Third General Assembly (GA3)

LGBTQI+ rights in religious environments

Research Report

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"Out of this world"

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Introduction

LGBTQIA+ rights in religious environments refers to recognition, protection and support for the dignity and rights of anyone that is part of the LGBTQIA+ community in places of worship, religious schools and faith based organizations. Which are all institutions that play a significant role in shaping society's position towards LGBTQIA+ persons. Advocacy for the rights of LGBTQIA+ individuals in religious spaces is particularly controversial due to the fact that it requires connecting religious freedom with LGBTQIA+ equality, two ideas often considered incompatible.

Much of the current conversation around LGBTQIA+ rights in a religious context revolves around balancing preserving freedom of religion, and protecting all citizens against discrimination. Groups that support the idea but wish to be above anti-discrimination laws in securing legislative protection for their belief on LGBTQIA+ disutility, as well as groups attempting to protect them indicate a volatile mix of religious beliefs against an evolving climate concerning human rights and equality.

Definition of Key Terms

Key term 1: LGBTQIA+ rights

The civil, political, economic, social, cultural and physical rights of people that are part of the LGBTQIA+ community. (i.e lesbian, gay, bisexual, transgender, queer, intersex, asexual and other sexual minorities.)

Key term 2: Religious freedom

According to article 18 of the Universal Declaration of Human Rights (UDHR) Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Key term 3: LGBTQIA+ theology

LGBTQIA+ theology can appear in two broader forms. Non-affirming theology which can be separated into two more specific categories. The first affirms the existence of LGBTQIA+ people but still reserves a more conservative view on marriage and sex. The second (X Side theology) conceders LGBTQIA+ identities disordered, illegitimate and without God's blessing also supporting conversion therapy even though it is medically discredited and dangerous. Alternatively, affirming theology deems LGBTQIA+ identities equal to heterosexual ones in the eyes of god. It can also be separated into two sub-categories. Side A theology completely affirms LGBTQIA+ identities, same sex marriage and relationships and recognizes celibacy as a free choice. Side B theology affirms LGBTQIA+ identities but suggests that people should abstain from same gender sex for theological reasons.

Key term 4: Conversion therapy

Emotional or physical therapy (psychotherapy) in medical (hormone-steroid therapies, gender affirming surgery) or faith based form used to "cure" a person's attraction to the same sex, or their gender identity and expression without any evidence of being successful. This procedure has been medically rejected due to the severe side effects such as depression, anxiety, drug use, homelessness and suicide and has been banned/limited in 26 states, District of Columbia, Puerto rico and in 13 countries.

Key term 5: Religious exemptions

Religious exemption laws permit people, churches, non-profit organizations, and corporations to seek exemptions from laws that burden their religious beliefs. There is a coordinated strategy to mount legislation and litigation across the country to undermine non-discrimination protections, and the regulations administering social and public services by inserting exemptions into the laws based on religious or moral beliefs.

General Overview

Causes of LGBTQIA+ right violations in religious environments

The violation of the rights of LGBTQIA+ in religious settings occurs due to diverse reasons: from legal frameworks and cultural attitudes, the interpretation that each religious group performs about the sacred texts, to the influence of its leaders; media and history are also included.

Laws on freedom of religion generally carry provisions that allow exemption from anti-

