

PERSPECTIVES

2011 to 2013



**INTERNATIONAL GAY AND LESBIAN
HUMAN RIGHTS COMMISSION**

**INTERNATIONAL GAY AND LESBIAN
HUMAN RIGHTS COMMISSION**

**COMMENTARIES,
OP-EDITORIALS AND
BLOGS**

2011 to 2013



I G L H R C
HUMAN RIGHTS FOR EVERYONE.
EVERYWHERE.

New York 2013

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Foreword



Dear Friend,

Over the past two years, the staff of regional experts at the International Gay and Lesbian Human Rights Commission (IGLHRC) and our partners around the globe have created something truly unique. With 40 op-eds, commentaries, published remarks, testimonies and blog posts, we've amassed a collection of human rights documentation that is not only a record of our collective milestones, roadblocks and breakthroughs but also a rich analysis of what each of these developments means in its current context.

Many of us in this field are used to reading UN reports and legal documentation, but what I love most about this body of writing is that it's accessible. Published in major news outlets like the *Huffington Post*, *Mail and Guardian*, and *London Times* and community-based media like *Fridae*, *Women's eNews*, and *The New Civil Rights Movement*, these stories have been read and re-circulated by countless numbers of people. Reaching people with our stories means reaching more potential allies and advocates who can contribute to our movement.

When Damian Ugwu's op-ed on the resurfacing of Nigeria's anti-gay "Same-Sex Marriage Prohibition Bill" was published in the *Huffington Post*, his inbox filled with questions from governments asking how to respond. Val Kalende's piece, *Gay Ugandans: Loud and Proud*, published in *Gay City News*, *Huffington Post*, *London Evening Times* and *Go! Magazine*, prompted an individual donor to make a \$5,000 donation to a grassroots Ugandan LGBT youth organization. And those are just two examples of the meaningful impact this writing has had.

In the following pages, you'll find a sampling of these pieces. From Asia, Africa and the Middle East to Latin America and the Caribbean, we've seen a great number of successes and challenges over the past two years. By no means comprehensive, this compilation includes a variety of authors—including our own staff, interns, and activists we partner with—who have told the story from their own perspective and with the insight and context that only someone who has lived these realities could provide.

I hope you'll enjoy this collection—please also join us in the conversation online by reading, sharing and commenting on these and future articles.

With warmth and solidarity,

A handwritten signature in black ink that reads "Jessica Stern". The signature is fluid and cursive, with the first name "Jessica" written in a larger, more prominent script than the last name "Stern".

Jessica Stern, Executive Director



**HUMAN RIGHTS FOR EVERYONE.
EVERYWHERE.**



AFRICA





Photo courtesy of IPS News Agency.



HUFFPOST **GAY VOICES**

As the Flames of Homophobia Burn Around the World

Understanding Nigeria’s Anti-Gay Bill

BY DAMIAN UGWU

Published 2/03/2012

While we watch the flames of homophobia in Uganda with horror, the same fires are burning in countries around the world. Nowhere is this more evident than in Nigeria. The latest version of the deceptively named “Same-Sex Marriage Prohibition Bill” declares that the “public show of same sex amorous relationship [sic] directly or indirectly is hereby prohibited.” Incredibly, it would punish same-sex affection – yes, even a simple hug or kiss – with 10 years in prison.

The Nigerian anti-gay bill recently resurfaced in Nigeria’s lower parliament after a long silence from legislators. On Nov. 13, 2012, the House of Representative unanimously referred the “Same-Sex Marriage Prohibition Bill” to a committee to scrutinize every section of the bill. This was after the Nigerian Senate unanimously passed the bill a year ago. The committee is also expected to call for a public hearing before the bill is put to a vote.

Nobody doubts the final outcome of this process. The bill is effectively a done deal if past events are anything to go by. Previously, public hearings to consider the bill were organized in such a way that left no doubt about the final outcome. Supporters of the bill were given ample time to organize and mobilize their supporters, while LGBT activists and civil society organizations opposed to the bill were refused permission to attend the public hearing. Those who managed to scale the security barriers to attend the hearing were constantly jeered at and booed by religious fundamentalists while being intimidated by legislators.

The Nigerian anti-gay bill should be understood within the context of the sociopolitical crises within the country and the rise of Christian fundamentalism in Nigeria. Since the return of civilian rule in Nigeria in 1999, the much-awaited “dividends of democracy,” including improved health care, education and infrastructural development, have been largely unmet. This, coupled with an unprecedented level of corruption and mismanagement of the common wealth, leaves many Nigerians asking questions.

The last 10 years in Nigeria have seen frightening levels of terrorism and religious and ethnic violence. At no time in the history of Nigeria is the unity of the country more threatened than in the present. Calls for “regional autonomy,” “true federalism” and “sovereign national conference” are becoming more strident. Such agitation represents the deep-seated mistrust of Nigerian elites and ethnic leaders. For now, it seems that the only thing these leaders can agree on – and ditto for most Nigerians – is their love of football and their hatred of homosexuality.

It is within this context that the anti-gay bill can be situated. This bill must be understood for what it is: a diversionary tactic by politicians to confuse the public and distract attention from pressing socioeconomic realities. Any attempt to join issues with politicians, as some organizations are currently doing, will only play into the hands of the architects of the bill.

Responding to the challenge by ensuring that the bill does not become a reality will require a thorough understanding not only of these realities but of the state of LGBT activism in Nigeria. LGBT activists in Nigeria, like most of their colleagues in Africa, operate within an extremely hostile and challenging environment. They remain under-resourced and severely isolated. These young men and women

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have previously exhibited commendable bravery and resilience when they fought the bill on two occasions in 2007 and 2011, even with very limited resources at their disposal.

What they need is support and encouragement. The truth is that the battle cannot be won primarily in the streets and conference halls in New York or Geneva but here in Lagos and Abuja.

The truth is that the battle cannot be won primarily in the streets and conference halls in New York or Geneva but here in Lagos and Abuja.

This is not to say that support from international NGOs, activists and diplomats is not important – far from that. The point being canvassed here is that local activists need to be empowered to drive the process. They need offices, computers and, more importantly, the training and skills to drive the process. They must be allowed to take the lead.

Circumventing this process will only exacerbate the problem, as has been shown in several African countries. Like with the case of Uganda, pressure from the West only emboldens the religious fundamentalists and their political allies. It also exposes local activists to increased anti-gay attacks and provides fundamentalist with the weapon to argue, “We told you so: It was planned and delivered from the West.”

As for most Nigerians, what they need is to be told the truth. They will understand this best, when their fellow compatriots, their brothers, sisters, uncles and nieces, tell it. And this truth is that Nigerians are being taken for a long ride by legislators and their religious allies, just to make them forget, even if temporarily, their present socioeconomic predicaments.



Rape is Rape

BY KATE MUWOKI

Published 4/02/2013

As a young African woman, I sit at my desk in Johannesburg trying to make sense of the recent international shockwave surrounding rape, and what it means for lesbian, bisexual and transgender people in South Africa.

Recently, international media focused on two gang-rapes, first with the fatal sexual assault of Jyoti Singh Pandey, a 23-year-old medical student, by six men on a bus in Delhi, India on December 16, 2012. Six weeks later, on February 2nd, South African and international media moved to the gang-rape and murder of Anene Booysen, a 17-year-old woman from Bredasdorp, South Africa. While sexual violence tends to be hidden in private spaces, the public and brutal nature of Jyoti and Anene's attacks drew a spotlight and incited public outrage. In both India and South Africa, the widespread international coverage laid bare tragic epidemics of gender-based violence.

In South Africa, lesbian, bisexual and transgender women are disproportionately subjected to the kind of brutal violence faced by Jyoti and Anene. So rigid are the gender and sexual norms in South African society, that stepping "out of bounds" can result in sexual assault or murder. These rapes are often touted as corrective by perpetrators, some of whom report being regarded as heroes in their communities following their brutal enforcement of gender norms.

While homophobic and transphobic sentiments seek to minimize the gravity of rape of LBT people, the fact remains – rape is rape. And, thanks to the work of women's and LGBT civil society organizations in South Africa, this violence against LGBT people is increasingly being exposed and denounced.

What is lacking is not so much awareness, but meaningful action by the South African government. Progressive national laws, such as protections for “all” people in South Africa’s constitution, are not enough; they must be implemented and enforced in a non-discriminatory manner. Likewise, South Africa’s commitment to tackling sexual violence under regional and international human rights treaties, such as the African Charter on Human and Peoples’ Rights and the Convention on the Elimination of All Forms of Discrimination Against Women, must be backed by full-fledged government efforts to ensure that perpetrators are brought to justice, police officers and health workers are trained to deal with all cases of sexual violence, and the implementation of policies are monitored and evaluated. These recommendations are reiterated by both Human Rights Watch as well as the ANC Womens League.

Recent moves by the South African government suggest that real change may be afoot. Following the rape and murder of Anene Booysens, both President Jacob Zuma and the ANC Women’s League denounced the violence and claimed they would take “action on every possible front.” This past week, South Africa also affirmed its commitment during meetings of the Commission on the Status of Women as one of the first countries to sign a United Nations pledge on the full implementation of laws and strategies to combat violence against women and girls. However, once the international spotlight moves on, will they follow through?

According to advocates working with LBT women, the rape and murder of lesbian women has been met with virtual silence from the South African government for more than a decade.

According to advocates working with LBT women, the rape and murder of lesbian women has been met with virtual silence from the South African government for more than a decade. These attacks, often undocumented and unpunished, leave LBT people sidelined from

dialogues on gender-based violence. Now, as the government announces plans for action, it must seek input from LBT activists and recognize the unique needs of LBT people.

These needs stem from the particular intersection at which LBT people stand in South African society. We live in a context of excessive violence as a result of a history of systematic violence perpetrated by the apartheid government. Women face violence as a result of patriarchal norms, men's sense of entitlement over women's bodies, and culturally inscribed notions of masculinity and femininity. Lesbian, bisexual, and transgender people, are punished for who they love, and how they express their deeply held sense of gender identity. Add to this, condi-

tions of poverty faced by black lesbian, bisexual and transgender people living in townships and non-urban areas, and you have a population extremely vulnerable to sexual violence.

Women face violence as a result of patriarchal norms... LBG people are punished for who they love... Add to this, conditions of poverty faced by black lesbian, bisexual and transgender people living in townships and non-urban areas, and you have a population extremely vulnerable to sexual violence.

And what of the perpetrators of this sexual violence? Some theorize that a backdrop of violence, patriarchy, and social and economic conditions has created a "crisis of masculinity" for men. And, that in order to regain a sense of control, some attempt to assert their masculinity by resorting to the rape of women and/or LBT people. The phenomenon of raping

LBT people has wrongly been termed corrective or curative rape, as perpetrators express the desire to rid LBT people of their non-normative sexual orientation and gender identities. Regardless of economic, social, and cultural forces, rape is wrong. As a threat to the right to exist and a

violation of physical security, sexual violence puts at risk the realization of a person's entire range of human rights.

To be sure, it will take more than government action to upend the pattern of sexual violence against women and LBT people. Increased activism and solidarity within civil society is needed to condemn sexual violence and demand justice. Such community activism was the frontline against the injustices of apartheid and contributed to the emancipation of our nation. Now, we need similar activism to emancipate the bodies of all women and LBT people who are violated and daily stripped of their dignity.

Increased activism and solidarity within civil society is needed to condemn sexual violence and demand justice. Such community activism was the frontline against the injustices of apartheid and contributed to the emancipation of our nation.

Let us understand rape for the violation of human rights that it is, regardless of sexual orientation or gender identity. Let us not lose momentum.

Let us continue to mobilise within our communities to address the contributing factors

of rape within our society. Let us pursue solutions that target the root causes of this violence, not victims. Let us unite in compassion, and work to sustain public pressure and political impetus to ensure that outrage over rape does not fade into the background while another soul is destroyed or another life lost. Let us remember that rape is rape, no matter who it is perpetrated against.



