



*Rising Through the Challenge:*

Documenting and Analysing Best Practices for Advancing Human Rights based on  
Sexual Orientation and Gender Identity/Expression

**Narratives of Best Practice Case Studies (English)**

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## **Campaign for social change in Eastern Europe**

**Florin Buhuceanu, Euroregional Center for Public Initiatives (ECPI)**

***Summary: Sexual and reproductive health in the whole Eastern Europe can be considered a generalized “neglected trouble”, both from a human rights perspective and a public health perspective. In April-June 2009, Euroregional Center for Public Initiatives (ECPI) took action against very restrictive abortion law amendments proposed by the Romanian Parliament during the debate of the New Criminal Code. The amendments were endangering women’s life and give personhood to fetuses after the 24<sup>th</sup> week of pregnancy. The parliamentary commission invited ECPI to a hearing where the human rights violations were removed from the text. At the same time, ECPI used the same opportunity to advocate for the introduction of the sexual orientation as a ground in the hate-crime provisions of the new Criminal Code. As a direct result, sexual orientation was accepted as a distinct ground.***

***In June 2009, ECPI and its partners got involved in the working groups that will draft the National Strategy on Sexual and Reproductive Health and Rights, 2010-2015. ECPI obtained a place in every working group in charge with drafting the strategy in various areas of sexual and reproductive health. The NGO representative will present the guiding human rights principles that should be transversal for every area of the strategy and will monitor the human rights compliance of the entire strategy.***

***Combating religious-based intolerance affecting human rights has become an organizational and advocacy priority in the ECPI’s efforts to campaign for social change. An Advocacy Booklet focused on how to deal with the religious fundamentalists for the use of the human rights activists will be disseminated in Eastern Europe as a direct tool for confronting the religious attempts aimed to limit the exercise of sexual and reproductive rights.***

### **Background information**

Romania is a paradoxical post-communist country. Till 2002, we have had in place an antidiscrimination legislation in parallel with discrimination by law against LGBTs (legal punishment by imprisonment as “protective reeducation”). In the spring of 2009, Romania was almost in the situation to proudly become the only Member State of the European Union that prohibits medical interruption of pregnancy in situations when the life of the woman could be endangered by taking the pregnancy to term (after the 24<sup>th</sup> week from conception). It was a clear sign that the life of a pregnant teenager by example is less valuable than the concept called family. Not by surprise, we do not have a current national strategy on sexual and reproductive rights, nor a mandatory national strategy against HIV/AIDS – assumed and financed by Government.

Why is that? Before 1989, due to the existent ideological constraints, exercising some of what we consider today to be the sexual and reproductive rights (such as the access to abortion or

LGBT rights) could and did lead to imprisonment and sometimes even death. Twenty years after that historical moment, mainstream human rights organizations and advocacy groups did not get fully involved in issues related to sexual and reproductive rights; women organizations did not prove direct interest in this field, focusing their work more on non-discrimination in the employment area, anti-trafficking, domestic violence.

This phenomenon took place in parallel with the development of an anti-choice opposition and the development of populist discourse from politicians and key public personalities, including journalists. Various intolerant and fundamentalist religious groups and organizations are playing a significant social and political role, framing the context in which national policies on sexual and reproductive rights and antidiscrimination take place and openly supporting the anti-choice and anti-LGBT environment. So-called “pro-family” groups lobbied in 2009 the Parliament extensively and succeeded to introduce a very restrictive definition of family, excluding same-sex couples, single-parent families and extended families, in contradiction with the European Court of Human Rights standards. Their militancy is setting a context in which the emerging national policies on antidiscrimination and sexual and reproductive rights openly support the anti-choice and anti-LGBT environment.

In this very hostile context for sexual and reproductive rights, LGBT is directly affected by silence and invisibility. The regular Opinion Public Polls show constantly that LGBT is the most despised minority group in comparison with other vulnerable groups such as Roma and people living with HIV. However, there is a noticeable decrease in the percentage of the respondents who would not like a gay person among their neighbours: from 86%<sup>1</sup> in 2001 to 61% in 2007.<sup>2</sup> The freedom of assembly in the case of LGBT needs constantly to be protected through a significant presence of police forces with guns, police dogs, and heavy equipped cars. Usually, each participant to the gay march was protected by approximately 3-5 policemen. Is this an overprotection? Think twice: just for 2007, more than 100 people were arrested *of whom five were charged with possession of homemade smoke bombs, while 50 others—among whom 20 minors (under 18)—were fined for disturbing the public order. A few days before the 2007 march, two men exiting a theater known for running a gay film festival were verbally and physically assaulted by a group of homophobic youths. The police arrested one of the men. However, to this day, the complaint was not followed up and finalized by the police, and the victims were not notified further*<sup>3</sup>. Significantly, the public prosecutors did not start criminal investigations against any of the various violent groups and organizations which initiated and supported hate crimes against LGBT’s and their allies.

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<sup>1</sup> Open Society Foundation Romania, Public Opinion Barometer, quoted in ILGA-Europe, *Equality for Lesbians and Gay Men, a Relevant Issue in the EU Accession Process*, Brussels, November 2001, 60

<sup>2</sup> Open Society Foundation Romania, *Public Opinion Barometer*, Bucharest, October 2007, 85

<sup>3</sup> ACCEPT, IGLHRC, ILGA Europe, joint submission to the United Nations Human Rights Council, under the Universal Periodic Review, available at [www.iglhrc.org](http://www.iglhrc.org) (08.02.2008).

## **Who are we?**

Euroregional Center for Public Initiatives (ECPI) was initiated in 2008 as a direct response to this public vulnerability of the sexual and reproductive rights. In 2008-2009, ECPI planned and sustained awareness initiatives designed to create awareness on sexual and reproductive rights among decision-makers, policy-makers, scholars, journalists and human rights activists. As a direct result, ECPI has started its legal advocacy for human rights with sexual and reproductive rights as a sensitive topic in the whole Eastern Europe.

The particular feature of ECPI is that it combines strategic litigation, advocacy, and media work in a complete effort of legal advocacy. This makes ECPI one of the very few organizations in Romania and the only women's rights organization that consistently combines these three methods of legal advocacy.

## **ECPI's work in the field of sexual and reproductive rights**

In July-October 2008, ECPI initiated action by civil society that stopped the promotion of regulations by the Ministry of Health that were in violation of adolescents' reproductive rights. The proposed Ministry of Health Order sought to impose excessive limitations in accessing abortion by adolescents, in disregard of Romania's international obligations: limiting pregnancy terminations after the 24<sup>th</sup> week even though the life or health of the adolescent was in danger, imposing parental notification and consent for abortion as a general rule, in total disregard of adolescents' evolving capacities and adolescents' need of protection from abuses, violating the principle of confidentiality and privacy of adolescents and imposing bureaucratic administrative barriers to access to abortion for adolescents even when they have parental consent. ECPI joined the Center for Reproductive Rights's comments on the text of the proposed order and successfully advocated against this order to the Minister of Health, Eugen Nicolăescu. Among the organizations that ECPI garnered support for this initiative are: Societatea de Educatie Contraceptiva si Sexuala, Centrul Parteneriat pentru Egalitate, ACCEPT, Romani CRISS, Centrul de Dezvoltare Curriculara si Studii de Gen FILIA, Liga PRO EUROPA, Asociatia pentru Libertate si Egalitate de Gen – ALEG, Fundatia "Un copil. O speranta", Asociatia pentru Sanse Egale, Fundatia Pro Women, Asociatia pentru Parteneriat Comunitar, Clubul Business and Professional Women, Asociatia Romana de Consiliere si Sprijin. As a result of this work, an informal NGO coalition was built among these Romanian NGOs on SRHR issues for the first time in over a decade.

In April-June 2009, ECPI managed to mobilize this civil society coalition to oppose very restrictive abortion law amendments proposed by Members of the Romanian Parliament, and supported by groups opposing abortion, during the debate on revision of the new Criminal Code. The amendments, if passed would have severely endangered women's life and health. Draft provisions including a ban on pregnancy terminations after the 24<sup>th</sup> week of pregnancy even in cases when the continuation of the pregnancy or birth was putting the life or health of the pregnant woman in danger. The draft provisions also granted personhood to fetuses after the 24<sup>th</sup> week of pregnancy, which would have caused serious ethical problems with abortion

providers in terms of confusion over patient's rights. ECPI, the civil society coalition, and the Center for Reproductive Rights managed to gather over 40 support signatures from international, regional, national organizations and networks on a letter that was sent to the Romanian Parliament. Among these international organizations and networks are: ASTRA - CEE Women's Network for Sexual and Reproductive Health and Rights, International Planned Parenthood Federation European Network (IPPFEN), Ipas, USA, Marie Stopes International (MSI), UK, Network of East-West Women, Poland. The media picked up on the topic and one major national wide newspaper had an article on the proposed amendments and the advocacy against them on its first page. As a result of this advocacy work, the parliamentary commission which was reviewing the amendments invited the coalition and CRR to a hearing which resulted in the human rights violations being removed from the text. In July 2009, the New Criminal Code was passed by the President and it respects women's rights with regard to abortion. At the same time, ECPI used the opportunity of being invited by the Romanian Parliament to advocate on behalf of the Romanian Antidiscrimination Coalition for the introduction of the sexual orientation as a ground among the others listed in the hate-crime provisions of the new Criminal Code. As a direct result of this opportunity, sexual orientation was accepted as a distinct ground recognized as such by legislators and operational in the hate-crime legal framework.

In June 2009, ECPI and its partners, CRR and SECS, developed an important legal and policy advocacy opportunity concerning the involvement of civil society in the development of the National Strategy on Sexual and Reproductive Health and Rights, 2010-2015. This opportunity arose due to sustained advocacy before and during a preparatory meeting organized by UNFPA and WHO. As a result, the Romanian NGO coalition initiated by ECPI is a member of every working group responsible for drafting various parts of the strategy. The NGO representative will also present the guiding human rights principles that should be transversal for every area of the strategy and will monitor the human rights compliance of the entire strategy.

In October 2009, we organized an East-East conference on sexual and reproductive rights bringing together human rights activists, service providers, theologians and scholars from Eastern Europe for raising awareness about the ways in which political, social, religious, cultural, legal and economic realities limit the exercise of sexual and reproductive rights in our context. Several workshops were focused on presenting concrete ways of advocating for health and reproductive rights in a hostile context, how to confront the rise of religious based intolerance and violence when it comes to the sexual autonomy as an indivisible part of democracy, and why the protection of these rights is, by extension, a protection of democracy.

### **What did we learn?**

Combating religious-based intolerance affecting human rights, including sexual and reproductive rights is a must:

- It is a right and a duty to confront religious fuelled discrimination. Engaging into meetings with fundamentalists and their political supporters is not a risk which undermines our human rights work. On contrary: it is through dialogue, public debates and constructive criticism that we remain faithful to the principles and ideals of a democratic society.
- Getting involved in dialogue with fundamentalists doesn't mean that we will get trapped into theological and moral discussions we, as activists focused on gay rights, cannot win. What we can do, even in these circumstances, is to use some of their arguments and rhetoric, because otherwise we will fail to win the general public involved in these debates. Our main focus is exactly this general public: we have to convince this audience that our aim is not of challenging religion but of defending freedom of conscience and promoting human rights for LGBT people. There are legitimate, viable alternatives to the traditionally negative biblical interpretations associated with our sexual and reproductive rights agenda. People need to hear something different, we can offer that to them.
- We have to create a public voice to clearly say that (1) it is not up to the political authorities to defend and promote their views on sexual and reproductive rights under the appearances of moral truths; (2) rights must not be confused with morality and religious norms. These political representatives were delegated with powers not to debate on what is moral, but to propose laws following the general public interest.
- It is important to work in solidarity with progressive religious leaders and human rights activists to promote a social justice agenda and effectively protect those who are experiencing discrimination. That will make a strong public statement against the misuse of religion as a base to justify violations of human rights. Equipping these allies with knowledge and specific instruments of advocacy will represent a direct and important contribution in confronting the harm of prejudice and discrimination fueled in the name of God.

## **Grassroots community working model for organizing with lesbians in poverty**

**Anne Lim, Gay and Lesbian Activist Network for Gender Equality (GALANG) Inc.**

*Summary: There are a lot of LGBT organizations in the Philippines, as well as a lot of NGOs working on issues of economic justice, particularly with respect to the urban poor. However, to our knowledge, we are the only one whose working model is grassroots community organizing of lesbians in poverty. The Gay and Lesbian Activist Network for Gender Equality or GALANG is a non-profit and non-government organization in the Philippines that envisions a just and progressive society, which treats all persons equally regardless of sex, gender identity, gender expression, and sexual orientation. The name of our organization is a play on the Filipino word for respect—galang.*

*As the main proponent of community organizing among Filipino LGBTs in poverty, we believe we have succeeded in “indigenizing” community organizing strategies, despite the dearth of both literatures on and experience in the application of community organizing in Philippine LGBT rights advocacy. We consider our experience as “best practice”, as it is innovative, as well as effective. Through the help of leader organizers, or organizers endemic to their community, we are able to help assess and address the issues facing urban poor lesbians in our partner communities—issues such as unemployment, sexual violence, internalized homophobia, and lack of access to health care.*

### **CONTEXT**

While the Philippine Government does not outlaw homosexuality, LGBTs are still deprived of gainful employment, quality education, and access to health care on account of their gender identity or sexual orientation. They are harassed by law enforcement agents, bona fide or not, invoking outdated criminal laws. They are abused and raped, sometimes by their own family members, to “cure” them of their condition.