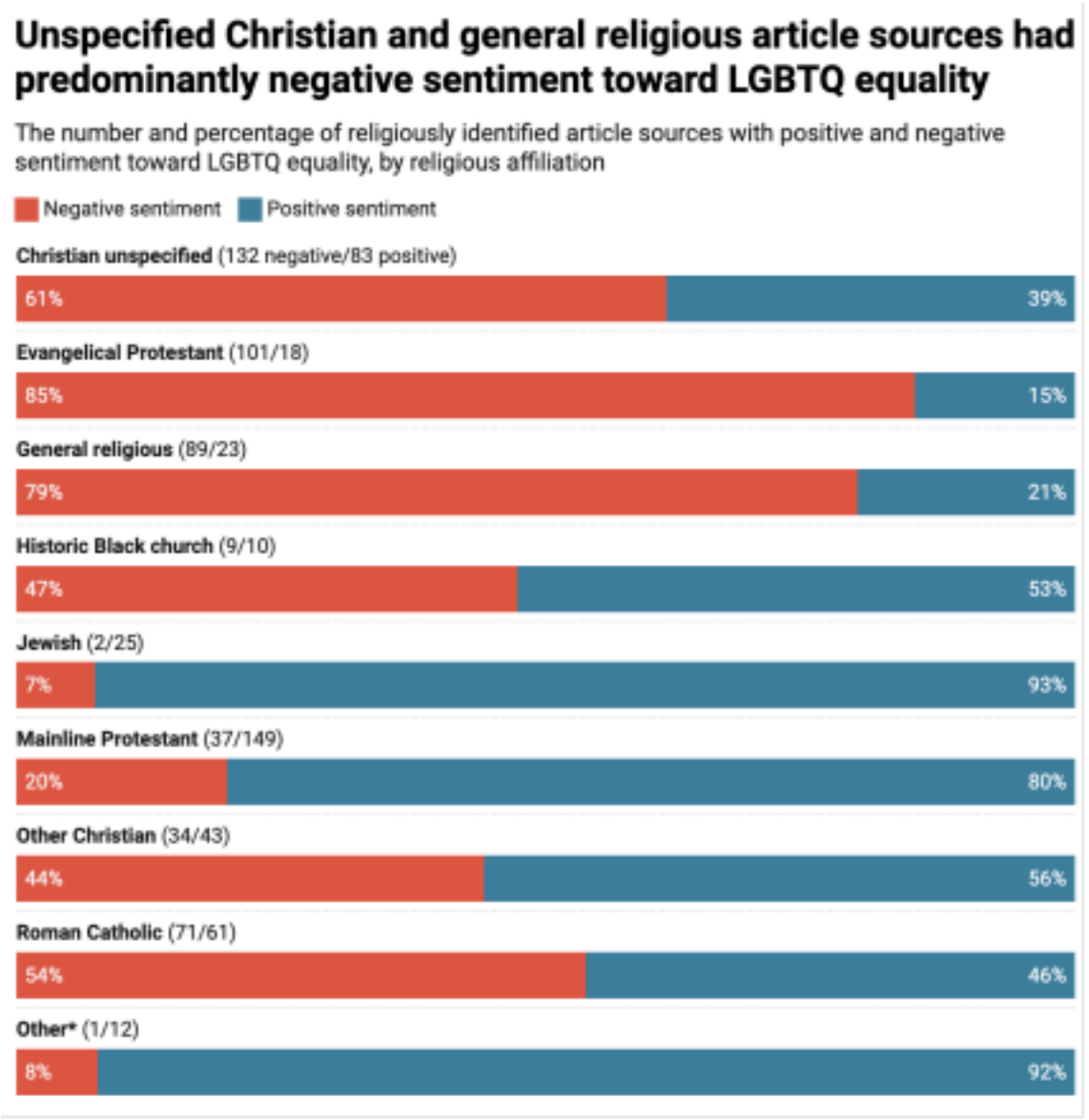
discrimination laws. Religious institutions mostly use such clauses and benefit from them in the form of religious exemptions to justify service denial to LGBTQIA+ individuals. The discriminations based on such conditions are legally allowed, hence directly acting against the rights of the LGBTQIA+ community and against the intention of society to ensure equality for all citizens.

Cultural attitudes remodeled by religious personas regarding LGBTQIA+ and transgender identities are usually filled with intolerance. Most of them are conservative and define these identities as unacceptable and sinister. This has brought forth negative reception and, in turn, condemnation and exclusion that hinder progress toward inclusivity and acceptance.

Many religious communities interpret sacred passages to critique and oppose LGBTQIA+ identities and relationships, naming them sinful, while adopting exclusionary behaviors that include opposition to same-sex marriage and support for conversion therapies. In addition, religious leaders promote discriminatory policies that further entrench bias throughout society. They sometimes even frame their beliefs as a kind of defense of religious freedom.

Media usually try to cover more conservative religious opinions opposing LGBTQIA+ rights than those voices committed to the affirmative of their rights. This way, they are perpetuating the discourse that creates a false dilemma, portraying LGBTQIA+ equality and religious liberty as conflicting. As such, they shape public perception and boost the stereotype that religion is against LGBTQIA+ rights.

Religious movements have always used sacred texts and societal norms to justify discrimination. This kind of justification traces back centuries, yet still infects modern attitudes and policies. This, in effect, creates an environment where LGBTQIA+ rights are marginalized due to traditional religious doctrines.



*Buddhist, Hindu, Humanist, Indigenous African religions, interfaith, Muslim, and Native American religions were collapsed into "Other" due to a small sample size.

Impact on LGBTQIA+ persons

Human rights abuses of the LGBTQIA+ individuals within religious settings translate to severe losses for persons and communities. These violations may be sexual orientation and gender identity based discrimination, exclusion, and psychological damage, which can affect the mental health and well-being of LGBTQIA+ people.

