



Campion School MUN

2018

SOCIAL, CULTURAL & HUMANITARIAN COMMITTEE (GA3)

**PREVENTING VIOLENCE AND
DISCRIMINATION BASED ON SEXUAL
ORIENTATION AND GENDER IDENTITY**

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**International
Community**

**Memorable
Experience**

**Challenges
Skills**



Table of Contents

INTRODUCTION	3
DEFINITIONS OF KEY TERMS.....	4
TIMELINE.....	8
TOPIC DISCUSSION	10
CAUSES	11
MAJOR COUNTRIES & ORGANIZATIONS INVOLVED.....	15
ORGANIZATIONS.....	16
COUNTRIES.....	17
POSSIBLE SOLUTIONS	19
RELEVANT SOLUTIONS	21
RESEARCH QUESTIONS	22
BIBLIOGRAPHY	23



INTRODUCTION

The issue of violating the rights of the LGBTQ+ community is an extremely common situation from the ancient times up until now. For instance, in Ancient Greece, even though same-sex relationships were common, femininity was condemned. Homosexual behavior and/or gender expression consist valid reasons for violent policies¹, discrimination in various sectors and the act of being disrespectful to be provoked. It is widely known that people that belong to the LGBTQ+ community may experience social stigma, be punished by law, get fired, or prohibited from being employed due to some characteristics that they are arguably unable to control and change.

More specifically, it is crucial for effective measures and solutions to take place since LGBT people are not treated equally, even if by living in More Economically Developed Countries (MEDCs), equal treatment was expected.

Despite the fact that societies tend to drastically develop in various sectors (i.e. technology, medicine etc.) there seems to be a difficulty when it comes to fully accepting minority groups. It is undeniable that there has been a remarkable progress when it comes to LGBT people adapting to society but that doesn't apply to all cases. For example, even though USA had made tremendous progress by legalizing same-sex marriage to all states and by repealing "Don't ask, Don't tell"², it was decided that trans people ought to not be allowed to serve in the military. Such measures raise a lot of questions since it is not just static, but anachronistic. This idea of "static" can be characterized by the confrontation of the LGBTQ+ community in countries in the Middle East and Africa. For centuries in the aforementioned areas, homosexual behavior is not tolerated, and is often punishable by law or, at best, by social stigma.

¹ 79 countries around the world acknowledge homosexuality illegal. Thus, policies that jeopardize people's mental and/or physical health are implemented.

² There is a definition in key-terms



DEFINITIONS OF KEY TERMS

- **LGBTQ+**

An acronym used to refer to all sexual minorities: “Lesbian, Gay, Bisexual, Transgender /Transsexual, Questioning/Queer and the “+” symbol refers to all the other members of the community.

- **Sex**

The term tends to relate to biological differences between males and females, such as their hormones, chromosomes, reproductive organs, etc.

- **Gender**

Gender tends to denote the social and cultural role of each sex within a given society. Rather than being purely assigned by genetics, as sex differences are, people often develop their gender roles in response to their environment, including family interactions, the media, peers, and education. More specifically, gender refers to the socially constructed characteristics of women and men, such as norms, roles, and relationships of and between groups of women and men. It varies from society to society and can be changed.

- **Gender Identity**

Since gender is a social construct, an individual may have a self-perception of their gender that is different or the same as their biological sex. Gender identity is an internalized realization of one’s gender and may not be manifested in their outward appearance (gender expression) or their place in society (gender role).

- **Sexual Orientation**

The scientifically accurate term for an individual’s enduring physical, romantic and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual and



heterosexual (straight) orientations.

- **Cisgender**

a term used to describe people who, for the most part, identify as the gender they were assigned at birth.

- **Closeted**

Describes a person who is not open about his or her sexual orientation and/or gender identity.

- **Heterosexual**

A term used to describe people whose enduring physical, romantic and/or emotional attraction is to people of the opposite sex.

- **Gay**

The term is used to describe people whose enduring physical, romantic and/or emotional attractions are to people of the same sex.

- **Lesbian**

A woman whose enduring physical, romantic and/or emotional attraction is to other women.

- **Asexual**

A sexual orientation generally characterized by not feeling sexual attraction or desire for partnered sexuality.



- **Bisexual (Bi)**

An individual who is physically, romantically and/or emotionally attracted to men and women.

