

VII. MEDIA REPORTS

Questions to investigate:

- What has happened in the country that relates to LGBT people?
    - o Attacks/threats against LGBT people. Who committed these - the public? The police? Gangs?
    - o Pride parade or other awareness events. How was this received?

- o Prosecutions of LGBT people under the country's criminal code (e.g. for indecent behaviour, homosexual activity)
  - o Election of gay politicians/leaders.
- What is the public opinion of LGBT people? Look for:
  - o Editorials/letters about LGBT people – is there a positive or negative perspective of these people?
  - o Articles on actions by political or religious groups/ authorities that oppose LGBT groups.

Sources:

□ LexisNexis: http://www.lexisnexis.com/ca/legal
  a. Login. Click on the "news and companies" tab in the top right. Use the "geography" index terms option to narrow your search to the country of interest, and change the sources you search to further narrow your search. You may also search specific dates for older or more recent events.
  b. Check these results carefully! You will get a lot of returns but this search is much better than trawling through Google.
□ Asylum Law: www.asylumlaw.org
  a. Asylum Law Homepage>>Sexual Minorities/HIV Status>>Packets by Country of Origin>>Country
□ Global Gayz (www.globalgayz.com)
  a. Global Gayz Homepage>>Region>>Country>>News & Reports

VIII.   SCHOLARSHIP

Questions to investigate:
- What is it like to be an LGBT person in this country?
- What is the public/social attitude toward LGBT people?
- What kinds of persecution are experienced by this population? Is this persecution different for different sub-groups of LGBT people?
- Who is persecuting LGBT people?
- Is the state protecting LGBT people from persecution, or persecuting them?
  - o What is the attitude of the police to LGBT people?
- Are certain parts of the country safer than others for LGBT people?

Umbrella source:

□ U of T Library: www.library.utoronto.ca
  a. U of T Library Home>>Article Search>> Enter search terms
     Note: this will take you to "Scholar's Portal," which will allow you to search under specific journals or more specific topics under the "Advanced Search" tab.
  b. Please try the following search terms: *Your country* AND gay OR homosexual OR lesbian
  c. Check these results carefully – Scholar's Portal will be the only major source you check, so don't let anything slip past you!
□ To locate books in the U of T Library System: www.library.utoronto.ca
  a. U of T Library Home>>Catalogue>>Enter Search Terms