The members of the LGBTQIA+ community are likely to develop feelings of rejection or marginalization since they are rejected in religious organizations. Discrimination in religious institutions

is rife since these institutions promote conservative views on matters concerning gender and sexual orientation increasing the probability of LGBTQIA+ and transgendered persons suffering from hostile religious contexts. This rejection from a space often advertised as accepting results in these people being left unsupported during major events in their lives eradicating any faith.

Rejection and hostility are the major causes of psychological pressure on LGBTQIA+ persons. A study done on Discrimination in religious contexts found that LGBTQIA+ people who have been discriminated against in religious spaces are more likely to have an anxiety disorder, major depressive episodes, or suicidal ideas. Traditional beliefs put pressure on such individuals causing them to develop internal homophobia or transphobia.

It is evident that the religious journey for the LGBTQIA+ means experiencing cognitive dissonance, where the person has mixed feelings on the one hand about one's self-identity and on the other hand about the religious dogmas. It encases the radical conflict which may result into shame and self rejection contributing to low self esteem and spiritual abandonment.

Perceived homophobia within religious organizations can lead to the exclusion of LGBTQIA+ people from social networks. Thus, leading many to isolation. This means exclusion regarding social supportive networks which are critical for people's emotional or spiritual well being. This intensifies feelings of loneliness and hopelessness, making LGBTQIA+ individuals unable to socialize or look for the professional help they might need.

Conclusion

In conclusion, the factors that perpetuate violence against the rights of the LGBTQIA+ people within religious institutions are intricate and interrelated with political, legal, cultural, social, and theological underpinnings that support subsequent prejudice and systemic unfairness. Hassan (2002) established that these human rights abuses in religious context cause serious emotional and psychological problems among the victims.

Major Parties Involved

1. South Africa

In 1996 South Africa was one of the first countries to ban sexual orientation based discrimination. In 2002 same sex adoption became legal and marriage equality was established in 2005. In 2003 transgender people were for the first time able to obtain legal gender

recognition. It is clear that South Africa has quite a progressive attitude towards LGBTQIA+ rights in contrast to other counties in the African continent. Additionally, it holds a vibrant LGBTQIA+ social scene with pride events and celebrity representation. Even though the country has adopted progressive legislation, it measures surprisingly high rates in violence, murder and harassment against LGBTQIA+ persons in public settings.

2. Canada

In 1969 Canada passed the omnibus bill, allowing the decriminalization of private same sex acts between consenting adults. Since then the Canadian church has engaged in studies and investigations regarding the LGBTQIA+ community. In the 2021 General Assembly (GA) the Presbyterian Canadian church changed its theology on the subject of marriage allowing ministers to choose whether or not they wanted to officiate same sex-marriages. However in 2022 the GA introduced the Confession to God and LGBTQ+ people and the Canadian church was obliged to read this confession as a form of apology to the LGBTQIA+ community. Now the church affirms that all people whatever their sexual orientation or gender identity are equally beloved by God and does not consider homosexuality a sin.

3. Poland

Homosexuality has been legal in Poland since 1932. However, same sex marriage and adoption are both illegal, conversion therapies are not banned and changes in gender status require gender affirmation surgery. In addition, the only matter on which discrimination based on sexual orientation is illegal are those of employment and occupation. This results in Poland being considered the worst EU state for LGBTQIA+ people especially since the 2018 hate campaign against LGBTQIA+ people was launched in Poland.

4. Iran

The Iranian penal Code 2013 criminalizes same sex relations between men and between women. In Iran acts known as ‘livat’, ‘tafkhiz’, ‘musahaqah’ hold the maximum possible penalty of death. The criminalization of same sex sexual activities appears under law that originates from islamic law which is common in Iran since they have adopted a Sharia based penal code. It appears as though these laws have been enforced in recent years since same sex relations were tolerated up until 1979. In the country of Iran there have been numerous reports of discrimination and violence being committed against LGBTQIA+ people in recent years, including murder, assault, harassment and denial of basic rights and services.

5. United Nations Human Rights Council (UNHRC)

The UNHRC is an intergovernmental organization, part of the UN established in 2006. Its responsibilities include reinforcing the promotion and protection of human rights around the world, tackling human right violations and introducing possible solutions. The UNHRC has a pivotal role in addressing LGBTQIA+ rights especially in a religious context, supporting a balance between religious freedoms and LGBTQIA+ rights. As part of their efforts the council has passed multiple resolutions to battle violence and discrimination due to sexual orientation and gender identity.

