



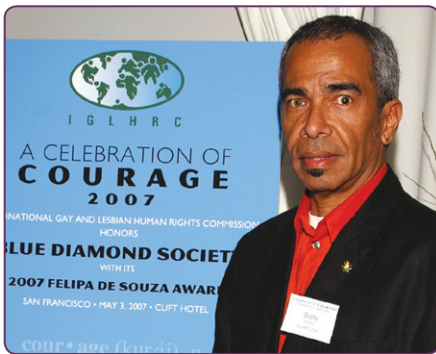
# OUTSPOKEN

**Human Rights for Everyone. Everywhere.**

International Gay and Lesbian Human Rights Commission • Fall 2007

## FEATURE STORY: INTERVIEW WITH ASYLUM DOCUMENTATION PROGRAM COORDINATOR DUSTY ARÁUJO

*Our feature story is an interview with Dusty Araújo, who has coordinated IGLHRC's Asylum Documentation Program for the last 10 years. This fall, a big organizational shift will occur. Dusty's valuable work will continue, but now with the National Asylum Partnership for Sexual Orientation, a program of the National Immigrant Justice Center. This interview captures a little slice of his remarkable history at IGLHRC. See our Executive Director's letter on page 2 of this newsletter for more information about changes in IGLHRC's asylum work.*



IGLHRC's Dusty Araújo at the 2007 Celebration of Courage event in San Francisco

**Q: Please tell us a little bit about the history of the Asylum Documentation Program.**

**A:** When IGLHRC

was born in 1990, asylum for LGBT people was mostly granted on humanitarian grounds, if at all. It wasn't until 1993-4, with the precedent-setting Tenorio-Alfonso case involving a gay man from Cuba, that things changed. Marcelo Tenorio was granted asylum on the grounds that his sexual orientation put him in a persecuted "social group." IGLHRC participated in that case by providing documentation about conditions faced by LGBT people in Cuba at the time. After that, Attorney General Janet Reno wrote a memo to the INS [Immigration and Naturalization Services] supporting this decision, thus officially opening the door for asylum based on sexual orientation in the U.S.

I joined IGLHRC in 1997, at which time there were very few places where LGBT individuals and people who were HIV+ could get documented information to support their asylum cases. And asylum cases were on the increase. By 1994, IGLHRC had seen about 108 cases; but by 1997, the numbers were up to 551; and by 1998, we had 653. In addition to gathering documentation to show the legal and social conditions for LGBT people in different countries, it was crucial to maintain a record of who was calling and why. For example, some people were interested in HIV information; others wanted sexual orientation information, expert witnesses, or attorneys. I had to update the database—which was very basic when I started at IGLHRC—to maintain data in a way that was confidential and comprehensive. At the same time, I created and standardized country information packets based on information about country conditions from IGLHRC's regional work and other sources.

**Q: How has the work changed over the years?**

**A:** At the beginning, I was mostly supporting individuals going through the asylum process. In 1997, Congress changed immigration law, requiring people to apply for asylum within one year of entering the US. We did a campaign to get as many immigrants as possible to apply for asylum before

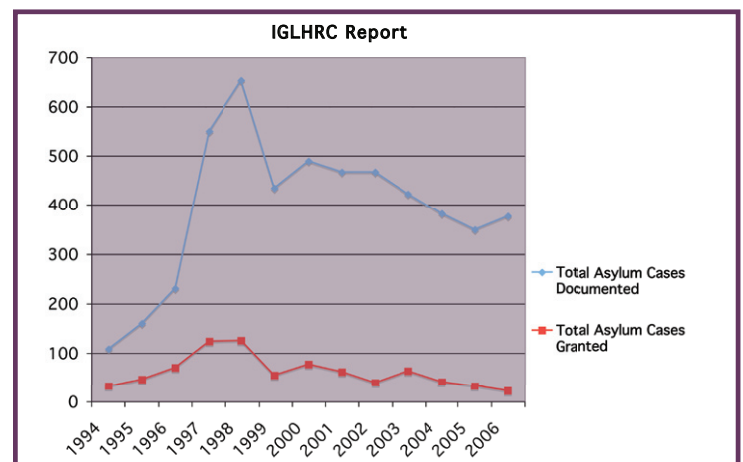
the one-year bar went into effect on April 1, 1998. After that things shifted. I've spent more time helping attorneys who support asylum cases. I've also started dealing with cases involving the mistreatment of LGBT people in detention—both in this country and in others. We didn't have any detention cases until 1996. That year we got our first one; then we had 8 cases in 1997, 22 cases in 1998, 34 cases in 1999, 56 cases in 2000. In 2006 we had 99 cases and we've had more than that already this year. Today we provide documentation to people in detention all over the world.