For more than a decade, activists have tried to fight for the passage in Congress of the Anti-Discrimination Bill that would protect Filipinos from losing their jobs or being deprived of access to social services on the basis of their gender identity or sexual orientation. However, the bill has languished at the committee level in both the Senate and the Lower House, and would unlikely be passed before the 2010 elections. Despite the dismal state of LGBT rights in the Philippines, the bill has largely been ignored by Philippine legislators since 1999.

The Catholic Church and other religious leaders in the Philippines have been at the forefront of the opposition against the Anti-Discrimination Bill. In 2001, the Catholic Church marked the bill to be part of the D.E.A.T.H. campaign by groups that they labeled as anti-life, anti-family, and immoral. The acronym “D.E.A.T.H.” stands for “D-ivorce, E-uthanasia, A-bortion, T-otal contraception, and H-omosexual relations”, all issues which the Church claims to diminish the value of life and tarnish the Filipino family. For years, the Catholic Church has used disinformation and scare tactics to encourage people to withdraw their support for the bill and



not vote for candidates who support the Anti-Discrimination Bill as well as other progressive bills, such as the Reproductive Health Bill.

Added to this was the disqualification of Ang Ladlad LGBT Party that sought accreditation from the national Commission on Elections as a party-list organization. Ang Ladlad hoped to vie for a seat in the House of Representatives in the 2007 elections, but the Commission on Elections ruled against its accreditation on the ground that the Party did not have sufficient presence in the majority of the regions in the country.

Many activists have thus opted to work with local governments where, in recent years, several progressive leaders have emerged. It is also in the local governments where ordinances have been passed protecting LGBTs against discrimination. Indeed, there may be truth in the observation that, in the Philippines, justice is more accessible at the local level than at the national, especially for marginalized sectors such as LGBTs.

While there has arguably not been much success in LGBT legislative advocacy at the national level, there seems to be some hope in the local arena. Quezon City is the first and only city in the Philippines that has enacted an ordinance that protects LGBTs from discrimination in the workplace. City Ordinance No. 1309, Series of 2003 prohibits all discriminatory acts committed against homosexuals in the matter of hiring, treatment, promotion or dismissal in any office in Quezon City, whether in the government or private sector. Violations of this ordinance may merit a fine of not more than five thousand pesos (Php 5,000) or roughly one hundred dollars (US \$100) and/or a prison term of not more than six (6) months. In 2008, a municipality in the Province of Albay in the Bicol Region likewise passed an ordinance protecting LGBTs. Today, efforts to pass similar local laws are under way in different parts of the country, even as far as Davao in the southern Philippines.

The most publicized case that has invoked the Quezon City anti-discrimination ordinance is that of Marlon Lacsamana, former head of the Circulation Department of the library of Miriam College, a Catholic women's college in Quezon City. Marlon, who had a commitment ceremony with his same-sex partner in the presence of other Miriam employees, claims he was illegally dismissed for having a "gay wedding." He filed a criminal complaint against the top officials of Miriam College for violating the city's anti-discrimination ordinance. This case has been lauded for giving a face to LGBT discrimination in the Philippines and credited for galvanizing Filipino LGBT groups against discrimination.

It was at this time when there was a growing sense that the way forward for LGBT rights activists is at the local level—at the grassroots, so to speak—that our organization was formed. We felt that no amount of advocacy at the national level will make a dent in the lives of ordinary LGBTs if the issues are not echoed to and heard at the grassroots level. We felt that there was an urgent need to develop a model for organizing and mobilizing community-based LGBTs who comprise the majority of the sector. It didn't take long for us to decide to form an organization that will focus on grassroots community organizing of LGBTs in poverty.

## **EMERGENCE**

Our organization started out as a small group of lesbian friends who were either keenly observing or actively engaged in the LGBT activist community in the Philippines. Our regular conversations over dinner or drinks eventually turned into meetings about what we can concretely do to help advance the cause of the sector.

We observed that most LGBT advocacy efforts involved only middle-class LGBTs. We decided to establish an organization that will work directly with LGBTs in poverty, as they are most vulnerable to the backlash of homophobia and discrimination. We also decided to devote the first five years of our operations to working with urban poor lesbians, as they are more prone to horizontal violence, rape, physical abuse, suicide, and unemployment than gay men.

While there was a consensus about the need to organize and mobilize people, we had misgivings at first about engaging in grassroots community organizing. Of the six founding members, only one had some organizing experience. To address this limitation, we formed an Advisory Committee composed of accomplished LGBT professionals who have been involved in either the women's movement or other social movements. With their help and with the assistance of our volunteer consultant for community organizing, we started developing a community organizing model that we could implement in our partner communities.

Since there isn't any existing community organizing model for LGBTs, we decided to adopt community organizing best practices in other marginalized sectors and adapt them to our work. We borrowed the community organizing practice of an organization working with Aetas, an indigenous group in the northern Philippines. We realized we would probably be more successful training a leader organizer endemic to the community than employing the traditional approach of hiring a professional community organizer, since we recognized that, in our meetings with the lesbians in our partner communities, they were timid and reticent and would be more responsive towards one of their peers than towards a complete stranger.

We hope that in five years, we would be able to organize at least twenty active urban poor lesbians in each of our partner communities; train at least one leader organizer per community, who could mobilize her group to develop and implement community-based interventions that successfully address their issues; and mobilize our partner communities to take a lead role in public activities espousing gender equality. We hope that, by the fifth year, we would be able to cull best practices from our own experience and apply them to other communities of LGBTs in poverty.

## **MODEL**

Our work is specifically geared towards the establishment of strong and empowered communities of LGBTs in poverty who can identify, articulate, and address their issues, and be mobilized to support the advocacy for equal rights.

In mid 2008, we started work with urban poor LGBTs in two communities—Barangay Pansol and Barangay Bagbag—in Quezon City, the largest city in Metro Manila. For those of you who don't know what a barangay is, it is the most basic unit of local government in the Philippines.

We chose our partner communities from Quezon City for two reasons. First, because we recognize that Quezon City is a trailblazer in terms of local pro-LGBT legislation, and second, because most of our members live or work there. We wanted to be in close proximity to our partner communities, since we knew we would be conducting regular participatory action research activities, such as focus group discussions. These activities would enable us to discover what issues the urban poor LGBTs in our partner communities face and how we can best help them address these issues.

In late 2008, we conducted two focus group discussions in each of our partner communities, with a facilitator guiding the flow through a set of questions. Although we kept the discussions light, the lesbian and gay men participants shared experiences of discrimination and difficulties in coming out to their family and friends.

However, we discovered, at the level of the barangay, lesbians are even more marginalized than gay men, as they are less likely to find jobs, and more likely to be victims of violence. We also discovered that they are far more reticent and timid than gay men. We, likewise, confirmed that there was a general perception in our partner communities that lesbians are violent, volatile, and “useless,” as they are mostly associated with backyard brawls and drinking sprees.

Because of the result of these discussions, we decided to devote the first five years of our operations to working with the segment of the Filipino LGBT sector that needs our help the most—urban poor lesbians.

To prepare ourselves for our community organizing work, we conducted research on possible community organizing strategies; we met with key informants in the local government and colleagues in the development community; and we conducted internal discussions on such topics as “Gender and Sexuality”, “LGBT Rights and the Law”, “Violence Against Women and Children”, and “Community Organizing Principles”. We were also fortunate to be guided by a veteran community organizer. She volunteered to be our consultant for community organizing and helped us develop community-based interventions with the urban poor lesbians in our partner communities.

In mid 2009, we conducted two more focus group discussions, but this time with only lesbian participants and with more emphasis on lesbian issues. Some were old faces from previous discussions; most were new. The response to community organizing was overwhelmingly positive, as they recognized that lesbians are negatively perceived in their community and that it was high time for them to change this. In the end, they committed to attend our other activities.

We followed up the discussions with a whole-day session each in Barangay Pansol and in Barangay Bagbag. Entitled “Dyke Talk: Chatting About Lesbian Issues”, each session included a basic orientation on gender and sexuality, a national lesbian situationer, a presentation of the focus group discussion results for validation, a workshop, and games. We also included for the first time a film showing. We showed the Filipino film, *Babae*, which means Woman in English.

The film is about a lesbian couple living in the slums of Metro Manila. We discovered that integrating a film showing in their training is an effective way for them to learn. Most of the participants of our previous discussions attended these sessions, thanks to the barangay staff, which ensured their attendance.

In Barangay Pansol, we recognized their readiness to be organized. We helped them work out a plan of action, and encouraged them to form an ad hoc committee of leaders. Seven participants volunteered to form the committee, calling it "Circle of Pre". "Pre" is short for *compadre*.

However, in Barangay Bagbag, we did not sense that they were ready to be organized nor to commit to a plan of action. Instead, we helped them identify point persons who could coordinate with us. Three participants expressed interest in coordinating on behalf of their community.

After the whole-day sessions, we conducted a back-to-back leadership training seminar and community organizing orientation with the Pansol leaders and Bagbag coordinators. We taught them the history and principles of community organizing. We also showed them the Hollywood film, *Milk*, to give them a glimpse of what an LGBT movement does or ought to do.

In late 2009, it was clear that between the two partner communities, Barangay Pansol had the most potential. Of its seven leaders, three are very eager to learn new knowledge and skills. We asked them to decide among themselves whom we should train to be their leader organizer.

At the core of our community organizing work is the identification, formation, and development of at least one leader organizer from each of our partner communities. The leader organizer will not only be our link to the community but also the voice of the community, providing crucial insights and information about issues important to the other members of the community.

After a period of two weeks, Pansol leaders gave their choice. Currently, the new leader organizer is undergoing an intensive four-month leadership formation training under my guidance and that of our consultant for community organizing. She is also being introduced to other LGBT and human rights activists, participating in network activities such as a local film showing of a documentary on stoning in Iran and whipping in Aceh, Indonesia, a televised forum of Philippine presidential aspirants in the 2010 national elections, and a forum on transgender issues.

Since her appointment, she has helped us organize a community-based forum on lesbianism and spirituality, and a medical check-up of Pansol lesbians at Likhaan Center for Women's Health, a feminist NGO that provides primary health care to women. The biggest challenge that she has hurdled thus far is organizing her peers for their first ever participation in the Manila Pride March, an event that has historically been attended by mostly middle-class LGBTs. We gave her the task of ensuring the participation of at least twenty lesbians from Barangay Pansol

in order to give a face to the plight of Pansol lesbians during the march. Last 5 December 2009, twenty-three lesbians from Barangay Pansol marched with us, along with a number from Barangay Bagbag. Our leader organizer has, thus, passed the challenge with flying colors. We are proud to say that our organization has received numerous accolades for breaking the class barrier in the 2009 Manila Pride March by making the issues of Filipino lesbians in poverty visible.

We believe that working with a leader organizer boosts our chances of success in helping urban poor lesbians in our partner communities take on an increasing role in their communities and be mobilized to support the advocacy for equal rights.

### **A WAY OF WORKING**

When we started, we all agreed to employ a bottom-to-top approach to development, where people have a direct hand in improving their condition. We adopt, adapt, and pioneer participatory and empowering practices that are responsive to the issues of lesbians in our partner communities, giving them a crucial role to play in pushing the envelope for gender equality.

One of the practices we adopted is, in fact, the model we are sharing with you now. Our model is an adaptation of the community organizing practice that an organization working with Aetas employed. Instead of the traditional practice of hiring a professional community organizer, the organization trained a number of Aetas to be the community organizers of their peers.

Since our start, our model has had relative success. We say that the success is relative because, so far, only one of our two partner communities is able to produce a leader organizer. However, we are already very thankful because the leader organizer, who has emerged in one of our partner communities, is highly motivated and very willing to learn new knowledge and skills to make her more effective in mobilizing her peers.

We realize that developing a leader, who is endemic to the community being organized, is an excellent practice, as this does away with the time and resources necessary to immerse the organizer in the context and culture of the community. This also does away with the need for the organizer to gain the trust and confidence of the community, as she was selected by her own peers to lead and represent them.

However, our most important accomplishment is being accepted as a genuine partner in development of our partner communities. We are encouraged by the response of our lesbian stakeholders who have expressed excitement and hope. They realized that together we can make significant changes in their lives that were once marked only with despair and desperation. We are also encouraged by the response of local government officials, whose cooperation we have earned. They have requested us to expand the geographical scope of our work to include organizing lesbians on a district-wide basis. We find comfort in the knowledge that the city government has begun to recognize the importance of its lesbian constituents, and the need to address immediately their pressing issues.

Since we began our work over a year ago, we have been fine-tuning our model for grassroots community organizing of urban poor lesbians with an eye to developing a model, if not several models, that can be replicated for other urban poor LGBT communities in the Philippines. We continue to develop our model not only because we want it to be beneficial for the entire LGBT sector, but also because we believe all models should be a work in progress, as they should be seen as means to achieve a goal, not the goal itself. The moment we think that our model is perfect is the moment when our organization starts to fail.

## **FACTORS FOR SUCCESS**

The relative success of our model would not be possible if not for these three factors coming together: (1) the attitude of our volunteers and the leaders in our partner communities, especially in Barangay Pansol; (2) the design of our processes; and (3) our alliances and linkages.

