



Social, Humanitarian and Cultural Committee

Topic 1: Addressing discrimination against the LGBTQ+ Community ensuring unequivocal legislation

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1. Definition of key terms

LGBTQ+: LGBTQ+ stands for “lesbian, gay, bisexual, transgender/transexual, queer, and other sexual orientations (including intersexual, pansexual, asexual).” Specifically, the LGBTQ+ is the group of all individuals who, in essence, are not heterosexual cis male/female. In different cultures, there are different ways to describe individuals of different sexual orientations and who exhibit non-binary gender identities.

TRANSGENDER / TRANS: Transgender (can/might be shortened to “trans”) is an overarching term to describe a group of people who do not conform to binary genders. For instance, trans men identify as men but were biologically female when born, and trans women identify as women but were biologically male when taken. Some transgender individuals seek surgery and hormones to align themselves with the gender they find. Additionally, some transgender individuals don’t associate with a binary gender at all.

Transexual: a person who emotionally and psychologically feels that they belong to the opposite sex. Transexual individuals belong under the category of transgender, but transexual individuals specifically identify as the binary gender that they were not biologically born as.

Homophobia: A fear or hatred of non-heterosexual individuals: gay, lesbian, bisexual.

Gender Identity: Gender identity is an individual's perception of their gender. Typically, an individual's gender is the sex that they were born. Cisgender, refers to individuals who remain aligned with the sex they were assigned at birth. Some individuals, who are transgender, seek to align themselves with the other gender or non-binary gender.

Gender Expression: Gender expression is the way an individual demonstrates their gender identity. Gender expression is often illustrated through appearance - physical features and body structure, or through style. Although a male may wear stereotypically feminine clothes, it does not mean that that individual is gay or transgender. An individual's gender expression

is not always linked to their gender identity or sexual orientation; however, it is one method to express one's gender identity.

Legislation : The creation of laws that have the power of authority over the individuals under a government. Laws can be created by an official organ, state, or other organization.

2. Introduction

The LGBTQ+ community has always been discriminated against. In history, these individuals were forced to suppress their gender identity and sexual orientation; else they are inhumanely punished. In the present, more states and/or individuals have become accepting of non-binary gender identity and non-heterosexual orientation. Nevertheless, the LGBTQ+ community is still under the scrutiny of discrimination, violence, and criminalization.

In history, there has been a "black-white" view of gender or a binary view. It was believed that there were only two genders: male and female. Exploring the gray area, or non-binary has been unheard of. However, in recent years, the LGBTQ+ community has been recognized and accepted in many nations and by many groups. Thus, the number of individuals who are open about their non-binary gender or sexual orientation has skyrocketed in recent years. Many countries have legalized same-sex marriage and allow individuals to undergo surgery to align with their gender identity. However, in several nations and several individuals still do not accept these individuals and resort to acts of violence, discrimination, and criminalization. As stated in the declaration of human rights, all individuals have the right to equality and non-discrimination, including individuals of the LGBTQ+ community. The UN seeks to ensure unequivocal legislation for these individuals and seeks to end violence and discrimination against them. In order, for LGBTQ+ individuals to have equality the UN and other relevant organizations, must work to educate individuals to recognize and accept them as people.