**Q: What are one or two of the highlights of this work?**

**A:** There was a case of a transgender woman from Nicaragua whose attorney's secretary called me to say that the attorney had passed away; the secretary didn't know what to do with the documents for the case. When I found out that the person was in detention in the Bay Area, I contacted her and tried to find an attorney to take her case. Luck had it that she got a volunteer attorney from a big law firm. She didn't know anyone that could come to see her so she asked me to visit her in detention. Later I also went to her hearing because she wanted someone there on her side. She eventually won relief under the Convention Against Torture [CAT] treaty—which prevents a person from being deported if they are likely to face torture in their home country. I believe this was the first CAT case to be granted in the U.S. Unfortunately, CAT did not specify anything about release from detention—so you could be granted CAT but remain in jail indefinitely. So we started working with her attorney and the INS to see if there was a way of getting her out. Eventually she was released and able to pursue her life.

Doing this work makes me so grateful for the things that I have. It makes me realize that to be able to be openly gay, and to be free, to have a family, and a job, and move through life like I do is someone else's dream.... To know that what I do here, which I often feel is very little, can help someone's life—it's amazing to me. I am very glad to have contributed to this work; I certainly want to do more.

*Thank you, Dusty. Everyone at IGLHRC appreciates the tremendous contribution you have made to our work. We wish you all the very best for the future and continued success in all your endeavors.*



## LETTER FROM THE EXECUTIVE DIRECTOR



### A TRANSITION FOR IGLHRC; A SIGN OF PROGRESS FOR ASYLUM SEEKERS

*Dear IGLHRC Friends —*

Within the large landscape of global human rights advocacy are the individual stories of people forced by persecution, violence or homophobic criminal laws to leave their home countries for safety elsewhere. Women like Alla Pitcherskaia, who had been institutionalized in Russia because she was a lesbian. Men like Jorge Sota Vega, whose feminine expression led to such violence at home in Mexico that he fled to the U.S. Or like Pegah Emambakhsh, whose life would have certainly been at risk had the U.K. deported her home to Iran.

Around 1993, IGLHRC created the Asylum Documentation Program. We were the first organization to systematically compile documentation on the lives and conditions faced by LGBT people around the world at a time when the Internet and email were not readily available. IGLHRC subsequently developed “country conditions reports” on 144 countries, which are now posted on [Asylumlaw.org](http://Asylumlaw.org). We have handled calls and emails seeking assistance from more than 7,000 individuals related to asylum claims based upon sexual orientation, gender identity/ expression, and HIV status. We have trained scores of asylum officers, shared our work with thousands at conferences, meetings and public forums, and worked with dozens of colleague organizations to help build global support for the right of LGBT people who face persecution to find safety elsewhere.

We are proud of our accomplishments in this area and so very grateful to all of you for supporting this part of our programmatic work for so many years. It might, then, seem an odd time for us to decide that our contribution to this area of work has reached its natural end. Yet, it is precisely because so many others have taken up this work that IGLHRC can step back. As of this fall, Dusty Araújo—who has served 10 years as IGLHRC’s passionate and committed director of the Asylum Documentation Program—will continue his work in responding to LGBT asylum seekers with the National Asylum Partnership for Sexual Orientation, a program of the National Immigrant Justice Center. IGLHRC, while no longer providing direct advice and assistance on individual asylum cases, will continue to post our human rights reports and documentation at [Asylumlaw.org](http://Asylumlaw.org).

We are so grateful to our colleagues, Vicki Neilson from Immigration Equality, Mary Meg McCarthy from the National Immigrant Justice Center, and Dave Berten, for working with IGLHRC and Dusty on this transition to ensure that the work continues. And we are so very grateful to Dusty Araújo, whose compassion and commitment to ensuring that every human life be treated with dignity and respect has truly helped change the world.

*Paula Ekibner*

## UPDATE ON LATIN AMERICA AND THE CARIBBEAN: SECOND ADVOCACY INSTITUTE IS A HUGE SUCCESS

In May 2007, IGLHRC held its second Latin American Human Rights Advocacy Institute, this time in San José, Costa Rica. IGLHRC’s Rosa Posa organized the two-week gathering for lesbian and bisexual women from Central America and the Caribbean. The convening was intended for emerging leaders in the field of lesbian, bisexual, transgender and intersex (LGBTI) human rights and designed to address issues they might confront in their work. Lesbian and feminist activists from throughout the region joined Rosa and Marcelo Ferreyra, IGLHRC’s Program Coordinator for Latin America and the Caribbean, as presenters.