Of the three, the most critical factor is no doubt the attitude of our volunteers and the leaders in our partner communities. Our volunteers, who are a healthy mix of activists and professionals from diverse fields, possess passion and idealism, coupled with knowledge and skills vital to the success of our work. More importantly, they possess the will to contribute their time and expertise to our organization. With volunteers with Advertising backgrounds, we are able to craft cost-effective campaigns using industry standard IEC materials. And, with volunteers with legal backgrounds, we are able to discuss human rights in the context of national and international legal frameworks. Likewise, the leaders in our partner communities, especially in Barangay Pansol, possess the will to improve their lives and help other lesbians in their communities to improve theirs as well. Both our volunteers and the leaders in our partner communities believe in the work we do and are willing to invest in its success.

However, from a management standpoint, the design of our processes, and our alliances and linkages play an equal role in the relative success of our model. Without good processes and without the goodwill of a larger community, we would not be able to turn willingness into action, and action into results.

One of the key characteristics of our organization that helps make our model relatively successful is, I believe, creativity. Our volunteers are not afraid to adopt best practices from other sectors and adapt them to their volunteer work for the benefit of our lesbian stakeholders. However, instead of seeing creativity as an individual characteristic, we see it as a social process. This is why when we design our processes we include a room for making mistakes in order to learn from them.

But with our alliances and linkages, we don't have to make a lot of mistakes in order to learn. We have allied with a number of organizations that work for the benefit of women and LGBTs and that are willing to help the lesbians in our partner communities address the most pressing issues in their communities, such as unemployment, sexual violence, internalized homophobia, and lack of access to health care. Although we are still looking for partners to address unemployment, we are fortunate to find partners in addressing the other issues.

To address sexual violence, we have started exploring a formal engagement with Women's Legal Education, Advocacy and Defense Foundation or WomenLEAD, a legal NGO working on women's issues. We are hopeful WomenLEAD would provide legal assistance to the lesbians in our partner communities who have been raped, abused or accused of kidnapping their partners, as our talks with them have been positive. In fact, WomenLEAD Executive Director, Atty. Claire Luczon, shared her legal expertise with us as our resource speaker on violence against women and children (VAWC) during our Teambuilding Discussion on Sexual and Reproductive Health and VAWC.

To address internalized homophobia, we conducted a community-based forum in Barangay Pansol, in partnership with the Metropolitan Community Church in Quezon City or MCC-QC, entitled "You're OK!: Chatting About Spirituality and Being Lesbian". Based on our focus group discussions, internalized homophobia has been attributed to the pervasive belief that homosexuality is a sin. As a result of our engagement, MCC-QC volunteered their church to be the drop-off point for donations to the recent flood victims in Barangay Bagbag.

And, to address the lack of access to health care, we coordinated with the Likhaan Center for Women's Health, an NGO that promotes sexual and reproductive health and rights, to provide free medical consultations to and conduct community-based fora on sexual health for lesbians in our partner communities.

We are, likewise, fortunate to work with the Society of Transsexual Women of the Philippines or STRAP; Talking About Reproductive and Sexual Health Issues or TARSHI; the Association of Progressive Communications Women's Networking Support Programme or APC WNSP; Lesbian Advocates Philippines or LeAP!; the Philippine Forum on Sports, Culture, Sexuality and Human Rights or TEAM PILIPINAS; Ang Ladlad LGBT Party; the International Gay and Lesbian Human Rights Commission or IGLHRC; and Barangay Pansol and Barangay Bagbag officials.

STRAP provided us with resource speakers in two of our discussions, and invited us to be co-signatory to their press statement on a recent case of discrimination involving BB Gandanghari, a Filipino woman of transsexual experience. STRAP also invited us to participate in a forum on transgender issues in commemoration of the Transgender Day of Remembrance or TDOR.

TARSHI provided us a scholarship to the Regional Institute on Sexuality, Society, and Culture; while APC WNSP invited us to participate in their round table discussions, and LeAP! in an exclusive screening of their Asian LBT video documentary about The Yogyakarta Principles.

TEAM PILIPINAS invited us to join other LGBT activists in a televised forum for presidential aspirants, allowing us a glimpse of national politics in action, and to participate in their documentary entitled "I am Not Immoral", allowing us to make a stand against the rise of religious fundamentalisms and its backlash against LGBTs.

Ang Ladlad LGBT Party invited us to be a key player in its campaign for accreditation by the national Commission on Elections. We issued a press statement in support of the Commission on Human Rights advisory calling for the prompt and impartial re-examination of Ang Ladlad's

bid for accreditation, and explained to our lesbian stakeholders the importance and urgency of this pressing issue.

IGLHRC invited us to participate in their 16 Days of Activism Campaign that culminated in festivities in Yogyakarta, Indonesia, allowing us to exchange stories and experiences with other LGBT advocates in the region.

Moreover, the officials of Barangay Pansol and Bagbag provided us with venue and equipment for some of our discussions.

We are thankful for the support we have received from these organizations, as it has given us the opportunity to make the issues of urban poor lesbians known to a wider audience.

## **EVALUATION**

One way for us to evaluate our work is by conducting evaluation sessions after each group activity that we organize in order to verify the viability of the next steps we set out to take. In one of those evaluation sessions, we discovered that the leaders in our partner communities, after undergoing an orientation on sexuality, still had some difficulty understanding concepts such as sex, gender, and lesbianism. Although we had already made a design for our next orientation, which was on leadership and community organizing, we redesigned it, integrating a review of important concepts on sexuality, to reinforce the lessons on sexuality and to properly contextualize our community organizing work in gender advocacy.

Another way for us to evaluate our work is by conducting monthly tactic sessions wherein we examine the frequency of attendance and the quality of participation of the lesbians in our partner communities, and the breadth and depth of their sharings. We gauge our success through their willingness to tell us their stories, as this indicates their level of trust in us. We also gauge our success through their willingness and ability to apply in their daily lives the knowledge and skills we shared with them, as these indicate the effectivity of our interventions.

One good example of their willingness to apply what they have learned was when they participated in the 2009 Manila Pride March, where fundamentalist Christians hurled verbal assaults from the sidewalks, shouting chants like “God hates sinners!” and “God did not make you gay!” We initially feared that they might become reticent in the face of bible-wielding fundamentalists. But, as it turned out, our fears were unfounded. Instead, they were energized. Afterwards, they shared that taking a stand amidst violent opposition from the so-called “moral majority” felt very liberating. They have come to realize the importance of being visible.

## **RESULTS**

A few months after we first touched base with our two partner communities, we conducted a leadership training for Pansol leaders and Bagbag coordinators. As is customary, we began the activity by asking the participants to give a brief introduction of themselves and their



expectations of the day's activities. What we thought would be a routine getting-to-know-you session turned out to be a very poignant sharing of personal experiences of discrimination.

One participant told the group that she attended the training because she wanted to learn skills that can help her convince her mother to accept her lesbian partner and allow the latter to attend intimate family affairs. Just recently, she went home to the province to attend the wake and burial of her grandmother. She shared that her mother had explicitly warned her not to bring her partner along lest the latter "desecrate the memory of the dead" by her presence.

Another participant shared that sometimes she doubted herself and whether she deserved to have a good life because, ever since she was a child, she had always been told that she must change her ways and repent because homosexuality is a sin. She wanted to learn how she can counter these arguments because while she has doubts about whether homosexuality is indeed a sin, she could not find the words to argue against this age-old worldview.

In a later session, one participant also shared that after one of our initial meetings where we discussed human rights and the prevalence of horizontal violence among lesbians, she went home to her partner to apologize for having hit her in the past. While she admitted that the violence in their relationship had ceased long before our organization came into the community, it was only now that she understood why she had been violent towards her partner and why it was wrong for her to do it.

Another unexpected result was the Pansol ad hoc committee's choice of leader organizer. The selected leader organizer in Barangay Pansol became involved with the ad hoc committee only by accident. She didn't identify at first as a lesbian although she has a 16-year relationship with a woman and has always wanted to do something to help lesbians in their community. She not only witnessed how lesbians were abused verbally, if not physically, both at home and in the workplace; she, herself, experienced it. After attending our sexuality orientation and leadership formation training, engaging in continuous discussions with us, and reading materials about lesbians, she has begun to embrace the lesbian identity and was subsequently selected by her peers in the ad hoc committee to be trained as their leader organizer.

We believe that our work would not only benefit urban poor lesbians in our partner communities but anyone who is interested in women empowerment. Our work provides insights and analyses on the lives of lesbians in poverty through the lens of sexual orientation and gender identity, deepening our understanding of the role that urban poverty plays in their marginalization.

Moreover, we believe our work would provide a template for future engagements of LGBT activists at the grassroots level, as we attempt to cross class divides and draw lesbians in poverty into the discourse on sexual rights, contributing to the consolidation and empowerment of the LGBT sector.

## **CHALLENGES**

The most significant threats to our work are the twin phenomena of the culture of poverty and the layers of discrimination against lesbians in the country. The extreme poverty in our partner communities plus the phenomenal gap in our country between rich and poor have ingrained in most of our lesbian stakeholders a profound sense of helplessness and hopelessness. We continue to battle with the colonial legacy of a feudal mindset, a mendicant mentality, and internalized homophobia that runs so deep that most of the lesbians in our partner communities believe they must accept discrimination as a fact of life. More than one year into our work, we are still constantly trying to disabuse them of the perception that our organization exists to provide them with their every need because we believe that this belief is not empowering and will not contribute to the strengthening of their community. While we have made significant breakthroughs with some of them, we know that it will take time to change this culture of resignation and apathy among lesbians in poverty. The path we have chosen is not an easy one, and our challenge is to sustain our energy and enthusiasm for our work despite these overwhelming threats.

### **KEY LEARNINGS**

One year into our community organizing work, we have learned that the strongest resistance to our work comes from the very people we want to organize and empower, largely because of their resignation and apathy. We also have learned that it takes patience, as much as skill, to break this mindset of resignation and apathy.

Moreover, community organizing requires full-time immersion in the life of our partner communities. Most of our volunteers are struggling to balance their commitment to the organization and to their profession.

Volunteer retention is clearly an area we need to strengthen to maximize the impact of our programs and ensure our organization's sustainability.

Indeed, we have begun to truly appreciate the meaning of an important tenet in community organizing—that an organizer must “start where the people are, but not end there.”

## **Four practices of integration within government programs targeting women, children and youth**

**Andrés Ignacio Rivera Duarte, OTD, *Organización de Transexuales por la Dignidad de la Diversidad* (Organization of Transsexuals for Dignity in Diversity)**

*Summary: OTD, Organización de Transexuales por la Dignidad de la Diversidad (Organization of Transsexuals for Dignity in Diversity), is a Chilean organization, pioneer for working on male transsexuals' issues in this country. In 2003, it brought visibility to this reality in Chile for the first time, and it had a political and social impact. OTD is a national and international reference; to this date, its work has brought achievements in different areas. As for good practices, we would like to speak of 4 concrete examples of work that allowed us to even challenge government policies, and make the government realize that indeed its policies were neither dignifying nor egalitarian; as a result there have been some regional changes, with great possibilities of spreading to a national level in the future, in terms of the inclusion of gender identities and the respect and equality for transsexual people in all policies. I would also like to show how we have built a network of support, help, and visibilization with a private organization of professionals with political and social influence in Chile.*

*In 2009, OTD reached agreements of Good Practices with:*

*Chiledeportes Rancagua, ([www.chiledeportes.gov.cl](http://www.chiledeportes.gov.cl)): Governmental institution with a High-Performance Center equipped with machines, professors, physical monitoring, physical preparation, rehabilitation, and competition. The agreement is to provide 5 members of OTD grants that will allow them to use the gym, have guidance from physical education professors, rehabilitate after surgery, and maintain a healthy life style through sporting.*

*Sernam, Servicio Nacional de la Mujer ([www.sernam.cl](http://www.sernam.cl)): The National Service for Women is the body created by the Chilean Government to promote equal opportunities for men and women. Its institutional mission is to create, suggest and coordinate policies, plans, legal measures and reforms that lead to equal rights and equal opportunities for men and women; and to have a decrease in discriminatory practices within the political, social, economical and cultural development process of this country.*

*Ikastola ([www.ikastola.cl](http://www.ikastola.cl)): which means "school" in Basque language, is a project-oriented private institution formed by Chilean professionals that work from a perspective of respect for diversity, active learning, and scientific evidence.*

*INJUV, Instituto Nacional de la Juventud – Rancagua ([www.injuv.gob.cl](http://www.injuv.gob.cl)): We have selected the work of the National Institute for the Youth as Good Practice presentation, because of its relevance to the inclusion and training of transsexual people, and to visibilization networks within youth organizations.*

**Describe the selected practice.**

For OTD, integration into society also means integration into governmental agents designed for and targeted to different groups, like women, children, youth. One example of this was the integration of OTD with the *Instituto Nacional de la Juventud*; OTD is formed by young people and, precisely because of this, its members need more support and help, also in the development of all their skills and potential. The acknowledgement of Gender Identity and Expression is fundamental to the rights and dignity of transsexual people, and even more in the face of the discriminatory, human-rights-violating, procedure of having to go through a legal change of name and sex, and the medical prerequisite of undergoing surgery and other “normalizing”, humiliating, treatments. Thus, for OTD, every agreement must be built from a foundation of respect and from the acknowledgement of gender identity and expression.

There is no age limit set for the Injuv-OTD agreement; therefore, everyone above 29 years is also a partaker of it.