HUFFPOST GAY VOICES

Securing a Safe Place for All Liberians

BY STEPHANIE C. HORTON AND CARY ALAN JOHNSON

Published 03/23/2012

When Ellen Johnson Sirleaf, President of Liberia and a Nobel Peace Prize laureate, recently expressed in an interview opposition to LGBT rights – specifically decriminalization – and was vague about support for increased criminal penalties for LGBT people, a shockwave was felt around the world. LGBT Liberians everywhere and all who have great respect for Sirleaf – a former political prisoner herself – were appalled and saddened. Such a narrow and discriminatory view from a revered and world-honored leader is unfathomable.

Currently, under Liberian penal law, “voluntary sodomy” is a first-degree misdemeanor. While African nations such as the Republic of South Africa, Mauritius, and Mozambique have either repealed or read down similar, outdated, colonial sodomy laws, some in Liberia would move backward and increase criminalization and penalties.

Liberia’s Representative Clarence K. Massaquoi (Lofa) and Senator Jewel Taylor (Bong), distracting from the nations’ urgent post-war reconstruction problems, have each submitted bills to further criminalize sexual orientation and make same-sex relationships a crime punishable by imprisonment. These two anti-human-rights bills, introduced in February 2012, would amend the existing penal code and domestic relations laws to specifically prohibit same-sex relationships and same-sex marriage. Under this “anti-gay-marriage” guise, the bills also call for surveillance, public trials, background checks, and lengthy jail terms for LGBT people and LGBT rights activists.

Gay marriage is not the focus of Liberian LGBT activist efforts. Safety, security, respect, and dignity for all Liberians, including lesbian, gay, bisexual, and transgender people, is the goal.

The sharp increase in public bigotry and violence targeting LGBT Liberians is alarming. As discrimination is being institutionalized, with government officials and print and social media taking dangerous, homophobic positions, Sirleaf's remarks add fuel to an already blazing fire. Religious leaders, too, are using their influence to demonize and marginalize LGBT Liberians as being un-African, un-Liberian, and ungodly.



Crowds gathered to show broad support after the election of Ellen Johnson Sirleaf as President of Liberia, and included supporters flying the LGBT pride flag.

How can we make Liberia a safer, more inclusive society for all Liberians? With the unexpected rise of criminalization, hate speech and hate crimes, there is a pressing need for all who believe in basic human rights to unite in a single voice and address these issues.

Liberia is a signatory to a number of world treaties, including the International Covenant on Civil and Political Rights, which guarantees the right to privacy and freedom from discrimination based on sexual orientation and gender identity. Liberia must stand by her commitment to these principles and protect all Liberians from human rights violations.

Liberia has a unique history as a haven for oppressed people. This history deserves to be honored, and Liberia's international commitments to uphold human rights sustained. We must not sit in silence as some would divide and disrupt Liberia's attempts to rebuild a nation where every Liberian feels safe, secure, and able to contribute toward building a forward-thinking Liberia.

The Coalition of LGBT Liberians and Allies and the International Gay and Lesbian Human Rights Commission calls on every friend, every supporter, every Liberian at home and abroad to stand with us to stem the growing hatred and ensure that Liberia is safe for all. Appeal to the Liberian government to work in favor of laws that strengthen and protect human rights instead of laws that sanction the mistreatment of minorities. Appeal to Nobel Laureate Ellen Johnson Sirleaf to remember her commitment to international law, her experience as a formerly imprisoned freedom fighter, and that all Liberians are her children. Call on President Sirleaf, whom so many supported, to return the support with a renewed message of reconciliation, inclusivity, and rights for all Liberians.



Malawi: The Fight Against Homophobia

GIFT TRAPENCE

Executive Director, Centre for the Development of People

December 11, 2012

Remarks delivered at a panel discussion, “Leadership in the Fight Against Homophobia” at the United Nations Headquarters. Organized by IGLHRC, Human Rights Watch, and Missions to the UN in commemoration of International Human Rights Day, this hallmark event gives voice to LGBT human rights defenders each year.

Where do LGBT rights stand in Malawi?

First, I want to thank you all for coming here and also to Ban Ki-moon, the UN Secretary General, for the support that he has given to the LGBTI Community.

In Malawi, since April of this year, when we had the new government, we have seen changes in terms of the government openness to LGBTI issues. When the President made her first Parliamentary speech, she actually talked about LGBTI issues and she committed herself to repeal the sodomy laws.

But that is not the only commitment that has been made. The Minister of Justice last month, through a panel discussion that we organized, alluded that the government would suspend sodomy laws, pending review of such laws. Apart from that, for the past two years we had three cases on sodomy laws. Those cases have also been suspended. One was involving two prisoners, another one was involving six of our peer educators, and two gay persons who were tried on cross-dressing.

So this is the development we are having in Malawi, though, there are also some challenges in terms of how the government can move forward.

In 2014 we have general elections, so we only have next year. And you know how politicians can sometimes politicize the LGBTI issues. So this is the development that we have in Malawi, but also we are just asking some key players to support the current government, because they have opened up this space for debate and engagement.

Do African countries copy one another in their treatment of LGBT people?

Yes. African countries do copy each other; it is like cut and paste. As we are talking now there are a number of violations going on. Like in Zimbabwe, GALZ' offices were shut down and the LGBT community now is underground, is invisible. They can't work. We have arrests in Cameroon; we have the bill in Uganda, but also in Nigeria. So the African governments, sometimes they do copy from each other in terms of promoting homophobia, in terms of not protecting the LGBTI citizens in their respective countries.

How you can help?

I think one important thing in our case in Africa, is to engage those who are on the grassroots. The allies should talk to the activists on how they can engage their governments. They know their environments, so they are better placed to offer guidance. But apart from that, in hostile environments, activists want protection whenever there are arrests or threats in terms of violence. They also want partners to speak up against those violations.

What can UN members from Africa do to stop the "Kill the Gays" Bill?

I think in the case of Uganda, it is better to engage the grassroots individuals, those activists who are on the ground. We have allies who you can contact. If we do parallel things without consulting, sometimes there can be backlash.

How can the United Nations Help?

I think there are a number of ways [the United Nations can help], not only one strategy. What is more important is to engage different key players, whether we are talking about religious leaders, we talk about traditional leaders, whether we talk about politicians,

I think the most important thing is to relay the information. Just the basic information. For instance, what we mean by repealing the sodomy laws. But, the fear is that, like in Africa, at this stage, they think the only thing we want is gay marriages, but for us, we just need the basic human rights issues like anyone else, so that people are able to be protected from violence, enjoy economic rights, able to go in to safe schools. When we relay that information and people understand what we mean, that process will be easier.



UN Secretary-General Ban Ki-moon with (left to right) Olena Shevchenko, Blas Radj, Yvonne Chaka Chaka, Ricky Martin, Najat Vallaud-Belkacem, and Gift Trapence at “Leadership in the Fight Against Homophobia” a celebration of the 64th Anniversary of the Universal Declaration of Human Rights, on December 11th, 2012. UN Photo/Rick Bajornas



HUFFPOST GAY VOICES

Gay Ugandans: Loud and Proud

BY VAL KALENDE

Published 8/15/2012

Address delivered to 3,000 LGBT activists at the *National Conference on LGBT Equality: Creating Change*.

About 10 years ago, when I first came out to my guardian and, later, to my closest colleagues at the *Daily Monitor* newspaper in Uganda, I was nothing short of terrified of losing both family and friends. As I had anticipated, declaring my love for fellow women got me my own share of homelessness, verbal abuse, and alienation, even from people I trusted the most. Abandoned as a teenager and forced into maturity at a tender age, I always believed in the transformative power of truth, because the truth, as they say, sets us free. My “coming out” story as a Pentecostal-raised Ugandan lesbian woman is no different from the story of the activists who marched at the first-ever LGBT Pride parade in Uganda on Aug. 4.

When I learned that my colleagues were organizing Pride, I was more concerned about what Pride means to us as Africans than replicating what we have witnessed at Pride parades elsewhere. When I saw my colleagues marching on a muddy road, some walking barefoot with the national flag held high, not only was I reminded of our Africanness, but I felt close to home. And then I thought of our fallen comrade David Kato, who has constantly been on my mind since I saw the film *Call Me Kuchu*, and whose life was cut short before we could experience this moment. I got teary.

I believe the concept of Pride anywhere it is celebrated is not just a moment; it is a precursor for change. I believe that like the 1966 March on Washington in the United States, which sparked a revolution

that sent ripples of change as far as Africa, what happened in Uganda a few days ago will change the politics of local organizing among LGBT movements in Africa.

At the International Gay and Lesbian Human Rights Commission (IGLHRC) I researched how African LGBT movements organize, and how international NGOs such as IGLHRC can support their work. In every country there's a unique strategy for organizing that is directly related to how each movement started. In Uganda organizing an LGBT movement was partly prompted by President Yoweri Museveni's denial that there were any LGBT people in Uganda.

On a recent visit home I made a statement I knew wasn't going to get me too many friends, even among fellow activists. I said our struggle must move away from the victimization narrative and begin to

...our struggle must move away from the victimization narrative and begin to focus on positive stories.

focus on positive stories. It doesn't help us when foreign journalists, bloggers, and allies present our struggle as "desperate" and come to Uganda simply to write about what is wrong with our country while ignoring our success stories. While the "desperate" narrative puts us in the international spotlight and does hold our leaders accountable, it also pits us against

our fellow nationals. A balance of both narratives will bring the change we all need. I have been involved with LGBT community organizing in Uganda long enough to observe how far we have come and what we have managed to achieve amidst very difficult circumstances.

For instance, there was a time when Ugandan LGBT activist and Sexual Minorities Uganda (SMUG) founder Victor Mukasa was the lone visible face of our struggle. It is because activists like Mukasa tirelessly knocked on the doors of consular offices – even if those doors sometimes didn't open – that U.S. and other world leaders care about LGBT

people outside their borders. Today, world leaders like Ban Ki-moon and Hillary Clinton listen and are committed to taking action.

On balancing both the negative and positive, it is important that we acknowledge that the first Uganda Pride was a success and at the same time condemn state-sponsored harassment of LGBT activists. Three transgender women and professional dancers, while running away from the scene after police raided the event, were handcuffed, arrested, and harassed. One transgender woman, Beyonde, was reportedly beaten by a policeman for resisting arrest.

It has become a trend for Ugandan police to arrest, harass, humiliate, and in some cases shoot at unarmed civilians. Two months ago, a video of an armed and uniformed policeman half-undressing and squeezing the breast of a prominent female politician was making the rounds on the Internet. Police anywhere in the world are mandated to enforce the law, not to break it. In my country they are breaking it.

State security officials have unlawfully raided three LGBT gatherings in the past six months. While the Anti-Homosexuality Bill is still being debated for passage, it should be made clear that it is still proposed legislation. Enforcing a not-yet-passed bill as law is not only unlawful; it is a gross violation of human rights.

Similarly, the growing trend of labeling any gathering of LGBT people a “gay wedding” is an affront to human rights and a red herring informed by utter ignorance and speculative fear of the unknown. While religious fundamentalists in the West are now clutching at straws as laws against same-sex marriage are repealed, they are exporting their homophobic values to Africa. We have learned enough from Christian missionaries, such as Holocaust revisionist Scott Lively, to know that when Western conservative narratives are exported to Africa, African politicians see an opportunity to further criminalize same-sex persons. As we proudly and loudly showed up at the Beach Pride parade last week at the Botanical

Gardens in Entebbe, we were simply demanding our right to peaceful assembly, expression, and association – the same rights enjoyed by all other Ugandan citizens.



Uganda Pride, 2012. Photo by David Robinson.