A group of Latin American LGBT activists attending the second Latin American Human Rights Advocacy Institute in San José, Costa Rica

The program was rich and varied. It included sessions on documenting, monitoring and responding to human rights violations against LGBTI people; advocating for LGBTI rights; grassroots organizing; building regional alliances; and developing collaborative projects. The Institute also focused on a variety of areas of specific concern to lesbian and bisexual women, ranging from the challenges presented by domestic violence in lesbian relationships to the best ways to acquire funding for women-centered work.

More than 15 people from 7 different countries—Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Puerto Rico, and the Dominican Republic—enrolled as participants in the Institute, and by all indications, the gathering was a great success. As one participant wrote in her evaluation:

*The Institute was a time of profound intellectual growth. Not only was I able to gain valuable insight on how to build a human rights framework into my LGBT work, but I was also able to learn from the successes and failures of other lesbian activists. Finally, it gave me a chance to build stronger skill sets that I can put into practice during organizational development and gave me an opportunity to understand the importance of a global perspective and the inclusion of transgender people in our work.*

Participants at the Institute created a new network, “Lesboamericanas,” focused on research around the impact of HIV/AIDS on lesbians and bisexual women. This fills a critical gap since a major dearth of information exists about how HIV/AIDS affects lesbians and bisexual women in this region. Everyone attending the Institute also initiated a specific project connected to their personal activist work that IGLHRC will help them develop and implement in future months.

IGLHRC would like to thank our funders of the Institute: Global Fund for Women, Dreilinden gGmbH, HIVOS, IBM, Fondo Centroamericano, and Project Total Income, whose generous support helped make the Institute a reality.



## UPDATE ON AFRICA: IGLHRC JOINS AFRICAN LGBT COMMUNITY TO PROTEST ANTI-LESBIAN HATE CRIMES IN SOUTH AFRICA



Nonhlahlhla Mkhize, the Director of the Durban Lesbian and Gay Health and Community Centre, addressing the vigil outside the South African Mission

Since April, the LGBT population of South Africa—the first country in the world to enshrine sexual orientation non-discrimination in its Constitution—has been hit by an unprecedented wave of hate crimes, primarily targeting lesbians. In April, a 16-year-old lesbian was raped and repeatedly stabbed to death. On July 7, a well-known lesbian and AIDS activist and her friend were found dead after being brutally tortured and raped. Two weeks later, a 23-year-old lesbian was found dead; her body showed signs of a prior physical and sexual assault. Then a woman belonging to an HIV support group and her two-year-old daughter were both murdered.

In response to these cases, an alliance of 15 South African organizations decided to launch a campaign against hate crimes targeting LGBT people. The group, known as 07/07/07 Campaign, has called on the South African government to denounce the recent killings and requested better training for South African police forces and improved tracking of anti-LGBT hate crimes. South African activists participated in a march to honor the lives of the lesbian victims on August 9—South Africa's National Women's Day.

IGLHRC's Senior Specialist for Africa, Cary Alan Johnson, during a vigil outside the South African Consulate in New York City, August 14, 2007



On August 15, IGLHRC and the Liberation for All Africans (a NYC-based diaspora LGBT group) co-sponsored a vigil outside the South African Consulate in New York to demand an end to hate crimes against lesbians in South Africa and protection for all LGBT people and those living with HIV/AIDS. IGLHRC also sponsored Nonhlahlhla Mkhize, the Director of the Durban Lesbian and Gay Health and Community Centre, so that she could come to New York, represent the South African LGBT movement at the vigil, and speak to the media about the situation in her home country.

Prior to the vigil, a delegation of activists including Cary Alan Johnson, IGLHRC's Senior Specialist for Africa, met with Ivan Vosloo, Acting Consul of the Republic of South Africa to express concern about recent hate crimes in South Africa, and ask the South African authorities to take steps to better protect sexual minorities.



A scene from the 07/07/07 march in South Africa. Photo Courtesy: Behind the Mask ([www.mask.org.za](http://www.mask.org.za))

## UPDATE ON THE UN: IGLHRC DEFENDS LGBT RIGHTS IN SINGAPORE AT CEDAW SESSION

Described as an international bill of rights for women, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is among the most powerful international mechanisms designed to monitor and report abuses against women worldwide. Adopted in 1979 by the United Nations General Assembly, the convention defines what constitutes discrimination against women and guides an agenda for national action to eradicate it.

IGLHRC has repeatedly been involved in CEDAW review sessions addressing human rights violations against women in various countries. Grace Poore, IGLHRC's Research and Policy Associate for Asia and Pacific Islands, attended the 39th CEDAW Session, held in July and August 2007, during which the CEDAW Committee reviewed three Asian countries—Indonesia, Singapore and the Republic of Korea.