OTD members will be respected in their gender identity and expression, and will be trained in “Digital Literacy”, this means, providing all the members with computer skills; this will not only open for them the universe of the internet, but it also could represent a tool for employment since nowadays most jobs require from the candidates some computer knowledge. Undoubtedly, this is the door to a universe of communication and knowledge that will help our members learn and read about infinite topics through the internet, establish contact with groups and people, and become part of a broader social movement. In Chile, today, almost all governmental information and procedures can be done online; thus, a world of possibilities opens to them with this training.

INJUV offers workshops on drama, juggling, and magic tricks, all of which we now have access to; these could become employment tools for the members of OTD. When finding a job in a company is hard, the alternative could be self-employment: to start a “birthday-entertainment” micro-enterprise or such that allows for an income. Another line of work at OTD is family in its widest possible sense; thus, we have included our families: children of OTD partners have been included in the juggling and magic workshops. This has resulted in more family time and improvements in the social-family integration process, with satisfactory outcomes. Also, the other children that participate in the workshops and their parents learn that there is nothing wrong with those families constituted by diversity people, that they are not abnormal, no psychological harm on the kids, and that we are absolutely normal families.

INJUV has invited us to write songs and to make a recording at their studios, one of the best ones in the Ohiggins region; this motivated the creation of our literary workshops, even in other regions, in order to find the lyrics that will express our experience in the songs that will be recorded at INJUV’s studios.

For 2010, we are contemplating a cultural event to show the work done, with the children, and to launch the songs.

OTD has no headquarters, and this makes it difficult to organize everyday's work; INJUV has offered its branch offices for our meetings and assemblies. OTD participates in the Regional Plan of the Injuv with presentations on Gender Identity, HIV/AIDS, sexual and reproductive rights, and sexuality.

I will now describe what INJUV is, and its goals:

**INJUV: *Instituto Nacional de la Juventud*** –Rancagua, ([www.injuv.gob.cl](http://www.injuv.gob.cl)). The work of INJUV is focused on young people between the ages of 15 and 29, and involves the coordination of public policies for the youth created by the State, introducing a youth's perspective to the implementation of these policies, creating programs that will enable the government and several social actors to better serve our youth in an inclusive way, and to promote respect for young people's rights. **Institutional Mission:** "To contribute to rise the levels of empowerment and social inclusion, equal opportunities, association and citizenship of the Chilean youth, through the knowledge, development and coordination of public policies, and the execution of specific programs with a youth, gender, and vulnerability perspective". The ***Instituto Nacional de la Juventud***, is a public, decentralized, service present in the 15 regions of the country, and whose mission is to help rise the empowerment and social inclusion levels, equal opportunities, association and citizenship of the Chilean youth, through the knowledge, development and coordination of public policies, and execution of specific programs with a youth, gender and vulnerability perspective. It is a technical body with the mandate to collaborate with the Executive Power in the design, planning and coordination of youth-related policies. Its main task is to coordinate youth public policies that come from the State and to introduce the perspective of the youth in the implementation of these policies; as well as the creation of programs that will enable the government and several social actors to better serve our youth in an inclusive way, and to promote respect for young people's rights.

INJUV started operations on February 16, 1991, under the administration of President Patricio Aylwin Azocar. Since the beginning, INJUV was conceived as a public decentralized service with legal personality and its own patrimony, in communication with the President of Chile through the Ministry of Planning and Cooperation (*Mideplan*).

### **INJUV's MISSION**

To help rise the empowerment and social inclusion levels, equal opportunities, association and citizenship of the Chilean youth, through the knowledge, development and coordination of public policies, and the execution of specific programs.

### **WHAT ARE INJUV's DUTIES?**

Under the 19.042 Law, it has the following specific functions:

- To analyze policies and general plans for the assessment of the problems of the youth and to advice the President of Chile in regards to their implementation with aims at searching solutions in each and all areas of the national activities.
- To coordinate, together with the public service agents and bodies and private agents, the implementation of the approved plans and programs, and to supervise their application, and evaluate the results.
- To suggest and push forward specific programs for young people in all spheres of the State administration.
- To develop and maintain an information, orientation, technical support and training service that will influence the actions of public officials and entities in those areas affecting the youth sector.
- To foster learning and participation of the youth, by promoting and funding studies, projects, campaigns, seminars and other similar initiatives.
- To build links with national and international bodies, and, in general, with any institution or individual whose goals are relevant to the youth, and establish agreements with them towards the implementation of projects or actions of mutual interest.
- To study legal initiatives related to the situation of the youth and then suggest them to the President of Chile.

**INJUV's most important products and services are:**

The "*Infocentros*" Network (information centers), and Integral Houses for the Youth

Studies and surveys by the Service

The CEDOC (Documentation Center for the Youth)

**What was or is the political and/or organizational context(s) that lead to the best practice you mention above? In other words, what caused it, how did it come to be?**

OTD is following a strategic integration with the State agents called Services as one way to gain visibility but also as a way to have political impact. As transsexual people, we know that the first years of our youth tend to be very painful, full of anxiety and fear, of solitary confinement, due to the fact that some times we do not know how to face our own transexuality, and also because of the sustained rejection we receive from society. On the other hand, young people are much more open and respectful of diversity, and even more if it is seen as natural and as part of society.

OTD is interested in the integration of young people and in opening egalitarian spaces, in consonance with Chile's political and social moment: by creating the movement known as the "penguin revolution", the youth decided to defend their right to education; they stopped schools and demanded to have the Government's attention. They showed that in union and equality they are strong. All this motivated OTD to design a strategic plan focused on integration and the creation of working networks with the youth.

**Describe how this idea or practice was developed or conceived.**

During the Penguin Revolution, the youth manifested all its power. OTD held meetings with them, and on the other hand, the government policies changed and started to include the youth by providing them with tools for integration, training, development of skills, capacities and leadership; all this through INJUV. OTD believed it was the right moment to start campaigning for the equality and dignity of transsexual people from within the youth movement in order to build networks and integration and as a way to strengthen OTD's campaign.

**Why do you consider that this practice was or is successful, or why do you prefer it as a way to do your work?**

Because of the growth of OTD members in their capacities. Thanks to their training in Digital Literacy they are able to partake in the era of computers and the internet; this facilitates communication within OTD: because of our lack of headquarters, the internet is a fundamental tool for our work which has been validated even in our statutes as one that enables the decision-making process and the advancement in terms of national and international empowerment. Because we build networks with other organizations like families of psychiatric patients, people with physical disabilities, people with HIV and their families, all of whom we have also included in this agreement so that they too have access to the Digital Literacy training. And because we push forward our regional and national work.

OTD has been able to keep contact with more than 20 youth groups that now support OTD's actions; this makes our demands and requests grow stronger. We have become part of the network of free training and benefits, and we are participating in the regional work with the youth in topics such as: drug, alcohol, HIV/AIDS and STD prevention, pregnancy prevention among teenagers, Sexual and Reproductive Rights, sexual orientation and gender identity and expression. We are shaping youth and becoming part of the youth movement in the Ohiggins region. This has motivated us to establish contact with other regions within Chile and to do there the same work done in Rancagua, with the intention of achieving integration within regional INJUVs in all of Chile. The strategy for political impact used by OTD is one that occurs from the roots of the government up, in order to have transsexuality be included at all governmental agents and to obtain public policies of integration and protection.

**What intentional or unintentional, external or internal, factors contributed to the success of this practice?**

OTD's regional leadership, as part of the political and social impact. The seriousness of our work at OTD is opening many doors to us and we are being able to achieve integration within different sectors. OTD is very well positioned in the Ohiggins region; this is where we do most of our work by participating in working groups, seminars, presentations at health centers and schools, integration during regional meetings with governmental agents.

OTD has some other agreements with governmental agents such as, *Servicio Nacional de la Mujer* (National Service for Women), *Chiledeportes* and *Servicio Nacional de Menores* (National Service for Children). Thanks to this, we are present as actors with an everyday influence on activism.

**Were there any outcomes, what individuals or leaders had an influence on them?**

Victoria Yañez, Coordinator of the Female Trans Area of OTD, and Andres Rivera, President of OTD; both participate in the working groups of the government, allowing for the visibility of the transsexual reality, and winning more and more spaces for us.

**Was there any parameter to evaluate this practice? Which one?**

Initially, we have planned to do at least one digital literacy course for OTD members, a workshop with the youth, and to create networks with 2 groups.

Outcomes exceeded our expectations: 2 Digital literacy courses have been given, and in February-March, there will be a new course on Advanced Computer Skills for those who took the Digital Literacy courses; there will also be a certificate upon completion. We included the members of other organizations with whom we work during the working groups. Moreover, we created networks with 8 youth groups with political influence. We also participated in the regional work.

**Were there any unintentional or unexpected results? Which ones?**

We never thought of having the possibility of recording a CD with transsexual issues and about discrimination. Today we are working on the music and lyrics of 7 songs to be recorded at INJUV's recording studios. We will then launch them through the local, regional and national broadcast stations.

During 2010 we will work on a report on transsexuality targeted to the youth; it will then become part of CEDOC (Documentation Center for the Youth). We will also develop a study and survey on discrimination based on Gender Identity and Expression in Schools within the Ohiggins Region.

**Were there any challenges? If so, how were they overcome?**



The agitated political climate in face of the presidential and lower chamber/senator elections happening in December has created a mood of confrontation between the Chilean right and left wings; that has led to both of them trying to use sexual diversity to win votes. Added to this is the fact that to the right wing, any action done with the government means political interventionism, and because of this, governmental agents have reduced their activities and actions, so as not to receive accusations that could lead to the firing of employees or to public recriminations to the current administration.

We have adjusted somewhat to the political situation by reducing some activities.

**Were there any alliances or networks established to guarantee success?**

Youngsters from the Ohiggins region are knitted to the INJUV; thus, this has made it relatively easy for OTD to establish working and action networks with Hip-Hop, dancing, painting, folk dancing, sports, singers, rock and musical groups, and with other related groups such as families of psychiatric patients, people with physical disabilities, people with HIV/AIDS and their families.

This is the first time that the INJUV is including Gender Identity and Expression issues in its policies; so, this agreement is not only one more activist action, but it has also set the ground for a solid work of inclusion and integration for all.

**Did this practice contribute to broader movement goals or cross movement goals?**

After an analysis we came to the conclusion that it made OTD stronger and that we will be able to extend this local agreement to other regions in the country. This will be a useful tool for our personal development, the development of our families and of our activism. Also, the networks established with other discriminated and vulnerable groups add up to make a stronger work and have a greater political impact, with more visibility and power.

**What (formal or informal, intentional or unintentional) skills, lessons, etc., were learned in the process?**

- a) Computers and the Internet are necessary tools for developing the work and action plans of OTD.
- b) A serious, responsible, work gives us access to governmental areas, and from there we can have a political impact and create real, concrete, changes.
- c) The acknowledgment of gender identity and expression within governmental agents is feasible.
- d) Opportunities constitute agents for political impact; for example, the opportunity of networking with other youth groups has strengthened our work.
- e) Youth is a source of energy and dynamism that strengthens work.

## **Empowering LGBT people through implementation of mental health programming**

**Delene van Dyk , OUT Wellbeing**

***Summary: OUT LGBT Well-being is a registered non profit organisation looking after the well-being of the LGBT communities since 1994. In pre-1994 South Africa, homosexuals were persecuted and denied equal rights to heterosexuals. The interim Constitution of 1993 was the first legal instrument that protected the human rights and dignity of homosexuals, and this was entrenched in the final Constitution of 1996. Flowing from the Constitution, equal rights and access to medical and psychological services were guaranteed. However, in reality, many service providers were still ignorant or obstructive in the provision of these services. This formed the basis for the establishment of OUT.***

***OUT is a professional organisation and external accountability is ensured by a Board. OUT have a total of 14 full time staff members and is one of the oldest and biggest LGBT organisations in South Africa. Our programmes include: providing direct mental and sexual health services to LGBT people e.g., counselling, groups, social activities, workshops, voluntary HIV testing and other clinic services, club interventions and safer sex drives. OUT has also conducted extensive quantitative research on the experiences facing LGBT people and is currently involved in various large scale research endeavors. OUT is furthermore involved in mainstreaming and advocacy work to realize LGBT rights. One of OUT's successes is ensuring same sex marriage through the Civil Union Act.***

***The Mental Health Programme is just one of the successful programmes offered by OUT. One of the objectives of the Mental Health Programme is to provide psycho-social support to LGBT people as individuals, groups and communities and to advocate for mainstream service delivery to be LGBT affirmative without discrimination or the infringement of the rights of LGBT people. The counselling services, study groups and sensitization training are seen as one of the best practice models. Since the September 2006 up to September 2009, the past 3 years, OUT offered mental health services to about 3546 LGBT individuals and trained 684 health care professionals through the study groups and sensitization trainings.***

***Even though the South African Constitution includes the rights of homosexuals to be protected, LGBT people are still deeply disempowered and homophobia is thriving. This has a profound impact on the holistic wellbeing of LGBT individuals and communities, especially those having difficulty claiming their rights. The Mental Health Programme assists in addressing the challenges and health issues and reducing the violation of the human rights of LGBT people.***

**Describe the promising practice.**

OUT Mental Health Programme

One of the objectives of the Mental Health Programme is to provide psycho-social support to LGBT people as individuals, groups and communities. Also to advocate for mainstream service delivery to be LGBT affirmative, offering all LGBT people equal treatment, free of any form of discrimination and acknowledging LGBT people's rights.