ASIA°PACIFIC





Two protest signs that read, "Against harassment to the Prophet Mohammed" and "Gay and lesbians are sinful." Photo courtesy of Ardhany Institute.



Indonesian LBT Women Exposed to Backlash

BY GRACE POORE

Published 8/21/2012

Lesbians, bisexual women and transgender (LBT) people in Indonesia have been part of the women's movement for over a decade, fighting for equality for all Indonesian women.

Yet because LBT rights are not seen as women's rights by the Indonesian state, the global beacon for women's rights, the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW), does not apply to LBT people in the country.

At the CEDAW Committee's review of Indonesia held at the United Nations headquarters in New York City in July 2012, even Komnas Perempuan (the Indonesian National Commission of Women) was reluctant to raise LBT issues.

“The fundamentalists are saying that when we push for women’s rights we are pushing for same-sex marriage,” said one Komnas Perempuan commissioner. “If we bring up LBT, it will weaken our advocacy.”

“The fundamentalists are saying that when we push for women's rights we are pushing for same-sex marriage,” said one Komnas Perempuan commissioner. “If we bring up LBT, it will weaken our advocacy.”

That was terrible news for LBT people, who are in dire need of support.

The International Gay and Lesbian Human Rights Commission has learned through activists reports that fundamentalist thugs have been leaving

threatening phone messages for LBT groups. They are stalking LBT activists and violently disrupting human rights workshops. They are using the conservative media to incite violence against LBT people.

“Prohibit liberals: Masters of gay. Breeders of homos and lesbians” is a sticker that has been posted in restaurant windows in Jakarta...

“Prohibit liberals: Masters of gay. Breeders of homos and lesbians” is a sticker that has been posted in restaurant windows in Jakarta and a banner with similar hate language has been displayed in public spaces in this year.

Since 2010, the LGBT community has been exposed to vigilante attacks by groups like Front Pembela Islam and police complicity with the attackers in several major cities, resulting in cancellations or early closures of gatherings, including the International Lesbian and Gay Asia Conference in Surabaya, the Indonesian National Human Rights Commission’s human rights training for *waria* (transgender women) in Depok and the Indonesian Q Film Festival in four of its seven locations. Indonesia’s LGBT activists are maintaining the fight to retain their freedom of association and assembly.



Stop Bullying

DOI NAKPOR

8 December 2011

Remarks delivered at the United Nations Economic and Social Council (ECOSOC) Chamber

From my point of view, the situation for transgender people in Thailand is not generally about physical violence but about stigma and discrimination.

Many people – both inside and outside of Thailand – believe that Thailand is paradise for LGBT people because the society is allegedly so open that we can live our lives comfortably and with freedom. The cabaret shows, the successful sex reassignment surgeries, and the famous transsexual beauty pageants are compelling images that have been shown to the world. The notion is that Thailand has become a tolerant country for LGBT people, culturally and socially.

However, there is no legal support specifically related to the way of life for LGBT people. The legal system and all policies have been created based on the premise of heterosexuality. Only the rape law has been changed to protect all human beings in Thai society.

There are many examples of how the laws and policies are still deeply homophobic and transphobic. We transgender women still have to use the “Mister” title on our national identity cards. When we access governmental services such as the education system, we have to dress in male uniforms. When we graduate and want to get good careers, we have to wear male suits, which is totally against how we feel. What would happen if we choose to be ourselves? We will be ignored or rejected, our potential limited, barely able to survive. Transgender women in Thailand are only allowed to be dancing queens, make-up artists and

costume designers. Transgender people lack any chance of being hired to work in government or private sector positions. Because the person's own image contradicts their identity, and because there are traditional beliefs that employing transgender people is bad luck and will curse a business, it is very hard.

The problems are worse for transgender youth.

There is stigma and discrimination throughout the educational system. If a student dreams of becoming a teacher, for instance, she will be told that only a heterosexual person can be a good role model.

The Ministry of Education sets national education policy, and it refuses to recognize anything related to LGBT people in sex education, not even basic concepts like "sexual orientation and "gender identity." Girls and boys are only taught about "reproductive" health. This results in so many lost opportunities for young people – to understand their bodies, to prevent sexually transmitted diseases, to prevent HIV/AIDS.

On a day that should be joyful – school graduation – the privileged Thai transgender student who manages to complete her studies is generally unhappy. Even that day, transgender people are made to dress according to their sex assigned at birth. It's hard to feel proud of yourself when you're forced to pretend to be someone you're not.

Transgender students in Thailand have it hard. They are pressured by social constructs. They are oppressed by lack of information. They lack role models. It's hard to transition. Most of what they live with is bullying from other students and teachers. But they endure, all because they must show their true selves, their beautiful trans identities.

In honor of International Human Rights Day, sitting here at the United Nations, I want to ask all of you: how can you stand in solidarity with us as we strive to realize our full human rights?



THE
NEW CIVIL RIGHTS MOVEMENT

Wanted: Room for Respect

Philippines National Police Undergo LGBT Sensitivity Workshops

BY GING CRISTOBAL

06/05/2013

In 2003 the recommendations in the documentation report of the Lesbian Advocates Philippines (LeAP!), *Unmasked: Faces of Discrimination Against Lesbian in the Philippines*, engagement with key stakeholders, in mainstreaming SOGI issues, was one of the top priorities.

Fast forward to 2013, exactly 10 years since that report was published, where I was one of the researcher-writers, and together with Raymond Alikpala. We have facilitated five workshops in key cities in Metro Manila and a lecture with the Philippines National Police (PNP) Human Rights Affairs Officers stationed in police precincts all over the Philippines. After the first well-received workshop in Caloocan City, General Ernesto Fajura, PNP Human Rights Affairs Office (HRAO) Director, was swarmed with requests from other precincts to repeat the workshop for their police officers. With the directive from the Chief of Police, the plan to conduct six workshops became 16, ensuring that all precincts in all the cities in Metro Manila will have the opportunity to participate in the workshop before we go to the provinces in the Philippines. And as what Angie Umbac, then project manager of LeAP!'s documentation report and present president of Rainbow Rights Project (R-Rights), Philippines, messaged me: "Remember how hard it was to engage with PNP? Finally here it is!"

Ten years was a long time coming. Over those years LGBT activists and groups have born witness to growing reports of police harassment and extortion of gay men during gay bar raids, transgender women complaining of police harassment and physical and verbal abuse, and lesbians being

arrested and charged with kidnapping even if the supposed kidnapped victim is of legal age. As the list against the police officers grew longer and efforts to address this police discrimination and abuse were few, the animosity towards the police force also grew. No one can blame me if I jumped on the chance to engage with the PNP and have the close encounter I have been waiting for all these years.



Top: Ging Cristobal speaks to a group of police officers. Right: Ging Cristobal with PNP HRAO Chief Gen. Nestor M. Fajura. Photo courtesy of Raymond Alikpala.

For years I have been doing workshops on issues of Sexual Orientation/ Gender Identity (SOGI) and human rights to varied audiences and have witnessed and heard revelations from people after each session: A woman counselor having a hard time maintaining her closeted life, parents struggling to break free from religion-induced hatred towards their gay son, people having a hard time getting used to calling me “ma’am” instead of “sir”, and cold, dagger looks from participants before the workshop were the usual expected reaction. But being in a roomful of police officers was new for me, it was exciting and challenging to make them do and say things they never thought of doing nor saying while in uniform with other police officers and police officials.

It's easy for someone to conduct a lecture to provide basic information to learn about SOGI issues and LGBT rights. However, while this provides information about what the LGBT community needs it does not challenge the discriminative and patriarchal attitudes and behaviors people have valued and believed in for most of their lives. Our whole day workshop aims to challenge people to let go of their prejudices and fears and try to provide space in their hearts for respect for people they find different from them.

It takes heart and a gut of steel to endure hurtful revelations, maintain objectivity, and look beyond all these. The five workshop modules consist of interactive discussions from morning till early evening. This means a full day filled with patience, maturity and understanding to provide a safe space to teach and at the same time endure hearing people express their prejudices (“homosexual couples cannot form families”), to ask even the most absurd, bigoted and sometimes funny questions (how do you know if you haven't had sex with the opposite sex?) and express their innermost homophobia and transphobia (I hate people like you!).



As part of the partnership forged by the International Gay and Lesbian Human Rights Commission and LADLAD LGBT Party, members of the Philippines National Police went through LGBT sensitivity training, called “Gender, Sexuality and Human Rights Workshops.” Photo above shows police officers in Quezon City. Courtesy of Raymond Alikpala.

The workshop's highlight is the session in the afternoon where speakers from the LGBT human rights community share stories of their lives with the police officers; letting them take a peek to our common journey of self-discovery, self-denial, self-acceptance, hardships from the pain and abuse, and how we celebrate pride from our small successes as we hold on to our rainbow-colored dreams. You can see how intensely the participants listen and take notes, hear a deep sigh, see heads shaking left to right showing their disapproval how LGBT persons are treated harshly, and uncontrolled comments like:

"I admire your courage to persist."

"I was angry towards the two of you when I saw you and learned that you were our facilitators. But now I am filled with respect because I understand your issues."

—Human Rights Desk Officer from Davao City

"I admit I was bias against LGBT persons, when I saw you it's automatic – I reject you. But now it has changed into acceptance. I am sorry I was that before and from now on I will be fair in doing my job as a police officer."

—Police officer from Bicol

"I was angry towards the two of you when I saw you and learned that you were our facilitators. But now I am filled with respect because I understand your issues."

Nothing can equal the satisfaction I get to feel and hear people realize and see LGBT people beyond sexual orientation and gender identity and just see us as ordinary people with dreams and hardships no different from any human being, and appreciate how we struggle to live ordinary lives amidst the abuses, discrimination and, hatred. We broke the ice with these police officers and there is still so much work that needs to be done but hopefully it will be easier knowing that there are people out there who realized and decided that we deserve that little room for respect.



An LGBT Centre in Ulaanbaatar, Mongolia

BY OTGONBAATAR TSENDEMBEREL AND
MUNKHZAYA NERGUI

Recipients of the 2011 Felipa de Souza Award.
Published on 3/6/2011



The establishment in 2009 of an NGO solely dedicated to upholding the human rights of Mongolia's LGBT community was a milestone in the Mongolian LGBT rights movement, and marked the end of a difficult and frustrating three-year journey for we LGBT Centre founders. We encountered a lot of prejudice along the way, and a lot of unnecessary obstacles were placed in our path as a result of that prejudice.

This was indicative of the level of societal misunderstanding and lack of acceptance of LGBT people that exists across the board in Mongolia. We expected it because it was a fight that hadn't been waged before, and hence we knew it was inevitable that it would not be an easy journey. We were prepared to go to the highest court in the land if necessary.

We had no intention of giving up, and we didn't. But certainly people's attitudes were – and remain – the greatest challenge. The issues facing the LGBT community in Mongolia are myriad and exist across all conceivable sectors of life.

One of our main areas of focus this past year has been on clearly defining those issues and on educating society about those issues and what needs to be done in order to overcome them. In this we are really

stressing two things: first is individual responsibility – that is, ending discrimination begins with each and every person. The second is on the need to establish institutional and legislative protections for LGBT people, such as the enactment of a law on non-discrimination, something we are currently spearheading the push for.

In November, we launched the first national LGBT non-discrimination campaign, which is still running. As part of this campaign, we broke the key issues down into the following areas: Hate crimes, domestic violence against LGBT people, discrimination in education, discrimination in the health sector, and discrimination against LGBT relationships. Of course, these aren't the only areas in which LGBT people face problems, but they certainly represent pressing areas of concern.



The Lies of Liberty (2010) Mongolian LGBT Centre Documentary.
http://www.youtube.com/watch?v=_zBjKxycXWQ

These are the main areas in which we are presently actively engaged, as well as undertaking such initiatives as working with Mongolian police to help broaden their understanding and acceptance of LGBT people. This is something that hasn't been done before, but for which there is an urgent need given the level of police harassment that LGBT have faced.

