

**Forum:** Economic and Social Council

**Issue:** The Question of creating an international approach in combating discrimination based on sexual orientation and gender

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## **INTRODUCTION**

Deeply-embedded homophobic and transphobic attitudes, often combined with a lack of adequate legal protection against discrimination on grounds of sexual orientation and gender identity, expose many lesbian, gay, bisexual and transgender (LGBT) people of all ages and in all regions of the world to egregious violations of their human rights. They are discriminated against in the labour market, in schools and in hospitals, mistreated and disowned by their own families. They are singled out for physical attack – beaten, sexually assaulted, tortured and killed.

Concerns about these and related human rights violations have been expressed repeatedly by United Nations human rights mechanisms since the early 1990s. These mechanisms include the treaty bodies established to monitor States' compliance with international human rights treaties, as well as the special rapporteurs and other independent experts appointed by the Human Rights Council to investigate and report on pressing human rights challenges.

## **KEY DEFINITIONS**

**Discrimination:** The unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, sex, or disability.

**Sexual orientation:** a person's identity in relation to the gender or genders to which they are sexually attracted.

**Gender:** Gender refers to the characteristics of women, men, girls and boys that are socially constructed.

**Homophobia:** Dislike of or prejudice against gay people.

**Transphobia:** Dislike of or prejudice against transsexual or transgender people.

**Sexism:** Prejudice, stereotyping, or discrimination, typically against women, on the basis of sex.

## BACKGROUND INFORMATION

The question at hand has two broad parts - sexual orientation and gender. When it comes to discrimination based on sexual orientation, social movements, organizing around the acceptance and rights of persons who might today identify as LGBT or queer, began as responses to centuries of persecution by church, state and medical authorities. Where homosexual activity or deviance from established gender roles/dress was banned by law or traditional custom, such condemnation might be communicated through sensational public trials, exile, medical warnings and language from the pulpit. Sexual orientation discrimination often comes up in the context of employment actions. It usually refers to a predisposition towards heterosexual people, which is biased against lesbian, gay, and bisexual people, among others. This is specifically referred to as heterosexism. Sexual orientation discrimination also occurs at the time of service provision from a business or government agency to an individual or group. Such services may include dining at a restaurant, visiting a partner at the hospital, receiving healthcare, or acquiring a marriage licence.

Discrimination based on gender (or sex) is a common civil rights violation that takes many forms, including sexual harassment, pregnancy discrimination, and unequal pay for women who do the same jobs as men. Girls and women suffer most from the negative impact of rigid gender norms and roles - they are more likely to experience restrictions of their freedom and mobility. They experience epidemic levels of violence and harassment across the globe and have fewer opportunities to choose how to live their lives. Harassment and catcalling on the street are prime examples of how women's right to walk freely around their environment is restricted. Stereotypes can often bleed out into school and work, where girls are less likely to be encouraged into science and technology subjects or leadership roles, due to the perceived 'male nature' of these pursuits. Likewise, seemingly positive stereotypes and gender roles such as men being the 'provider' or 'protector' of the family, put an unnecessary burden on men and boys that could more positively be shared in an equal partnership.

## MAJOR ORGANISATIONS INVOLVED

**UN Women:** The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) is the UN agency dedicated to gender equality. The agency was established to accelerate progress on meeting women's needs across the world. It supports the UN member states in achieving global standards of gender equality, and it works closely with civil society organisations and governments to design and implement policies, laws and services that benefit women.

**Advocates for Youth:** This organization partners with youth leaders, adult allies, and youth-serving organizations to advocate for policies and champion programs that recognize young people's rights to

honest sexual health information, affordable sexual health services, and the resources and opportunities to create sexual health equity for all youth.

**Family Equality Council:** Family Equality Council connects, supports, and represents the three million parents who are lesbian, gay, bisexual, transgender and queer in this country and their six million children. They work to ensure equality for LGBT families by building community, changing hearts and minds, and advancing social justice for all families.

**Association for Women's Rights in Development:** The Association for Women's Rights in Development (AWID) is an international organisation working to achieve gender equality and women's human rights across the world. The AWID closely works with activists and policy makers worldwide to influence gender policies and practice.

**The Trevor Project:** The Trevor Project is an American nonprofit organization founded in 1998 focused on suicide prevention efforts among lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) youth. Through a toll-free telephone number, it operates The Trevor Lifeline, a confidential service that offers trained counsellors. The stated goals of the project are to provide crisis intervention and suicide prevention services for the aforementioned youths (defined by the organization as people under 25), as well as to offer guidance and resources to parents and educators in order to foster safe, accepting, and inclusive environments for all youth, at home and at school.

## **TIMELINE OF IMPORTANT EVENTS**

**1791:** France becomes the first nation to decriminalize homosexuality.

**1832:** A petition is made to an MP calling for unmarried women to be given the right to vote in the UK

**1848:** Women's first suffrage conference calling for equal voting rights for women as afforded men is held in the US

**1893:** Equal voting rights given to women in New Zealand.

**1897:** The Scientific-Humanitarian Committee, the first known LGBTQ+ organization, is founded in Berlin by Magnus Hirschfeld, who would later conduct groundbreaking work on transgender identity.