The following services are highlighted as part of the "best practice model", the counselling services, study groups and sensitization training:

**The Counselling Services:**

- OUT offers face to face counselling and therapy daily, by a professional team consisting of a psychologist, nurse therapist and social worker. The team is supported by three lay counsellors.
- OUT offers a counselling and helpline from 09h00 to 22h00 every day.
- OUT offers various support and interest groups.

All groups are presented once a month at a specific time for two hours and are planned in the beginning of the year.

**Study Groups and Sensitization training:**

OUT increases the capacity of Health Care Professionals and Health Care facilities to provide LGBT affirmative services through offering monthly Study Groups for mental health professionals and sensitization training to service providers. The aim of the Study Group is to offer psychologists, counsellors and social workers a platform to discuss and understand issues regarding the LGBT client. This will assist the mental health professionals in offering LGBT affirmative services, thus allowing the clients the freedom to express themselves without prejudice and discrimination and protecting their rights.

These Study Groups are presented by an identified specialist in the field, mostly a psychologist. All psychologists and counsellors registered at South Africa's Health Professional's Council (HPCSA) need a total of 30 Continuous Professional Development (CPD) points per year in order to stay current in their respective fields. The Study Groups are approved by the HPCSA for 2 CPD points per session. The duration of each session is two hours, consisting of a 40 minute presentation by the specialist and enough time to discuss issues deriving from the presentation. The Study Group takes place once a month, the last Friday of the month, from 10h00 to 12h00. All the sessions are planned in advance. There are no costs involved for the participants.

The **sensitization training** provision is a bit more complex and depends on the needs of the service provider of which the health care worker belongs to. OUT is a member of the Gauteng VEP forum (Victim Empowerment Programme). Through these meetings, collaboration and networking, service providers approach OUT for a training session. On average the training is a five hour training session consisting of the following:

- Introduction of OUT LGBT Wellbeing, it's history, services provided and staff involved in the programme
- A stereotype exercise
- A discussion session on "Sexuality – binaries & boxes". The four themes included are sex as a biological concept, gender as a social construct, sexual orientation and sexual practices. This session usually evokes a lot of emotions and questions from the participants.
- A "coming out" exercise
- A discussion on the special issues LGBT clients may present with e.g. coming out, hate crimes etc. and how these issues are related to the rights of LGBT clients to access services and be treated in an affirmative and equal way.
- A discussion on the way forward.

**What was or is the political and/or organizational context when the best practice began? In other words, why did it happen or what caused it to be developed?**

OUT LGBT Wellbeing was established in 1994, in the time of immense political changes in South Africa. This country moved to be a country with the most promising Constitution in the world. Although the Constitution protects the human rights of all people, including homosexuals, discrimination on the basis of sexual orientation in various contexts still exist. In a recent study conducted by the HSRC, South Africa is still challenged with 85% homophobia. It is 15 years into a new South Africa with an all inclusive and protecting Constitution and LGBT individuals are still deeply disempowered. Mainstream service delivery is not geared for offering LGBT affirmative services. The rights of LGBT people accessing health services, specifically with regard to sexual health and reproductive rights are infringed in various ways, e.g. nurses and doctors assuming that all their clients are heterosexual, or buying into the stereotyped believes that lesbian women should not or don't want to have children. Many LGBT people, because of the deep level of disempowerment, are not aware of their rights.

Also, response from the LGBT sector over emphasizes social justice, with a lack of implemented programmes, except for OUT's current direct services. In offering programmes that enhances LGBT people's health and wellbeing, they are given an opportunity to learn about their rights, and what to do if their rights are infringed in any, way empowering them to claim it in future access of mainstream services.

Initially OUT worked at legal reform. There was a Helpline available. Clients could get info on LGBT affirmative health care professionals, social spaces like clubs and counselling. A Study Group for mental health professionals and an HIV support group and were established in 2003. A very successful gay men's psychotherapeutic group were run by two psychologists. This group was only offered in Johannesburg, not Pretoria where the OUT offices were situated.

A full mental health programme was initiated at the end 2006.

**Outline how this idea or practice developed or emerged.**

On 1 September 2006, a Mental Health Manager was appointed for the first time at OUT. Before that, the mental health activities were managed by OUT's researcher. There was a need identified for a more formal mental health programme with specific activities.

Through the Levels of Empowerment Study, conducted by OUT and the University of South Africa (UNISA) in 2003 / 2004 the need was identified to offer services directly to LGBT's and train service providers to be LGBT sensitive. In the above study it was found that 5% of LGBT people that took part in the study were refused treatment based on their sexual orientation. 13% delayed seeking help due to the fear of discrimination by the health care providers. There seemed to be a growing need to provide Mental Health Services additional to that of the Helpline, HIV support group and Study Group in order to make LGBT people and those providing services to them, aware of their human rights, including sexual health and reproductive rights.

A recent study by Theo Zandfort, presented the link between internalized homophobia and sexual risk taking. Even before this study, we were aware of this link. The focus used to be a lot on sexual health. The past three years the focus shifted to more holistic services, including mental and sexual health in combination.

#### **Why do you view this as a success or why do you prefer it as a way to do your work?**

Since September 2006 a total of 3546 clients made use of various services within the mental health programme up to September 2009.

Just the mere fact that there is a place like OUT offering these services is comforting for most clients. The mental health needs of LGBT Individuals differ. Some feel comfortable with a face to face session especially when in crisis. Others have a need to meet likeminded people in a safe environment, because they do not like the club or internet dating scene.

A total of 684 health care providers attended sensitization trainings and or the Study Groups up to October 2009. OUT is the only organization in Gauteng, South Africa, which offers sensitization training in terms of LGBT rights and health needs to health care providers.

It moves beyond the rhetoric of social justice. Discrimination has a deep impact on the LGBT individual and communities' health. To establish total wellbeing, work on individual level is just as important as working on the level of social justice for all. Working on social justice only, however, does not improve the health rights and wellbeing of individuals and communities on ground level. Thus, individual therapy, group therapy, LGBT community development and training of service providers are all an important part of OUT's services. This holistic approach to wellbeing is important in guaranteeing the human rights of LGBT people.

#### **What factors, intentional or non-intentional, external or internal contributed to its success?**

The professionalism, passion and commitment and professionalism from the staff members involved the programme is a big contribution to the success. OUT has been around for 15 years. It seems as if we are only being taken seriously the past two years, since we've been

professionalizing the health services. We hope to be seen as Africa's Specialist Centre of Care to LGBT people and communities in future.

There seem to be an increasing need of HCP's to understand the challenges that LGBT people face when in need of health care services. The SA Constitution protects the rights of LGBT people, and therefore influences policy changes. The needs of LGBT people are included in more and more policies, e.g. the National VEP Policy, the National Family Policy and the Gauteng Shelter Guidelines for LGBT individuals. This opened the door for OUT to offer and provide sensitization training to Government Departments and NGO's providing services to LGBT's.

### **What individuals and leaders had an impact on the outcome, if at all?**

The Schorer twinning in 2002 assisted tremendously in how to work programmatically with mainstream service providers. Schorer is the Dutch institute for homosexuality, health and wellbeing established in 1989. They have a fast experience in programme implementation and OUT is very thankful for this twinning agreement.

The OUT Board and Director, whom had the vision to professionalize the mental health programme and other direct services.

The current staff of mental and sexual health for their dedication and support, sometimes in difficult circumstances.

The support and guidance from fellow professionals, in the psychology field, especially in terms of mentoring.

The mental health manager, for ensuring that the programme is executed professionally.

Researchers and advocacy staff, for compiling the booklet "LGBT Guidelines for Service providers" which assists in emphasizing a human rights based approach during sensitization training.

### **Was there some measure to evaluate the practice and what was it?**

The clients complete a Client Satisfaction Survey each time they make use of any of the counseling services and the response has been positive in 99% of all cases.

All Health Care Practitioners are requested to complete an evaluation form on completion of the training or Study Group. Most of the participants declare that they have a deeper understanding of human sexuality and the lived experience of LGBT people and their specific health needs. There is a broader spectrum of health care providers that we can refer clients to now, knowing that an LGBT client will be safe and will receive optimal care from them without being discriminated against in any way.

We have identified a gap. We do not know if there is really behavioral change, both from the LGBT clients making use of our services, as well as with the health care providers. An impact study on behavioral change would be costly, but will give us a better idea if what we do, really have an impact.

### **Were there intended or unplanned outcomes, and what were they?**

Programmes are carefully planned and designed before initiation, but as always, there are some unplanned outcomes, such as individuals contacting the Helpline with prank calls – this is dealt with professionally. Sometimes a training session is “high-jacked” by an individual. We use the information, especially when they say the most horrifying things about LGBT people, as a group discussion, knowing that, ironically, the view of this person is that of the greater population out there. No matter how well an intervention is planned, the human element cannot be eliminated and unexpected actions are dealt with professionally. All interventions are supervised by a registered professional who is bound by the ethics of a registered body.

Another unplanned outcome was the opportunity to train two groups of LGBT people in rural areas in two other provinces, Mmapumalanga and North West with regard to human sexuality, LGBT issues and human rights. It is important to make LGBT people in rural areas aware of their rights and to assist them to claim it back, especially if taken away or ignored by either perpetrators or through secondary victimization by service providers e.g. the South African Police Service when opening up a case.

We are responsive to support LGBT activists in other African countries, like Uganda, who experience severe stress doing the work they do in extremely homophobic, fundamentalist and patriarchal environments. Their lives are in danger. OUT’s mental health team assist with psychosocial support through telephonic and e-mail counselling.

### **Were there challenges and if so, how were they overcome?**

There is no dedicated funding for Mental Health projects. Most of the funding comes from OUT’s general overhead budget, which is already stretched to the limit. This means that there is no formal programme for training and no formal trainers to execute the training. Training takes place on invite only. The demand for training has increased over the past two years, as service providers become aware of OUT and pressure are put on them to let their staff go through sensitization training as demanded by internal policies, guidelines and procedures.

More capacity is needed to train the thousands of mainstream health care service providers and make them aware of the rights of LGBT people.

### **Were alliances or linkages forged to ensure success?**

Most of the requests for training are the result of advocacy work or professional networks. OUT is currently collaborating with well known and established NGO’s for further programmatic expansion, e.g. The Foundation for Professional development (FPD). Through this alliance, there

are possibilities for OUT to expand to other provinces in SA and implement programmes, including mental health services and training of health care providers in those provinces, directly and indirectly advancing the human rights of LGBT people.

### **Did the practice contribute to a broader movement or cross-movement goals?**

Alliance building with FPD and the Population Council to broaden programme implementation, also to other sites in SA, Port Elizabeth and Polokwane, which means reproducing current programmes in those provinces. This enables OUT to empower LGBT people in more rural areas to be aware of protect and /or promote their constitutional rights.

The interactions with broader policy groupings (e.g. Family Reference Group) have ensured that LGBT family issues are included in the government's National Family Policy. OUT is also considered to be at the forefront of the LGBT rights movement in SA and regular radio interviews contribute to the achievement of the broader LGBT rights movement.

### **What skills, lessons, etc. were learned in the process (formal or informal, intentional or unintentional)?**

Some community members and OUT staff got the opportunity to complete a lay counsellor's course presented by Lifeline. Through group facilitation, the OUT staff involved became experienced group facilitators in an area where very little professionals and lay counsellors get opportunity to be in.

In addition to counselling skills, staff got the opportunity to enhance their Television and Radio interviewing skills, since OUT is regularly invited by the media to appear on well known TV and radio shows. Other skills include advocacy work, policy development, sourcing of funding, research, website development, international conferences presentation and other presentations skills.

Community members must decide on what they need, because what we might think (even with good intentions) is a good or favourable health intervention, might not be the idea of the client. On the other hand, most LGBT people in South Africa are still not aware of their rights. It is therefore our duty to inform and empower them in this regard. We have noticed that those that went through a process of empowerment, either by accessing counselling or groups, find it easier to demand that their rights should be acknowledge in mainstream service provision.

We realized that homophobia comes from a lack of understanding and correct information, beliefs in stereotyped behaviour and limited exposure to LGBT people. Talking about human sexuality and making people aware of how they stereotype others, especially sexual minorities, in a professional way, with compassion and understanding, are more effective. Some professionals do not realize how, most of the times in very subtle ways, they deny LGBT people equal rights to health care. Through sensitization trainings we make people aware of their prejudice and how it links up with the human rights of all.



It is very important not to address the extremists, homophobes, prejudiced or fundamentalists with anger and resentment (often what they are used to projecting onto LGBT's) but to understand as to where "they" come from. This enables us to build bridges between the "us" and "them". It opens up a platform for respectful discussion, sometimes with heated debates, most of the time with a good resolve. When we conduct a training session like this, we are always aware that we push buttons, especially when it comes to patriarchal and religious beliefs. It is very important to keep cool, calm and collected. Some individuals do not mind what they say and sometimes it is difficult not to overreact and snarl back at them. We train as a team and know each other well enough to intervene when it happens. Lately it does not happen anymore, since we actually learned to manage the situation and we know – hurt people hurt people.

Not everybody can be a trainer in this set up. It's more than knowledge and political motivation. It is important that trainers have a good sense of humour, have a positive energy, and are non-defensive and non-rigid. We realized that individuals with unresolved personal issues tend to be abrasive in training, especially when their buttons are pushed, which could create a hostile training environment, which is not conducive to learning and understanding.

The more authentic the trainers and training experience, the more successful it proves to be. We've learned to read our trainees well and know when to share personal experiences. We realise that through sharing our stories with them, creates meaning and understanding of something that might be very mundane to us, but a whole new world to others. Through claiming our rights and respecting other's rights, we are role models to other LGBT people, as well as service providers.