We have already conducted two LGBT human rights training for police, which we will scale up throughout 2011. We have also been working to develop partnerships with a range of cross-sectoral civil society organisations to ensure the integration of LGBT human rights into their agendas as well.

Our visibility within Mongolia has led to us receiving a surprising amount of public support, and our staff have been invited to speak at a number of schools and universities in Ulaanbaatar. This really is the key to the future success of anything we do. Ours is a young population, and if we can change the hearts and minds of today's youth, then we believe that future generations of LGBT people will enjoy a completely different reality.

Ours is a young population, and if we can change the hearts and minds of today's youth, then we believe that future generations of LGBT people will enjoy a completely different reality.

IGLHRC has supported us at every step of our journey – and indeed continues to do so. It is so important to have that international support and to be able to call on IGLHRC's collective knowledge of LGBT human rights and human rights mechanisms when needed (and we've needed it often). In this we would particularly like to extend our deepest thanks to Grace Poore and Ging Cristobal. Without people like them, our work is that much harder.

The Felipa de Souza Award came as a big – albeit welcome – surprise to all of us. And to be honest, it still feels very surreal. Sometimes we feel incredibly far removed from the world's eyes and the world's consciousness, so this award reinforces to all of us that people are watching what is happening in Mongolia.

No activist works for accolades, but when they do come along they serve as a poignant reminder that no matter how difficult the challenges we face, we are headed down the right road.



Challenges We Face: Transgender Women in Malaysia

NISHA AYUB
Activist from Kuala Lumpur, Malaysia
January 28, 2012

Remarks delivered at the *National Conference on LGBT Equality: Creating Change*.

In Malaysia, we have two sets of laws. One is the Sharia law and one is the civil law. In the civil law we have minor offense for LGBT people, but it's not really being used. Then we have the Sharia law, which is for men impersonating women, or "cross dressing." This law has badly affected transgender women in Malaysia.

**I was put in a male lockup.
I was treated badly.
Tortured. Discriminated
against...sexually abused...
I couldn't say anything
because in Malaysia, if
you are a transgender
person, you have no
rights.**

Why do I say that? Because I've personally been abused by this law. Religious officers arrested me when I was 21 years old. In my changing towards a trans woman, I was put in a male lockup. I was treated badly. Tortured. Discriminated against. And of course, I was sexually abused in the jail itself. There was no one there to help me. I couldn't say anything because in Malaysia, if you are a transgender person, you have no rights. You are stripped naked. When I say stripped naked, I mean it. I was forced to walk naked in front of the officers just for them to make

fun of me. That's the basic law of Sharia law.

In Malaysia, transgender identity is not recognized. And let me tell you why. Before the 80s, sex change or SRS was allowed, but when the

Fatwa came out, it banned sex change in Malaysia. Whether you are Muslim or non-Muslim, you cannot change your identification card. As an example, the last two digits of the ID card show whether you are male or female. My name must be stated as [my] male name and for my sex, you will still see that it says male. This is true regardless of whether you are post-op.

This is the latest case in Malaysia of violence against transgender women: Alisha Farhana. She's a trans woman and she's a Muslim, and she's a friend of mine too. She's a post-op transsexual and she wanted to further her studies. But the thing is, sadly in Malaysia again we are not recognized, therefore her application was rejected. She tried to apply to change her ID in the civil court. But again, it was rejected. Twice. What happened to her? She passed away. She passed away due to the greatest discrimination that people can ever face. She was insulted, not just her but also even her family, and she passed away last year.



Mother goes to Makkah to perform Haj, Ashraf changes sex

The article claims that her parents have never supported her decision and have disowned her before.

I have been reading the insults and condemnations targeted towards me via facebook. If the society cannot accept me, I would rather be killed, if that is the best solution.

Aleesha Farhana's struggle to change her sex in her identification card

Aleesha Farhana made an application to change her gender status at the High Court on May 25 to enable her to be accepted into the local university to continue her studies, apart from the difficulty of living as a woman with her male status.



Image taken from a slideshow that Nisha Ayub' presented at Creating Change in 2012.

In Malaysia, we are supposed to have a safe space. We are supposed to have the rights to do gatherings together, but not for transgender community. Again, in Bachok, Kelantan, where a pageant was held, all the transgender people were arrested. One of them was a teacher. What happened to her? She lost her job. So my question is what happens to people like us in Malaysia?

We are forced to do sex work. I was doing sex work for the past five years in Malaysia because it's so difficult to get a decent job in Malaysia. I was in sex work and it wasn't easy, my dear. It wasn't.

Regarding Seksualiti Merdeka (a pride celebration), it was supposed to be a safe space for the LGBTIQ community coming together, to discuss our issues but it was politicized, and therefore it was banned in Malaysia, just because it is against the Islamic law. And this applies not just to Muslim but to the non-Muslim, too.

And there is another case that happened last December, where a gay man was married in Dublin. The religious people in Malaysia were so eager to catch this person, who is a Malaysian, to arrest him. Now he will not come back to his own country. We can't get married in our own country and we can't get married in another country, too.

...we the transgender community, with some feminist groups, are trying to work together to make a campaign for ourselves because we want to fight for our rights in Malaysia.

So, behind all the negative news, we the transgender community, with some feminist groups, are trying to work together to make a campaign for ourselves because we want to fight for our rights in Malaysia. But sad to say, when I go around to factories, to NGOs or even to the government, to ask for funds, when I say it's about transgender, they say, "No, this is against Islam." So what do I do? I get all my friends and we have fundraising campaigns.

And just to let you know, things are going OK back home, in Kuala Lumpur. The organization I am working with is only based in Kuala Lumpur. But in Malaysia, we have 13 states, and let me tell you, in every state, we have a transgender community, in every state. So it is difficult – it is difficult for us back where I come from to reach out to them, but again, I'm truly hoping things will change just as I'm in now here in *Creating Change*.

Thank you so much, thank you. Thank you.



Photo from Nisha Ayub's slideshow at Creating Change 2012. Four mak nyahs (male-to-female transsexuals) from Negeri Sembilan, who have each been arrested, detained and charged for offences under Section 66, have filed a judicial review of the law. The claim is founded on the argument that Section 66 of the Syariah Criminal (Negeri Sembilan) Enactment 1992 (Enactment 4 of 1992) (Section 66), which criminalises any male person who "wears women's attire" or "poses as a woman," is inconsistent with various fundamental liberties guaranteed by the Federal Constitution of Malaysia.



LATIN AMERICA ° CARIBBEAN





Bogotá's March for Full LGBT Citizenship, 2012.



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LGBT Pride in Colombia

MARÍA MERCEDES GÓMEZ

Regional Coordinator for Latin America / Caribbean International Gay and Lesbian Human Rights Commission

07/03/2013

On Sunday, June 30th a great number of LGBT marches that occur annually will take place in Colombia's main cities, as they do in other countries.

This year we'll see Bogotá's 17th March for Full LGBT Citizenship; Medellín's 6th March for Life, Sexual Diversity and Gender; Barranquilla's 3rd LGBTI March; Pereira's March for Diversity; Cali's Pride 2013; and Manizales' 4th Carnival for Diversity, among others.

The marches are held in the main cities of the world on the occasion of the International Day of LGBT Pride (initially only Gay Pride). Objectives include celebrating sexual orientations and diverse gender identities, as well as reclaiming equal rights and saying "no" to discrimination.

These events usually take place at the end of June in commemoration of the Stonewall riots that happened on June 28, 1969 in New York – a response to maltreatment and police abuse experienced by men as they left the Stonewall Inn bar.

The first gay march in Colombia took place in Bogotá on June 28, 1982, where 32 people attended. Now, this city's gathering is known as the March for Full LGBT Citizenship and around 40,000 people participate.

Each year this event generates newfound voices. On one hand there are people who view the march as reinforcing stereotypes of LGBT people. They also oppose nudity, and consumption of alcoholic beverages and

psychedelic substances. On the other hand, there are those who assert that this march is the most important political event of the year, providing visibility to LGBT people and celebrating diversity.

What is your opinion of the LGBT marches that take place annually?

These marches have a political origin as well as one of resistance – they are a space for visibility for LGBT people. Symbolically, they have the importance of demonstrating one day each year that a community does in fact exist. I have participated in five marches in Bogotá, and have perceived that the observers are also linked in a way that is very moving and supportive.

In these spaces of civic creativity, what is political is not only making visible the discrimination and exclusion suffered by the community but also, the celebrations. Here, we are acknowledged not because we are being abused or killed, or having our rights taken away, but because we are dancing and expressing what we feel in the streets.

The celebrations help to transform culture as much as law. Perhaps these are not radical actions, but they help to expand spaces for inclusion: giving voice to as many people as possible.

There are people who critique the most economically powerful groups who use this event to their advantage to stand out. That does not worry me. If people organize, each person will have their own space to be visible. I don't believe that you can say there is only one way to experience the march.

Some people also say that the marches have been converted into capitalist spaces, with commercials and bars. I resist the thought that because marches are celebratory their political aspect is undermined. While these commercial spaces do exist, Pride's character is not only to be a protest or march but also a celebration.

I have never participated in a march where what I was doing, whether dancing or hitting a drum, didn't seem political. I don't know a single person that has been in one and has not felt that something important happened there.

The march can be a place of resistance, but above all it is a celebration: people taking public space that is normally denied to them.



Bogotá's March for Full LGBT Citizenship, 2012.

What should be changed, added or removed from these events?

In Canada the march opens with the police and they give rainbow flags to the spectators. In the marches that I have been to in Bogotá, it was difficult to watch the riot police (ESMAD) standing on the sidewalks. I dream of a country where the police march. I would like to be in Bogotá this year because I think that the mayor, Gustavo Petro, has given visibility and backing to the LGBT community in a way that no other has done.

What do you think of the nudity, and the consumption of alcoholic beverages and psychedelic substances during these marches?

I don't believe it is something specific to the marches in Colombia or gay marches. In public events, like concerts, there are people who consume drugs and alcoholic beverages. I am not against these behaviors but I am not going to promote them in these marches. The legality or illegality of a situation is not decided by me, but by the laws.

It seems that the people who question these attitudes have a desire to control the event, and it gives them anxiety that they cannot change certain attitudes. But one cannot intervene in how people express themselves. Each person will see what they want to. The march is what it is.

The only recommendation I have is that the people need to be civic, meaning not engaging in violent behavior. The march needs to be a space for respectful civil expression, I would not say more beyond that. For me it is a celebration, but that does not mean it is not political. It is a march of pride, a space to gain visibility and take to the streets.

How have you seen the transformation of the marches in Colombia?

They always seem to me, multi-dimensional and well organized.



Is Religion Superior to Human Rights? LBT Women in Chile

ANDRES RIVERA DUARTE

Organization of Transexuals for the Dignity of Diveristy (OTD),
IGLHRC Associate

October 1, 2012

Remarks from the 53rd Session of the United Nations Committee on the Elimination of Discrimination against Women (CEDAW), Chile Session.

Good afternoon Madam President,

I come representing eight organizations of the sexual diversity and feminism of Chile. In this declaration I will touch upon five issues relating to the population of lesbian, bisexuals and transgender women of Chile that requires our attention.

The topics include: (1) the Anti-discrimination law recently passed in Chile, (2) the problems of recognition of other types of families and of diversity, (3) the police and their abuse of power, (4) the invisibility and silence from the State regarding the existence of LBT people and (5) the Gender Identity Law.

Issue 1: The Anti-discrimination Law

The Anti-discrimination law that was passed this year fails to meet basic international parameters. It is widely criticized by our organizations because it fails to incorporate direct and indirect discrimination (and only addresses arbitrary discrimination); lacks the incorporation of affirmative action and lacks the incorporation of reparation to the victim. Moreover, the law is subject to Article 19 of the Chilean Constitution, which overrides any subsequent law. For example, it says that religion is superior to any human right. There is one type of discrimination that would be guaranteed

by this law, which is that whether discrimination occurred would be up to the interpretation of the law by the judge.