- **Pansexual**

Not limited in sexual choice with regard to biological sex, gender, or gender identity.

- **Questioning**

The process of considering or exploring one's sexual orientation and/or gender identity.

- **Ally**

A straight and/or cisgender person who is a friend, advocate, and/or activist for LGBTQ people.

- **Transgender**

A person who lives as a member of a gender other than that assigned at birth based on anatomical sex.

- **Transsexual**

A person who identifies psychologically as a gender/sex other than the one to which they were assigned at birth. Transsexuals often wish to transform their bodies hormonally and surgically to match their inner sense of gender/sex.

- **Defense of Marriage Act (DOMA):**

The Defense of Marriage Act was a United States federal law that, prior to being ruled unconstitutional, defined marriage for federal purposes as the union of one man and one woman, and allowed states to refuse to recognize same-sex marriages granted under the laws of other states.



- **Sodomy law**

It is a law that defines certain sexual acts as crimes. The precise sexual acts meant by the term sodomy are rarely spelled out in the law, but are typically understood by courts to include any sexual act deemed to be "unnatural" or immoral. Homosexual behavior in some countries is thought to be a form of sodomy.



TIMELINE

Date	Description of Event
1924	The Society for Human Rights is founded by Henry Gerber in Chicago. It is the first documented gay rights organization.
1952	The American Psychiatric Association's diagnostic manual lists homosexuality as a sociopathic personality disturbance.
June 28, 1969	Police raid the Stonewall Inn in New York City. Protests and demonstrations begin, and it later becomes known as the impetus for the gay civil rights movement in the United States which gave the incentive to widen the community and acquire basic human rights.
June 28, 1970	Community members in New York City march through the local streets to recognize the one-year anniversary of the Stonewall riots. This event is named Christopher Street Liberation Day, and is now considered the first gay pride parade.
1973	"Lambda Legal" becomes the first legal organization established to fight for the equal rights of gays and lesbians. Lambda also becomes their own first client after being denied non-profit status.
1982	Wisconsin becomes the first state to outlaw discrimination based on sexual orientation.
1985	France becomes the first country in the world to enact an anti-discrimination law protecting homosexuals.
Nov 30, 1993	President Bill Clinton signs a military policy directive that prohibits openly gay and lesbian Americans from serving in the military, but also prohibits the harassment of "closeted" homosexuals. The policy is known as "Don't Ask, Don't Tell." The official United States policy on military service by gays, bisexuals, and lesbians, instituted by the Clinton Administration on February 28, 1994. In addition, the policy prohibited military personnel from discriminating against or harassing closeted homosexual or bisexual service members or applicants, while barring openly gay, lesbian, or bisexual persons from military service. The policy prohibited people who "demonstrate a propensity or intent to engage in homosexual acts" from serving in the armed forces of the United States, because their presence "would create an unacceptable risk to the high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability".
2001	Netherlands is the first country that legalizes same-sex marriage with a joint adoption.



<p>Sept 20, 2011</p>	<p>"Don't Ask, Don't Tell" is repealed, ending a ban on gay men and lesbians from serving openly in the military.</p>
<p>2014</p>	<p>The United Kingdom, Scotland and Finland legalize same-sex marriage. More than 25 additional US states legalize same-sex marriage after DOMA is repealed. In addition, eleven African nations tighten their sodomy laws.</p>
<p>June 30, 2016</p>	<p>Secretary of Defense Carter announces that the Pentagon is lifting the ban on transgender people serving openly in the US military.</p>
<p>2010s Middle East</p>	<p>In Iran, Saudi Arabia, Qatar, the United Arab Emirates, and Yemen, the laws state that if a person is found of engaging in same gender sexual behavior, the death penalty would be applied. According to Country Reports of the US Department of State, in Saudi Arabia there are no established LGBT organizations. Furthermore, reports of official and social discrimination on the grounds of sexual orientation remains unclear because of strong social pressure of not to discuss LGBT matters.</p> <p>Lebanon, Jordan, Bahrain, and Iraq are the only Arab countries where homosexuality is legal. However, there is some stigma.</p> <p>Abu Dhabi: Article 80 of the Abu Dhabi Penal Code makes sodomy punishable by imprisonment of up to 14 years. Several news reports have revealed how the law is typically enforced. Cross-dressing is likewise illegal.</p> <p>Dubai: Article 177 of the Penal Code of Dubai imposes imprisonment of up to 10 years on consensual sodomy. The most common depiction in the local media of LGBT people involves foreigners, disease, and sex crimes such as rape.</p> <p>Gender identity and expression: In September 2016, the Government passed Federal Decree No 4, a series of changes to reduce doctors' criminal liability. The new law allows doctors to perform medical intervention on intersex people so as to correct their sex. In addition, Intersex people can correct their sex but this is not sex change surgery.</p> <p>Penalties that apply to homosexual behavior and/or non-cisgender gender identity in Middle East: Imprisonment, death, fines, chemical castrations, torture, floggings, beatings, conversion therapies and deportation.</p>



