



**INTERNATIONAL GAY AND LESBIAN
HUMAN RIGHTS COMMISSION**

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“When Discrimination Is Violence: The Experiences of LBT Persons In Asia”

Webinar Presentation by Grace Poore
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The following are questions that were raised during the webinar. The presenter’s responses include information from her live presentation as well as the responses she gave during the discussion.

FAMILY VIOLENCE

Q: Your quote, “Family does the work of the state” – is this uniquely Asian or a global trend?

A: Not sure about other regions but having lived many years in Asia, and listening to many LBT activists and groups in the region, family has a particularly powerful role, particularly in regulating sexuality and forcing conformity to gender norms. Which is why the State tends to turn a blind eye when family members use violent tactics to compel compliance with cultural and religious norms. The State in fact views family violence against LBT individuals and also community violence against LGBT as understandable, justifiable, even inevitable—which then becomes an excuse for not protecting people from violence.

Q: Does family violence occur as much in countries that favor “individualism” and in countries that favor “collectivism, common good”?

A: Families are one of the most powerful tools of patriarchy. As shown by the research, parents or dominant male family members who used violence to punish or coerce lesbian, bisexual and gender variant family members to change their sexual orientation, gender identity and gender expression, saw the violence as corrective. This thinking has its foundation in deeply held societal beliefs and ideologies that there are only two genders—women and men, that the world is and must be heterosexual, that gender identity must conform to sex assigned at birth, and that homosexuality and lesbianism are immoral and unnatural. There may be parents who claim to be ambivalent about being lesbian and gay and trans but when asked how they would feel if their children are LGBT, many parents are not that open, whether they live in a society that favors individualism or collectivism. Whether they use violence to dissuade and pressure their children to change may depend on how much influence anti-LGBT groups have on them and whether the State endorses prejudice or whether it publicly and consistently takes a position against intolerance and hate.

Q: How can advocacy be done effectively with families given that there's more family violence when LBT identities are more visible?

A: One way is for relevant government ministries, such as the Ministry of Women and Families to hold hearings on the effects of family violence on LBT people. The purpose of the hearings is to better understand and recognize the impact of this violence—on mental health, on education, on employment. Mental health professionals also must be better trained to recognize signs of family violence and provide well-informed and sensitive services—to LBT persons and also to parents with LBT children.

Q: Is family violence towards LGBTIQ persons influenced by institutions like the State, media, and religion? So transforming family would require structural change.

A: Yes. These institutions can change public perceptions and they have a big influence on families. When there is a climate of intolerance against LGBT persons outside the home, it gets replicated inside the home.

Q: Are families changing – is there more openness and acceptance of LGBTIQ persons? For instance, in the Philippines?

A: Hopefully. The Philippines research showed that family violence towards LBT individuals was as prevalent as family violence in other Asian countries involved in the research. The Philippines study also showed higher levels of sexual violence against transgender children, especially trans girls by adult male heterosexual cisgender (gender conforming) relatives. This is very disturbing and more research is needed on this. Are children with non-conforming gender being targeted for sexual violence by adult male family members who seem to recognize the children's non-conforming sexual orientation and gender expression? And is the violence meant to punish, humiliate, correct?

SAME SEX PARTNER VIOLENCE

Q: Does homophobia tend to isolate same sex couples and thus make them more dependent on each other, which could lead to violence?

A: Homophobia does isolate same sex couples, and the only community they have can be each other. If there's violence in that relationship, it can be very difficult for the individual who's experiencing the violence to seek help, to tell anyone and get external support. Being isolated keeps people trapped in violent partnerships but it does not cause the violence.

SEXUAL VIOLENCE

Q: How does online rape happen to LGBT community?

A: The Malaysia study does talk about online space as public space for violence against LBT persons that happens through social media—sexual harassment, threats to rape and death threats.

VISIBILITY AND VIOLENCE

Q: How is violence resulting from visibility different for gay men versus lesbians?

A: Gay men are frequently targeted for violence because of how they appear. So are butch lesbians and tomboys and transmen and transwomen. But in country contexts where women in general are expected to conform to stringent norms on sexuality and gender, lesbians, bisexual women and trans persons are even more likely to be violently punished by their communities, their families for defying family expectations and betraying culture, religion. Visibly butch lesbians and transmasculine women also engage with public space differently than gay men so the perpetrators they encounter may be different. For instance, there's some leeway for gay men to be out late at night or in certain public spaces because they are men. Lesbians who don't pass and are visibly queer will navigate these realities differently and make different decisions about where to go to avoid violence. At the same time, they are more likely to face family violence because of the way daughters are treated and viewed -- very short hair, tomboy clothing gets them beaten up for being too masculine, not feminine enough. Same with trans girls and trans women for keeping long hair, wearing makeup or women's clothing. They are punished for not being masculine enough and for being feminine, effeminate.

RESEARCH FOCUS & PROCESS

Q: Why did you choose the five countries?

