



# OUTSPOKEN

**Human Rights for Everyone. Everywhere.**

International Gay and Lesbian Human Rights Commission • Winter/Spring 2007

## NEPAL'S BLUE DIAMOND SOCIETY HONORED AT A CELEBRATION OF COURAGE 2007

More than 330 IGLHRC supporters and friends celebrated the 2007 Felipa de Souza Award winner, Nepal's Blue Diamond Society, at receptions in New York and San Francisco. Blue Diamond Society (BDS) is Nepal's leading LGBT rights group and one of the world's most respected advocacy organizations for sexual minorities.

Since its inception six year ago, BDS has grown into a national movement with some 40,000 members across Nepal. Today, BDS not



A Celebration of Courage, San Francisco, from left to right: Paula Ettelbrick, Dechen Tsering, Sunil Pant, Jenisha de Rivera and Tim Lane.



San Francisco's A Celebration of Courage MC, Jewelle Gomez (to the right) chats with some of the guests.

working in coalition with other human rights organizations and political parties to ensure that the rights of LGBT citizens are protected under the nation's new constitution.

only provides HIV/AIDS services and community outreach to thousands of people, but is also a strong force behind social and political change in that country. The group has been at the forefront of the democratic movement that started in 2006 and is currently



IGLHRC guests from TriKone with Sunil Pant at the end of San Francisco A Celebration of Courage 2007. Also at the left corner is Paul Albert, a long-time IGLHRC supporter.

Sunil Babu Pant, Founder and President of BDS accepted the award on behalf of his organization. Sunil acknowledged the support IGLHRC provided to BDS since its founding in 2001: "IGLHRC's early support helped BDS survive when very few international voices were with us. IGLHRC's support has made a significant difference in our work."

Since 1994, the Felipa Award has acknowledged the courage and impact of groups and leaders dedicated to improving the LGBT rights worldwide. The Felipa Award carries with it a \$5,000 stipend to assist and strengthen the ability of grassroots human rights groups in achieving their mission.

IGLHRC thanks all its individual and corporate sponsors, MC's Lisa Kron and Jewelle Gomez, event honorary chairs, Suvir Saran and Kavita N. Ramdas (with Dechen Tsering as the Honorary Chair representative) and event co-chairs, Todd Larson, Runa Saeki, Jenisha de Rivera, and Tim Lane.



Celebration of Courage in New York City, May 1, 2007. Left to right: Tom Dougherty, Suvir Saran, Runa Saeki, Sunil Pant, Todd Larson, Dorothy Sander, (seated) Lisa Kron and Paula Ettelbrick.

## IRANIAN DIASPORA LEADING THE WAY

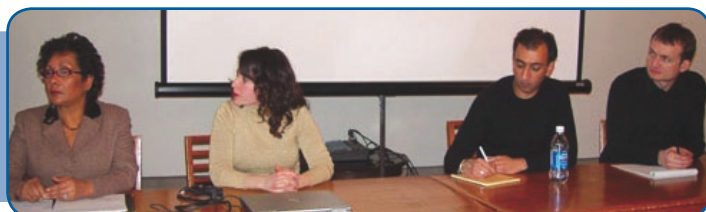
In January 2007, the Toronto-based Iranian Queer Organization, IRQO, (formerly known as the Persian Gay and Lesbian Organization) held its first symposium addressing human rights violations against LGBT people in Iran. Entitled "A Glance at Systematic Violations of Human Rights in Iran," the symposium highlighted the sexual, gender, ethnic, religious and political human rights violations experienced by all who live at the margins of Iranian society.

IRQO, under the tenacious leadership of Arsham Parsi, serves as one of the most important links between LGBT Iranians and the broader

human rights world. IRQO has assumed responsibility for assisting countless numbers of LGBT Iranians forced to leave their families and country because of ongoing persecution.

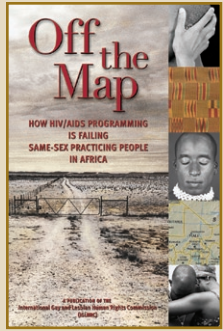
IGLHRC was honored to have been asked to co-sponsor the symposium, where program manager, Adrian Coman, led a discussion on global human rights. The enthusiasm and passion that all participants brought to the weekend has inspired IRQO to make this an annual event to help the Iranian diaspora share information and strategize ways of supporting human rights organizing within Iran.