TOPIC DISCUSSION

The focus of this committee will be to try and change the status quo by implementing measures that agree with the UN charter in order for the living conditions of the LGBT people to be improved. More specifically, delegates of this committee ought to ensure that they do not act against their policies, and that they do not propose resolutions that violate basic human rights. For instance, delegates that represent a delegation where homosexual behavior is illegal may propose measures that are not against their beliefs but at the same time they have to respect the UN charter. It is essential for the delegates to beware of the fact that the topic doesn't just refer to sexual orientation but also gender identity. Both of these aspects need to be addressed in order for resolutions to fully tackle the issue and for the debate to be effective and fruitful.



CAUSES

A major factor that has led to the severity of this problem is that scientists and psychologists haven't figured out how sexual orientation and gender identity are "formed". There are a lot of theories (i.e. it's only a result of hormones, it is because of the environment one grew in, it is a combination of both) but none of them have been actually proved yet. In addition, the biggest misconception is that we do not know how homosexual behavior and non-cisgender identities occur, but in fact we do not have information about all sexual orientations and gender identities including heterosexual and cisgender ones.

Moreover, the discrimination that has occurred is a result of not raising enough awareness about the topic. It is certain that up until the last decades societies would avoid talking about belonging to LGBT community due to social stigma or limited safety. Thus, a lot of stereotypes were created. For instance, the notion that being a part of the community is a choice, even though it is proven that measures such as conversion therapies are not effective and it is stated that it is a characteristic that cannot be changed.

Another factor that reignites discrimination towards LGBT people is the perception of religions on them. It is a fact that religions consist a huge part of world history. Some of them tend to influence on the way that people act, live and think. As a result, when a religion that has a tremendous influence on an enormous group of people has an anti-homosexual stance, it is likely to transmit the idea that homosexuality is an abnormal situation that societies need to abolish. The tendency of people to misinterpret religions is not uncommon. Thus, it is essential to beware of what is the message that religions want to get across.

Religion –a major influence for huge groups of people- views on LGBT are:

✚ **Abrahamic religions;**

Judaism: The Torah (first five books of the Hebrew Bible) is the primary source for Jewish views on homosexuality. It states that: "A man shall not lie with another man as he would with a woman, it is an abomination". Having said that orthodox Judaism views homosexual acts as sinful. On the other hand, Reform Judaism, Reconstructionist Judaism in North America and Liberal Judaism view homosexuality to be acceptable on the same basis as heterosexuality. Progressive Jewish authorities believe either that traditional laws against homosexuality are no longer binding or that they are subject to changes that reflect a new understanding of human sexuality.

Christianity: Christian denominations hold a variety of views on the issue of homosexual activity, ranging from outright condemnation to complete acceptance. Most Christian denominations welcome people attracted to the same sex, but teach that homosexual acts are sinful. These denominations include the Roman Catholic Church, the Eastern Orthodox church, the Oriental Orthodox churches, Confessional Lutheran denominations and the United Methodist Church.

Liberal Christians are supportive of homosexuals. Some Christian denominations do not view monogamous same sex relationships as bad or evil.



The *Catholic Church* teaches that those who are attracted to persons of the same sex are called to practice chastity.

In *Mormonism* it is taught that no one should arouse sexual feelings outside of marriage, including those towards members of the same sex.

Islam: *"Do you approach males among the worlds and leave what your Lord has created for you as mates? But you are a people transgressing."*³ All major Islamic schools disapprove of homosexuality. Islam views same-sex desires as an unnatural temptation; and sexual relations are seen as a transgression of the natural role and aim of sexual activity. The discourse on homosexuality in Islam is primarily concerned with activities between men. There are, however, a few hadith mentioning homosexual behavior in women; The fuqaha' are agreed that "there is no hard punishment for lesbianism, because it is not Zina"⁴.