The importance is holistic health - to do work on an intra-personal, inter-personal, community and mainstreaming service delivery level, all with a rights based approach, seem to add to OUT's mental health programme success story.

## **Addressing the Needs of Transgender and Hijra Communities in India through a Collaborative Approach**

**Amitava Sarkar, Solidarity and Action Against The HIV Infection in India (SAATHII)**

*Summary: The mainstream society in India does not always accept transgender/Hijras and often they are exploited by various means. This practice of exploitation with discrimination leads to poverty, poor level of education and limited or no opportunities of employment for them. The situation also forces the community into high-risk behavior including sex work which resulted in increased vulnerability of transgender/Hijras to HIV and STI. Apart from health, their other development related concerns most of the time remains unaddressed in India mainly for lack of spaces where these people can feel safe to discuss their issues. UNDP has recently been identified as the lead UN agency to work on issues of sexual minorities. Keeping the above mentioned situation in mind, this year (2009) UNDP provided financial and other support for a series of regional consultations for the transgender/Hijra population in India followed by a final national level consultation. At the national level a set of common definitions and recommendations were finalised to understand the population and to work for them in more effective manner.*

### **The promising practice:**

Development related concerns for gender variant populations remain unaddressed in India mainly for lack of spaces where they can feel safe to discuss their issues. For the funding organisations, difficulty was observed in receiving a clear idea about all these populations and their concerns. To bring them all under a common umbrella and to project a common definition and a comprehensive list of issues faced by them for developmental and advocacy activities on a national level, with support from UNDP six regional consultations were carried out starting from May 2009 to July 2009. The total procedure was concluded by a national level transgender/Hijra consultation on October 29-30, 2009. A convening committee was formed to facilitate the whole process and they were involved in the planning and other associated activities throughout the entire period. This helped different groups and communities to come together towards a common understanding and to work for their development concerns through a collective manner.

### **Background:**

India is a diverse country with different populations and races. Within this diversity, Hijras and other male to female transgender populations exist in almost all states of India with their unique identities and issues which remained unaddressed most of the time. This leads to an uncomfortable situation not only outside these communities in understanding their issues and problems but within these communities these individuals or groups of people hardly have clear ideas about their various identities and issues.

Some STI/HIV intervention programmes among these populations have already been initiated under the National AIDS Control Programme. Additionally a few funding agencies have also carried out developmental programmes among these populations. But such programmes currently have a very limited reach (excepting Tamil Nadu) and are yet to fully integrate a rights based approach in their work.

Furthermore community inputs in several state and national level meetings in the last two years did not yield significant changes in the national level programmes and policies benefiting these populations because of the following reasons:

- i) Lack of spaces where all individuals and groups feel safe to discuss their issues and get the opportunity to know each other
- ii) Hence community leaders are unable to project a comprehensive list of issues that the TG/Hijra communities are facing and are unable to come up with concrete plans for developmental and advocacy activities on a national level

Additionally till date hardly any initiative has been taken to conduct a national level survey or study which could provide data about these populations in terms of their numbers, set of identity definitions according to their backgrounds and behaviours and proper information about their needs and issues in different geographical locations.

**As a result:**

- i) It leads to lack of clarity in understanding gender variant people and their issues
- ii) Lack of motivation regarding how to address common issues in a collaborative approach for their own development concerns
- iii) For the funding organisations, it has become very difficult to have a clear idea about all these gender variant identities and their issues
- iv) Development related concerns for these populations also remain unaddressed

In October 2008, a consultation was carried out by UNDP in Delhi on MSM issues in India. The same picture mentioned above came out in this meeting when the discussion started about transgender and Hijra populations and their issues. Participants attending the event realized this lack of clarity, which was reflected even within the transgender and Hijra community.

**How this idea or practice developed:**

Another consultation was organized in Mumbai on March 21 and 22, 2009 in order to submit a proposal on MSM and transgender issues to the Global Fund to Fight AIDS Tuberculosis and Malaria (GFATM), Round 9. The same problem was observed when transgender and Hijra activists started to explain their health and development issues in this meeting. And later it was realized by all that there should be a space for transgender and Hijra groups from all over the country, where they could discuss all these issues.

Some high level officials from UNDP, Delhi Office had a short meeting with some transgender activists in the same event towards planning the next steps to solve the problem. A need was identified to organize a national level consultation on transgender and Hijra issues, in which various groups working for transgender and Hijra communities could come together and discuss their problems and issues.

The idea was to help the communities, funding organisations and others concerned, in receiving a clear picture about various identities of transgender and Hijra communities and also their issues to deal with. On behalf of UNDP the concerned person agreed to provide resources for such a consultation. A planning meeting (Kolkata / April 8-9, 2009) was organized with the UNDP officials and 13 community experts to develop the next steps in order to achieve the goals. In the same meeting it was decided that a total of six regional level consultations would be organised which would be followed by a national level consultation. It was also decided that in each zone there would be a lead agency to organise the regional level consultation which would be responsible for:

- Submission of a proposal to the UNDP towards conducting the regional level consultation
- Receiving and disbursing funds for the regional consultations and submitting a finance utilization report
- Coordinating and managing the event
- Providing UNDP with a technical report after the event

Since SAATHII has previous experience in working in West Bengal, Orissa and North Eastern states, it was decided that SAATHII would submit the proposal to conduct a regional level consultation for all these states.

**A brief about the proceedings at the regional level consultation in Eastern India (May 29-30, 2009; Kolkata):**

Total 41 participants from individual and organizational level took part in this two days long consultation. This includes the following activities:

a) Session on National AIDS Control Programme - Phase III (NACP III): Dr. Smarajit Jana, National AIDS Control Organisation (NACO) attended this event and he was invited to give his important input on NACP III and how it affects the transgender populations. Pawan Dhall, Country Director -Programmes & Development and Calcutta Office Director from SAATHII also shared his opinion regarding the same.

b) Group work: Based upon the regions five groups (North East, Orissa, Kolkata 1, Kolkata 2 and West Bengal) were created and the topics were:

- i) Health – General, sexual, mental and reproductive
- ii) Violence – Domestic, state, institutional

- iii) Stigma and discrimination
- iv) Social security
- v) Access to appropriate information and services
- vi) Regional issue

c) Session to solve the needs/gaps came out: Several issues and problems were identified during the above mention session and it was decided to have everybody's opinion to address the needs and gaps, how to solve the problems or to fill the gaps, whom to work with and the challenges to face in implementing this whole procedure.

e) Definition and recommendations received (based upon the information about the local identities):

### **Transgender:**

Transgender is a gender identity. Transgender persons usually live or prefers to live in the gender role opposite to the one in which they were born. In other words, one who is biologically male but loves to feel and see herself as a female could be considered as a male to female transgender person. This has got no relation with anyone's sexual preferences. It is an umbrella term which includes transsexuals, cross dressers, intersexed persons, gender variant persons and many more. In Eastern India there are various local names and identities, such as Koti, Dhurani, Boudi, 50/50, Gundu, Chakka, Koena (in Khasi), Sitang Sitang, MSM B, Miti (Assam), Bahkong (Shilong), Sada Suhagan, Maichiya, Rango and Maigonia. Among all these the mostly common identity is Koti. A few transgender persons also believe in a traditional culture known as Hijra. It is a historical cult based upon its own hierarchical social system (Nayek, Guru and Chela) with their own set of rules and activities.

### **Recommendations:**

Total 31 recommendations received and all participants provided their input to prepare the same that were mainly associated with proper access to legal and health related services; education and livelihood opportunities; old age support; access to social security measures (for example - ration card, voter card, PAN card); adequate information and support for SRS; training on gender, body and health; Orientation and awareness programme focusing in rural and backward groups; acceptance from the government and alternative action and reservation for transgender/Hijras in all walks of lives.

Overall this regional level consultation was very successful. Since this was for the first time the transgender and Hijra community got a common space to share their issues and problems and also tried to solve the needs and gaps identified. In the same year the same kind of consultation took place in Mumbai, Maharashtra; Bhopal, Madhya Pradesh; Delhi; Bangalore, Karnataka and Chennai, Madras. Another planning meeting was also initiated among the convening committee members at Delhi. In which, they decided the date and place of the national or final

consultation, the agenda of the national consultation, the list of participants from the communities, various government departments including NACO, state government officials, NGO representatives and UN agencies. It was decided that there should be representation from each state of India at the national consultation.

Finally the national level consultation, took place on October 30, 2009 in Delhi. On the previous day the convening committee had two separate meetings with UNDP and other participants regarding the overall mechanism to be followed at the national consultation.

**Objective of the national consultation:**

- To generate and share knowledge on social, policy, rights and resources issues relevant to transgender and Hijra community in relation to HIV in India
- To agree on a commonly acceptable set of definitions
- To agree on suitable and agreeable strategies for addressing the issues of the transgender and Hijra community

**The agenda of the national consultation includes:**

Welcome address; key note address by NACO - How are issues of transgender/Hijra community being addressed in the NACP-III; orientation of the stakeholders on the background to the national consultation; information dissemination about the regional consultations; group discussion on gaps / needs of transgender / Hijra persons based upon the findings from regional consultations; presentations on gaps / needs and solutions; discussion and finalization on a common broad definition to cover transgender and Hijra identities and finally also a discussion and finalization of the recommendations received.

**The definitions received:**

**Transgender (from the NACO perspective):**

Transgender is a gender identity. It is an umbrella term for those who usually live or prefer to live in the gender role opposite to the one in which they are born. They are socially excluded and also have multiple sexual partners.

**Transgender (broader definition):**

Transgender is a gender identity, it is an umbrella term for those who live or prefer to live in the gender role opposite to the one in which they are born.

The same set of definitions was also finalized for the Hijra population.

Recommendations finalized: At the day end recommendations were finalized on the following issues:

- Stigma, Discrimination and Violence
- Health
- Legal, civil and political rights
- Social security
- Issues related to NACP-III
- Community mobilization and strengthening

**Why to view this as a success:**

So far there has been no common space at the national level for the transgender and Hijra populations in order to raise their issues and concerns in a collective manner. There are various organisations in India working for these populations mainly at their local levels.

For the first time such a consultation was initiated at a larger level where participation was encouraged irrespective of geographical regions in India. Everything was processed through a much planned method. Through out the year six consultations were implemented at the regional levels and all the result was compiled at the final or national level consultation at the end of the process. For this reason, it was expected that all issues and problems related to transgender/Hijra populations were identified and the same reflected at the final consultation. Since all level of participation was encouraged, for the first time in a national level consultation, there was representation from very rural parts of India and there were people who took part in a national level consultation for the first time. Who were given the opportunity to raise their own issues and them themselves worked on the same in a collective manner.

**Factors contributed to its success:**

The participants were the representatives of the transgender and Hijra community organizations from across the country, NACO, different government ministries/bodies, donor community, state government officials, NGO representatives and UN agencies. For the first time in India the transgender and Hijra community got a large space to share and discuss their issues with these big officials and it was expected that down the line it would lead them to access better services from the concerned departments. All these important officials expressed their concern to help these communities with more positive approach since they also got the opportunity to know these people and their issues with more clarity.

**Impact on the outcome:**

As mentioned earlier a convening committee was formed to look after and facilitate the entire process from the very beginning. It was consist of 13 individuals from different parts of the

country who are working for the transgender/Hijra issues since years. For the first time they got the opportunity to become the important part of the entire process, which not only helped them to know each other's work in a more transparent manner but at the same time they got a larger space at national level which encouraged them and their communities to move forward with more self esteem and positive attitude.

**Measure to evaluate the practice:**

This large initiative had been taken in India for the first time with the communities and for the communities who belong to diverse regions and backgrounds. The expected output was mainly the definitions and recommendations part in both the regional level consultations and the national level. Earlier there was no space and problems were identified among the community and also with the donor agencies in order to work for these populations in an effective manner. And for the first time these diverse population tried to solve their problems with their own effort and that contributed towards better understanding and new promises from the different government and non-government agencies. This could be considered as the most important measure to evaluate the success.

**The intended outcomes:**

- a) To generate and share knowledge on social, policy, rights and resources issues relevant to transgender and Hijra communities
- b) To agree on a acceptable set of definitions (on terms), strategies, and direction

**The unplanned outcomes:**

- a) The orthodox Hijra communities in India used to think from their own point of views only and that had a reflection on all their development related issues. They realized to observe their concerns in a much broader sense and also came to the point of a mutual level of understanding with other transgender communities.
- b) This whole process forced the government to look the concerns of transgender/Hijra populations in a more serious manner. This might be another reason that on November 11, 2009 the Indian election authorities granted what they called an independent identity to intersex and transsexuals in the country's voter lists. They would have the choice to tick "O" (as others) for indicating their gender in the voter form.

**Challenges:**

- a) The overall process was facilitated in a much planned manner though the resources and time limit was restricted from the very beginning. Because of regular coordination and proper planning meetings ultimately it became a success.



b) There were representations from rural areas both at the regional level consultations and at the national level consultation and there were people who traveled and participated for the first time in such an event. To ensure their presence proper assistance was provided to all of them by the organizers.

#### **Linkages forged:**

Linkages were established with NACO, different government ministries/bodies, donor community, state government officials, NGO representatives and UN agencies. Representatives from all these bodies received adequate and proper information about the transgender/Hijra communities, which inspired them to help the communities with more positive attitude.