Members of the panel addressing the IRQO-sponsored Human Rights Symposium 2006 at the University of Toronto. From left to right: Dr. Hedy Fry (Member of Canadian Parliament, Vancouver Centre), Jessica Stern (Lesbian, Gay, Bisexual and Transgender Rights Program, Human Rights Watch), El-Faroukh Khaki (Salam Canada, Queer Muslim Organization), and Adrian Coman (IGLHRC).



## IGLHRC REPORT EXAMINES ROLE OF HOMOPHOBIA IN AFRICA'S HIV/AIDS CRISIS

In February, IGLHRC released *Off the Map: How HIV/AIDS Programming is Failing Same-Sex Practicing People in Africa*, a report that examines how homophobia jeopardizes overall efforts to combat the AIDS epidemic in Africa. Same-sex behavior has been simultaneously ignored and criminalized in Africa. Same-sex practicing men and women are at increased risk of contracting HIV, not solely because of bio-sexual vulnerabilities, but as a result of interlocking human rights violations that prevent their access to effective HIV prevention, voluntary counseling, testing, treatment, and care. The report highlights the failures and responsibilities of HIV/AIDS stakeholders, African governments, the United States and other foreign donors, the UN, non-governmental aid agencies, and foundations in addressing this aspect of the epidemic.



Copies of *Off the Map* have been sent to ministries of health, national AIDS control programs, and U.S. embassies in every African nation. IGLHRC is using the report to push for a more comprehensive and equitable solution for the HIV crisis in Africa by working with domestic and international partners to educate policy makers on the devastating impact of their HIV programs on the LGBT population in Africa. Among the agencies IGLHRC has met with or plans to contact are the Office of the Global AIDS Coordinator, the United States Agency for International Development, the Centers for Disease Control, and key members of the U.S. Congress and African governments.

The 120-page report is available in English in print and electronic (PDF) versions. English and French Executive Summaries are also available.

## IGLHRC AND AFRICAN ACTIVISTS HIGHLIGHT LGBT ISSUES AT THE AFRICAN COMMISSION



Philip Dayle, Victor Mukasa, Cary Alan Johnson, Sascha Yim, and David Kuria at the 40th Session of the African Commission on Human and Peoples' Rights in Banjul, Gambia in November 2006.

Twice each year, the African Commission on Human and Peoples' Rights meets to examine complaints brought by individuals, organizations, and governments against states that violate citizens rights. These meetings are an occasion for civil society, human rights leaders, and international NGO partners to discuss the progress of human rights on the continent and develop a consensus on key issues and trends.

Sexual rights are fast becoming a visible issue at the African Commission. In May 2006, with support from the Open Society Institute, IGLHRC facilitated the first-ever strategy meeting of African LGBT activists at the Commission's session. More than two dozen leaders from 14 African countries attended the Commission to meet with other human rights NGOs, learn about the Commission's work, and observe public sessions. Cameroonian activist, Sybile Nyeck broke new ground as the first open lesbian to publicly address human

rights violations of LGBT people when she provided a statement condemning the arrest of 11 gay men and 4 lesbians the previous year in Cameroon.

Last November 2006, IGLHRC again coordinated an LGBT delegation to the African Commission that included the Coalition of African Lesbians, Gay Kenya, and the International Commission of Jurists. Working in partnership with Sexual Minorities in Uganda (SMUG), IGLHRC submitted a report on human rights violations against LGBT people in Uganda documenting arbitrary arrests, short-term detentions, discriminatory laws and policies, and a lack of access to health care services, particularly HIV prevention, treatment and care services. In another first: the Commissioners quoted the report extensively in its questioning of the Ugandan government on its violations of the rights of LGBT people.

The African Commission and the NGO Forum that precedes it are key venues for exposing legal and social homophobia, and building stronger alliances for promoting human rights for LGBT people in Africa.

## LATIN AMERICA'S UNHERALDED GLOBAL HUMAN RIGHTS LEADERSHIP

By the time IGLHRC hired its first Latin American-based staff person (Alejandra Sarda) in 1999, the LGBT human rights movement had already been successfully challenging sexual orientation-based discrimination in a region well known for its strong feminist, trade union, and progressive social justice movements. At a time when very few countries had affirmatively decriminalized same-sex relationships – and well before the UN Human Rights Committee had determined that sodomy laws were a violation of human rights law - Colombia had done so in 1980. By 1998, Ecuador, Chile and Mexico followed suit, leaving, only one country– Nicaragua – with a sodomy law still on the books.

Ecuador became the second country in the world (after South Africa) to constitutionally ban discrimination based upon sexual orientation. Federal legislation in Venezuela (1999), Uruguay (2003), Mexico (2003) and Peru (2004) extended equality protections, while the Colombian Constitutional Court, has repeatedly ruled in favor of laws that protect the fundamental rights of LGBT people.