3. Background information

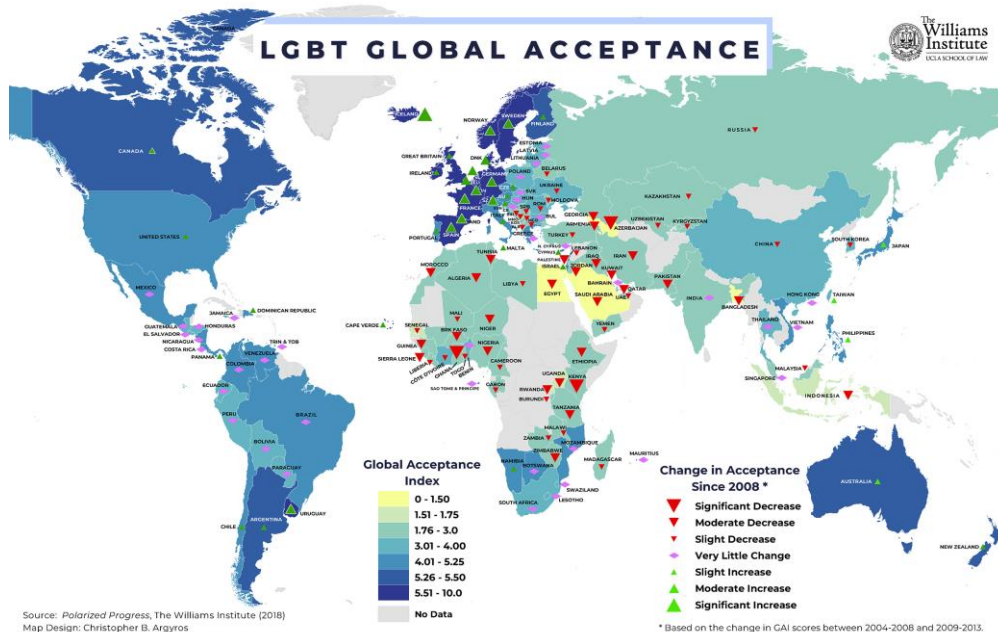


Figure 1: LGBT Global Acceptance (2018)



History of the topic

There is proof to indicate that same-sex relationships have existed for several centuries, and different cultures had different views. For instance, in Israel, it was prohibited, as written in the bible. Many other religions were against same-sex relationships and still oppose them. On the other hand the in ancient Greece there were many same-sex couples. In recent years, to stand up against the discrimination against the LGBTQ+ community from the church, various governments, and homophobic individuals.

Some of the significant events in LGBTQ+ history:

- In the late 19th century - approximately 1870 - movements for the LGBTQ+ community started. Individuals within the group and outside the group began campaigning for their rights.
- Numerous psychologists and doctors researched homosexuality and gender identity in the late 19th century. They believed that homosexuality and bisexuality were linked to biology and were innate, in essence. However, many still opposed transgender and other differing gender identities.
- Between World War I and World War II numerous journalists and authors began writing about the LGBTQ+ community. These were received differently in different countries. For example, in Germany, the gay bar scene thrived. However, in England, there was a backlash against authors who wrote about the LGBTQ+ community.
- During World War II, gay and lesbian individuals were allowed to fight in the army. They were able to meet other LGBTQ+ individuals through their military service. Moreover, the mindset towards them was very open during this time.
- At the same time, LGBTQ+ individuals were targeted by the Nazis and killed in concentration camps.
- After World War II, the increasing awareness of the LGBTQ+ individuals in the military service and federal positions outraged the population, in the United States. LGBTQ+ individuals were discriminated against and had no organization to help them.
- Organizations to help gay and lesbian individuals started to form in the 1950s — specifically, the Mattachine Society, One Inc, and Daughter of Bilitis. All of these organizations attempted to prevent the discrimination against these individuals in the United States.
- At the same time, psychologists began to write about the LGBTQ+ community. Donald Webster Cory claimed that gay and lesbian individuals were a legitimate minority group. Additionally, Evelyn Hooker, Ph.D., wrote a groundbreaking paper that illustrated that gay individuals were as capable as heterosexual individuals.
- The civil rights movements for the LGBTQ+ community began in 1965. The turning point for there movement was in 1969, in which “patrons of the popular Stonewall Inn in New York’s Greenwich Village fought back against ongoing police raids of their neighborhood bar.”
- Finally, in 1973, the American Psychological Association (APA) removed homosexuality as an illness or disorder. Before this, homosexual individuals were at risk of jail time, losing their jobs, and psychiatric lockup.
- The 1970s was an extremely successful period for the LGBT movement.