A: We convened LBT activists from 13 countries for a consultation on the issue of violence against LBT people in Asia. At the end of the consultation, the activists went home to talk with their groups and see if they could meet IGLHRC's criteria for being involved in the project. They had to be willing to do the research—with training and technical assistance from IGLHRC. They had to be willing or already had to be focusing on violence as a key issue in their work. They had to be willing to partner with other groups on a regional project and an international organization. And they had to commit to using their research findings for advocacy on the ground. Based on these criteria, groups self selected.

Q: Does your report include women who are not same gender loving but more masculine in appearance and assumed to be part of the LGBT community?

A: Yes. All the country teams and IGLHRC agreed that the research would focus on lesbians, bisexual women and gender non-conforming people. This included trans men. Only the Philippines excluded trans men. But they did include butch lesbians and trans women.

Q: Were people expected to identify as lesbian, bisexual and transgender in order to participate in the research?

A: It was decided from the start that people could self identify. In fact people did reject the English terms lesbian, bisexual or trans and used local terminology. Some interviewees preferred to describe themselves according to how they felt towards other women, or they rejected the gender binary altogether.

Q: How long did it take to do data collection and how were participants identified?

A: It took nearly a year to standardize the methodology across all five countries, test it, make sure it worked, then translate the questionnaires into nine languages in which the interviews were conducted, before carrying out the documentation—which took two years. The most effective method for identifying participants was the snowballing method—researchers tapped networks they already had and those networks helped spread the word. There were protocols that all documenters had to follow and the research team coordinators trained the documenters, using or adapting and tailoring the training IGLHRC provided. Part of the protocol was to make sure that before the interview, participants were briefed about the purpose of the research, and what the focus of the research was, and what kind of questions would be asked, how long the interview would take. Care was taken with selecting interview locations so as not to endanger the participant or the researcher. Everyone was given a consent form and participants gave either written or taped verbal consent. At the end of the interview, there was a check in to see how the participant was doing and a list of resources was provided with contact information for counselors. If needed, the research coordinator would contact a participant who may have been very distressed during and after an interview.

Q: Did the research include hijras from upper middle class in Pakistan and how were their experiences different?

A: The *khwajasaras* in Pakistan who were interviewed were from poor or working class, possibly some middle class, but none from upper middle class.

Q: What is the L, B, T breakdown of the 370 interviews?

A: Of the 370+ interviews, 230 were with LBT people. Each of the country chapters available on the IGLHRC website and in the regional report provides a breakdown of the people who were interviewed—how many L, B, T. The remaining 140 interviews were with stakeholders who the research partners identified as representatives from sectors that had the greatest interactions with LBT persons – like healthcare personnel, lawyers, mental health professionals, employers, media representatives, religious leaders, women’s NGOs, government officials. Interviewing the stakeholders was a way to gauge who were potential allies and who were foes, and also to gauge how informed they were about LBT realities—did they for instance, know if lesbianism was criminalized, did they understand the impact of a law on the lives of LBT people.

Q: Why is the focus of this research only on LBT? Why were gay men excluded?

A: The country visits that I did and conversations with groups showed again and again that LBT realities—particularly violence was an under-reported, under-documented, invisible issue. Violence that gay men experienced was already being documented and usually when reports on LGBT violence did get to the UN, or in the media, or presented at international conferences, they included violence against gay men, violence by the state against gay men. There was no data on violence experienced by lesbians, bisexual women and trans people, particularly trans men. And without data, the violence was not taken seriously or acknowledged. So the project focused on LBT across the spectrum. The people it did not include were gay men, bisexual men, heterosexual men, and heterosexual women who were not gender variant.

Q: Did you consider including countries with less punitive environments towards LGBT, like Nepal?

A: Nepal was among the 13 countries in the initial consultation. But the activists felt their group did not have the capacity to carry out the research. They were fine if IGLHRC did the research and they would help but one of the criteria was that the in-country groups would be trained to do research and they had to carry out the research.

Q: How about stories of overcoming violence, empowerment and seeking redress?

A: It was decided early on when the research focus was being developed that it was important to not only document how people suffered, and what kinds of violence they were experiencing, but also how they coped. This was important for advocacy purposes—to show what assistance was available and not available, and what experiences with seeking help had been. And the research does show this, how people survived through inner strength and with limited or no external support, or the support of a few friends who themselves were not trained and had limited resources to help with violence. There are also stories in the report about LBT survivors who used their experiences to do activism and help others who were dealing with discrimination and violence. But these stories of activism and inner strength were contextualized by the reality of how violence impacted the mental health of individuals having to cope on their own without external support while being forced to hide not only the violence but also their sexual orientation, hence experiencing tremendous isolation. There are stories of individuals needing to normalize the violence in order to cope on a daily basis, and needing to use alcohol and drugs to cope. The Sri Lanka and Japan studies also showed high levels of attempted suicide as a way to escape the violence. One trans man in Japan died from suicide during the project, a few months after he was interviewed. So empowerment and survival was constantly balanced with hardship and suffering.

Q: What was the experience of coordinating the research in five countries for multiple years?