**1906:** Equal voting rights given to women in Finland.

**1915:** Equal voting rights given to women in Denmark.

**1918:** Equal voting rights given to women in Austria, Germany, Poland and Russia.

**1920:** Congress adopt 19th Amendment to extend voting rights to all citizens of voting age (giving equal voting rights to women) in the US

**1921:** Equal voting rights given to women in Sweden

**1924:** Henry Gerber forms the Society for Human Rights, the first gay group in the US, but the group is quickly shut down.

**1928:** Women over 21 given the right to vote (giving them equal voting rights) in the UK.

**1931:** Equal voting rights given to women in Spain.

**1933:** The German Nazi Party bans gay and lesbian community groups and academic research on sexual orientation. Under Nazi rule, LGBTQ+ people face persecution, imprisonment, and even extermination at concentration camps.

**1944:** Equal voting rights given to women in France.

**1950 (i):** Equal voting rights given to women in India.

**1950 (ii):** The Mattachine Society, the first enduring national LGBTQ+ organisation in the United States, is founded. The first U.S. lesbian rights organization, the Daughters of Bilitis, is established five years later.

**1953:** U.S. President Dwight D. Eisenhower signs Executive Order 10450, which bars gay and lesbian applicants from federal employment and permits their firing on the grounds of “sexual perversion.” The order’s enforcement, known as the Lavender Scare, persisted until 1975.

**1957:** Equal voting rights given to women in Malaysia and Zimbabwe.

**1962:** Equal voting rights given to women in Iran and Morocco.

**1969:** The Stonewall Riots, regarded as the world's first major protest for LGBTQ+ equality, erupt in New York City. A year later, the first gay pride event is organized to commemorate Stonewall's anniversary, sparking solidarity events in European cities.

**1971:** Equal voting rights given to women in Switzerland.

**1973:** The American Psychiatric Association stops classifying homosexuality as a mental illness. It is not until 1990 that the World Health Organization depathologizes homosexuality.

**1989 (i):** Equal voting rights given to women in Namibia.

**1989 (ii):** Denmark becomes the first country to recognize same-sex civil unions. Eleven years later, the Netherlands becomes the first to legalize same-sex marriage.

**1993:** Equal voting rights given to women in Kazakhstan and Moldova.

**2005 (i):** Equal voting rights given to women in Kuwait.

**2005 (ii):** The U.S. Department of State begins including abuses against LGBTQ+ individuals in its annual Country Reports on Human Rights Practices.

**2009:** Johanna Sigurdardottir of Iceland becomes the world's first openly gay elected head of state.

**2010:** Argentina becomes the first Latin American country to recognize same-sex unions. Two years later, it recognizes transgender rights, another first in the region.

**2011:** Equal voting rights given to women in Saudi Arabia.

**2013:** President Barack Obama nominates five openly gay men to serve as ambassadors. The U.S. Supreme Court extends federal marriage benefits to same-sex couples. Two years later it recognizes marriage equality in all U.S. states and territories.

**2018:** India's Supreme Court decriminalizes homosexuality. The Inter-American Court of Human Rights rules that same-sex marriage and transgender rights constitute human rights, effectively mandating protections in twenty Latin American countries.

**2019:** Taiwan legalises marriage equality, a first in East Asia.

**2020:** Russia passes a constitutional amendment to ban same-sex marriage.

### **RELEVANT UN TREATIES AND EVENTS**

The international human rights legal framework contains international instruments to combat specific forms of discrimination, including discrimination against indigenous peoples, migrants, minorities, people with disabilities, discrimination against women, racial and religious discrimination, or discrimination based on sexual orientation and gender identity.

In the Declaration of the High-Level Meeting on the Rule of Law, Member States also recognized the importance of ensuring that women, on the basis of the equality of men and women, fully enjoy the benefits of the rule of law. Member States committed to using law to uphold their equal rights and ensure their full and equal participation, including in institutions of governance and the judicial system, and recommitted to establishing appropriate legal and legislative frameworks to prevent and address all forms of discrimination and violence against women and to secure their empowerment and full access to justice.

The United Nations Human Rights Council, in a defining vote, adopted a resolution on June 30, 2016, on “Protection against violence and discrimination based on sexual orientation, and gender identity,” to mandate the appointment of an independent expert on the subject.

### **BIBLIOGRAPHY**

1. <https://www.ohchr.org/en/issues/discrimination/pages/lgbt.aspx>
2. <https://languages.oup.com/google-dictionary-en/>
3. [https://www.who.int/health-topics/gender#tab=tab\\_1](https://www.who.int/health-topics/gender#tab=tab_1)
4. <https://www.apa.org/>
5. <https://www.wikipedia.org/>
6. <https://www.findlaw.com/civilrights/discrimination/gender-discrimination.html>
7. <https://plan-international.org/girls-get-equal/calling-out-discrimination>
8. <https://www.humanrightscareers.com/magazine/organizations-gender-equality/>
9. <https://www.childwelfare.gov/>
10. <https://www.cfr.org/article/changing-landscape-global-lgbtq-rights>
11. <https://www.futurelearn.com/info/courses/understanding-gender-inequality/0/steps/66837>
12. <https://www.un.org/ruleoflaw/thematic-areas/human-rights/equality-and-non-discrimination/>
13. <https://www.hrw.org/news/2016/06/30/un-makes-history-sexual-orientation-gender-identity#>

14. <https://www.ohchr.org/en/issues/discrimination/pages/lgbtunresolutions.aspx>