

Research Report

GA 3

Establishing an International Policy on Same Sex Relationships

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Forum	GA 3
Issue:	Establishing an international policy on same sex relationships
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Introduction

Gay, lesbian and bisexual people often face many difficulties throughout their lives. Not only do they have to cope with the implications of acting against the social norm, often they are harassed and bullied and have to face discrimination, homophobia and sometimes violence. Research conducted in the US showed that 80 percent of the gay youth had severe isolation problems, feeling unaccepted at school and in other environments. (Hetrick. E.S., Martin.A.D. Journal of Homosexuality, 1987), gay and lesbian youth are two or three times more likely to commit suicide (Gibson, P., Gay Male and Lesbian Youth Suicide, 1989) and that 28 percent of gay and lesbian high school students dropped out as a result of harassment targeting their sexual orientation (Remafedi, G., Pediatrics, 1987). There are still many countries that view same-sex relationships as a crime, who do not grant gay and lesbian people the same rights as heterosexual people and even countries where homosexual acts are punishable by death.

Definition of Key Terms

Homophobia

Homophobia can manifest in many different ways, ranging from bullying at schools to homophobic jokes to acts of violence against gay people. In general, the term homophobia refers to fear of and hostility towards gay people.

Discrimination

Discrimination is the act of treating one person less favourably than another. Discrimination takes place in a professional environment, but also in for instance in health-care surroundings. Discrimination is only unlawful when based upon criteria (such race or sex) set out by the government. The problem with the discrimination of gay and lesbians people is that they are in some cases treated less favourably than heterosexuals by the government, and because the government decides which forms of discrimination are unlawful, they can not appeal to their rights.



General Overview

There are many governments in the world who do not treat same-sex relationships the same as hetero-sexual relationships. In only ten countries, gay and lesbian marriages are recognized and performed nationwide. However, many more countries recognize gay marriage performed elsewhere, allow same-sex marriage in some jurisdiction or have civil union and registered partnerships for same-sex couples instead of marriage. 80 countries maintain legislation to make homosexuality illegal. In Iran, Mauritania, Saudi Arabia, Sudan and Yemen, as well as parts of Nigeria and Somalia, homosexual acts are punishable by death.

Same-sex couples are treated differently depending on the country where they live. Some of them living in countries where homosexuality is an illegal act feel forced to flee to a country where homosexuality is more accepted. It therefore seems sensible to try and adopt an international policy on same-sex relationships, to ensure that no one has to leave their home or is punished simply for who they are.

However, the matter is not as simple as that. Governments treating homosexual people differently is rooted in a homophobic attitude amongst the local community. Homophobia has existed for years and is sometimes influenced by religious beliefs and culture. Homophobia is also influenced by stereotypes concerning men and women. Homophobia amongst the community can cause discrimination and violence against gays and lesbians. It is the task of the government to protect their citizens from violence and intimidation and an international policy on same-sex relationships would be needed to ensure that gay and lesbian people can feel safe in their own country.

This is also a very difficult issue as it may infringe on many nations' sovereignties. The UN therefore has limited influence. Seeing as legislation on same-sex relationships is a matter for the authority in a country to decide on, it may prove difficult to alter legislation in many nations.

Major Parties Involved

NGO's

International Lesbian, Gay, Bisexual, Trans and Intersex Association IGLA

"Gay and lesbian rights are human rights". The International Lesbian, Gay, Bisexual, Trans and Intersex Association is a world-wide network of organizations working to achieve equal rights for gay and lesbian people. It was founded in 1978. IGLA currently has over 670 member organizations and 110 countries are represented. The organization tries to draw the public and the governments' attention to attention cases of discrimination of gay and lesbian people, by protest actions, asserting diplomatic pressure and working with international media and organizations.

IGLHRC

The International Gay and Lesbian Human Rights Commission is an organization which advocates human rights for people who are being discriminated because of their sexual preference. U.S. activist Judy Dorf launched IGLHRC in 1990.



UNO'-s

The Office of the United Nations High Commissioner for Human Rights (OHCHR)

The Office of the United Nations High Commissioner for Human Rights is there to protect and promote the human rights of all people on earth. The OHCHR is led by the High Commissioner for Human Rights, who is the most important human rights official within the UN.

Countries

Iran

Iran is an example of a country where homosexual acts are punishable by death. In 2005 two men were executed for alleged homosexual acts and in 2007 another man was executed. In that same year, President Ahmadinejad gave a speech in the U.S., stating 'in Iran, we do not have homosexuals'.

Timeline of Key Events

- 1989** Denmark is the first country to have a modern legally recognized same sex union called "registered partnership".
- 2000** In the Netherlands, legislation is approved by Queen Beatrix, the House of Representatives and the Senate that makes it possible for gay couples to marry.
- 2001** The laws in the Netherlands that grant gay couples the right to marry and adopt children comes into effect.
- 2003** In Belgium, the law allowing same-sex couples comes into force.
- 2004** The first legal same sex marriage in the U.S. is performed in Massachusetts.
- 2005** Two men are executed in Iran because of alleged homosexual actions.
Marriage between people of the same sex becomes legal in Spain and Canada.
- 2006** Same-sex marriage becomes legal in South-Africa.
- 2007** Another man is executed in Iran because of homosexual acts.

Previous Attempts to Resolve the Issue

In the past few years, governments have started to take action to protect gay and lesbian people from violence and discrimination. It was estimated in 2005 that in Latin America a gay man was killed every two days because of his sexual preference. Now governments are implementing legislation to protect their gay and lesbian citizens from violence, with the result that homosexuality is not illegal anymore in any Latin American country. In India, the law that made homosexuality illegal was abolished to help protect gay and lesbian citizens from violence. These steps made by governments are important to help eliminate discrimination against the gay and lesbian community.

Another measure that has been implemented in countries over the past few years is awareness campaigns, used in the hope to lower homophobic attitudes amongst communities. In June 2011, the United Nations Human Rights Council (UNHCR) passed a resolution (A/HRC/17/L.9/Rev.1)



to protect gay rights, recognizing for the first time that gay and lesbian people have the same rights as heterosexuals. The resolution declared that there should be no violence or discrimination against people based on their sexual preference. The controversial resolution was put forward by South-Africa and backed by the U.S., the European Union and Latin American countries, -those against included Russia, Nigeria, Saudi Arabia and Pakistan. The resolution passed with 23 votes in favour and 19 votes against.

Possible Solutions

Firstly, it is important that governments protect their citizens and respect their human rights, whether they are homo- or heterosexual. In countries where a discrepancy has occurred, the UN or other independent organizations have the responsibility of ensuring that human rights are respected. However this is controversial because of issues with sovereignty.

A second step could be to try and persuade countries, via the UN, to abolish legislation that discriminates gay and lesbian people, especially targeting legislation that makes homosexuality punishable by death.

Attention should also be given to homophobic attitudes in communities. Mass media awareness campaigns, as well as lessons on tolerant behavior to gay and lesbian people at schools, could help reduce homophobia amongst the public.

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