

YULR INTERVIEW: Jessica Stern

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mativity is a construct that many of us feel restricted by.

3. As part of your work on LGBT rights, you have done intensive research on countries like Iran, Kyrgyzstan, and the United Arab Emirates. What were your findings?

Hostility, homophobia, and transphobia manifest themselves differently depending upon where you are. For instance, the notion that it is safer for LGBT people in the U.S. is not necessarily true and is a very common misconception. I think the example of Iran is quite interesting. In Iran, while homosexual activity is policed in the strictest of ways, there is official state recognition for transgender people, and Iran allegedly has one of the highest rates of sex reassignment surgery in the world. On the other hand, in the U.S., the high costs of sex reassignment surgery and the lack of available hormones mean that many transgender Americans struggle. Fulfilling LGBT human rights tends to be complex anywhere you work.

Jessica Stern is the Director of Programs at the International Gay & Lesbian Human Rights Commission (IGLHRC).¹ Before joining the IGLHRC in 2010, Ms. Stern worked at Human Rights Watch and conducted fact-finding investigations around sexual orientation and gender identity in various countries. She has campaigned extensively for women's rights, LGBT rights, and economic justice with the Center for Constitutional Rights, Control Ciudadano, the National Gay & Lesbian Task Force, and the Urban Justice Center. Ms. Stern holds a master's degree in human rights from the London School of Economics.

1. Terms matter. Do you prefer the abbreviation LGBT, LGBTQ, LGBTI, or any other abbreviation, and why?²

Language is very important to how we communicate and connect with each other, so I use different terms in different contexts. For instance, in my personal life I might identify as a “dyke” or as “queer,” which is a way of signifying something very particular about who I am. Rather than accept the historically negative associations with those terms, I am part of a movement to reclaim and redefine them into positive terms for ourselves. However, when I am speaking as an activist in formal settings, I generally say LGBT or LGBTI because I am looking for broader terms, terms that more people will identify with. If I say LGBT, it is as a placeholder for a more nuanced and more complex local vocabulary.

2. You have a long history of working for LGBT rights. Why did you dedicate your career to this cause?

First, and most importantly, I believe in the universality of human rights. I believe that the best way to evaluate the fulfillment of human rights is by looking at those who are most vulnerable. Only if the most vulnerable – queer people, women, youth, racial and ethnic minorities, people living with HIV/AIDS – can enjoy human rights can you really say there is a strong human rights framework in place. Second, I am a member of the LGBTI community myself. No one can express my experiences or my needs like I can. Therefore, this is an issue where my voice has credibility and authority. Third, I have chosen to work in this area because I not only want to see equal rights for LGBTI people, but I also actually want the norm to change. Heteronor-

4. What do you think are the reasons for homophobia and transphobia? Are they rooted in culture, religion, or something else?

Homophobia finds its roots in all kinds of systems of beliefs – culture, religion, politics, gender norms, tradition, history, and, of course, political agendas. But what is important to know is that today, homophobia and transphobia are very often used to advance political agendas. I would argue that homophobia and transphobia often emerge as distractions. For instance, the government of Malawi has spent the last year ignoring domestic cries against high prices of food, the censorship of the press, and so on. These are all major issues. But what does the government want to talk about? Gay marriage. In reality, activists in Malawi are merely trying to promote basic human rights protections, but it is much easier for the government to talk about a constructed issue and an imagined threat than to talk about its own human rights violations.

5. When the UN Human Rights Council passed the ground-breaking resolution on “Human rights, sexual orientation and gender identity,” almost all of the 23 supporting countries were Western and almost all of the 19 opposing countries were Middle Eastern or African.³ Are LGBT rights only a Western issue?

Human rights are universal. They are not defined by any geographic boundaries. The argument that LGBT human rights is a Western imposition is a convenient strategy designed to silence people, but the reality is there are LGBT people and even LGBT activists everywhere.

6. What should the UN do in the future to advocate for and enforce LGBT rights more seriously than before?

The UN should integrate LGBT rights across all of its work, which means the UN Special Procedures should routinely address human rights violations on the basis of sexual orientation and gender identity. The bodies established by UN treaties should recognize how these human rights violations intersect with such catastrophic issues as torture, discrimination against women, racial discrimination, and so on. Furthermore, high-level UN authorities should increase the frequency with which they promote LGBT human rights. Many of us are also looking to the future and asking when it will be time for a UN Special Procedure to be dedicated specifically to sexual orientation and gender identity or to sexual rights. The point is that we not only want to be integrated into the existing work of the UN mechanisms, but we also want our own space at the UN, where our own issues, defined in terms of our needs, are being addressed.