- Lesbians started to start their movements, and also campaign for their rights. Before this, typically only gay men advocated for their rights.
- “Expanding religious acceptance for gay men and women of faith, the first out gay minister was ordained by the United Church of Christ in 1972. Other gay and lesbian church and synagogue congregations soon followed.”
- The Parents and Friends of Lesbians and Gays (PFLAG) were created in 1972, and it offered opportunities for the friends and families of homosexual individuals to help in their movement.
- The first Gay rights march in Washington took place in 1979
- The Aids crisis of the 1980s setback the gay and lesbian movements. The community suffered many losses and did not have proper support from organizations to combat the AIDS crisis. Fortunately, the AIDS Coalition to Unleash Power (ACT UP) and Queer Nation supported the community during the crisis.
- In the 1990s, LGBTQ+ individuals were grasping more power. Many celebrities came out as lesbian or gay. Additionally, transgender and intersex individuals were starting to get the spotlight and campaign for their rights.
- The legalization of same-sex marriage was an enormous success for the LGBTQ+ community. Countries such as the Netherlands, Spain, Belgium, Canada, and some states of the United States began to legalize same-sex marriage.

Europe's LGBT population mapped

% of the population identifying as LGBT in selected countries in 2016

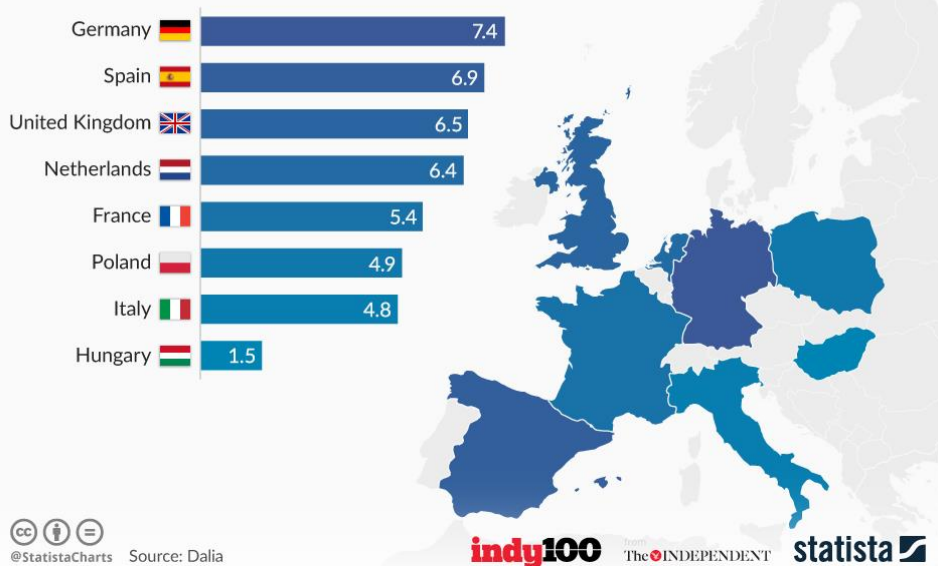


Figure 2: Europe's LGBT population (2016)