A: It was a challenge to keep the work progressing at a same pace by all the country teams. IGLHRC developed a tool for monthly reporting not only to show how many interviews were completed and transcribed but also who was being interviewed. This was to ensure that the research teams were going beyond their comfort zones and doing outreach to groups who were not in their usual networks, trans men for instance. It was also challenging to persuade teams to take researcher wellness seriously. From the beginning, we insisted that all teams identify mental health support – either a trained professional willing to provide free services or low cost services, or who would run a support group for the research team, or just be available on a one on one basis. At first there was lot of resistance because the researchers were activists and felt they could handle the painful stories. But as they began to repeatedly handle the materials – interviews, transcribing, sorting through the information, analyzing it – the burnout became evident. Also interviewers began hearing stories from people they knew about violence that they were not aware of. So this did take a toll. Fortunately all but one team was able to make arrangements for mental health support. IGLHRC held monthly Skype meetings so all the research coordinators could meet and support one another, share challenges and solutions, and encourage one another

to keep going. There were unexpected developments like the tsunami and earthquake in Japan shortly after research began and we were sure the Japan team could pull out. But they refused to do that. They had initially planned interviews in 10 cities and they had to cut back to four cities. And they were behind in getting the interviews done but they caught up and in fact were an inspiration for the other teams who got caught up in various other projects and demands. And there were many funny moments as well.

ADVOCACY

Q: Were any of the findings submitted in shadow reports and what was the experience of that country?

A: All the country teams have used their findings in shadow reports to various treaty bodies, most often to CEDAW, and also for the Universal Periodic Review civil society submissions to the Human Rights Council. The CEDAW Committee did include in their concluding observations that the Sri Lanka government needed to address discrimination against LBT and also to look at removing laws that were discriminatory. IGLHRC also used the research findings on violence against LBT youth to the Committee on The Right of the Child for their general comment on discrimination against adolescents.

Q: What are the plans to implement the recommendations [Grace made in her presentation?

A: IGLHRC and the research partners had thought of a regional campaign, using the findings but this was too ambitious a project. At the country level, each research coordinator has used her country findings for advocacy with women's groups. For instance, in Japan, the findings are useful for feminist lesbians who are in a task force to end domestic violence that is under the Prime Minister's Cabinet Ministry. They are working to amend the Domestic Violence Law so that it applies to same sex partnerships. Changing the law may take ten years but they have the data now to use to help their advocacy. The Sri Lanka team had their country report translated into Sinhala and Tamil and disseminated to all the women's groups. I think in part because of their data and also because of the changing climate in the country, women's groups who previously were silent or reluctant to talk about LBT concerns are now bringing them up on their own in public forums on how to end violence against women. In the Philippines too, they are planning to use the findings to develop LBT sensitive protocols for police and women's desks that handle cases of violence.

Q: Where do you start advocacy when you know there's homophobia in Community Based Organizations and Women's organizations? Were women's groups interviewed for this research and what were their views? Do advocacy efforts extend to women's groups?

A: This is the challenge. All country teams did see women's groups as their advocacy targets for the research. The women's groups were the entry points for advocacy to push for LBT safe, sensitive, inclusive services. Women's NGOS were one of the stakeholders interviewed for the project. One of the key findings of the research across all five countries was that LBT persons who experienced violence were denied services outright or received insensitive services, including from State-funded women's shelters and domestic violence programs.

Among the recommendations that I listed in my presentation were that national action plans on violence against women must ensure that laws, policies, programs and services are supportive of LBT women's rights and violence prevention programs must promote safety for all marginalized populations, including lesbians, bisexual women, trans men and trans women.

I also recommend that women's NGOs must visibly and meaningfully incorporate LBT issues in their shadow reports to CEDAW and CRC. They must ensure that all their educational materials and services are inclusive and informed about LBT concerns. Documentation of violence against women must include and visibilize the prevalence and impact of violence against LBT persons.

The definition of family must include same sex and cohabiting partnerships. And legislation prohibiting domestic violence must extend protections and redress to LBT people, including same-sex couples. Legislation prohibiting family violence must apply to parental or other family perpetrators who use violence on LBT individuals.

There has to be a willingness to examine claims of advancing gender equality and addressing gender based violence when violence against LBT people is not acknowledged and taken seriously.

Q: Did you work with regional NHRIs on the report or findings?

A: The Philippines National Human Rights Commission did help launch the country report from the Philippines research and is using the findings for trainings it does with various institutions. The Human Rights Commission of Malaysia was particularly interested and disturbed by the findings in the Malaysia study about violence experienced by LBT youth and students in schools—peer violence, harsh punishments from school authorities, and so on. IGLHRC is planning to follow up with the Commission on this.

SIMILAR RESEARCH

Q: Has there been any similar research in the Pacific and/or Melanesia?

A: IGLHRC has had conversations with Noelene Nabulivou, who was interested in a multi-day human rights documentation training institute for lesbians and trans men from different Pacific Islands countries, possibly meeting in Fiji—to carry out this kind of research. Not sure what the status of that project is.