As with recent public policy efforts in the United States, municipal and other local government entities in Latin America have been increasingly responsive to the demands of LGBT activists in the adoption of stronger equal rights policies. Argentina's two largest cities – Buenos Aires (1996) and Rosario (1996) – have adopted regulations banning discrimination, while the Buenos Aires Province banned workplace violence in 2004. In Bolivia, the city of La Paz adopted a Human Right Enhancement Act, which includes sexual orientation. Meanwhile, in Mexico, the Mexican Federal District Penal Code was amended in 2002, making it the first legal entity in the region to do so, declaring that anyone who incites violence and hatred, or excludes a person or a group of people by denying or restricting their labor rights solely based on their perceived sexual orientation is guilty of discrimination and therefore punishable by law. As a result of this landmark decision, other Mexican States Penal Codes (Chiapas (2004) Aguascalientes (2003) have included similar protections.

In Brazil, state and municipal protections, when combined, impact over half the country's population. Four of Brazil's 26 states and the Federal Districts – Alagoas (1989), Mato Grosso (1989), Santa



Catarina (2002), and Sergipe (1989) - have constitutional clauses ensuring equality based upon sexual orientation. Six states have passed legislation banning discrimination based on sexual orientation - Bahia, Federal District (2000), Mina Gerais (2002), Rio de Janeiro (2001), Rio Grande do Sul (2002) and Sao Paulo (2001). Another 88 municipal laws throughout Brazil address various issues related to sexual orientation discrimination and violence.

The official recognition of same-sex relationships is only just beginning to emerge as an important issue in a handful of countries, although no jurisdiction, as of yet, recognizes marriage between same-sex couples. However, in late 2006, the Assembly in Mexico City passed a law extending civil unions to same-sex couples, providing them with pension and health insurance benefits. In early 2007, the Colombian Constitutional Court upheld the rights of a same-sex couple in an inheritance case. States in Argentina (Rio Negro, 2002) and Brazil (Rio Grande do Sul, 2004) recognize civil unions for same sex couples. In addition, Buenos Aires City Civil Union Act was passed in 2002, and five cities throughout Brazil have passed equal benefits laws for the partners of public employees - Recife (2001), Porto Alegre (2001), and Pelotas (2002), Sao Paulo (2002) and Rio do Janeiro (2003).

Despite these many positive changes, LGBT people still face tremendous challenges throughout Latin America. Though national legislation bans sexual orientation discrimination in Mexico, reports of murder, police harassment and the targeting of LGBT people persist. Transgender people in Buenos Aires and Rio de Janeiro still face stigma, police violence, and physical abuse while in detention. Nicaraguan courts rejected a constitutional challenge to the country's sodomy law, and the Chilean Supreme Court denied a mother custody of her children solely because she is a lesbian. In Honduras, arrested transgender sex workers are subjected to degrading treatment in jails. IGLHRC receives regular documentation of rape, brutal attacks, torture, forced medical and psychological treatment, and forced religious practices. Local laws banning cross-dressing and other sexual crimes are commonly used to target LGBT people in particular. Mexico, Colombia, Peru and Brazil remain at the top of the list of Latin American countries from which LGBT asylum seekers contact IGLHRC for help. There is a lot of work left to be done.

Under Marcelo Ferreyra's leadership, IGLHRC's Latin America and the Caribbean office continues to provide its expertise, history, and connections in assisting activists throughout the global south.

## THE UNITED NATIONS: ENTERING A NEW ERA FOR LGBT GROUPS

For non-governmental organizations like IGLHRC and our global colleagues, consultative status at the United Nations is core to engaging the international structures that define the contours of international human rights. Thousands of NGOs representing an expanse of human experience - indigenous people, children, women, ethnic minorities, people with HIV/AIDS, and more - use their status to participate fully in meetings, formally address state representatives, organize public events on UN premises, and build alliances around shared human rights concerns.

Four years ago, when Brazil introduced the first UN resolution on Sexual Orientation and Human Rights, only two lesbian organizations had been granted consultative status, the U.S.-based Wages Due Lesbians and the Australian-based Coalition of Activist Lesbians.

Neither group, it seems, was still active, at least at the UN level. Fortunately, many of our close allies in the women's human rights movement, in particular, invited LGBT groups to participate with them in advocating for passage of this historic resolution.

