

## Campaigning for gay and lesbian human rights

### Imagine.....

- 1      Y our son goes out for the evening to a local bar where he has arranged to meet friends. He does not return home that night. The next day, police find the charred remains of a man bludgeoned to death and left to burn on a pyre made out of car tyres. They suspect a “hate crime”. You are asked to identify the body...
  
- 2      You cannot find regular work – you don't look “respectable enough” – so you are forced to make a living on the streets as a sex worker. The police demand that you pay them for their "protection". You fall behind with your payments. The police come and find you – the last thing you see is the gun pointing at your head...
  
- 3      Y ou meet someone through a “lonely hearts” advertisement and you fall in love. Two months later, you and your partner are prosecuted because your private and consensual relationship is deemed to be a social danger. You are detained for two months, raped and beaten. On release, your work lives are ruined. Your partner commits suicide...
  
- 4      Your parents are so disapproving of your relationships that they arrange for you to be raped as a punishment and “cure”...

### **‘The higher you build your barriers, the taller we become...**

These nightmare scenarios are not fiction. These are true stories. They are the stories of Billy Jack from the USA, Tina from Zimbabwe, Jose Miguel from Brazil and Ciprian from Romania. What was their supposed “crime”? They dared to be themselves, to act on the most basic human impulse to seek affection, love and intimacy, and they defended the right of others to do the same. They are just some of the millions of people around the world at risk of violence, arrest, harassment and discrimination because of their sexual orientation.

The Universal Declaration of Human Rights (UDHR) opens with the simple but powerful statement that “all members of the human family” have equal and inalienable rights, an affirmation that should be seen as one of the most significant legacies of the 20th century.

Yet as the century draws to a close, a sizeable minority of the world’s population continues to be denied full membership of that “human family”. Governments around the world deploy an array of repressive laws and practices to deprive their lesbian, gay, bisexual and transgendered citizens of their dignity and to deny them their basic human rights. Lesbian and gay people are imprisoned under laws which police the bedroom and criminalize a kiss; they are tortured to extract confessions of “deviance” and raped to “cure” them of it; they are killed by “death squads” in societies which view them as “disposables”; they are executed by the state which portrays them as a threat to society.

These are violations of some of the fundamental rights which the UDHR seeks to protect and which AI campaigns to defend.

### **An equal right to life?**

- Six men convicted of “sodomy” in Afghanistan were sentenced to be crushed to death by having a stone wall demolished on top of them. Afghanistan is one of several countries where same-sex relations can be punishable by death.
- “Vanessa” was reportedly gunned down by a police officer in Chiapas state, Mexico, in 1993, after protesting against a spate of killings of gay men and transgendered people. Gay men and transgendered people have also been among those targeted by “death squads” during “social cleansing” operations in Colombia.

### **Equal freedom from arbitrary arrest?**

- Mariana Cetiner was released in 1998 after two years in prison in Romania for “enticing or seducing a person to practice same-sex acts”. Dozens of states criminalize sexual relations between men, and in some cases, between women.
- In other countries, people can be detained because of their sexual orientation or gender identity on vague charges such as “loitering” (Argentina) or “unruly behaviour” (China).

### **Equal freedom from torture and ill-treatment?**

- Twenty-three Philippine migrant workers were flogged and expelled from Saudi Arabia in 1996 for being at a party with other gay friends.
- Peaceful protesters at a lesbian and gay rights demonstration in New York, USA, in October 1998 were reportedly subjected to police brutality and homophobic insults.

### **Equal freedom of expression and association?**

- Members of the lesbian and gay rights group Gays and Lesbians of Zimbabwe (GALZ) participating in the 1995 Harare International Book Fair were threatened and their stall was burned down; police refused to protect them. GALZ activist Keith Goddard was charged with “sodomy” in 1998, in what appeared to be an attempt to deter GALZ from continuing its work.
- The *Nash Mir* Centre in Ukraine was denied official registration as a non-governmental organization in 1999 because of its gay and lesbian rights advocacy work. Although homosexuality was decriminalized in 1991 in Ukraine, members of Nash Mir risk imprisonment if they continue their human rights activities without official registration.

