Committee: Human Rights Council

Issue: Addressing equality and legal rights for the LGBTQ community

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Introduction

LGBTQ rights has been a controversial topic worldwide and it has raised a lot of concerns as some people who are part of the LGBTQ rights do not actually know their rights and are being treated unfairly, discriminated against and mentally or physically abused. Even though the acceptance of homosexuality is widely spread across many continents and countries, some countries still reject this idea due to the religion that they follow. Due to the rejection of homosexuality, many people in the LGBTQ community are still being discriminated.

However, many countries such as the Unites States of America, Australia, Denmark and various organisations have taken a huge step forward to make the voices of the LGBTQ community heard. As more and more people are willing to "come out of the closet" and reveal their stories the world, it's extremely important that they are not discriminated or harmed because of the preference in gender.

Although progress is being made on this issue, in many countries such as Yemen, Iran, Saudi Arabia and Egypt, it is still shameful to be a homosexual and it is still also punishable by law. Majority of countries in Africa, it is still illegal to be homosexual and in countries such as Nigeria and Sudan, it is punishable by death. In addition sexual activity with someone of the same gender is still illegal in over 70 countries and over 400 million people live under laws which punish same-sex sexual activity with the death penalty.

Moreover, even though many more countries in Europe have accepted homosexuality, 1 in 12 trans people in Europe still experience violent hate crimes annually even though LGBTQ rights and community are protected under the European Union's (EU) treaties and law. Additionally, in 2015, 20% of LGBTQ people in the EU still experienced discrimination in the workplace because of their sexual orientation even though discrimination in the workplace has been banned since 2000. Furthermore, in Asia, LGBTQ rights are very limited although homosexuality is widely accepted. Only a few countries out

of the 48 states have legalized rights such as same-sex sexual activity, gender identity or expression, military services, protection from discrimination or adoption.

Definition of Key Terms

Bisexual

A person who is attracted to other people who are of their own gender or another gender and thus is an individual with both heterosxual and homosexual desires. Bisexuality does not necessarily refer to equal sexual attraction to both sexes, but individuals which have distinct sexual preference for one sex over the other can also identify themselves as bisexual. Bisexual people are also often called "bi" for short.

Gay

Gay can be used to describe a male who is mainly attracted to another male but it is a term in which is generally used to refer to a homosexual individual or characteristics of homosexuality as well.

Gender Expression

The display of a person's gender identity through external characteristics such as movement, hairstyles, jewelry, social interactions, speech (voice), fashion, grooming, physical characteristics etc. These characteristics may not necessarily be considered masculine or feminine.

Gender Identity

A person's inborn and deeply-felt psychological identification as a man, woman or others which may not correlate with their exterior appearance or their assigned gender at birth (e.g. the gender that is listed in their passport, birth certificates, ID card etc.)

Heterosexual

Heterosexual is a term used for someone who is only attracted to people of the opposite gender. Heterosexual people are also called "straight".

Homophobia

Negative feelings and attitudes toward homosexuality or people who identify themselves as being lesbian, gay, bisexual or transgender (LGBTQ). Homophobia is expressed many different way, it

can be expressed as hatred, disgust, disdain, prejudice etc. Homophobia is also linked to some religions where LGBTQ is not accepted.

Homosexual

A term for people who are attracted to others of the same gender.

Intersex

A person whose chromosomes or sexual anatomy do not fit with the traditional characteristics that makes someone male or female.

Lesbian

A female who is mainly attracted to another female.

LGBTQ

Acronyms which refer to Lesbian, Gay, Bisexual, Queer or Questioning.

Pansexual

A person who feels sexually, romantically, physically and/or spiritually attracted to people of all other genders not just the basic gender binary which is male and female.

Transgender

The word transgender has many definitions although it is mainly a hypernym or an umbrella term that refers to people who identify themselves as a different gender from their assigned gender at birth (e.g. the gender that is listed in their passport, birth certificates, ID card etc.) Transgender people can choose whether to alter their bodies surgically and/ or hormonally.

Queer

A term which is used to refer to LGBTQ people and it is also sometimes used as an alternative to "gay".

Background Information

Progress on LGBTQ Rights in Different Nations

Argentina

In 2012, Argentina had established that "all persons have a right to the recognition of their gender identity". Transgender people are also guaranteed medical transition treatment if it is requested. Furthermore, Argentina made it easier for people to change their gender on official documents such as passports as well.