#### **Contribution to broader movement goals:**

a) As mentioned earlier, on November 11, 2009 The Election Commission of India introduced a new term ('O' or others) for the third gender to be used in the voter identity card.

b) For the same purpose the convening committee members also started to plan for an appointment with the relevant department of government which is responsible to introduce the unique identification card in India, which could be used for everyone as a national level identity proof.

c) Though the whole process was initiated for the male to female transgender and Hijra populations, but needs were identified to initiate similar kind of activities for the female to male transgender populations as well.

#### **Contribution to cross movement goals:**

a) The entire process was carried out both at the regional and national level and issues were identified at both the levels regarding sexual and reproductive health of transgender/Hijra populations and how to strengthen the health system in order to provide better services to these populations.

b) At the national level consultation necessity was also identified to work with the organisations that work for the women because in certain areas the nature of problems becomes very similar.

#### **Lessons learnt / skills developed:**

a) For the first time in India the front line leaders from the transgender/Hijra communities came to a common decision in order to achieve their goals with a collaborative approach. They also agreed to work together down the line. Definitely, this could be considered as the best lesson learnt.

b) To facilitate the whole process everybody became fully involved and they learnt step by step how to organise a national level consultation for a set of populations and how to finalise the definitions and recommendations based upon the inputs received at the regional levels.

c) Throughout the whole process the community people also learnt how to represent their issues in front of a larger audience and based upon the same they also became confident enough to raise their issues in front of different donor agencies and government officials.

## **Institute on “Strategies to cope with religious fundamentalisms”**

**Rosa M. Posa Guinea, International Gay and Lesbian Human Rights Commission (program for Latin America)**

***Summary: This presentation is about the Institute on “Strategies to cope with religious fundamentalisms”, a training space for LGTBI activists that took place in November 2008. There were 250 applicants for only 26 seats; this is an indicator of how much interest there was in the proposal: 26 participants, 12 excellent facilitators<sup>4</sup>, one person for logistics, 2 translators, 1 person working on the visual memoir of the event, and one coordinator.***

***In this presentation we talk about the needs that lead to the creation of the institutes in general, and of this one specifically, with development and outcomes; we also elaborate on why this is a valid proposal for the LGTBI movement in Latin America and the Caribbean.***

### **Describe the selected practice**

The institutes for training Latin American and Caribbean LGTBI activists are spaces for learning and sharing. We have held three of them so far, with a period of one and a half years between them:

- Institute for Trans and Intersex Activists of Latin America and the Caribbean. Argentina, November, 2005;
- Institute for Lesbian and Bisexual Women of Central America and the Caribbean. Costa Rica, 2007; and
- Institute on “Strategies to cope with religious fundamentalisms” for an LGTBI audience. Brazil, November, 2008.

Our proposal for ARC’s event is a presentation of the memoir of the Institute on “Strategies to cope with religious fundamentalisms”.

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<sup>4</sup> \*How to avoid, while at the same time undermine, the generic determination that language places not just upon the subjects and their possibilities to find themselves in language but also on the way we conceive and name the world? One strategy that might be used is the one we have set at work while writing this Memoir, through using the asterisk (\*). We have resorted to this “textual strategy” in three specific situations: (1) For plurals, when alluding to individuals of different gender identities; (2) for naming a subject whose gender identity we ignore and on whom we do not want

to impose a pre-determined gender assignation, and (3) when referring to a subject who does not identify with any of the options afforded by the male-female binary. The asterisk was chosen for several reasons. The “at sign” (@) is usually read as “male and female”. The letter “x” could be mistaken as referring to ‘intersexed individuals’, as it has been used by some authors. We prefer the asterisk because of how it looks, almost suspended over the sentence, as a star in the horizon or a point through which it might be possible to fly away. Of course, the asterisk cannot be pronounced, and we also like that because, when our tongue comes there, and staggers, it becomes quite an accurate expression of the status enjoyed by those whose existence gender ignores. (Memoir of the 2005 institute for trans and intersex activists. Text by Mauro Cabral)

26 participants of almost every country in Latin America and the Caribbean attended this 13-day institute.

Human Rights-oriented arguments to counter fundamentalist statements were also studied. The participants evaluated the institute very positively. Our proposal is to share this experience at ARC's event. (It must be noted that there were more than 250 applicants for an institute where only 26 individuals could actually be accepted.)

**What was or is the political and/or organizational context(s) that lead to the best practice you mention above? In other words, what caused it, how did it come to be?**

The Institutes Project was conceived after evaluating the limitations of many training workshops organized by IGLHRC –and by other human rights organizations- regionally or in other parts of the world. With this in mind, in 2005, we suggested the creation of training Institutes that would have all the characteristics we deem essential when considering this region's activists' concerns:

- Wide scope: To open this training space to people who, because of their sexual orientation, gender identity or expression, or because of a lack of academic credentials do not usually have access to studies in human rights within the traditional education system.
- To let the sexual orientation, gender identity and gender expression issues –usually absent in traditional human rights courses— be protagonists.
- An effective intervention to help dismantle hierarchies, and economic, social, ethnic and gender inequalities that exist within the L, G, B, T and/or I movements, and in the sexual and reproductive rights movement; all of them reproducing the inequalities that prevail in Latin American societies in general.
- A high-quality intensive training focused on learning theoretical and practical skills that will allow us to treat the addressed topics in depth.
- To create opportunities for the countries in the region to meet and communicate.
- The possibility of articulating this with other projects within the organization.
- A flexible format that will be adjusted each year according to the groups of participants and/or to the topics of the agenda.
- To make of it an accessible permanent reference for all activists in the region, including those who did not participate in the Institute, by distributing study guides, publishing a memoir of every Institute and other reference materials, etc.

The Latin American team grew to allow intense work on trans and intersex topics, and the organization of the institutes for activists. The first institute, part of LAC IGLHRC programs, took place in La Falda (Cordoba, Argentina), in October, 2005, right after such expansion. The institute for Trans and Intersex Activists was a space for learning and fundamental change. The whole event was documented in the form of a “Memoir of the Institute for Trans and Intersex

Activists”, which can be found in our webpage, [www.iglhrc.org](http://www.iglhrc.org) , in Spanish, Portuguese, and English.

Some elements of the trans institute remain ongoing: the support and counseling, (on organization, project creation, and funding sources), the sharing of information and experiences, the international networking, and the “the strength that it gave me to know I was not alone”.<sup>5</sup>

The second institute, “Lesbians and Bisexual Women of Central America and the Spanish-Speaking Caribbean”, took place in San Jose, Costa Rica on May, 2007, with the participation of 18 women. Its main axes were: feminism, organizational development, and the Human Rights systems. The whole document can be found at [www.iglhrc.org](http://www.iglhrc.org), also in three languages.

We are now presenting the memoir of the third institute, “Strategies to cope with religious fundamentalisms”, addressed to lesbians, gays, transgenders, bisexuals and intersex people.

The three institutes have ongoing consequences: the support and counseling, (on organization, project creation, and funding sources), the sharing of information and experiences, the international networking, joint activities, etc.

There are many factors that affect the work and activism for the Human Rights of lesbians, gays, trans and intersex people. Therefore, we would never presume to say that the historical achievements and efforts of other people are ours, but we do acknowledge our modest contribution to the building of a world that is free of discrimination.

In the words of a participant of the institute on “Strategies to cope with religious fundamentalisms”:

*“It is obvious that behind such a training workshop there is a lot of work in terms of coordination and logistics, but most of all, it takes a big financial support. This means that someone made an investment on us, trusting that in the future we would be able to transmit the experience and train other people, but most of all trusting that they would help create serious activists, who would campaign for the cause knowing its ‘enemies’ and partners. And, that is the case with me, they have created a monster that is full of information, arguments, and (want it or not) strategies learned at the workshop; it provided me with arms and tools for dealing with not only religious but fundamentalist people. In Costa Rica, as stated in our Constitution, the government’s and the people’s (almost mandatory) religion is the Roman Catholic Apostolic; hence, the importance of such training, as we face confrontational situations everyday.*

*In general, it was an enriching course; to share ideas with experienced and long-standing activists is very fulfilling. One can tell that the facilitators have been carefully selected; I really liked that the majority of them were members of the LGTTBI community because this means that they have lived in their own flesh and skin everything that was shared and expressed in this room.*

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Certainly, activists that keep on campaigning, working, and clearing the field...

**Describe how this idea or practice was developed or conceived.**

Why an institute on strategies to cope with fundamentalisms?

It is quite clear that in the last few years, religious fundamentalisms have spread in Latin America (and in the world). Opposed to the Secular State principle, religious fundamentalists intend for religion to be the first law for countries to abide by, and propose great restriction of the individual freedoms. All that, by setting one single moral standard through which they try to legitimize control over women: a comeback of the subordinate condition for women, where they are submissive to men within the context of marriage; the revival of stereotypes: women as inferior, intuitive, emotional, passive, and dependent beings, and also compulsory mothers and self-sacrificing wives.

The moral set of values they offer is centered on sexuality and the banning of freedoms and liberties, relying on statements that are similar to those of those jurists in the Middle Ages who justified the Inquisition; that is, by stating that homosexuality is a sin “against nature”, an insult to God, and that abortion is a crime, without condemning, nevertheless, domestic violence nor hate crimes, among other things.

Those are groups with strong financial and political power who, for years have controlled the academic, political, and work spaces. They presume the term “life” to be their own; sexuality is at the center of their thoughts. Their obsessive topics are abortion, homosexuality and sexual education for children and teenagers. Their presence in the media, the powers of the State and other influential fora, increases their power. They own TV channels in almost every country; broadcasting from the USA, they generate news and bombard the population with “moral values”, such as: sex outside of marriage causes death.

Religious fundamentalisms keep spreading, they succeed in impeding the creation of laws to protect LGBTI people and women in general; through the manipulation of information and the use of their political influences they even achieve to deprive us from rights already conquered (for example, the elimination of therapeutic abortion in Nicaragua, in 2007). To cope with this, LGTBI and feminist groups have developed different successful strategies. We offered LGTBI activists in the region this space for sharing with them these experiences, to get them to know the statements and rationale behind those fundamentalisms, and to help them develop valid ways of action in the different countries towards the advancement of the Human Rights for all.

**Why do you consider that this practice was or is successful, or why do you prefer it as a way to do your work?**

A. Because it is a unique learning space

The proposal to create a space with, on the one hand, workshops, conferences, access to information, etc., and on the other hand, sharing and networking, is, undoubtedly, a tool for building a stronger movement because:

- It reduces the traditional distances between the L, B, G, and T (sadly, no one identifying himself/herself as "i"-intersex came to the institute), and helps dissolve prejudices.
- It is also important when working with one identity group only, because it fosters collective empowerment (this and the previous item are not incompatible).
- It allows for experiential learning outside the formality of a workshop structure. (As an example, I quote here the words of a lesbian participant, *"After talking to X, I realized how much of transgender I do have".*)
- It makes concepts and theories easier to understand thanks to the implementation of interactive methodologies that put the participants in a situation of collective building of knowledge, and because of the diversity of the facilitators provided.
- The LAC IGLHRC institute's position is based on: creation of synergies, sharing of responsibilities, and autonomy, because we are aware of the fact that we are working with activists, and building with them a shared, collective, space.

The key to "success" is to build a collective space that belongs to each and all of the participants.

#### B. Because of the relevance of the issues tackled:

##### **Religious fundamentalism in Latin America and the Caribbean**

- Analysis of the contexts of the fundamentalisms in the different countries
- The use of Human Rights from the fundamentalist perspective. The Natural Right and its content
- Power structures, funding and networks of the different churches
- Fundamentalisms as civil society campaigning for the Human Rights at the UN and OAS
- "Curing" homosexuality.

##### **Alternatives to fundamentalism**

- A Lay State
- LGBTI Human Rights under the light of the international instruments
- Arguments based on sexual rights.
- Sexuality and religion

## Strategies

- Communication strategies
- Successful actions in the region
- Documentation of cases of LGBTBI's Human Rights violations
- Resisting, and challenging religious fundamentalisms

As outcomes:

### C. For the links created between different people and organizations of different countries

New ties between organizations were made; for example, different Nicaraguan organizations established links between each other: "The information that I received at the institute has enabled an exchange with the Safo group and the DHS DH; we came up with a first lesbian forum (myths, realities, and religion); we have reproduced many of the documents provided at the Institute, and they are proving to be of great help because, we think, the issue of religious fundamentalisms is complex and complicated, and in Nicaragua it has its own peculiarities; with the women's movement we established a permanent open discussion regarding the topic of religious fundamentalisms". Nicaraguan participant of the 2008 institute.

There are other links between the participants that have to do with the creation of joint strategies: "We are trying to create an exchange strategy with other participants, and we are trying to understand how to build a Caravan against LGBTBI religious fundamentalisms that would go touring through our different countries with many activities involved... It is not ready yet". Participant of the 2008 institute.

"Through our blog and via e-mail, we keep constant communication with the different organizations that were present at the institute, to support each other in actions and to share a little bit of the progress of each group". Institute participant from the Dominican Republic.

One of the achievements is the fact of knowing better our rights...

And, most of all, to learn about fundamentalisms, its roots and scope. Also, the analysis of the contexts, learning about the links between religion and sexuality, etc. The more you learn, the more confident you become and the more solid the self-perception of legitimacy; ultimately, it helps dissolve guilt-ridden Christian ideas and understand the political and economical interests behind them.