Important events in recent history and the present

Essential events in recent history and the present

- In the 21st century, a greater emphasis was brought to the rights of transgender individuals. More media illustrated transgender individuals, and they began to campaign for their rights more heavily. Unfortunately, cisgender, including homosexuals, did not support their movement. Fortunately, the public became aware of non-binary pronouns (they, them).
- In the 21st century, it started to become legal, in some countries, to adopt children. Additionally, a more significant portion of media illustrated same-sex couples raising children.
- Into the second decade of the 21st century, the western nations became accepting, and generally, there was few law criminalizing LGBTQ+ individuals. However, in more conservative countries, being homosexual was still a crime, and in some countries punishable by death.
- In June of 2015, the Supreme Court decision recognized same-sex marriage. Same-sex marriage was legalized in the United States.
- The Academy Awards recognized films with both lesbian and transgender themes, and the supreme court ruled that lesbian couples could adopt children in all states in the spring of 2016
- “The United States also saw intense racial profiling confrontations and tragedies in this same period, turning LGBT activism to “intersectionality,” or recognition of intersections issues of race, class, gender identity and sexism.”
 - The pulse nightclub shooting of June 12 illustrated the issue of intersectionality.
- In 2016 Donald Trump was elected as the new president of the United States; His policy and view towards the LGBTQ+ community remains unclear.
 - Prior to the presidential elections he was very supportive of the LGBTQ+ community. Specifically he advocated to amend 1964 civil rights act.
 - During the presidential elections he began to contradict his position LGBTQ+ issues.
 - As president he has recently taken action against the LGBTQ+ community. Specifically, he passed a bill banning transgender individuals from serving in the military.

4. Major countries involved

Different countries have different rights for LGBTQ+ individuals. The following countries are the most accepting of LGBTQ+ individuals and protect the rights of LGBTQ+ individuals.

- Canada
 - Homosexuality was decriminalized in Canada in 1969.
 - Canada legalized same-sex marriage in 2005, with the Civil Marriage Act.
 - Transgender individuals can freely change their legal gender.
 - Canada allows individuals to identify as a third sex on their passport, since 2017.

- Several of Canada's major cities are often classified as gay-friendly cities.
 - Canada is one of the most progressive nations in terms of LGBTQ+ rights.
- Malta
 - Malta was named as Europe's most LGBTQ+ accepting country by the International Lesbian, Gay, Bisexual, Trans, and Intersex Association.
 - Malta includes rights for LGBTQ+ individuals in their constitution.
 - Malta has banned discrimination on the ground of gender identity and expression and sexual orientation in 2004.
 - Malta enacted a law that allows LGBTQ+ citizens to openly serve in Malta's military.
 - Conversion therapy is banned in Malta.
 - Malta legalized same-sex marriage in 2017.
 - LGBTQ+ individuals have the right to be in civil unions as of 2014.
 - Overall, Malta provides equal rights for LGBTQ+ individuals and spread awareness for their cause.
- The Netherlands
 - Since the French occupation of The Netherlands, during Napoleonic times, same-sex relationships have been decriminalized.
 - Homosexuality was no longer classified as an illness in the Netherlands as of 1973.
 - The Netherlands legalized same-sex marriage in 2001, making it one of the first countries to legalize same-sex marriage.
 - In summary, The Netherlands supports LGBTQ+ individuals and is an LGBTQ+ friendly nation.
- Spain
 - Homosexuality was decriminalized in 1979.
 - Same-sex marriages were legalized in 2005.
 - Same-sex couples can adopt children as of 2005.
 - According to The Pew Research Center, approximately 90% of Spain's citizens share the view that LGBTQ+ should be accepted and have equal rights.
 - The majority of Spain's citizens believe LGBTQ+ individuals should have rights and the government has provided them with rights.
- Belgium
 - Same-sex relationships were decriminalized in 1795. They have remained legal, with the exception of being illegal from 1965-1985, since 1795.
 - Belgium legalized same-sex marriage in 2003, making it the second country to legalize same-sex marriage.
 - Belgium legalized same-sex couples to adopt and provided lesbian couples access to IVF in 2006.
 - "Belgium hosts some internationally renowned gay pride festivals such as La D  mence."
 - In summary, Belgium has equal rights for LGTBQ+ individuals and advocates for their rights.