✚ Indian religions;

Hinduism:

Hinduism has taken various positions, ranging from positive to neutral or antagonistic. Referring to the nature of Samsara, the Rigveda, one of the four canonical sacred texts of Hinduism says 'Vikruti Evam Prakriti' (what seems unnatural is also natural). A "third gender" has been acknowledged within Hinduism since Vedic times.



Figure 1: Lord Shiva and Goddess Parvati in the form of Ardhanarisvara (half-man, half-woman)

Buddhism: The most common formulation of Buddhist ethics are the Five Precepts and the Eightfold Path, one should neither be attached to nor crave sensual pleasure. The third of the Five Precepts is "To refrain from committing sexual misconduct." However, "sexual misconduct" is a broad term, and is

³ — Quran, Surah 26 (165-166), trans. Sahih International

⁴ Zina is an Islamic legal term referring to unlawful sexual intercourse.



subjected to interpretation relative to the social norms of the followers. The determination of whether or not same-gender relations is appropriate for a layperson is not considered a religious matter by many Buddhists.

Sikhism: Sikhism has no written view on the matter, but in 2005, a Sikh religious authority described homosexuality as "against the Sikh religion and the Sikh code of conduct and totally against the laws of nature," and called on Sikhs to support laws against gay marriage. In addition, marriage in Sikhism is seen as a union of souls. In Sikhism, the soul is seen as genderless, and the outward appearance of human beings (man, woman) is a temporary state.

Less Tolerance for Homosexuality in More Religious Countries

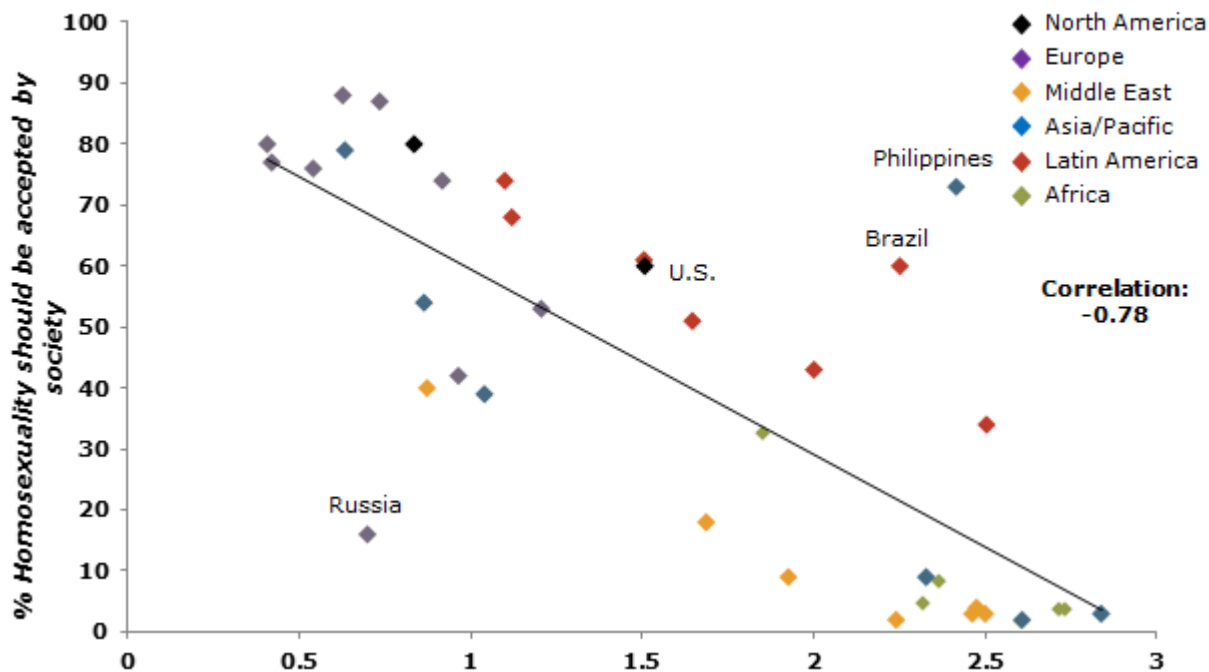


Figure 2: Diagram which represents the correlation between the tolerance and acceptance of the LGBT and the religion