**‘The farther you take our rights away, the faster we will run...**

### **Equal before the law?**

- Many countries enshrine anti-gay discrimination in their criminal laws, for example some set the age of consent for homosexual relations higher than for heterosexual relations. In the United Kingdom (UK), a teenager, who was old enough to marry, was prosecuted in 1998 under such discriminatory consent laws for having consensual sex with men. The UK government is currently reviewing criminal legislation with a view to eradicating discriminatory laws. It is also encouraging its overseas territories to do the same.
- Legalized discrimination in the enjoyment of other civil, political, social and economic rights is widespread. In most parts of the world, lesbians and gay men are systematically denied employment, housing and legal recognition of their partnerships. In practice, lesbian, gay, bisexual and transgendered people may often be denied access to the legal protections and remedies to which all people are entitled. For example, official indifference may mean that homophobic killings and attacks are not properly investigated.

### **Equal in dignity and rights**

At the close of the last century, the Irish playwright Oscar Wilde was sent to prison in the UK for what was euphemistically referred to as “the love that dare not speak its name”. Over the course of

the 20th century, the taboos surrounding homosexuality have been challenged. Successive generations of ordinary individuals have refused to accept lives of self-negation, shame and invisibility; they have dared to speak out to their families, friends and communities. Some have paid a very high price for their courage. While this century may have seen greater openness about sexual diversity, it has also witnessed some of the most virulent forms of anti-gay repression, including the mass persecution of gay men and lesbians during the Second World War. These human rights violations have rarely provoked outrage. In most cases, the facts may not even come to light, as abuses may not be reported for fear of reprisals.

Many of those targeted are from the poorest and most marginalized sectors of society and so may not be able to count on the usual remedies available to other victims of abuse.

Until recently, members of the broader human rights community colluded in that silence and indifference. While, thanks to organizations such as AI, the plight of imprisoned political dissidents gained public attention, those persecuted as sexual and emotional “dissidents” remained forgotten victims. This has been especially true of abuses against lesbians, which are hidden under a double layer of discrimination, based on gender as well as sexual orientation.

The UN Special Rapporteur on violence against women has stated that: “women who choose options which are disapproved of by the community... or live out their sexuality in ways other than heterosexuality, are often subjected to violence and degrading treatment.”

That violence, which may take the form of rape or forced psychiatric treatment, often occurs in the “private” sphere of the home or the community, rather than at the hands of state officials, and so may escape the scrutiny of the human rights community.

However, the conspiracy of silence surrounding violations of lesbian and gay rights has now been broken. A vocal and vibrant movement has emerged over the past three decades to claim the rights so long denied. These activists have won some impressive victories, winning legal reforms and bringing about changes in cultural attitudes. Their most enduring victory is that, in the closing years of the 20th century, lesbian and gay rights have spoken their name. And they have done so in hundreds of tongues and in a voice that is global.

### **‘Less than human’**

Why is it then that so many governments and individuals around the world still resist even acknowledging that lesbian and gay people are “equal in dignity and rights”?

In many parts of the world, being gay or lesbian is not seen as a right, but as a wrong. Homosexuality is considered a sin, or an illness, an ideological deviation or a betrayal of one’s culture.

The repression that gay and lesbian people face is often passionately defended by governments or individuals in the name of religion, culture, morality or public health. Homosexuals are branded “perverts” and “paedophiles”. AIDS is labelled a “gay plague” and homosexuality the “white man’s disease”. Same-sex relations are dubbed “unChristian”, “unAfrican”, “unIslamic”, or a “bourgeois decadence”. In the words of the Zimbabwean President, Robert Mugabe, lesbians and gay men are “worse than pigs” and “less than human”.

### **‘The more you refuse to hear our voice, the louder we will sing...’**

By dehumanizing gay people and marginalizing them as “other”, leaders know that they are fostering a climate in which the public will not be concerned about the human rights of lesbian, gay, bisexual and transgendered people. After all, if they are less than human, why should they enjoy full human rights? When those in power brand members of certain groups as “less than human” solely because their identity separates “them” from “us”, they pave the way for gross human rights abuses against such groups.