The unprecedented global engagement around the Brazil Resolution spurred many of us to coalesce around insisting on an active, official voice at the UN. After nearly a decade of U.S.-led resistance to the participation of the Brussels-based International Lesbian and Gay Association (ILGA), three European groups were finally granted official status in December 2006. With the decisive assistance and advocacy by a number of European missions to the UN who shepherded the applications through the process, a number of other groups from around the world are now seeking consultative status. IGLHRC is among them, and as a U.S.-registered organization, we hope to have the support of the U.S. government in the process. Of course, it helps that we succeeded collectively in moving the U.S. to at long last vote in favor of our European colleagues last December, a major shift from the past.

## EASTERN EUROPEAN LGBT RIGHTS ADVOCATES FIGHT FOR FREE SPEECH

The right to claim public space, challenge government action, and publicly promote change are core human rights principles embodied in the right to free speech and expression. In many parts of the world, "gay pride" events have evolved to help give public visibility to our lives and our experiences. Over the last few years, LGBT organizers in Russia, Latvia, Poland and Moldova, among other places, have met with government and community resistance to any public representation of LGBT visibility.

Activists at the 2006 ILGA Europe conference sing and celebrate during one of the closing panels.



To help organizers document their experiences with public events, IGLHRC solicited the help of our allies at WITNESS, an international human rights organization that provides training on how to use video in human rights advocacy campaigns, to coordinate a multimedia training for LGBT rights activists from Central and Eastern Europe. To ensure that as many representatives from the region as possible could take advantage of the training, IGLHRC staffer, Carolina Sykora notified our many Central and Eastern European colleagues and planned the training as part of the annual ILGA-Europe Conference.

The workshop, *Video for Change*, trained participants on documenting and presenting evidence of human rights abuses during annual pride events. This two-part workshop introduced the use of video in a variety of advocacy settings, including in front of national, regional and international judicial bodies. The training also acquainted LGBT activists from the Eastern and Central European region with IGLHRC and WITNESS, while giving activists a chance to apply for partnership with WITNESS to work on more involved video projects.

## IGLHRC PROGRAM UPDATES



Panel discussion for the launch of IGLHRC's new book on fundamentalism on January 22 in Kenya.

*Advocating for Sexual Rights in Fundamentalist Contexts* was written and co-published by IGLHRC's Latin America and the Caribbean Program in partnership with Catholics for a Free Choice – Cordoba, Argentina. The report offers a perspective on the similar views on family, gender and sexuality held by two internationally powerful forces: the United States and the Vatican. Officially

released in January at the World Social Forum in Nairobi, Kenya, it is available in Spanish, Portuguese, and English.

Mauro Cabral, IGLHRC's Transgender and Intersex Specialist in the Latin America region, was one of 29 international human rights experts who met in Yogyakarta, Indonesia to examine the full application of international human rights law relating to sexual orientation and gender identity. The Yogyakarta Principles were released in Geneva in March, and will serve as an important tool for human rights education and advocacy.



On March 29, Mauro Cabral addressed the United Nations Human Rights Council on the death penalty. Speaking also on behalf of the Brazilian LGBT Federation and ILGA-Europe, Mauro called on the Council to acknowledge the discrimination and violence faced by "lesbians and gay people throughout the world" and reminded the members that human rights values require that "the diversity through which people express their sexuality and gender" be recognized and respected.



In October 2006 IGLHRC launched a new online library to support asylum claims by those who fear persecution based on sexual orientation, gender identity, or HIV/AIDS status. The online library, the most complete documentation resource of its kind in the world, was the result of a partnership between IGLHRC's Asylum Documentation Program and [asylumlaw.org](http://asylumlaw.org) and is available to asylum-seekers or their legal advocates via IGLHRC's website.



IGLHRC has hired its first regionally-based staff person in Africa to facilitate our work with domestic human rights advocates. Joel Nana, who will be based in Johannesburg, was a founder of Alternatives-Cameroon and was recently a fellow with Behind the Mask, the pan-African media portal. Joel is fluent in English, French, Banto, and Medumba, and has also studied German and Estonian. He will be joined this fall by IGLHRC's Senior Africa Coordinator, Cary Alan Johnson, who has been primarily based in New York since joining us in 2005.



Longtime feminist and lesbian activist Grace Poore, has joined the IGLHRC staff as a research and policy associate concentrating on Asia and the Pacific Islands (API). Grace will bring her experience as a Malaysian-born documentary film-maker who has worked to end domestic violence and child sexual abuse in the U.S. for over 20 years. Grace was recently recognized for her anti-violence work by the Sunshine Lady Peace Foundation. In addition to video production, Grace has worked for the United Nations Special Rapporteur on Violence against Women in Sri Lanka and the U.S.-based National Coalition Against Domestic Violence.

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