Also, discrimination can be found in more economically developed countries (MEDCs) proving that social stigma is still something that threatens the community even if laws and regulations support the LGBT+ community's rights. For instance:

- **Discrimination at the workplace.**
Despite increasing acceptance and protections, many lesbian, gay, bisexual and transgender individuals still experience discrimination and harassment in the workplace. No matter what your sexual orientation or gender identity is, you deserve fair and respectful treatment. Whenever someone suffers mistreatment for their sexual orientation or gender presentation, it is troubling and



disturbing. LGBT people may experience: being called by offensive terms and stereotyping, termination of employment or denial of opportunities, and sexual assault/harassment.

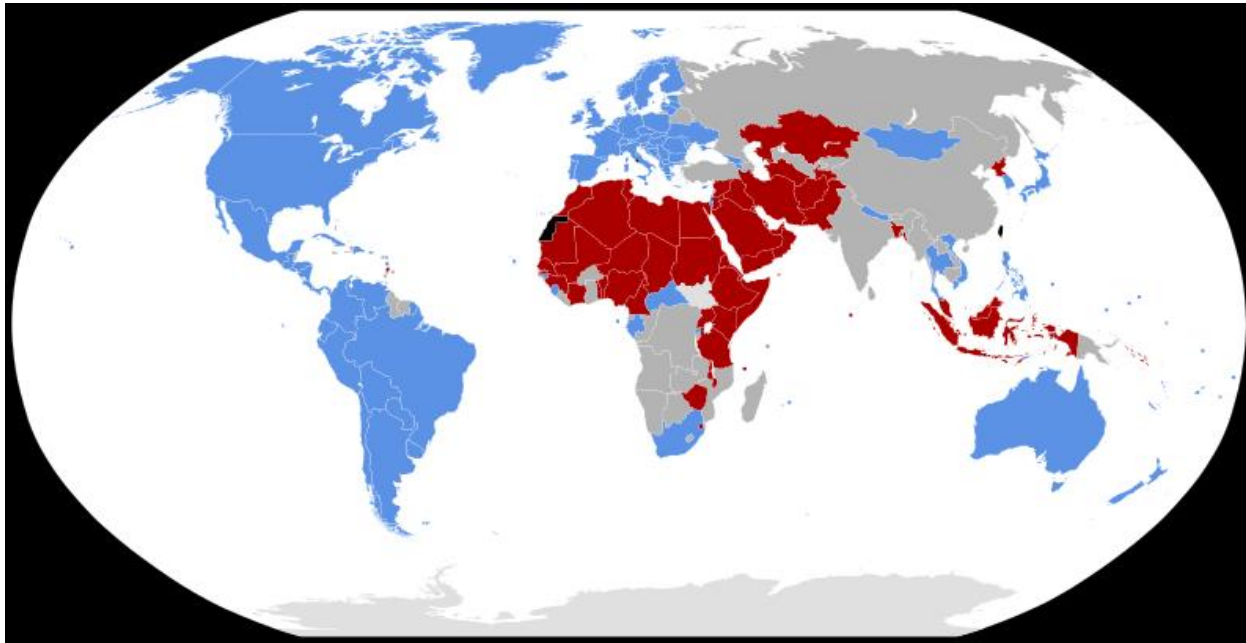
Some employers don't realize that it's not enough just to cater for one group covered by the acronym LGBT (lesbian, gay, bisexual or transgender people). They may also fail to realize that these groups can have very different needs. Transgender people who are considering working for an organization need to know that it is aware of the specific issues they face. This means employers make a better impression if they mention transgender people specifically in their recruitment materials and statements about equality.





Although there are many laws prohibiting various forms of employer discrimination, there is currently no law specifically protecting transgender applicants or employees from discrimination. However, it is said that transgender discrimination falls into the category of sex discrimination. With that interpretation, transgender applicants and employees are protected under Title VII of the Civil Rights Act of 1964, which bars employers with 15 or more employees from discriminating based on sex.

- **Discrimination on education.** Social pressures are part of the school experience of many students, regardless of sexual orientation or gender identity. But the experience can be particularly difficult for LGBT students, who often struggle to make sense of their identities, lack support from family and friends, and encounter negative messaging about LGBT people at school and in their community. In addition, since transgender people's rights started being acknowledged recently, some issues have been occurred. More specifically, there is an issue when it comes to their classification in official documents. Due to the necessary changes that need to be made in ones' documents who has proceeded with transition, government officials have doubts when referring to them.