7. The Human Rights Committee report maintains that “discriminatory practices [against LGBT people] persist in all regions,” including the United States.⁴ What is the most needed measure for LGBT rights in the U.S.?

That is a big question. I would be hard pressed to choose just one issue. I think that there are many things to take into account. One of the most important things is that Congress should pass and President Obama should sign into law the Employment Non-Discrimination Act and include “gender identity” among the non-discrimination clauses.

8. In her speech at the Human Rights Council in Geneva in December 2011, Secretary of State Hillary Clinton stated, “Gay rights are human rights, and human rights are gay rights.”⁵ What did you think about this speech? Has the United States changed its foreign policy approach to LGBT rights?

The Secretary’s speech was a very thoughtfully prepared speech. Undoubtedly, the U.S. government has made a greater commitment to LGBT rights in its foreign policies under the current administration than in any other time in its history. The creation of a presidential memo on this issue⁶ is historic because it says not only that LGBT rights deserve a place along with other concerns of U.S. foreign policy, but that they also deserve a well thought-out strategy based on their own merit. The question we need to ask ourselves is whether these policy agendas will be introduced with the same level of sensitivity in the State Department’s daily operation and whether the U.S. will really put its money in the most effective places, for instance, by dedicating resources to support grassroots civil societies that are trying to promote LGBT rights for themselves.

9. Do you think that the U.S. should cut foreign aid to countries that greatly oppress LGBT people?

Initial reports claiming that the U.S. government would tie foreign aid to governments’ records on LGBT rights were wrong. I do not think that any category of rights should ever be singled out from the others and, actually, if the U.S. government wants

to promote LGBT rights, then it should not tie it to foreign aid. It should dedicate resources to LGBT advocates working at domestic levels.

10. Can you recall a particular moment of success in your advocacy work—a moment where you noticed that your commitment actually helped make a difference?

I had a great experience recently. The IGLHRC collaborated with two Malawian NGOs on the production of a shadow report to the UN Human Rights Committee for its review of the government of Malawi. Together, we catalogued a range of human rights violations, including LGBT rights violations. While we were presenting our concerns in Geneva, we saw new connections being formed between activists from Malawi and the previously distant Malawi Human Rights Commission. A national human rights institution is an influential authority, so just developing this connection was a big step. But it got even better. Following the concluding observations of the Human Rights Committee, the Government of Malawi announced that it would review their so-called “harmful laws,” and it referenced virtually all of the laws we wrote about in the shadow report and named to the Human Rights Committee. Some have said that our collaborative work before the Human Rights Committee was the tipping point.

11. Given the temptation of “big money” waiting for Yale graduates in finance, why should a Yale graduate think about going into advocacy work?

Work takes up too much of your life to be miserable and feel like the hours are wasting away. I think people find much greater satisfaction in doing what they love, even if it means that they don’t have the most expensive dinners or the most expensive home. If you actually feel happy with what you do every day, you will have a much greater sense of fulfillment in your life.

12. What is your biggest hope for this world, and when do you think, if ever, it will be fulfilled?

The simplest answer I could give is the model that drives us at IGLHRC, which is: human rights for everyone, everywhere. And when will it be fulfilled? As soon as possible. ■

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¹ The IGLHRC gained consultative status for LGBT issues at the UN in 2006.

² LGBT/Q/I stands for lesbian, gay, bisexual, transgender, queer, and intersex people.

³ Human Rights Council. “17/... Human rights, sexual orientation and gender identity.” 17 June 2011. Web. 15 Jan. 2012. <<http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/G11/148/76/PDF/G1114876.pdf?OpenElement>>.

⁴ Ibid, 16.

⁵ “Remarks in Recognition of International Human Rights Day.” *U.S. Department of State*, 6 Dec. 2011. Web. 15 Jan. 2012, <<http://www.state.gov/secretary/rm/2011/12/178368.htm>>.

⁶ President Obama announced six concrete steps to advance U.S. commitment for LGBT rights as foreign policy priority: <http://www.whitehouse.gov/the-press-office/2011/12/06/presidential-memorandum-international-initiatives-advance-human-rights-l>.