Australia

As of September 2011, Australian citizens have the ability to change their gender from Male to Female or vice versa on their passports with support of a doctor's note. Citizens also have the ability to choose their gender as "X".

Bangladesh

People in Bangladesh have been given the option of the "other" gender on their passports since 2011.

Colombia

From June 2015 onwards, Colombians have been able to change their gender and name on official documents such as passports without the need to undergo medical or psychological examinations.

Denmark

Even though there are age restrictions and a 6-month waiting period, people in Denmark have been allowed to self-determine their gender since late 2014. They are also able to list their gender as "X" on their passports instead of male or female.

Germany

In 2013, Germany lawmakers enabled parents to leave the gender of the child on the birth certificates blank therefore children would be able to determine their gender when they have reached adulthood. German citizens were also given the option of an "X" for their gender on their passports.

India

In April 2014, the Indian Supreme Court officially recognised the third gender for passports. Transgender, intersex and hijra individuals in India are able to receive official documents which match their gender whether it is male, female, or third gender.

New Zealand

In 2012, New Zealand announced that transgender people could change the gender marker on their passports with only a declaration; doctor's' certification or recommendation letters are not needed.

United States of America

On 26th June 2015, the United States Supreme Court legalised same-sex marriage in all 50 states and declared state bans same-sex marriage unconstitutional. In addition Facebook has also made it possible for users to choose from approximately 50 different gender options.

Relevant Organisations to LGBTQ rights

Blue Diamond Society

Blue Diamond Society is the main organisation gender or sexual minorities in Nepal. The organisation was involved in campaigning for a third gender option on passports and other types of documents.

Gender DynamiX

Africa's first organisation which concentrated on the LGBTQ community. They provide research and other resources for the LGBTQ community.

Global Action for Trans Equality (GATE)

GATE is an organisation founded in 2009 which, fights for transgender rights. They aim to protect human rights of trans people worldwide. Furthermore they also aim to counter violence, discrimination and unequal treatment of the trans community.

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

The International, Lesbian, Gay, Trans and Intersex Association (ILGA) is an international organisation that consists of over 750 LGBTQ or intersex groups worldwide. The ILGA is represented in more than 110 countries around the world, and it is also granted NGO Ecosoc consultative status by the United Nations. ILGA also established the Gender Identity and Gender Expression Programme in 2015 which supports the progression of LGBTQ rights through working with various UN organisations and producing reports on Tran legal, social, economic and cultural rights.

PBKS Center, Chow Kit

The PBKS Center provides housing and other social services to trans people after many of them who have HIV/ AIDS or are sex workers lost funding from the Malaysian Government.

Sahodari

Sahodari is a transgender-run organisation which supports and works with the trans/ intersex community through financial support, performing arts, journalism, matrimonial support and various other programs.

Thai Transgender Alliance (ThaiTGA)

The Thai Transgender Alliance overseas a variety of community programs for trans women in Thailand including commemorations of International Human Rights Day, Transgender Day of Remembrance and other art competitions about the trans community.

Trans Lifeline

A volunteer-run hotline that is dedicated to support trans people who are going through crises.

Trans Media Watch

Trans Media Watch is based in the United Kingdom and they work closely with the media in order to ensure fair treatment and representations of the trans and intersex people in the United Kingdom.

Transgender Europe (TGEU)

Established in 2005, Transgender Europe aims for the equality of all trans people in Europe including advocating their human rights, raising awareness of the trans community and conducting and encouraging research that would benefit the trans community.

TransInterQueer e.v. (TRIQ)

The Berlin based organisation, TRIQ, provides political, social and cultural advocacy and support to the trans, intersex and queer community.

World Professional Association for Transgender Health (WPATH)

The WPATH has a variety of different committees within the organisation which concerns differents part of the trans community lives. All of the communities work in order to "promote care, education, research, advocacy, public policy and respect" in transgender health.