Much of Grace's focus during the CEDAW session was on Singapore where she intervened on behalf of a Singapore lesbian group that could not be present at the proceedings. With the endorsement of local activists, Grace lobbied two CEDAW Committee members about Singapore's lack of protection for lesbians. IGLHRC drafted a briefing paper that was used to question the Singapore government's plans to protect lesbians from discrimination and repeal its sodomy law.

As Braema Mathiapparanam, author of a Singapore shadow report to CEDAW, said, "IGLHRC's participation sends a message to the Singapore government that there's international monitoring of their efforts to curb discrimination against lesbian women."

## DEVELOPMENT CORNER: IGLHRC OPENS NEW REGIONAL OFFICE IN JOHANNESBURG

This fall, IGLHRC will realize an important goal: opening an office in Johannesburg, South Africa. Cary Alan Johnson, IGLHRC's Senior Specialist for Africa, will move to Johannesburg in mid-October, where he will be joined by our two new Program Associates, Joel Nana and Victor Juliet Mukasa. Cary's relocation and the two new staff positions will help IGLHRC build stronger collaborative partnerships with African grassroots organizations, and give us the ability to respond more rapidly and effectively to abuses on the basis of sexual orientation, gender identity or expression and/or HIV status in Africa.

IGLHRC's Regional Program Staff for Africa, Cary Johnson and Joel Nana. They will be soon joined by Victor Mukasa, the prominent Ugandan activist



A grant from The Sigrid Rausing Trust helped fund IGLHRC's work in West and Southern Africa, while funding from the Arcus Foundation allowed IGLHRC to hire Victor to work on the Horn, East and Central Africa. IGLHRC would also like to acknowledge and thank the many foundations, corporations and individual donors whose generous support has helped nurture IGLHRC's growing presence in Africa. In particular, we would like to thank the John M. Lloyd Foundation and the Open Society Institute for funding IGLHRC's work around HIV in Africa. IGLHRC released *Off the Map: How HIV/AIDS Programming is Failing Same-Sex Practicing People in Africa* this past February, and ongoing advocacy work continues around the issues raised in this report.

If you would like more information on this or any other IGLHRC program, or would like to talk about ways you can become an IGLHRC donor, please contact IGLHRC's Development Manager Rebecca Libed at [rlibed@iglhrc.org](mailto:rlibed@iglhrc.org) or by calling 212-430-6057.

# MORE IGLHRC NEWS AND UPDATES

## IGLHRC CO-AUTHORS A SERIES OF REPORTS ON LGBT RIGHTS

Over the past 12 months, IGLHRC has worked with Global Rights and local groups and advocates to prepare a series of reports on the status of LGBT people in the Czech Republic, Grenada, Zambia, Chile, Barbados, Honduras, and Bosnia. Shadow reports (reports submitted by NGOs when countries' human rights records are reviewed) have been submitted to the United Nations Human Rights Committee (UNHRC) for review. This committee regularly examines the human rights situation in countries that have signed on to the International Covenant on Civil and Political Rights (ICCPR); in some cases the committee's concluding observations on the respective countries include explicit requirements related to LGBT human rights. IGLHRC hopes that by addressing LGBT rights in the countries under review, both the UN body and the member states will pay appropriate attention to the human rights of sexual minorities. IGLHRC's shadow reports can be downloaded from our website at: [www.iglhrc.org](http://www.iglhrc.org)

## IGLHRC RESPONDS TO PAKISTANI TRANSGENDER CASE

IGLHRC has been working with Pakistani activists in response to a recent legal case against Shumail Raj, a female-to-male transgender man and Shahzina Tariq, his wife. Shumail, 31, has undergone two surgeries to remove his breasts and uterus and has lived as a man for 16 years. He and his longtime girlfriend, Shahzina, 26, were married in September 2006. In May of this year, a High Court judge ordered the couple to be arrested for falsely testifying that Shumail was a man and that they were legally married. Shumail and Shahzina were subsequently sentenced to three years in prison and fined 10,000 rupees each (\$166). In June 2007, a Supreme Court judge ordered the case to be re-opened and released the couple on 50,000 rupees bail each (\$830). The Court is expected to decide if Shumail is a man or woman, which will determine if his marriage to Shahzina is valid.

On June 1, IGLHRC issued an action alert, asking our members to provide moral and material support to the couple by writing letters and donating money. In response, we received dozens of support letters from across the globe that we directed to the couple and their legal team. IGLHRC's appeal also helped raised \$3,000 in donations for the couple's legal fees, which exceed \$10,000.