MAJOR COUNTRIES & ORGANIZATIONS INVOLVED

In general LGBT rights in the UN are:



	Support	Countries which supported the LGBT rights declaration in the General Assembly or on the Human Rights Council in 2008 or 2011
	Oppose	Countries which supported an opposing declaration in 2008 and continued their support in 2011
	Neither	Countries which did not support either declaration
	Non-UN member	Countries that are not member-states of the United Nations



Organizations

Apart from Human Rights Watch which is widely known for protecting basic human right around the world, including LGBT rights, other international LGBT rights organizations are:

Al-Fatiha Foundation

The Al-Fatiha Foundation was an organization which advanced the cause of LGBTQ Muslims. It was founded in 1997 by Faisal Alam, a Pakistani American, and was registered as a nonprofit organization in the United States until 2011.

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

The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) is an international organization bringing together more than 750 LGBTI groups from around the world. It continues to be active in campaigning for LGBT rights and intersex human rights on the international human rights and civil rights scene, and regularly petitions the United Nations and governments.

The International Lesbian, Gay, Bisexual, Transgender, Queer & Intersex Youth and Student Organization (IGLYO)

An international LGBT organization that was created in 1984 as a reaction to the need for better cooperation among regional, local and national LGBTQ youth and student organizations.

The Iranian Railroad for Queer Refugees (IRQR)

An advocacy group for LGBT rights in Iran. It was founded and is headed by Executive Director Arsham Parsi. It was set up on behalf of Iranian LGBT persons seeking safe havens both within and outside of Iran. It is currently the first and only proactive Iranian NGO in the world, working on behalf of Iranian LGBTs around the globe.

Global Action for Trans Equality (GATE)

An organization for transgender and intersex rights.



Countries

India

LGBT people in India face legal and social difficulties not experienced by non-LGBT persons. Sexual activity between people of the same gender is illegal and same-sex couples legally cannot marry or obtain a civil partnership. As of 2018, however, the Supreme Court is set to reconsider whether to legalize same-sex sexual activity and a draft Uniform Civil Code if approved in its current form, would legalize same-sex marriage in India.

Since 2014, transgender people in India have been allowed to change their gender without sex reassignment surgery, and have a constitutional right to register themselves under a third gender. Additionally, some states protect hijras (a subset of the transgender community) through housing programs, welfare benefits, pension schemes, free surgeries in government hospitals and others programs designed to assist them. There are approximately 4.8 million transgender people in India.

United Arab Emirates

LGBT rights are heavily suppressed in the emirates of Dubai, Abu Dhabi, Ras al-Khaimah, Umm Al Quwain, Ajman, Fujairah and Sharjah, which together form the United Arab Emirates. All sexual relations outside a heterosexual marriage are a crime. Punishments range from jail time, floggings, beatings, torture, death, fines and deportation if you are a non-citizen. Adultery and fornication are also crimes, and a person convicted of homosexuality may also face charges of adultery if they have an opposite-sex spouse while having sexual relations with a person of the same sex.

Africa

LGBT rights in Africa are very limited in comparison to many other areas of the world. Homosexuality is found throughout the African continent. Out of the 55 states recognised by the United Nations or African Union or both, the International Gay and Lesbian Association stated in 2015 that homosexuality is outlawed in 34 African countries. Human Rights Watch notes that another two countries, Benin and the Central African Republic, do not outlaw homosexuality, but have certain laws which apply differently to heterosexual and homosexual individuals.

Homosexual activity between adults has never been criminalized in: Benin, Burkina Faso, Central African Republic, Republic of the Congo, Ivory Coast, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Gabon, Madagascar, Mali, Niger, and Rwanda. It has been decriminalized in Cabo Verde, Guinea-Bissau, Lesotho, Mozambique, São Tomé and Príncipe, Seychelles, and South Africa.

United States of America



LGBT rights in the United States of America vary by jurisdiction. Since June 26, 2003, sexual activity between consenting adults of the same sex as well as same-sex adolescents of a close age has been legal nationwide. As of June 26, 2015, all states license and recognize marriage between same-sex couples as a result of the Supreme Court decision.