The following countries have discriminated and have legislation against the LGBTQ+ individuals:

- Nigeria
 - The ILGA-RWI Global Attitudes Survey on LGBTI People illustrates that 51% of the individual interviewed strongly believe that “being lesbian, gay, bisexual or transgender should be a crime”.
 - Homosexual “acts” are punished with a 14 year prison sentence, in accordance with a law passed in 2013. Further, and Nigerian who belongs to a gay organisation can also be liable for a 10 year jail term
 - In many Muslim countries, including Nigeria, it is not safe to publicly identify as LGBTQ+ due to the Sharia law.
- Egypt
 - Egypt is estimated to have sentenced the most gay man. Specifically, the estimation of the number of individuals is between 250 (according the the NY Times) and 500 (LGBT blog 76 crimes) since 2003.
 - While being gay is not illegal, since the military overthrew president Mohamed Morsi, “the authorities have engaged in a crackdown on the LGBT community, imprisoning them on the charge of “debauchery”, which comes with a jail term of up to 17 years.”
 - “Police have been known to invite journalists and cameramen along on raids; those caught may be outed to the whole country, even if arrested by mistake.”
- Russia
 - Putin’s social policy is openly and clearly anti-gay. Furthermore, there is discussion about the law that makes public displays of non-heterosexual orientation or gender identity illegal, and will be punished with jail time.
 - The Russian government have prevented LGBTQ+ groups to hold pride marches due to the anti-propaganda laws.
 - There are groups of “thugs” who are strongly against the LGBTQ+ community.
 - They disrupt well-publicised events that have been held by the LGBTQ+ community.
 - One group, Occupy Pedophilia, torture gay men and then post videos online. Moreover, these videos are very popular.
 - The government has taken no such action to shut down groups that openly go after LGBTQ+ individuals.

5. UN - Involvement

In past and recent years the United Nations has been concerned about the situation of The LGBTQ+ community. Some of the most relevant plans adopted and actions were taken were:

- In 2011, the first UN study focused on the LGBTQ+ issue was created by the UN Human Rights Council. Specifically, they passed a resolution regarding human right, gender identity, and sexual orientation. They also expressed concern about the violence towards the LGBTQ+ community.
- The UN General Assembly (UNGA) first focused on sexual orientation and gender in 2012. Specifically, they passed a resolution on the extrajudicial of killings, of which the motive was the victim’s sexual orientation or gender identity



- The UN High Commissioner for the Human Rights launched the UNFE campaign, in July 2013. The campaign focused on promoting the human rights of LGBTQ+ individuals. The campaign utilized both traditional and social media and was able to reach approximately two billion people.
- The UN Security Council first addressed the human rights of LGBTQ+ individuals under ISIS in August, 2015.
- The UN refugee agency assisted LGBTQ individuals seeking asylum. These individuals were fleeing from violence and persecution. The UN refugee agency helped these individuals settle in countries that are more accepting of LGBTQ individuals.
- Many nations committed to interpret the UN Sustainable Development Goals, in 2015, to indicate that no LGBTQ+ individuals are “left behind.”
- Vitit Muntarbhorn was appointed by the UN, in September 2016, to serve as an Independent Expert on Sexual Orientation and Gender Identity. This was a new position created by the UN, to reduce violence and discrimination against LGBTQ+ individuals.
- In July 2017 the U.N. Human Rights office criticized the proposed U.S. ban on qualified transgender people serving in the military.



6. Useful links and bibliography

<https://www.unfe.org/>

<https://www.apa.org/pi/lgbt/resources/history.aspx>

<https://www.gsafewi.org/wp-content/uploads/US-LGBT-Timeline-UPDATED.pdf>

<https://www.hrw.org/report/2018/07/23/you-dont-want-second-best/anti-lgbt-discrimination-us-health-care>

<https://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/gallup-lgbt-pop-feb-2013/>

<https://www.unhrc.org>

<https://www.unodc.org>

<https://www.Medicalxpress.com>

<https://www.gsafewi.org>

<https://www.apa.org>

<https://www.hrw.org>

<https://www.williamsinstitute.law.ucla.edu>

<https://www.aclu.org>

<https://www.who.int>

<https://www.nbcnews.com>

<https://www.statista.com>

<https://www.independent.co.uk>

<https://www.worldatlas.com>