6. Human Rights Watch (HRW)

The HRW is a Non Governmental Organization (NGO) originally founded to support rebellious movements in Eastern Europe and the Soviet Union. Today, the organization investigates and reports on human right violations all across the world and finally collaborates with governments, the UN and other organizations to implement policy changes and reinforce law. Specifically, the HRW monitors and reports on LGBTQIA+ right violations, advocating for decriminalization of homosexuality and objecting to practices such as conversion therapy.

7. International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)

ILGA-world is a non governmental organization created at a fringe meeting of the annual conference of the Campaign for Homosexual Equality that strives to create a world where all human rights are respected and everyone can live free and be equal regardless of sexual orientation. They advocate and support LGBTQIA+ groups, research for possible right violations and raise awareness through social media.

8. Parlement of the world's religions

The parlement of the world's religions is an organization that aims to create harmony among the world's religions and brings together representatives to discuss global issues such as LGBTQIA+ rights. The organization fosters interfaith dialogues and inclusivity. Their goal is to achieve world peace, justice and sustainability. Specifically their 2023 initiative focused on defending freedom and human rights across the globe.

Timeline of Events

[4 April 2024] **[A/HRC/RES/55/14]**

Resolution on combating discrimination, violence and harmful practices against intersex people adopted by the human rights council. This resolution addresses the situation of human rights in Belarus. The resolution expresses concern over ongoing human rights violations in the country, including restrictions on freedoms of expression, assembly, and the press, and urges the Belarusian government to take immediate steps to improve the human rights situation and cooperate with international mechanisms.

[15 July 2022] **[A/HRC/RES/50/10]**

This resolution was adopted by the UN Human Rights Council and addresses the human rights situation in Eritrea. The resolution extends the mandate of the Special Rapporteur on the situation of human rights in Eritrea, specifically on protection against violence and discrimination based on sexual orientation and gender identity, expressing concern over ongoing violations, including arbitrary detention, restrictions on freedoms of expression and assembly, and forced labor. It calls on Eritrea to cooperate with international human rights mechanisms and implement reforms to improve the human rights situation in the country.

[30 June 2016] [A/HRC/RES/32/2]

Resolution adopted by the UN Human Rights Council that addresses the protection against violence and discrimination based on sexual orientation and gender identity. The resolution establishes the mandate of an Independent Expert to assess the challenges faced by individuals based on their sexual orientation and gender identity. It urges states to take necessary measures to combat violence and discrimination and to promote human rights and equality for LGBTQ+ individuals worldwide.

[17 June 2011] **[A/HRC/RES/17/19]**

A landmark resolution adopted by the UN Human Rights Council that focuses on human rights protection based on sexual orientation and gender identity. It was the first UN resolution to address these issues, expressing concern over violence and discrimination faced by LGBTQ+ individuals. The resolution called for a global study on discriminatory laws and practices, as well as how international human rights law could be applied to protect people based on sexual orientation and gender identity, advancing LGBTQ+ rights on an international level.

Possible Solutions

1. Legislative changes

The best approach to challenging the discrimination of LGBTQIA+ people is the adoption of religious exemption inclusive nondiscrimination laws. Any such laws should seek to do so while maintaining religious liberties and also respecting the rights of the LGBTQIA+ community such as the Fairness for All Act. This act would let religious organizations perform in the way they believe to be right while preventing discrimination in services on grounds of the sexual orientation or gender identity of a person. Prohibition of religious exemptions in the legislation to protect discrimination and equality of the LGBTQIA+ community will help prevent institutions and policies from discriminating against them.

2. Education and awareness programs

Educational initiatives can help normalize and create space for acceptance of LGBTQIA+ within religious communities. Programs developed specifically for the rights and dignity of LGBTQIA+ individuals can also be important in challenging long-held beliefs about them on which discrimination might rest. Workshops, seminars and community discussions can also bring LGBITQ+ persons into dialogue with religious communities to promote understanding on relevant issues.

3. Creation of inclusive religious spaces

Creating affirming theology based religious institutions and environments in which LGBTQIA+ people can practice without feeling ostracized. This means making institutional space for the existence and celebration of LGBTQIA+ identities and relationships within traditional religious structures. Examples include the Unitarian Universalist Association or the United Church of Christ. It can also mean creating organizations within different faith traditions that work specifically on LGBTQIA+ policy issues, thus making it easier for people to find spaces where they can be both fully spiritually fulfilled as well as part of a community.

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