However, the United States has no federal law outlawing discrimination nationwide other than from federal executive orders which have a more limited scope than from protections through federal legislation. This leaves residents of some states unprotected against discrimination in employment, housing, and private or public services. Thus, LGBT persons in the United States may face challenges not experienced by non-LGBT residents.

European Union

LGBT rights are widely diverse in Europe per country. 15 out of the 25 countries that have legalized same-sex marriage worldwide are situated in Europe; a further thirteen European countries have legalized civil unions or other forms of recognition for same-sex couples. Switzerland is considering legislation to introduce same-sex marriage. Slovenia has carried out a referendum to legalize same-sex marriage in December 2015 which failed to succeed. In July 2017, both Malta and Germany passed laws on same-sex marriage and went into effect a couple of months later. Same-sex marriage will be legal in Austria from 2019. Armenia and Estonia are the only two countries within Europe that recognizes legally performed same-sex marriages overseas, but do not perform them. Constitutions of Armenia, Bulgaria, Croatia, Georgia, Hungary, Latvia, Moldova, Montenegro, Poland, Serbia, Slovakia and Ukraine recognizes marriage only as a union of one man and one woman.



POSSIBLE SOLUTIONS

Taking into account the causes, there are certain possible solutions that could actually prevent violence and discrimination based on sexual orientation and gender identity.

Firstly, reforming the perception of people ought to be accomplished. Raising awareness in various sectors will definitely help in achieving that.

First off, all in education. People at a young age must be informed about sexual education, which isn't always applicable to people who belong in the community. As a side-effect of that, LGBT people don't get to be informed about sexual education that interests them and people who do not belong in the community assume that since LGBT sexual education is something not discussed, it is abnormal. So, by adding sexual education classes that include information concerning LGBT community, people who belong in the community will feel more accepted and people who tend to be prejudice about the community will most likely dissolve their wrong perception on the community.

Moreover, since mass media has a tremendous influence on people, the act of sharing events, scientific research and facts concerning the community will gradually lead to the decrease of social stigma and facts about LGBT people that were not true but just assumed. In addition, the representation of people in media is crucial. Heteronormativity (as a side-effect of exclusive representation of heterosexual and cisgender behavior) is not allowing people to realize that there are people who don't identify as straight or cisgender. Even in "progressive" societies when it comes to LGBT community, people tend to assume that one is straight and cisgender unless proven the opposite. So, by representing more the LGBT community in mass media people do gradually accept that there are other sexualities and genders as well that need to be acknowledged and actually be included in societies.

Prior to people changing their perspective, governments in cooperation with the United Nations ought to implement measures that reassure the safety and the equal confrontation of people in the community. Laws and regulations might not drastically influence one's point of view but they definitely will protect people who at the moment are being discriminated, harassed, not accepted by society etc. So, by claiming a groups rights, automatically a huge step that leads to progress has been taken.

Lastly, it is crucial to improve available data on the situation of LGBT people. Data about the present situation for people within the LGBT community can be spotty and unreliable. To improve this, the UN or other relevant organizations could create a number of new reports to bring accurate data to light including:

- Non-Discrimination and Fundamental Rights
- Health-inequalities



- Education
- Hate crime / hate speech
- Free movement of LGBT families
- Intersex
- Transgender/gender legal recognition



RELEVANT SOLUTIONS

- **Human Rights Council Resolutions**

→ A/HRC/RES/32/2, 30 June 2016: Protection against violence and discrimination based on sexual

→ A/HRC/RES/27/32, 26 September 2014: Human rights, sexual orientation and gender identity

- **UN General Assembly Resolutions**

→ A/RES/69/182: Extrajudicial, summary or arbitrary executions

In the above resolutions, ways of improving living conditions concerning various areas are being proposed. Aspects such as education, refugees, workplace etc. also need to be tackled in your resolutions but keep in mind that the UN resolutions just ought to consist an incentive so as to make a more depth research on your own.



RESEARCH QUESTIONS

You are advised to study the UN resolutions provided in the relevant solutions section and actually beware of your delegations needs, policies and previous actions regarding LGBT rights. Whether you are supposed to defend the community's rights or not or if you represent an MEDC or LEDC there are measures that need to be taken in order to improve the existing conditions.

Some useful links for further reference is the following:

- https://www.humanrightsfirst.org/wp-content/uploads/pdf/LGBTI_blueprint.pdf
- <https://www.hrw.org/topic/lgbt-rights>



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