Human Rights Council

Protecting the human rights of the LGBTQI+ community

Research Report

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"let us sing songs of freedom together"

Forum: Human Rights Council

Issue: Protecting the human rights of the LGBTQI+ community

Position: Chair

Introduction

On December 10th 2024, a date only 15 short months into the future, it will officially be a century since the founding of 'the Society for Human Rights'. Established by Henry Gerber in Chicago, this was the first documented gay rights organisation. There are still homosexuals being prosecuted, nearly a hundred years after the founding of the Society for Human Rights. 'The Anti-Homosexuality Act' which prohibits any form of sexual relations between persons of the same sex, is one of many possible examples. Furthermore, any individual culpable of violating this law must receive the maximum sentence. However, as clarified by member of parliament Asulman Basalirwa "the courts can decide not to impose the maximum sentence of death" and instead choose a lifelong sentence to prison.

The occurrence seen in Uganda as well as other homosexuality criminalising laws found in 64 other countries (nearly half of which are in the continent of Africa), are examples that despite the ever-growing social movements advocating for LGBTQI+ people, gay rights can still be improved much further.
These criminalising laws along with a homophobic frame of mind and an overall lack of legal protection against discrimination based on sexual orientation, gender identity or intersex status, expose LGBTQI+ members to violation of their human rights.

Definition of Key Terms

Human rights

Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the rights to work and education, and many more. Everyone is entitled to these rights, without discrimination.

LBTQI+

An acronym made up of the first letters of the words "Lesbian", "gay", "bisexual", "transgender", "queer" and "intersex.

The Anti-Homosexuality Act

An act to prohibit any form of sexual relations between persons of the same sex, the promotion or recognition of sexual relations between persons of the same sex, and other related matters.

Conversion therapy

Conversion therapy is the practice of attempting to cause a non-heterosexual person to become heterosexual by using psychoanalysis, behaviour modification, spiritual counselling, etc. Often resulting in harmful outcomes such as negative mental health results and greater rates of attempting suicide.

Anti-discrimination laws

Anti-discrimination law or non-discrimination law refers to legislation designed to prevent discrimination against particular groups of people.

Grassroots activism

A grassroots movement uses the people in a given district, region or community as the basis for a political or economic movement. Grassroots movements and organisations use collective action from the local level to implement change at the local, regional, national, or international level.

General Overview

Historical Context

Understanding the challenges faced by LGBTQI+ individuals calls for a historical perspective. For centuries, LGBTQI+ members have been marginalized and persecuted due to their sexual orientation or gender identity. It was only in the middle of the 20th century that LGBTQI+ rights movements began to gain momentum, leading to a gradual shift in the attitudes of the overall society and changes regarding legal aid.

Key Challenges

1. Legal Discrimination: Discriminatory laws and policies remain a significant barrier to LGBTQI+ rights in many countries. These include the criminalisation of same-sex relationships, lack of legal recognition for transgender individuals, and restrictions on LGBTQI+ advocacy.

2. Violence and Hate Crimes: Members of the LGBTQI+ community are targeted for hate crimes and violence. Transgender people, especially transgender women of colour, face alarmingly high rates of physical and verbal abuse, which results in physical and psychological damage. This ties into the overall violence against women as well.

3. Conversion Therapy: The dangerous practice of conversion therapy, targeted at changing an individual's sexual orientation or gender identity, remains a serious concern in some regions of the world. Practices such as these are widely discredited by medical and psychological experts but they continue to be offered in some areas worldwide.

4. Healthcare Disparities: LGBTQI+ individuals often encounter numerous obstacles when seeking healthcare services. Discrimination by healthcare providers can result in inadequate or substandard care, leading to significant health disparities within the community.

Legal Frameworks

Progress in the protection of LGBTQI+ human rights is evident through legal developments at both national and international levels:

1. Legalization of Same-Sex Marriage: Numerous countries have recognized same-sex marriage, granting LGBTQI+ couples the same legal rights and protections as heterosexual couples. This advancement signifies a significant milestone in the struggle for LGBTQI+ rights.