Timeline of Events

Date	Description of Event
24 June 2016	President Barack Obama declares that the Stonewall Inn, America's first national monument for LGBTQ rights.
4 October 2015	Nepal became the first country in Asia to specifically protect the rights of the LGBTQ community through the adoption of a democratic constitution
26 June 2015	The United States Supreme Court legalised same-sex marriage in all 50 states and declared state bans same-sex marriage unconstitutional.
22 May 2015	Ireland becomes the first country in the world to legalise same-sex marriage through a referendum.
29 March 2014	The first same-sex marriages in England and Wales took place after the Marriage (Same Sex Couples) Act.
17/18 July 2013	The Marriage (Same Sex Couples) Act was an act that took place in the United Kingdom that legalised same-sex marriage in England and Wales
21 September 2012	The Protection of Freedoms Act was passed in the UK which allowed convictions of consensual sexual intercourse between men to be removed from criminal records.

UN Involvement, Relevant Resolutions, Treaties and Events

Although the UN was established in 1945, political figures did not discuss LGBTQ rights until Septemmer 1995 in discussions of the Draft of the 1995 beijing Platform of Action during the 4th World Conference on Women. Although text regarding sexual orientation or LGBTQ rights was eventually not included, it was the first time in which sexual orientation and gender was publicly discussed by governments. After that, LGBTQ rights in the UN continued to progress, not just in the UN General Assembly and UNHRC, but also the Security Council.

Date	Description
15 December 2011	The first ever report on the LGBTQ people was issued by the United Nations. The report has details of people in the LGBTQ community from around the world that have been discriminated, physically abused and mentally abused.
Adopted 26 September 2014	A / HRC / RES / 27 / 32 - The declaration of LGBTQ rights by the United Nations panel in September 2013. The declaration was announced at the first ever meeting of the United Nations' LGBTQ Core Group. The declaration recognised the continued discrimination faced by the LGBTQ community and called for UN Member States to revoke any discriminatory laws and provide protection from discrimination.
29 September 2015	United Nations' agencies called for an end to violence and discrimination against LGBTQ people of all ages by issuing a joint statement at an event on LGBTQ rights in New York. The agencies and entities that have issued and endorsed the statement includes: ❖ Office of the United Nations High Commissioner for Human Rights (ONHCR) ❖ International Labour Organisation (ILO) ❖ Joint UN Programme on HIV/AIDS (UNAIDS) ❖ United Nations Development Programme (UNDP) ❖ United Nations Educational, Scientific and Cultural Organisation (UNESCO)

❖ United Nations Population Fund (UNFPA)

❖ United Nations High Commissioner for Refugees (UNHCR)

❖ United Nations Children's Fund (UNICEF)

❖ United Nations Office on Drugs and Crime (UNODC)

❖ United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)

❖ World Food Programme (WFP)

❖ World Health Organisation (WHO)

❖ On 24 August 2015, The United Nations Security Council held the first meeting on gay rights and also to discuss ISIS' persecution of secual minorities.

13/14 June 2016	❖ The United Nations Security Council condemned the Orlando nightclub shooting which was the first time the Security Council recognised violence which specifically targeted the LGBTQ community.
Adopted 30 June 2016	A / HRC / RES / 32 / 2 - Protection against violence and discrimination based on sexual orientation and gender identity. This resolution continues to build upon 2 previous resolutions which were adopted in 2011 and 2014. Argentina, Brazil, Chile, Colombia, Costa Rica, México, Uruguay and 41 other nations jointly presented this resolution to the house and was adopted with 23 votes For, 18 Against and 6 Abstentions.
1 July 2016	Human Rights body at the United Nation had voted to appoint an independent expert for the protection of LGBTQ people from violence and discrimination. The expert was appointed in September 2016 and will be in that position for 3 years; the expert will visit different countries and work with their governments to support and protect LGBTQ community.
October 2017	In October 2017, the US voted against a UN resolution to condemn death penalty against consensual sexual activity between homosexual individuals,

although the resolution passed with 27 in favour, 13 against and 7 abstentions, it was an unexpected action to many as the US is one of the most active nations in terms of LGBTQ rights. State Department spokeswoman Heather Nauert clarified the US' vote by stating "We voted against that resolution because of broader concerns about the resolution's approach to condemning the death penalty in all circumstances; and, it called for the abolition of the death penalty altogether" and that "We had hoped for a balanced and inclusive resolution that would better reflect the positions of states that continue to apply the death penalty lawfully, as the United States does".

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