Issue 2: The Family

In Chile, the family is considered the cornerstone of the political, social, cultural and religious development and this is where the largest problem is found. For the Chilean State there only exists one type of family; it is formed by a man and a woman, married by the church and that family is *normal* and *traditional*.



Judge Karen Atala accepting the Felipa de Souza Award at IGLHRC's A Celebration of Courage 2012. Photo by Starr Black.

In this context, the case of Karen Atala is important for all of Chile. Karen lost custody of her children in 2002 when the Supreme Court decided that being a lesbian meant that you could not be a good mother, awarding custody to the father. In February of this year, the Inter-American Court of Human Rights in its decision noted that sexual orientation is not an impediment to being a mother or a father. However, the State of Chile still has not complied with the decision, which includes financial compensation as well as the training of State institutions. Karen's case is important because we are fathers and mothers

and we have LGBT families and the State should implement the decision of the court because it would be a form of recognition of all types of families.

Issue 3: Police Abuse of Power

The abuse of police power and violence is supported by the State when it does not recognize the condition of human beings – trans women are considered the dregs of society. Article 373 refers to “morality and decency.” This law is being used to temporarily detain trans women then while in

detention, police sexually abuse, mistreat, humiliate, and then dispose of them. The women are then released without charges or any judicial process. The State continues to breach the earlier recommendation handed down by the Universal Periodic Review process to eliminate this article.

Issue 4: Invisibility and State Violence

The invisibility and State violence persist for lesbian, bisexual and transgender women. According to the State, LBT women do not exist; they are not incorporated in the programs and are not recognized as subjects with rights. Trans women are excluded, forgotten, relegated to second-class citizens without access to programs, trainings on access to protection from the National Women's Service (SERNAM) the entity that has the primary commitment to protect and safeguard the integrity of women. Moreover, SERNAM keeps heterosexuality at the core of its programs, including intra-family violence so much that they do not attempt to eradicate violence between men and women, simply diminish it, as if there was a level of violence that women deserve and that level women must endure in order to remain a *well-constructed family*.

Issue 5: The Gender Identity Law

A society grows, a country grows, when we recognize the contributions made by all individual human beings that comprise it and when each human being is recognized by one another as a *human being*. This is something so basic that one is supposed to acquire it at the moment of birth, but this is not so for us trans people.

Today, without the gender identity law in Chile we have changes of name and sex but the judicial process to do this is degrading and inhumane. It is not regulated; therefore whoever has the judicial power acts according to her/his own subjective values to interpret the civil registration laws of name changes.

Under the law, a trans person must get psychological and psychiatric certificates for hormone treatment and to change one's name and sex,

pathologizing our lives as if we are mentally ill. It is urgent to regulate the judicial process through the adoption of the gender identity law which trans organizations presented to the Chilean Congress in December, which does not allow for value, religious or personal interpretations of the law and instead respect the body and the human rights.

This last time and after the passage of the law against discrimination, there have been repeated attacks against lesbians and trans women, brutal attacks that are silenced, receive no press, no recognition by the authorities, and there is no National Women's Service that protects "those rights" and instead acts as if they are the rights of others.

Finally, each time that the state ignores bloodshed, it is life that does not receive equality and dignity, it is a violation of law that leaves a mark burned into the soul of a human being. We do not want more cases like Ariel, Maria Ignacia, Sandy, Nayareth or Valeska that we have detailed in the report delivered to you. We only want the Chilean State to comply with international law, to follow the recommendations given by you and to respect human beings, and to not continue on its path of ignoring and discriminating.

Thank you, Madam President.



Andrés Ignacio Rivera Duarte (right, forward) having a heated discussion with Mrs. Marcia Raimann, Director of Police Protection for the Family of the Chilean National Police and Andrea Barros, Head of Legal Reforms of SERNAM (National Service for Women), about the Police using Article 373 of the Penal Code to detain trans people in Chile.



Six Days in New York: Dispatches from the United Nations

NATASHA JIMÉNEZ

Activist from Costa Rica, member of Mulabi

07/28/2011

Writings from the 49th Session of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Days One to Three: Participation in CEDAW

The first three days of my stay in New York were set aside for a training with International Women’s Rights Action Watch (IWRAP) Asia Pacific and IGLHRC. IWRAP shared tools to help us gain a better understanding of the CEDAW process. We learned how to enter into the process, what to expect from each member of the CEDAW Committee, how to present our materials, and how to organize the briefing with the committee members. These sessions were held at the United Nations Church Center just steps from where all of the women invited to the training, activists from Costa Rica, Zambia, Ethiopia and Italy, were staying.

Day Four: A Gender Identity Challenge

Though I submitted a form to request an entrance pass to the United Nations with my preferred name, my badge was printed with my legal name – as it appears on my passport. Security officials at the UN pass office argued that it should be done this way or it would appear that two people were involved. During the lunch briefing that Costa Rican Committee Members hosted, this experience helped me talk about the way trans people are denied the right to their own identity. We also discussed health needs of transgender and intersex people and the arbitrary arrests we are often subjected to.

Each day a given country NGO hosted a lunch briefing for the CEDAW Committee members. Today's lunch was organized by the three NGOs from Costa Rica. We had to decide everything – what food and drinks to buy, how to get it to the room, who would moderate and how we would focus on priority topics.

Almost all of the CEDAW Committee members came to the lunch and asked about the experiences of average women – rural women, housewives and their pensions, distribution of wealth when a marriage dissolves, and recognition of same-sex couples. Some Committee members from Paraguay and Spain approached me to discuss the situation of trans and intersex populations.

After lunch, the three organizations from Costa Rica had 15 minutes to present from our shadow reports. Fortunately, we practiced our presentations to coordinate order and themes. Our preparation paid off: our presentations were measured and reflected our knowledge of the topic. At the end of the day, we debriefed and spoke about our experience and what we'd learned. We were pleased and felt that we'd set a good example for other delegations.

Day Five: The Government of Costa Rica Responds

The next day, it was the government representatives' turn to respond to questions from the CEDAW Committee. First, the Deputy Minister of Health, President of the Supreme Court of Justice and the Director of INAMU (National Institute for Women) representing the Costa Rican government, presented the official state report. They were then questioned about the information presented in both the shadow reports and the CEDAW articles.

The Committee first noted that the state report is very long, and the data from 2006, is extremely outdated. They also regretted that those who came from the government are not of the highest rank. For example, the Minister of Health didn't attend.

That afternoon, the session re-opened for further questioning of the official delegates. Committee members asked the Costa Rica state representatives questions including women's participation in politics, African women, women with disabilities, in vitro fertilization, sexual diversity, civil unions for same sex partners, trans people and their specific needs (right to choose a name and specific health care), the list goes on....

Day Six: Meeting with Members from Cuba and Zambia

The activists from Costa Rica met with the CEDAW Committee Members from Cuba, Magalys Arrocha, with the hope of encouraging her to support us in the CEDAW recommendations to the government of Costa Rica. There's a good possibility she will include some of our themes in her recommendations.

Natasha Jiménez during the summary reading of the Shadow Report to the CEDAW Committee.



Today, the official delegation of the government of Zambia presented their report and answered questions from the Committee Members. These sessions included several exchanges. Committee Members asked questions about the lack of mechanisms to defend women's rights in Zambia. The government delegation responded that it is because of low literacy and few English speakers in Zambia.

The Committee also asked about cultural practices that may be considered discriminatory against women. The delegates said that they

are educating the youth, and using community radio as a mechanism to raise awareness, and that they are working with the media to change the views of the Zambian people.

To close, I would say this was a marvelous experience full of learning and lessons. I learned a lot from the IGLHRC and IWRAW Asia Pacific trainers. The tools they gave us were very useful in making the CEDAW process easier. The NGO delegates from Zambia, Italy, Kenya and my own colleagues from Costa Rica taught me a lot about the realities that individual women face from these places.

I also think they learned a lot about the realities of lesbian, trans and intersex women from my experiences and the findings I shared in my shadow report. Above all, I thank IGLHRC for allowing me to be a part of this extraordinary trip and sharing of knowledge, experiences, learning, and capacity.

To read the Shadow Report that Natasha wrote, visit the reports page at iglhc.org.



Argentina: Transgender People and the Gender Identity Law

BLAS RADI

December 11, 2012

Remarks delivered at a panel discussion, “Leadership in the Fight Against Homophobia” at the United Nations. Organized by IGLHRC, Human Rights Watch, and Missions to the UN in commemoration of International Human Rights Day. This hallmark event gives voice to LGBT human rights defenders each year.

Good afternoon, I would like to thank everybody here that made it possible to realize this visit. I am a transgender activist in Argentina.

Initially I'd like to mention that the transgender community in Argentina is subjected to marginalization, discrimination and social stigma and it confines us to isolation. Trans means “on the other side” – we're expelled

Trans means “on the other side” – we're expelled from our families, the job market, the health system and also the education system.

from our families, the job market, the health system and also the education system. The statistics from data collection related to the transvesti community reveals a life expectancy of 35 years. On all accounts, with such a hostile background, we celebrate, since May, the passage of the gender identity bill.

In Argentina we have a gender identity law that has been called the most progressive in the world until now. It is based on the restitution of the full exercise of citizenship to trans people.

The law has one particular distinction, among the various virtues I could enumerate. It is the result of trans activism, it's the result of the dialogue within the group, and it's because of this that the wording of the law doesn't only recognize the right to identity of trans people, but it also

deals with the violence that arises during that process of recognition.

First, the law takes the process out of the judicial system. That is to say, to obtain legal recognition of your gender identity, it's only necessary to complete an administrative process that doesn't require any confirmation of a psychiatric diagnosis. More than that, it doesn't mention the word "dysphoria". The concept and label of gender dysphoria is transphobia. The law doesn't talk about dissonance; on the contrary, it is based on the Yogyakarta Principles and always talks about gender identity in affirming terms.

It doesn't demand that any person submit themselves to any type of controls or experts. It doesn't require you to be heterosexual, or to relinquish our reproductive capabilities. Similarly, it doesn't require any bodily changes.

Additionally, as the law understands that identity is incarnated in a body – which, in the case of trans people, has a history of medical oversights and needs to be taken care of – it thinks about access to health, and the possibility of access to hormones and surgeries for those who wish to have them... taking into account their autonomy on deciding to do so or not.

Under this law, medical practices such as surgeries and hormones are covered by the national medical plan. We're just waiting for it to be implemented. The law is working perfectly in Argentina; we're only waiting for the health care regulations to take effect such that people can access free and relevant medical services. But in general it is working, and it is working fantastically. And it is very important, and what we hoped for, to give impetus for other laws.

In 2011 Blas submitted a request to change his personal gender identity on his birth certificate and ID, basing that request on human rights arguments. The request was approved, marking the first time a trans man gained legal recognition on that basis in Argentina, without requiring any gender affirming procedures (such as hormones and/or surgery). Both the Resolution and his personal lawsuit received considerable media attention, which supported other similar cases. He has presented on trans issues in different political and academic contexts, including conferences and workshops.



End Sexual-Orientation and Gender-Identity Discrimination in Guyana

BY SHERLINA NAGEER

Published on 7/1/2012

The Committee on the Elimination of Discrimination against Women (“CEDAW Committee”), meeting this month at United Nations headquarters in New York City, will review the human-rights record of several countries that are signatory parties to CEDAW. In recent years the CEDAW Committee has increasingly included the rights of lesbian, bisexual, and transgender (LBT) women in its deliberations. During the week of July 9, Guyana will be reviewed. There has been strong engagement by LBT activists in preparation for the hearing. In the case of Guyana, an LBT-specific shadow report, “Human Rights Violations of Lesbian, Bisexual, and Transgender (LBT) People in Guyana,” was jointly drafted and submitted by three human-rights organizations: Guyana RainBow Foundation (GuyBow), the International Gay and Lesbian Human Rights Commission (IGLHRC), and the Society Against Sexual Orientation Discrimination (SASOD). I had the privilege of making an oral presentation of this report to the members of the CEDAW committee on July 9 at the UN.