Campaigning for lesbian and gay human rights might be seen by some as a controversial arena of human rights activism. It is. But no more so than any other. All human rights activism is a bid

to transform society. The promotion of the fundamental rights of lesbian, gay, bisexual and transgendered people belongs squarely on the human rights agenda.

Lesbian and gay rights belong on the human rights agenda because of the nature and scale of the abuses that people suffer. Unlawful killings, torture, arbitrary deprivation of liberty -- these abuses have been central to the activities of the human rights movement for decades. Where these abuses constitute a widespread pattern of systematic persecution against a distinguishable sector of humanity, they become a paramount concern.

Lesbian and gay rights belong on the human rights agenda because in the words of Colombian human rights defender Juan Pablo Ordóñez, “the defence of human rights of homosexuals solely by homosexuals is impossible – or at best, places them in imminent peril of their lives. The struggle must be taken up by outsiders, gay or straight people, who are not themselves the victims of this hostile society.”

Lesbian and gay rights belong on the human rights agenda because if we tolerate the denial of rights to any minority, we undermine the whole protective framework of human rights by taking away its central plank -- the equal rights and dignity of all human beings. When governments ignore their responsibility towards one sector of society, then no one’s human rights are safe.

And, perhaps most centrally of all, lesbian and gay rights belong on the human rights agenda because sexual orientation, like, for example, gender or race, relates to fundamental aspects of human identity. As the opening words of the UDHR affirm, human rights are founded on the concept of respect for the inherent dignity and worth of the human person.

Laws and practices aimed at coercing individuals to alter or deny their sexual orientation attack a deeply rooted aspect of human personality. They inflict huge psychological -- if not physical -- violence because they force some people to forego an area of experience which, for many, offers the greatest potential for human fulfilment. Relating as it does to the deepest affairs of the heart, the innermost desires of the mind and the most intimate expressions of the body, sexual orientation goes to the core of what it means to be human. The right to freely determine one’s sexual orientation and the right to express it without fear are human rights in the fullest sense.

**‘You thought that our pride was gone. Oh no. There’s something inside so strong.’**

From “Something Inside (So Strong)”, (*Labi Siffre*)

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## **campaigning for gay and lesbian human rights**

Why this sudden hatred of homosexuals? Because it has become a political identity. Governments are trying to suppress it because they see it as a socially disruptive force.

*Ashok Row Kavi, Indian gay rights activist*

If at Stonewall we were able to confront the abusive power of the State, then we have the strength to continue fighting here and anywhere in the world for solidarity and against injustice.

*Mujeres Prohibidas (Forbidden Women), lesbian website, Uruguay*

We've always been part of a larger movement and added our voice to the demands of women and indigenous people. It's been very obvious to us that if we don't want to be discriminated against, we have to fight against other kinds of discrimination.

*Patria Jiménez, member of the Mexican Congress, quoted in New York Blade News*

Labels are for filing.

Labels are for clothing.

Labels are not for people.

*Martina Navratilova, tennis champion*

There is a stormy horizon ahead for the gay and lesbian movements... yet if the experience of the last quarter of the century has any indicative value, the power of identity seems to become magic when touched by the power of love.

*Manuel Castells, The Power of Identity*

One of the strongest reasons why I believe that I have not been harassed by police and other authorities is that these authorities are well aware that I am being watched by Amnesty and the international press.

*Keith Goddard, Gays and Lesbians of Zimbabwe*

All human beings are born free and equal in dignity and rights.

*Article 1 of the Universal Declaration of Human Rights*

I don't believe they [homosexuals] have any rights at all.

*Robert Mugabe, President of Zimbabwe*

### **Captions**

A scene from the first ever gay parade in Tel Aviv, Israel, June 1998. © Reuters.

Rainbow flag, symbol of gay and lesbian movement, after anti-gay bombing in London, UK © AI.)

Demonstrating in New Delhi, India, in support of the Indian film Fire, which depicts a lesbian relationship. December 1998 © Reuters

Photos, from top:

1,2. First gay and lesbian parade in the Philippines, June 1996 © Reuters;

3,4,5, see previous pages;

6,7, "Lesbian and Gay Parade '97", Tokyo, Japan © Reuters