## RICHARD JUNG JOINS IGLHRC AS DEPUTY DIRECTOR



IGLHRC welcomes Richard Jung as our new Deputy Director. Richard, who joined IGLHRC in April 2007, has been active in the LGBT movement for decades. Most recently, he worked as National Senior Program Officer at the Gill Foundation in Denver, Colorado. In addition to his work in the foundation world, Rick has an extensive non-profit background, having served as the Director of Development for the Boulder County AIDS Project, Colorado Democratic Party and more recently at the Drama League of New York. Under Rick's supervision, IGLHRC will implement a number of projects to enhance our communications and development capacity.

## SARAH TOBIAS JOINS IGLHRC AS COMMUNICATIONS AND RESEARCH MANAGER



IGLHRC welcomes Sarah Tobias as our new Communications and Research Manager. An LGBT activist and academically trained feminist theorist, Sarah is the co-author, with Sean Cahill, of a recently published book, *Policy Issues Affecting Lesbian Gay Bisexual and Transgender Families* (University of Michigan Press, 2007), and author of "Several Steps Behind: Lesbian and Gay Adoption" in Sally Haslanger and Charlotte Witt (eds.), *Adoption Matters: Philosophical and Feminist Essays* (Cornell University Press, 2005). Her op-eds and articles have appeared in journals and magazines including American Behavioral Scientist, National Civic Review, and Z Magazine, and have been posted on on-line commentary sites such as Alternet.org and TomPaine.com. Until recently, Sarah worked as Senior Policy Analyst in the Democracy Program at Demos, where she edited Democracy Dispatches, Demos' flagship publication. Sarah was born and raised in England and has an undergraduate degree in History from Cambridge University and a Ph.D. in Political Science from Columbia University.

## PROMINENT UGANDAN ACTIVIST VICTOR MUKASA JOINS IGLHRC



IGLHRC welcomes prominent Ugandan activist Victor Juliet Mukasa as our new Africa Research and Policy Associate for the Horn, East, and Central Africa. Named by Gay City News as "Uganda's most open and visible LGBT leader," Victor co-founded and chaired Sexual Minorities Uganda (SMUG). A transgender lesbian, Victor was forced to flee Uganda for South Africa in fear of her life after police raided her home in 2005. She recently returned to Uganda to launch a lawsuit against the government for the raid, which was illegal under Uganda's constitution. Victor is a board member of many African and international LGBT groups, including Gender Dynamix (South Africa), Behind the Mask (South Africa), Coalition of African Lesbians (Pan African), and the International Lesbian and Gay Association (ILGA). Victor will work out of IGLHRC's South African office.

## BOARD OF DIRECTORS

**Casey Atkins**, ADS Ventures, Inc.  
Boston, MA

**Al Ballesteros**, JWCH Institute, Inc.,  
Los Angeles, CA

**Ally Bolour**, Law Offices of Ally Bolour,  
Los Angeles, CA

**Michael Conway**, United Talent Agency,  
Los Angeles, CA

**Tom Dougherty**, Doctors of the World,  
New York, NY

**Sel Julian Hwahng**, National  
Development and Research Institutes, Inc.,  
Columbia University, New York, NY

**Tim Lane**, Center for AIDS Prevention  
Studies, University of California,  
San Francisco, CA

**Todd Larson**, World Intellectual Property  
Organization, New York, NY

**Harvey Makadon**, Harvard Medical  
International, Boston, MA

**Pamela Merchant**, The Center for Justice  
and Accountability, San Francisco, CA

**Roy Potts**, Attorney, New York, NY

**José M. Román, JD**, Executive Director of  
Restricted Funds and Financial Compliance,  
Columbia University, Controller's Office

**Runa Saeki**, Lehman Brothers, Inc.,  
New York, NY

**Houman Sarshar, Ph.D.**, Independent  
Scholar, Private Investor, New York, NY

**Dorothy E. Sander**, Private Investor,  
Ft Lauderdale, FL

(Organizational affiliations listed with  
board names are for identification  
purposes only)

## INTERNATIONAL ADVISORY BOARD

**Vivek Divan**, India

**Julie Dorf**, USA

**Keith Goddard**, Zimbabwe

**Alice Miller**, USA

**Luis Mott**, Brazil

**Sarah Mukasa**, Uganda

**Dede Oetomo**, Indonesia

**Amalia Eugenia Fischer Pfaeffle**, Brazil

**Jelena Postic**, Croatia

**Hayla Shalom**, Israel

**Khartini Slamah**, Malaysia/Thailand