There is a glaring gap in Guyana’s anti-discrimination policies and practices on the grounds of sexual orientation and gender identity: There is no specific protection for LBT people in Guyana’s constitution, or in existing legislation. While the argument may be made that certain articles of the constitution offer general protections against all kinds of discrimination, Guyana has retained archaic, colonial-era legislation, such as laws that criminalize cross-dressing and specifically penalize gender-nonconforming individuals. Retaining these laws reinforces discriminatory, heteronormative stereotypes, creating a de facto climate

of intolerance for LBT people and negatively affecting their quality of life, mental health, and economic circumstances.

Guyana may say that these laws are not regularly enforced, but the reality is that representatives of the state, such as the police and members of the judiciary, selectively implement them. The sentencing magistrate told four cross-dressers arrested in 2010 that they should “go to church and give their lives to Christ.” One lesbian, who had been attacked

“The police just laughed and made a mockery of the situation; it was like entertainment to them.”

because of her sexual orientation and who reported the incident to the police, received no assistance. “The police just laughed and made a mockery of the situation; it was like entertainment to them,” she

said. A transgender individual under arrest described being placed in a jail cell with male inmates who were instructed by the arresting officer to rape her. She reported that two of the prisoners did rape her, and that when she cried out for help, no one came to her rescue.

Research conducted among the LBT community by the University of the West Indies and the Equal Rights Trust has revealed numerous instances of discrimination against LBT individuals in multiple public and private sectors.

Homophobic and transphobic crimes remain uninvestigated. LBT people are sometimes prevented from seeing their partners in police custody, and members of the police force regularly intimidate and solicit monetary bribes and sexual favors. In addition, LBT Guyanese are often forced to conceal their identity or face hostility within their families, communities, schools, and workplaces.

Discrimination in employment is a major issue facing gender-nonconforming Guyanese. LBT individuals are often affected in their access to jobs and

hindered in their career advancement because of their sexual orientation or gender identity. Many people are unemployed, driven to sex work for lack of other opportunities, made to conceal their sexual orientation in order to remain employed, or are summarily dismissed when their sexual orientation becomes known. One lesbian reported, “I work at a school, so I can’t go public. I have to be very careful because of my job; I have to always look around and see who’s watching.” This individual was eventually forced out of her employment at that school. Employment discrimination makes access to the rental and housing market moot for many LBT Guyanese. One woman said, “Because of my sexuality, I cannot get a job, and without a job, I cannot get a [bank] loan [to buy a house] or an apartment.

LBT Guyanese also experience discrimination in their quest for education, and the provision of goods and services. LBT students are bullied and sanctioned by teachers and other school officials. Businesses sometimes refuse to sell goods to or serve LBT people.

LBT individuals are also regularly harassed on the street, from name-calling by men whose advances they reject to being threatened with violence, including “corrective rape.” The families of some LBT women also face harassment.

The Guyanese government has not taken any steps to counter discriminatory stereotypes against LBT people, promote LBT human rights, or protect gender-nonconforming individuals. The retention of the law against cross-dressing and the exclusion of sexual orientation and gender identity from existing nondiscrimination legislation contribute to the perpetuation of a societal climate that condones stigma, discrimination, and harassment of gender-nonconforming individuals and prevents them from obtaining redress when they are victimized. We urge the CEDAW committee to recommend that the government of Guyana repeal specific discriminatory laws and adopt policies and practices that are inclusive of LBT human rights.



MIDDLE EAST•NORTH AFRICA





Participant in the International Day Against Homophobia and Transphobia (IDAHOT) holding a sign that says, "No to homophobia and transphobia" outside of Tehran. Photo courtesy of <http://en.news.joopea.com>.



Will the “New Middle East” Be a Welcoming Place for Gays and Lesbians?

BY HOSSEIN ALIZADEH

Published 3/6/2011

Karim is a 27-year-old medical professional who until recently was doing everything possible to remain under the radar of former President Zine al-Abidine Ben Ali’s secret service, while trying his best to help other gay men in Tunisia. This included organizing support groups, teaching about sexually transmitted diseases, and arranging counseling—all while avoiding politics.

The popular uprising in late December changed all of this. He began posting images of demonstrations and victims of government crackdowns on Facebook and toward the end, even caricatures of the dictator himself. Karim is one of many gay Tunisians who overcame his fear and joined millions at the barricades to overthrow a corrupt and dictatorial regime.

Like all other citizens, Arab lesbian, gay, bisexual and transgender (LGBT) individuals suffered through decades of injustice and oppression from despotic rulers and their regimes. In the headiness of the current moment, there is an expectation that the “new wave of freedom” will benefit LGBT people. But will they equally enjoy the fruits of this struggle? Is it time for LGBT Arabs to step out of the closet and demand basic human rights?

The deep-seated homophobia in the region results from a complex interplay of religion, culture, and a colonial history, which goes beyond particular forms of governance. The secular dictators who are being swept out, often reinforced existing homophobic laws

and practices to appease conservative religious and social forces in order to maintain power. In the absence of long-term strategies or the resources with which to seize the moment, LGBT people are not guaranteed to see a dramatic improvement in their lives as a result of the demise of these despots.

In Tunisia, the secular police-state has suddenly vanished and new forces have stepped into the vacuum. This includes formerly-banned political parties and social movements, like the powerful Islamic En Nahdha Party whose commitment to human rights remains to be seen. There are also new, informal groups of “concerned citizens” who, without clear ideological or political affiliation, gather to “protect traditional values”. There have already been reports of attacks by vigilantes against sex workers and men suspected of being gay. Both groups are accused of siding with the deposed secular regime and transgressing Islamic values. This is worrisome for an LGBT population made invisible under the old regime and with hopes for the future.

There have already been reports of attacks by vigilantes against sex workers and men suspected of being gay.

The situation in Egypt too is sobering. While the army has suspended the constitution and is planning a transition to “civilian rule,” the most influential social and political movement in the country, the Islamic Brotherhood, has already broken its promise not to seek power in the post-Mubarak era. It is preparing to run in the upcoming election. One of the group’s leaders has already told the press that it wished that Egypt “had a brave president like President Ahmadinejad.”

In Bahrain, the unrepresented and underserved Shiite majority is demanding change after two centuries of rule by the Sunni monarchy. Although the secular kingdom stood out within the Persian Gulf for its relatively liberal social atmosphere, as recently as February 2011,

two-hundred people were arrested for attending what has been dubbed a “gay” party.

Such intolerance may intensify given that the leader of the political opposition is a Shiite Ayatollah with close ties to conservative clerics in Iraq and Lebanon. So far, the demands of the opposition have been limited to calls for political freedom, equitable distribution of resources, and better representation for the Shiite majority – all good things that accord with human rights principles.

However, there is nothing stopping this powerful religious establishment from calling for the implementation of Sharia law that could target marginalized groups, including the LGBT community.

For millions in the region, homosexuality remains a dark and mysterious secret—abnormal behavior violating Islamic values and promoted by a morally decadent and imperialist west.

For millions in the region, homosexuality remains a dark and mysterious secret – abnormal behavior violating Islamic values and promoted by a morally decadent and imperialist west. It will require years of work to challenge public misconceptions and raise awareness about sexual orientation and gender identity in terms that are understandable and palatable to the public, especially among the leaders of the region’s powerful religious communities.

As the struggle in Bahrain continues and the public in Egypt and Tunisia celebrate their triumph, for the LGBT communities of these countries, the long journey to the full enjoyment of their human rights has, in many ways, just begun.



A CELEBRATION OF
COURAGE

Yasemin Öz: A Celebration of Courage

YASEMIN ÖZ

Activist from Turkey, 2013 Felipa de Souza Honoree

May 13, 2013

Remarks delivered as acceptance speech for the Felipa de Souza Award at *A Celebration of Courage 2013*.

Hello dear friends,

I am honored to receive IGLHRC's very special award in the name of Felipa de Souza. I am also honored to join you and celebrate this award with you. I am quite aware of the amazing work IGLHRC is doing all around the world. First of all, I would like to thank IGLHRC not only for this award but for everything they do to promote LGBT rights.

Yet, I don't think that I deserve this award more than any other LGBT activist. But I do believe that LGBT activism is something that should be awarded since it is a hard way to go due to discrimination and violence. So I will take this award on behalf of every LGBT activist all over the world who gives me strength, courage and hope. I hope this award breaks once again the invisibility of lesbians in Turkey.

This award is also personally important for me. My sexual orientation seemed to me like a curse before I met the LGBT movement. I would like to share with you how this "curse" turned to an award.

**My sexual orientation
seemed to me like a
curse before I met the
LGBT movement.**

I was six years old when I first noticed I was "different". When I was 11, I was quite sure about my "differency" and

was afraid of it. I was thinking that it was something about being a child and when I grew up it would disappear. Years passed, I have grown up but my “differency” didn’t disappear. I was in panic in those years. It was impossible for me to accept my sexual orientation. There was nobody to talk with, nothing to read. I didn’t know even a word to define myself. I was just waiting for my feelings for women to end one day and wake up as a heterosexual! Well, it didn’t happen.

Those years, although I was behaving like a “normal” lesbian, many people treated me like there was something wrong with me. So I believed that there was something wrong with me. I tried many ways to get rid of my sexual orientation, even forced myself to date boys. But nothing changed in me; my life became worse and worse. The only thing I could do was read more and more to understand myself. I read religious, mystic and psychological books to find an answer but none was enough for me.

It was 1995, I could never imagine a group of people revealing they were gay and writing about it.

One day I heard about the Kaos GL magazine and group which were publishing the first LGBT magazine in Turkey. I was quite shocked. It was 1995, I could never imagine a group of people revealing they were gay and writing about it. They were so much braver than

I could ever imagine. So the first time I went to the Kaos GL meeting with confusion about my sexual orientation in my mind.

In the meeting I met a small group of people; many of them were gay men. They were quite sure about their sexual orientation and they didn’t have any problem with it! At the next Kaos GL meeting, I was also quite sure about my sexual orientation. It was the first time that I could understand and accept my sexual orientation.

Kaos GL was a small group mainly consisting of students. They were publishing the first LGBT magazine in Turkey and having political

discussions on LGBT policy every week. The magazine was being published as photocopy since there was no money or other choice. I began to write in the magazine for the first time as a lesbian, but I was not brave enough to use my real name so I wrote using another name.

Those years we also didn't have any center to make organizations and meetings. We had no official status, no funding. Until 2001, Kaos GL just survived with its members and their membership fees. In 2001, Kaos GL opened its first center. That year was the first time we demonstrated in public as a group of twenty people and asked for equal rights. In 2005 Kaos GL became the first registered LGBT organization in Turkey.

Now, we have a cultural center where we hold several events and discussions. We give psychological and legal advice to LGBT people as well as to LGBT refugees. The Kaos GL website has become a media channel for LGBT news. We have our own reporters all around Turkey who went through Kaos GL's trainings on journalism. Kaos GL magazine is more colorful and distributed national wide. We have managed several projects, including one project with the state. We have published several books for LGBT people. Every year we submit annual reports on violation of LGBT people's human rights. For eight years we have organized international meetings and build international networks. We believe that the LGBT movement is only strong with international solidarity.

So let me stop here because no words can summarize these 18 years.

At the beginning, Kaos GL had no credit in the society, even the democratic groups were not willing to struggle against homophobia and transphobia. Today parliamentarians like Binnaz Toprak are defending LGBT rights in the parliament. More than 10.000 people marched in Istanbul in last year's gay pride.