2. Anti-Discrimination Laws: Many nations have enacted anti-discrimination laws that explicitly safeguard LGBTQI+ individuals from discrimination in various areas, including employment, housing, and public services.

3. International Advocacy: International organizations, such as the United Nations, have increasingly emphasized the importance of LGBTQI+ rights. Resolutions and declarations

have fostered global dialogue on these issues and encouraged countries to take concrete steps to protect these rights.

Recent Developments

Recent years have witnessed notable progress in LGBTQI+ rights:

1. Increasing Visibility: The LGBTQI+ community's visibility and representation in media, politics, and culture have grown. This increased visibility helps combat stereotypes and fosters greater societal acceptance.

2. Public Support: Surveys and polls indicate a growing majority of people worldwide support LGBTQI+ rights. Public opinion is gradually shifting in favour of greater equality and inclusion.

3. Grassroots Activism: Local and international LGBTQI+ organizations continue to advocate for human rights. Grassroots activism plays a crucial role in pushing for legal reforms and social change.

Opposing Perspectives on LGBTQI+ Rights

While significant progress has been made in the fight for LGBTQI+ rights in many parts of the world, it is essential to acknowledge that not all cultures and religious beliefs align with the goals of advancing these rights. Understanding these different perspectives can provide a comprehensive view of the challenges faced in the struggle for LGBTQI+ equality.

Cultural and Religious Beliefs

One of the primary obstacles to LGBTQI+ rights in various societies stems from deeply ingrained cultural and religious beliefs. In some cultures, traditional norms and religious teachings promote the idea that heterosexual relationships are the only acceptable form of partnership. These beliefs often view same-sex relationships or gender identities outside the binary as deviations from the established social order. As a result, there is resistance to recognising and accepting LGBTQI+ individuals as equals in society.

Legal and Social Restrictions

In certain countries and regions, laws and social norms actively discriminate against LGBTQI+ individuals. Legal systems that are based on conservative interpretations of religious texts often criminalise same-sex relationships, leading to imprisonment and other severe penalties for LGBTQI+ individuals. These legal restrictions create a hostile environment that discourages LGBTQI+ people from openly expressing their identities or seeking legal protection.

Lack of Education and Awareness

Misconceptions and lack of awareness about LGBTQI+ issues are widespread in many communities. Some argue that these misunderstandings are kept alive by inadequate education and limited exposure to LGBTQI+ perspectives. In some cultures, the absence of comprehensive sex education contributes to ignorance about sexual orientation and gender identity, leading the prejudice and discrimination.

Resistance to Change

Change, especially when it challenges long-held cultural and religious beliefs, can be met with significant resistance. Those who oppose LGBTQI+ rights often frame their arguments as protecting traditional family values and preserving the sanctity of marriage. They argue that legalising same-sex marriage or granting equal rights to LGBTQI+ individuals undermines these values.

Balancing Rights and Beliefs

The clash between LGBTQI+ rights and cultural or religious beliefs raises complex ethical and legal questions. Advocates for LGBTQI+ rights emphasise the importance of equal treatment under the law, arguing that everyone should have the freedom to express their identity and love however they choose. Opponents, however, claim that religious freedoms and cultural traditions must also be protected, even if they result in the restriction of LGBTQI+ rights.

Recognising opposing viewpoints and cultural diversity is a vital aspect of addressing LGBTQI+ rights on a global scale. While progress has been made in many areas, it is essential to engage in respectful dialogue. As well as promoting education to bridge the gap between differing perspectives. Achieving greater LGBTQI+ acceptance worldwide requires understanding and empathy, even in the face of deep-seated cultural and religious beliefs that may present significant challenges to the cause of equality.