In 1995 I wasn't even dreaming of 10.000 people marching or parliamentarians talking on LGBT rights. Well, it didn't happen in one

day. But it happened. LGBT movement reached to such a point beyond our dreams. We saw that a few believing people can change the world. It is because we never lost our beliefs. From the start, we were quite aware that the struggle against homophobia and transphobia could not be separated from the struggle against sexism, nationalism, capitalism and militarism. If we let one person be discriminated against, we will allow ourselves to be surrounded by the chains of discrimination. Homophobia and transphobia will not disappear where there is hate, inequality, injustice, discrimination and violence. So we became not only LGBT activists but became ecologists, anti-nationalists, peace activists, feminists and anti-capitalists as well. We believe that we should break the walls and remove the borders among people to build a really peaceful world.

**If I wasn't a lesbian,
I wouldn't have taken such a
deep journey into my soul ...
I also wouldn't understand
what the world really is and
wouldn't have gotten to touch
so many precious souls. So
I am thankful for my sexual
orientation.**

After 18 years, today I am here as a lesbian not hiding herself. Now I think that my sexual orientation is the best gift that the God ever gave to me. If I wasn't a lesbian, I wouldn't have taken such a deep journey into my soul and I wouldn't have found myself. I also wouldn't understand what the world really is and wouldn't have gotten to touch so many precious souls. So I am thankful for my sexual orientation.

While ending my speech, I would like to dedicate this award to victims of homophobia and transphobia, to IGLHRC, to Kaos GL, to my family, to my best friends Erdem Çalışır and Zehra Tosun who changed my life forever and especially to Pınar Selek who received a life sentence because she never gave up her beliefs.

We shall never give up believing in ourselves and lose hope. I am quite sure that one day LGBT struggle will end with victory. Cheers to all LGBT activists.



UN to Iran: Protect LGBT People

Iran's Spin Doctor Responds with Bad Medicine

BY HOSSEIN ALIZADEH

Program Coordinator, Middle East / North Africa Program, International Gay and Lesbian Human Rights Commission

Published 4/1/2013

Iran's Dr. Mohammad Javad Ardeshir Amoli Larijani is a very busy man. As an Iraqi-born Iranian scientist-turned-politician, he wears many hats. Larijani is the son of a prominent Ayatollah and the oldest member of the powerful Larijani Clan. His famous brothers chair two branches of the Iranian government: Ali Larijani serves as Speaker of the Parliament while Ayatollah Sadegh Larijani heads the Judicial Branch. A math student in the 1970s at the University of California at Berkeley, he now carefully calculates public messaging as the unofficial human rights spin-doctor for the Ayatollah's regime in Tehran.

Larijani's official title is Head of Iran's High Council for Human Rights, a state-run agency in the Iranian judiciary. Thanks to his impeccable English and intimate knowledge of Western culture, he is the perfect man to window-dress the Iranian government's poor record of human rights. Despite his political job, he still views himself as a scientist – by remaining on the faculty roster of the Institute for Research of Fundamental Sciences. However, he has no more interest in science than he does in promoting human rights.

These days, Larijani is more like a hit man trying to bring down Iran's public enemy number one: Dr. Ahmad Shaheed. Shaheed is also a Western-educated Muslim in the business of human rights. However, his title is more than a mere façade. As the UN Special Rapporteur for Human

Rights in Iran, he was appointed by the UN Human Rights Council in June 2011 to monitor and report on the deteriorating human rights situation in Iran.

The latest standoff between the two took place over Shaheed's March 2013 report to the UN Human Rights Council, and a report that sheds light on the violations of the rights of lesbian, gay, bisexual and transgender persons (LGBT) in Iran. In the report, (in Persian), Shaheed stated that according to the International Covenant on Civil and Political Rights (ICCPR), "criminalising same-sex relations could lead to violation of core human rights guarantees, including the right to life, the right to liberty, the right to be free from discrimination and the right to be protected from unreasonable interference with privacy."

Shaheed's findings on LGBT rights violations in Iran were based on 24 interviews with LGBT Iranians as well as an analysis of the Iranian penal code. The majority of interviewees revealed they were "arrested at

A majority of interviewees reported they were "beaten by family members at home, but could not report these assaults to the authorities out of fear that they would themselves be charged with a criminal act."

least once for their sexual orientation or for associating with other LGBT persons." About half reported torture or physical abuse while in detention, "including punches, kicks and baton strikes to the head or body" and several were subjected to sexual violence or forced to sign confessions. Private violence of LGBT people in Iran is met with public contempt, as a majority of interviewees reported they were "beaten by family members at home, but could not report these assaults to the authorities out of fear that they would themselves be charged with a criminal act."

This breakthrough report met with fierce resistance from Iranian officials, who accused the UN Special Rapporteur of being a Western

puppet and denied him a visa to enter Iran. On March 7, responding to the report, Larijani told Channel 2 of Iran's state-run TV, "In our country, homosexuality is a form of sickness. It is illegal to promote homosexuality, and we have strict laws in this regard. We do not think it is right to physically assault gay people or mistreat them. But we are also against this notion in the West that homosexuality is a normal behavior which they insist we have to accept."

A few days later, Larijani flew to Geneva to deliver the official reaction from the Iranian government to the UN Special Rapporteur's report. In his response, he described the request that Iran respect LGBT rights as "wild expectations."

Before the UN Human Rights Council, he stated, "Obviously the Special Rapporteur knows nothing about the cultural and religious history of Iran, its international obligations, and not even the international language and protocol. For instance, he accuses Iran of ignoring gay rights. None of our international human rights obligations requires us to respect gay rights.... Surprisingly, such an unfair cultural invasion is being justified as the universality of human rights."

Larijani's denial of Iran's duty to protect LGBT rights actually contradicts Iran's obligations under the ICCPR. In its November 2011 Concluding Observations on Iran's compliance with ICCPR, the UN Human Rights Committee specifically instructed the Government of Iran to repeal or amend legislation that "could result in the discrimination, prosecution and punishment of people because of their sexual orientation or gender identity." (Persian) The Committee called on the Government of Iran to unconditionally release "anyone held solely on account of freely and mutually agreed sexual activities or sexual orientation" as well as to take all necessary legislative, administrative and other measures to eliminate and prohibit discrimination on the basis of sexual orientation." How would Dr. Larijani spin that?

In the eyes of Larijani and the ruling establishment in Iran, LGBT people are sick and have no rights. That may explain why the Iranian Penal Code considers consensual same-sex relations to be a capital crime. A young Iranian gay man responded best directly to the Spin Doctor in a Facebook post, saying, “Dr. Larijani, if you think we are sick, why don’t you come to visit us sometime? When you come, please don’t forget to bring flowers.”



Dr. Javad Larijani, the Head of Iran’s High Council for Human Rights, speaking at a December 2010 Human Rights Gathering in Tehran. Photo credit: High Council for Human Rights in Iran.



My Name is Şevval Kılıç, I'm a Trans Activist

ŞEVVAL KILIÇ, ISTANBUL LGBTT

18 October 2012

Remarks to the United Nations at the First Periodic Review of Turkey's Compliance with the ICCPR

Dear Madam Chairperson,

Thank you for allowing us to address the LGBT situation in Turkey. My name is Şevval Kılıç and I am a trans activist. Today I am representing my group, Istanbul LGBTT, and four other LGBT organizations in Turkey, who jointly submitted a shadow report to the Human Rights Committee on LGBT situation in my country. Despite widespread and systematic violations of LGBT rights in Turkey, our government has chosen to turn a blind eye on the ongoing legal injustices against members of our community. Such a lack of care can be easily recognized in the answers of the Turkish Government to your list of questions regarding LGBT status.

As a trans woman who has suffered from years of discrimination and abuse, I am sad to report that my country has the second highest rate of hate-motivated murders of trans individuals worldwide. The Trans community also faces social discrimination, police abuse, and denial of access to work and education. The state has adopted a series of anti-LGBT policies, such as their refusal to include protection based on sexual orientation and gender identity in the new constitution.

I am sad to report that my country has the second highest rate of hate-motivated murders of trans individuals worldwide.

The government's practices are equally hostile and unconstructive, practices such as harassing trans individuals through the discriminatory enforcement of the law of misdemeanor and brutal treatment of LGBT activists. On the one hand government confiscates publications for making references to homosexuality, and on the other hand the state officials promote homophobia and misunderstanding about LGBT people with impunity. In my society the transgender victims of violence are afraid of going to the police to report cases of violence, while the perpetrators of anti-LGBT murders can use a senseless article of the law, "Unjust Provocation," to receive reduce sentences.

The Turkish LGBT community is not asking for exceptional privileges or special rights. All we are asking for is for the government of Turkey to

The Turkish LGBT community is not asking for exceptional privileges or special rights. All we are asking for is for the government of Turkey to... provide LGBT individuals with the same level of rights and protections that all human beings are entitled to.

respect its international obligations under international treaties, including ICCPR, and provide LGBT individuals with the same level of rights and protections that all human beings are entitled to. We hope by the end of this process, and based on your concluding observations, the Turkish government first to acknowledge the situation of LGBT rights, and subsequently take appropriate actions to address these violations.

On behalf of LGBT coalition, we are ready to cooperate with the government of Turkey and international community towards the creation of a better and more democratic country for everyone.

Thank you.

Contributors

Hossein Alizadeh is Regional Program Coordinator for the Middle East and North Africa for the International Gay and Lesbian Human Rights Commission (IGLHRC). Hossein is bilingual in Persian and English, and has advanced comprehension of Standard Arabic. He has an M.A. in International Relations from the National University in Teheran, Iran and an M.A. in International Peace Studies from the University of Notre Dame. As an openly gay man, Hossein began his studies in the United States in 2000 and subsequently sought and gained political asylum in 2001.

Nisha Ayub is the Transgender Programme Manager at PT Foundation in Kuala Lumpur, Malaysia.

Filipina activist **Ging Cristobal**, IGLHRC Project Coordinator for Asia and the Pacific Islands has over 12 years of LGBT activism in the Philippines and Asia. Ging co-founded Lesbian Advocates Philippines (LeAP). She has lobbied for laws to protect LGBT rights, researched and documented LGBT

discrimination cases and facilitated local and regional groups on LGBT sexual health and rights.

Andrés Rivera, a Chilean trans activist, is the founder of Organización de Transsexuales por la Dignidad de la Diversidad (OTD). Rivera is the first trans person in Chile to achieve legal change of his name and sex marker without gender reassignment surgery. Rivera, with OTD, led the fight to include gender identity in Chile's anti-discrimination law, which passed in May 2012.

María Mercedes Gómez, IGLHRC's Regional Program Coordinator for Latin America and the Caribbean, holds a Ph.D. in Political Science, and an M.A. in Gender Studies and Feminist Theory from the New School for Social Research. She has taught at the Universidad de los Andes in Bogotá, Colombia and universities in Canada. Her writings on violence based on prejudice, and training workshops have promoted awareness of LGBTI violence among law professors, enforcement agents, and throughout Latin America's criminal justice system.

Stephanie C. Horton, Liberian writer and editor, has worked as an advocate for girls', women's, men's,

and LGBTQ people's rights, counselor, workshop facilitator, and staff trainer for survivors of sexual violence. She divides her time between the United States and Liberia.

Natasha Jiménez is an activist from Costa Rica who is a member of Mulabi, an organization that provides a space to discuss sexualities and rights in Latin America.

Cary Alan Johnson, former IGLHRC Executive Director, is an author and activist with more than 20 years of experience in the LGBT movement and in African social and economic development. He is author of the report, *Off the Map: How HIV/AIDS Programming is Failing Same-Sex Practicing People in Africa*.