Major Parties Involved

United Nations (UN)

The United Nations, a global intergovernmental organisation, is at the forefront of the LGBTQI+ rights movement. the UN has established a variety of mechanisms and initiatives to address discrimination and violence against LGBTQI+ individuals. notable among these is the office of the United Nations High Commissioner for Human Rights (OHCHR), which advocates for lgbtqi+ rights worldwide. through resolutions and declarations, the UN encourages member states to adopt policies and legislation that promote LGBTQI+ equality

Human Rights Campaign (HRC)

Haling from the United States, the Human Rights Campaign is one of the largest and most influential LGBTQI+ civil rights organisations in the world. This NGO focuses on advocacy, research and education to ensure LGBTQI+ individuals' equal rights and acceptance. The HRC is actively involved in lobbying for LGBTQI+ rights at the federal and state levels, engaging with policymakers and legislators to enact pro-LGBTQI+ legislation.

European Union (EU)

The European Union, a political and economic union of European countries, places a strong emphasis on LGBTQI+ rights as a part of its broader human rights agenda. The EU has established anti-discrimination laws and policies that member states must adhere to, fostering a more inclusive and equal environment for LGBTQI+ people. additionally, the European Parliament has consistently advocated for LGBTQI+ rights and inclusion across Europe.

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

ILGA is a worldwide federation of LGBTQI+ organisations and groups. This Ngo works tirelessly to promote LGBTQI+ rights at the international level by engaging with various United Nations bodies, advocating for policy changes, and supporting local LGBTQI+ movements. ILGA plays a crucial role

in connecting LGBTQI+ activists and organizations globally, facilitating the exchange of knowledge and strategies to advance the cause.

Local LGBTQI+ organisations

At the grassroots level, numerous local LGBTQI+ organisations work tirelessly to create safe spaces, provide support, and advocate for LGBTQI+ rights within their communities. these organisations often focus on addressing specific issues unique to their regions and populations, contributing to the broader global movement for LGBTQI+ equality.

Timeline of Events

1924 The society for Human Rights, is founded in Chicago.

1969 The Stonewall Riots in New York City mark a turning point in LGBTQI+ rights activism.

1973 The American Psychiatric Association removes homosexuality from its list of mental disorders.

1980s The HIV/AIDS epidemic emerges, affecting the LGBTQI+ community and sparking advocacy for healthcare, research and prevention.

1993 The World Health Organisation (WHO) removes homosecuality fromits Internation Classification of Diseases (ICD).

1996 The Defense of Marrigae Act (DOMA) is signed into law in the United States, defining marriage as between one man and one woman for federal purposes.

2001 The Netherlands becomes the first country to legalise same-sex marriage.

2011 "Don't Ask, Don't Tell"(DADT), a U.S. policy barring openly gay individuals from military service, is repealed.

2013 The U.S. Supreme Court strikes down a key provision of DOMA, granting federal recognition to same-sex marriages.

2019 The WHO removes transgender identity from its list of mental health disorder in the ICD-11.

2021 Hungary passes a law banning LGBTQI+ content in schools, sparking protests and international condemnation.

2022 Taiwan becomes the first country in Asia to legalise same-sex marriage.

Possible Solutions

The advancement of LGBTQI+ rights is an ongoing journey that requires concerted efforts from individuals, communities, governments, and organizations worldwide. Here are some possible solutions to further promote and protect the rights of LGBTQI+ individuals:

Legal Reforms: Governments can enact comprehensive anti-discrimination laws and policies that explicitly protect LGBTQI+ individuals in various aspects of life, including employment, housing, healthcare, and education. Legal recognition of same-sex marriage and gender identity rights should also be a priority.

Education and Awareness: Implement inclusive and LGBTQI+-inclusive education programs in schools to combat prejudice and foster understanding from an early age. Public awareness campaigns can challenge stereotypes and promote LGBTQI+ acceptance.

International Diplomacy: Countries can use their diplomatic influence to advocate for LGBTQI+ rights globally, both bilaterally and through international organizations like the United Nations.

Community Support: Encourage the establishment of LGBTQI+ community centres and organizations that provide support, resources, and safe spaces for LGBTQI+ individuals. Peer support networks can play a crucial role in mental health and resilience.

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