Val Kalende, noted Ugandan activist for LGBT people, in 2003 helped launch Freedom and Roam Uganda, the only lesbian organization in Uganda, and is in the leadership of Sexual Minorities Uganda, a coalition of LGBT groups. She has played a key role as a writer, speaker, activist, and community organizer within the LGBT movement in Uganda. She is former writer for a national newspaper in Uganda and was jailed for

campaigning for the inclusion of LGBT people in Uganda's national HIV/AIDS programs.

Şevval Kılıç, a prominent trans rights activist, is the former head of Istanbul LGBTTT Solidarity Association, an Istanbul-based trans rights advocacy group. In 2009, Şevval helped organize Istanbul's first-ever Trans Pride March. She partnered with IGLHRC in 2012 to testify about LGBT human rights violations at the United Nations Human Rights Committee, based on a joint shadow report submitted to the Committee.

Kate Miwoki has eight years of international experience working on projects with the Terrance Higgins Trust, Restless Development (Zambia), the African Union (Addis Ababa), the South African Department of Health, and as a Visiting Researcher at Wits University;

Sherlina Nageer is a Guyanese LGBT activist, spokesperson, and longtime member of the Society Against Sexual Orientation Discrimination (SASOD).

Doi Nakpor is an activist and transgender woman from Thailand. Doi is an outreach worker at

Mplus Foundation, where she focuses on HIV/AIDS prevention and human rights for MSM and transgender youth. She works with schools, and universities in Chiang Mai, is also a founder of the Thai Transgender Alliance and member of the Northern Youth Media Network.

Yasemin Öz is a prominent human rights lawyer, nationally recognized feminist and leading LGBT activist in Turkey. Her activism dates to mid-1990s, as a law student at the University of Ankara. She played a key role in a number of LGBT-related projects, such as “Discriminative Legislation in Turkish Law System on LGBTT People” in 2006 and the writing of Shadow Report on Turkey’s Compliance with International Covenant on Civil and Political Rights for UN Human Rights Committee (2012). Yasemin serves as the International Spokesperson of Support Committee for Pinar Selek, a Strasbourg-based sociologist and writer, who was previously arrested, tortured by the Turkish police and sentenced to life in prison in absentia.

Grace Poore, from Malaysia, is IGLHRC Regional Program Coordinator for Asia and the Pacific Islands. She oversees multi-country

documentation and advocacy projects in Asia, conducts trainings on human rights documentation, and facilitates LBT engagement with UN mechanisms, specifically CEDAW. She co-wrote the video, “Courage Unfolds” about LGBT activism in Asia and the Yogyakarta Principles. Her other documentary films on domestic violence and surviving child sexual abuse have been viewed in eighteen countries.

Blas Radi, a trans activist born in La Plata, Argentina and philosophy student at the University of Buenos Aires, has participated in many initiatives on gender identity and gender expression issues in Argentina. Blas worked with “Frente Nacional por la Ley de Identidad de Género,” participated in the drafting of Argentina’s newly adopted gender identity bill, and has successfully advocated for legal reform in Argentina concerning gender identity and gender expression issues.

Gift Trapence, Executive Director of the Centre for the Development of People, an organization addressing LGBTI issues, is a human Rights Activist in Malawi. He has been instrumental for several strides advancing LGBTI human rights in Malawi including the announcement

of the suspension of the sodomy laws by the Malawi government. His HIV research work has been published by science journals including the Lancet. He holds a Bachelors of Arts degree in Development studies.

Otgonbaatar Tsedendemberel and ***Munkhzaya Nergui***, Mongolian human rights activists are the founders of the LGBT Centre NGO, Mongolia's first and only LGBT human rights organization. Registered in 2009 after a three-year battle with state authorities, the LGBT Centre works to build a safer society for Mongolia's lesbian, gay, bisexual and transgender community.

Damian Ugwu, IGLHRC's Regional Program Coordinator for Africa, holds a masters degree in international law and diplomacy. He has consulted with social justice organizations including Civil Liberties Organization, Nigeria's largest human rights group, the Social Justice Advocacy Initiative in Lagos, Nigeria, Human Rights Watch, Amnesty International and the Open Society Justice Initiative. Damian has contributed to publications on the state of human rights of Nigerians, on topics of torture, violence and impunity, extrajudicial killings and children's rights.

INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION: Commentaries, Op-editorials and Blogs

Full list: 3.6.2011 to 8.30.2013

“Will the ‘New Middle East’ be a Welcoming Place for Gays and Lesbians?” (*Trust Law*) by Hossein Alizadeh 3/6/2011

“An LGBT Centre in Ulaanbaatar, Mongolia,” (*Bilerico, Queerty*) by Otgonbaatar Tsedendemberel and Munkhzaya Nergui, human rights activists, Mongolia 3/6/2011

“Inclusion of the Human Rights of LGBTIQ People in the Final Statement at the 7th ASEAN People’s Forum,” (*IGLHRC Blog*) by Ging Cristobal 3/11/2011

“Costa Rican Activist Natasha Jiménez Reporting from CEDAW in New York / La activista costarricense Natasha Jiménez informa sobre la CEDAW en Nueva York,” (*IGLHRC Blog*) by Natasha Jiménez, human rights activist, Costa Rica 7/14/2011

“Amazing Responses by CEDAW to Address LGBT Discrimination in Singapore,” (*IGLHRC Blog*) by Grace Poore 7/27/2011

“Observations and Meanings from the First-Ever LGBT-Specific Case Heard by the Inter-American Court of Human Rights: Karen Atala and Daughters vs. the State of Chile / Observaciones y significados del primer caso específicamente LGBT que llega a la corte Interamericana de Derechos Humanos: Karen Atala e Hijas contra el estado de Chile,” (*IGLHRC Blog*) by Jessica Stern 8/23/2011

“LGBT Rights at APF Biennial Conference,” (*IGLHRC Blog*) by Grace Poore 10/11/2011

“UN to Iran: There Are No Excuses for Denying LGBT People their Human Rights,” (*Huffington Post*) by Hossein Alizadeh and Cary Alan Johnson 11/28/2011

“A Young Activist Perspective on Global LGBT Rights,” (*Bilerico Project*) by Brian Tofte-Schumacher 12/14/2011

“Korea: LGBT Students in Danger of Being Left Out of Non-Discrimination Protections,” (*New Civil Rights Movement*) by Grace Poore 12/18/2011

“LBT Women: OUT at the UN Commission on the Status of Women,” (*New Civil Rights Movement*) by Brian Tofte-Schumacher 3/6/2012

“Securing a Safe Place for All Liberians,” (*Huffington Post*) by Cary Alan Johnson and Stephanie Horton, human rights activist, Liberia 3/23/2012

“Gay Rights are Human Rights: Advancing LGBT Protections at the UN,” (*New Civil Rights Movement*) by Peter Dunne 3/29/2012

“Thai Police Dismiss Murders of 15 Lesbians and ‘Toms’ as ‘Love Gone Sour,’” (*Huffington Post*) by Grace Poore 4/4/2012

“Worlds Apart? I’m Just Not Sure,” (*Bilerico Project*) by Brian Tofte-Schumacher 4/13/2012

“LGBT Report from the Peoples’ Forum in Phnom Penh, Cambodia,” (*IGLHRC Blog*) by Ging Cristobal 4/30/2012

“Argentina Has Passed the Most Progressive Gender Identity Legislation in Existence / Argentina ha aprobado la legislación de Identidad de Género más progresista de la existencia,” (*IGLHRC Blog*) by Alejandro Nasif Salum, human rights activist, Argentina 5/13/2012

“IDAHO Has Come and Gone but the Work Continues,” (*Bilerico Project*) by Brian Tofte-Schumacher 5/30/2012

“Celebrating Pride... Beyond the White House,” (*Huffington Post*) by Jessica Stern and Peter Dunne 6/18/2012

“End Sexual-Orientation and Gender-Identity Discrimination in Guyana,” (*Demerara Waves and Huffington Post*) by Sherlina Nageer, human rights activist, Guyana 7/10/2012

“Indonesian Government Questioned About LBT Rights Violations,” (*IGLHRC Blog*) by Grace Poore 7/13/2012

“Gay Ugandans: Loud and Proud,” (*Huffington Post, London Evening Post, Gay City News, Go Magazine*) by Val Kalende, human rights activist, Uganda 8/15/2012

“Indonesian LBT Women Exposed to Backlash,” (*Women’s E-news, Autostraddle, Fridae*) by Grace Poore 8/21/2012

“Chilean Paradoxes: LGBT Rights in Latin America / Paradojas Chilenas: Derechos LGBT en América Latina,” (*Huffington Post*) by Pedro Garcia 8/21/2012

“Op-ed: Colombia Is Our Movement in Motion,” (*Advocate*) by Kristen Thompson 8/24/2012

“Why Wait to Repeal a Discriminatory Law?” (*Huffington Post*) by

Grace Poore 9/25/2012

“Time to Get It Right: Southeast Asian Nations Human Rights Declaration,” (*Huffington Post*) by Grace Poore 9/26/12

“Transgender Women’s Constitutional Challenge to Sharia Law Fails in Malaysia,” (*IGLHRC Blog*) by Grace Poore 10/15/2012

“Human Rights Compromised in Southeast Asia,” (*Huffington Post*) by Ging Cristobal and Grace Poore 11/21/2012

“As the Flames of Homophobia Burn Around the World, Understanding Nigeria’s Anti-Gay Bill,” (*Huffington Post*) by Damian Ugwu 12/03/2012

“Lesbian, Bi, And Trans Women at the Intersection: The Case of ‘The Good Mother,’” (*New Civil Rights Movement*) by Carrie Nelson 12/6/2012

“United Nations Opens Doors to LGBT Rights: Extrajudicial Executions Condemned in UN Vote,” (*Huffington Post*) by Blakeley Decktor 12/15/2012

“Women and Girls: Asia Pacific Lesbians, Bisexual and Trans Women Left Out in the Cold,” (*Huffington Post*) by Grace Poore 1/28/2013

“CEDAW Committee: Eliminate All Forms of Discrimination Against All Women,” (*Huffington Post*) by Grace Poore 3/11/2013

“Let Us Remember All Women on International Women’s Day,” (*Huffington Post*) by Zenita Nicholson, human rights activist, Guyana 03/07/2013

“Women, Gender Stereotypes and Gay Men,” (*Bilerico*) by Andreas Schwarz 3/19/2013

“UN to Iran: Protect LGBT People. Iran’s Spin Doctor Responds with Bad Medicine,” (*Huffington Post*) by Hossein Alizadeh 4/1/2013

“Rape is Rape,” (*Huffington Post*) by Kate Muwoki 4/2/2013

“Thailand: Phoenix Rising but Questions Remain,” (*New Civil Rights Movement.com, IGLHRC*) by Grace Poore 4/3/2013

“The Other and LGBT Rights in Turkey,” (*Huffington Post*) by Hossein Alizadeh 5/9/2013

“Special Report: Philippines National Police Undergo LGBT Sensitivity Workshops,” (*The New Civil Rights Movement*) Part 1 by Raymond Alikpala, LADLAD LGBT Party 06/05/2013. Part 2 by Ging Cristobal 06/06/2013

“I Don’t Personally Defend Marriage: A Response to the US Supreme Court Decision of June 27, 2013,” (*Huffington Post*) by Grace Poore 07/17/2013

“An Assault on a Movement: The Killing of Eric Lembembe,” (*Huffington Post*) by Damian Ugwu 08/23/2013

“Homophobia in Russia: A Bigger Fight,” (*Huffington Post*) by Julie Dorf (10/11/2013)

“Zambia Shackled by Homophobic Laws,” (*Cape Times*) by Juliet Mphande, human rights activist, Zambia 10/25/2013

“Zanu-PF Win Holds Bleak Prospects for LGBTI Rights,” (*Mail and Guardian*) by Chesterfield Samba, human rights defender, Zimbabwe 11/01/2013

“African Conference: Out of Step with Human Rights Standards,” (*Huffington Post*) by Damian Ugwu 11/07/13



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