That much we know from the participants' testimonies:

"The truth is that the institute was extremely helpful to me. I have incorporated much of what I learned there, not only to my speech, but also to the actions I undertake, for example, to the training workshops I gave to young sexual and reproductive health promoters in the context of



the *Ser Jovenes* project, and to a few presentations...” Peruvian participant

Did the population increase their knowledge of LGBTBI rights?

We can see this from the actions that the participants are undertaking individually or through their organizations. Let us quote the opinion given in August 2009 by one of the institute participants: “Well, it’s almost a year since the Brazil conference, and I can tell you that it has proved very useful to have learned different strategies to cope with fundamentalisms and, as odd as it sounds, in politics, because to hear what others have experienced helps you learn new things and how to apply them to your own country.

When I came back to Bolivia, along with other activists, we started a plan with very Catholic family members that support us and who are against the Benedict XVI’s statement, and well, it was very interesting; we held several workshops and it was interesting because those family members quoted biblical passages, popes’ statements, and the like, to support us”. Bolivian participant

Up to now, the participants have undertaken several actions. The activities have been many and diverse: from a video against fundamentalisms (Chile-Colombia), to publicity campaigns (Uruguay), actions to support legislation (Paraguay), plays against discrimination (Mexico), etc. It is difficult for us at IGLHRC to measure the social impact of these actions, but we can have an idea.

The changes occurring in the public policies of the different countries are due to several conveying factors: the impact of the local organizations, the political timing, the existence of more progressive agents that are also more connected to Human Rights, etc. When we, from LAC IGLHRC, think of strengthening the movement by providing training to activists, we do it with the thought of seeing subsequent visible achievements in mind. When these achievements do occur, we know that our actions contributed to them as a tiny part of the immense sea of facts, ideas and circumstances that, when put together allow changes to happen. The fact that people who were participants in our institutes (1, 2, and 3) are occupying visible positions as LGBTBI-rights defenders at the OAS, is a consequence of the work of the local organizations, and also due to the high-worth of the activists, to the articulation at this international space, and to many other factors including our humble contribution to the strengthening of activism.

**What intentional or unintentional, external or internal, factors contributed to the success of this practice?**

The clarity of the proposal, the quality of the facilitators and participants, the logistics, the alliance between the regional organizations, IGLHRC, and *Red latinoamericana CDD*.

**Were there any outcomes, what individuals or leaders had an influence on them?**

The participants and their organizations and also the facilitators.

**Was there any parameter to evaluate this practice? Which one?**

The institute planned evaluations every 3 days. In them, the participants evaluated the relevance of the workshops and every aspect of the institute. We believe that the idea of an “institute” (regardless of the topic and the public it addresses) is a good proposal, because of its positive impact on every person that has ever participated since 2005. Basically, we consider the perceptions and actions of the participants during and, most of all, after the institute.

**Were there any unintentional or unexpected outcomes? Which one(s)?**

Yes, there are always unexpected outcomes that have its consequences; for example, because of the institute, one of the participants was a panelist at the Latin American and the Caribbean Feminist Meeting held in Mexico; other people have started joint projects (Chilean-Colombian audiovisual materials), another participant of the institute participated at the Feminist Meeting in Paraguay, etc.

**Were there any challenges? If so, how were they overcome?**

Before the institute takes place, the challenge is when the selected people cannot participate; then we have to call others very fast. This causes changes in the structure in terms of the desired diversity (for example, some Jewish and indigenous people that were not able to attend), but this was compensated in the end.

The challenge is to be able to maintain a valid proposal adapted to the needs of the activists in the region.

**Were there any alliances or networks established to guarantee success?**

Yes, of LAC IGLHRC with the Latin American Network of Catholic Women for the Right to Decide (*Red Latinoamericana de Catolicas por el Derecho a decidir*) and with the support of the Campaign for an Inter-American Convention on Sexual and Reproductive Rights (*Campaña por una convencion interamericana de los Derechos Sexuales y los Derechos Reproductivos*).

**Did this practice contribute to broader movement goals or cross movement goals?**

Yes. By request of the participants, one of the activities within the context of the institute was to attend the demonstration against racism on November 20. The work on antiracism within the LGTBI movement still has a long way to go, but thanks to the cross movement activism of some of the participants, there was some reflection and advancement on the topic; this was not planned as such in the program, and it has led us to the conclusion that in the following institutes we need to work on the topic of racism.

Moreover, the feminist perspective was always present; this demands a reflection on the intersections between the LGTBI and the feminist movements.

**What (formal or informal, intentional or unintentional) skills, lessons, etc., were learned in the process?**

The formal learning at the workshops is having the desired impact. The informal sharing and learning stay “forever”: for the lesbians it was important to spend time with the trans women, and vice versa; for the gay men, it was good to spend time with the trans men and the lesbians; there was also some talk about bisexuality, etc. In other words, it fosters a micro LGTBI space that has consequences for the movement.

The whole institute, with its formal and informal spaces, promotes an integral learning.

A practical lesson learned from other institutes is the importance of logistics and that the place (the hotel) be LGTBI friendly.

## Combatting homophobia in Dutch Schools: *The inside-out approach*

Geert-Jan Edelenbosch, COC Netherlands

*Summary: COC has programs on getting homophobia out of schools since the 1970's. For more than 20 years our approach was to go to schools and try to educate students, teachers and school boards about sexual diversity. Schools would sometimes ask us, but mostly we would have to try hard to get into these schools, convince them it was necessary to raise awareness and discuss tolerance towards LGBT's. As an outsider, it is very hard to get schools to cooperate, or to start a process in the school that really leads to more acceptance of LGBT's. For starters the more friendly schools would say "there are no issues here, so we don't see why we would have you come in", but as many schools would just not feel like discussing the topic at all. After years of failed attempts COC reversed its approach and is now hugely successful in getting results.*

*We believe that the emancipation of LGBT people is first and foremost their own responsibility. We –the Dutch national LGBT organization- help, connect, support, facilitate, train, and coach and most important of all: give activists the confidence to take action and reach their goals. COC started a thriving community of LGBT teenagers. These teenagers organize their own activities with support and facilities of COC. These teenagers are now creating a movement of Gay-Straight Alliances, joint initiatives of straight and LGBT people that fight homophobia and make an effort to create a safe school for everyone. Gay-Straight Alliances, or GSA's, stimulate the dialogue on sexual diversity with their peers, create visibility for sexual diversity and put homophobia on the agenda of school boards from inside the schools. But even when students feel that their school isn't safe enough for them to take the initiative, COC can advocate on their behalf and with their anonymous input. For this COC developed its very effective Pink Elephant concept.*

*Starting a process from inside the school, community based, has now been successful at many schools, is fast expanding with minimal effort from us and has brought wider social acceptance of LGBT people. We call this approach inside-out. Our concept has been fully embraced by the Dutch Ministry of Education, Culture and Science as a nationwide effort to get schools homophobia-free. In this article we will lay out the background of our organization, the situation of Dutch LGBT's in general and in schools and of our reverse in approach in schools. We will elaborate more about our projects and will give examples of our work, failures and successes of the approach.*

### Background

COC meant Cultuur en Ontspannings Centrum, Centre for Culture and Leisure, a reminder of the pseudonym the organization initially adopted after its foundation in 1946. As the oldest LGBT organization still in existence in the world, COC has been instrumental in bringing about

considerable social and legal changes for LGBT's in the Netherlands and abroad and is devoted to a society which does full justice to each individual irrespective of sexual preference or gender identity. COC is a federation of 22 local COC organizations in most of the larger Dutch cities and its own executive office in Amsterdam. The Amsterdam office provides support and assistance to the local branches, the national special interest groups and operates as the national LGBT movement. The Amsterdam office also houses the project office and a federation secretary. The latter maintains the membership records. The local COC's operate in the region and offer personal support, support groups and information; promote lesbian and gay interests; and provide venues where LGBT's can meet. Special community activities aim at older LGBT's, women, young people, ethnic minorities and people with disabilities. The local organizations are run almost exclusively by volunteers. COC's Amsterdam office employs a team of about 20 professionals who are mostly involved with one or more of COC's many projects or programs. Internationally, COC works towards the advancement of LGBT organizations in various countries as well as is represented at various international organizations such as the UN, where COC has ECOSOC status.

Since the 1970's COC started bringing up the dialogue on homosexuality in schools. Storytellers from local COC-organizations visit schools and offer an informative hour long program on sexual diversity. These storytellers tell the class about their experiences as a homosexual, lesbian or bisexual. To this day, storytellers continue to visit classes in the Netherlands; an approximate 500 volunteers participate in this program. At this moment however, only 15 % of the schools open their doors to COC's informative program on sexual diversity. COC storytellers are in some cases invited by the school to offer an informative session; most of the time after a teacher has taken the initiative. Most COC organizations actively promote this program to schools. However, to this day, it remains to be very difficult to persuade schools to cooperate. In some schools, where diversity is put high on the agenda, COC storytellers get in easy. But in most schools where education on sexual diversity is most needed, it's virtually impossible to get in.

The above approach was pretty much based on making the school more LGBT-friendly from the outside. We tried to make clear to schools that the problems of LGBT youth in schools were urgent and suggest they take their responsibility. Unfortunately most schools don't see the problem. Homosexuality is rarely visible for them, since they don't know any LGBT students or teachers. Typical issues experienced by LGBT students or teachers within the school are foreign to them. An example of our former and failed approach was the 'GAY School Day'. In this project the government provided us with the funds to organize 'diversity' or 'gay' days where all students took part in activities about diversity and respect. We got substantial amounts of money per school to organize such events. It seemed fairly easy to offer a school such an activity, because it was even already paid for. But reality showed that schools weren't interested and didn't want to take part. So even when offered money, to put it bluntly, the school did not feel the urgency to do something that would bring more social acceptance of LGBT's and promote tolerance in general. Our approach had to be revised. Even though we only had the obligation to organize 5 of such days at schools, we weren't able to even get one organized.

## Situation

Acceptance of sexual diversity in the Netherlands has improved during the past few decades. LGBT's are visible and present on television and other media, where they have almost become 'commonplace'. For most LGBT's it has become easier to come out and be open about their sexual orientation or identity. When asked about the attitude towards gays and lesbians, almost 90% of the Dutch have a neutral to very positive view of homosexuality (Source: SCP 2006).

Although the general acceptance of gays and lesbians has increased, homosexuality in ones immediate environment and in public is not as well accepted. In the report titled 'Just Doing What Comes Naturally', the Social and Cultural Planning Bureau (SCP) distinguishes between general acceptance and acceptance of equal rights, and acceptance in people's immediate circle and in public. Although most Dutch people generally agree with equality for LGBT's, they find it harder to accept when two men or two women walk hand in hand in public than when a man and a woman do so. Politically, LGBT's in the Netherlands are in a good position. The government supports gay rights; the Netherlands was the first country to legalize marriage between same sex couples. The current government even has a Minister accountable to LGBT emancipation. Different organizations are being helped financially by the government and give support to projects and programs aimed at improving the social acceptance of sexual diversity.

Schools in the Netherlands are not always a safe environment for LGBT students. According to recent research by the Dutch Inspection of Education 50% of all students say the environment in their schools is not safe enough for LGBT youth to come out. A third of all schools in the Netherlands registered homophobic incidents last year. COC believes this is actually much higher since schools mostly do not register incidents like this. Social acceptance of LGBT people and sexual diversity in general in schools is differently perceived by school boards and students themselves. We know this by experience and research of the Dutch Inspection of Education confirmed this. Often we speak with LGBT students who are too afraid to come out. Many tell us stories of bullying, name-calling and a lack of education when it comes to sexual diversity. They feel their school is not a safe place for LGBT's. School boards on the other hand, often believe there are no serious issues. We believe that the reason for this is that they don't see it. When LGBT's stay in the closet – their problems remain invisible too.

Schools in the Netherlands have a lot of freedom. Schools can be public or have a confessional (often religious) base. Both confessional and public schools get funded by the government. Schools on a confessional basis can have their own stand on sexual diversity based on religious views. Some religious schools are therefore making a stand against homosexuality and a different gender identity and also get funded by a government that is promoting LGBT emancipation and rights. Also it is still possible for religious schools to fire LGBT's or not to hire them because of their sexual orientation or gender identity. Currently there is a big debate on this matter in the Netherlands, COC, other civil society organizations and certain political parties are pushing for a change in the law that covers equal treatment, so that LGBT teachers and pupils won't have to fear discrimination.

## Inside-Out

The work of COC Netherlands is primarily focused on giving LGBT people the tools and confidence and empowering them so that they can work on the improvement of their own position. This is also the basis of the 'inside-out' approach. It all starts with people who want a change in their own environment. The process that leads to social acceptance comes from inside a community; COC does not believe that a top down approach is effective.

Important in the approach is to identify front liners. Front liners are people who have found the confidence to stand up and speak out on their position in their own environment and are willing to make an effort to improve their own situation and the situation of other LGBT's. Front liners are the engine behind the emancipation process. All COC can do it provide

'fuel' to that process, be it with support, assistance, network or other resources. Very important is that COC recognizes that its support is not the only 'fuel' to the process; passion, help from others or time may be equally important.

The 'inside-out' approach in our education program is now reflected in three projects, each serving its unique added value in the process of emancipation. Our Young&Out project covers the community building aspect of our approach. Young&Out brings together youth under 18. LGBT teenagers meet their own peers for chatting, contact or just for fun. The movement aspect of emancipation is found in the Gay-Straight Alliances in schools, which we have been supporting. Finally we work on advocacy for LGBT students and teachers in our 'Pink Elephant' project.

## Young&Out

Young&Out started almost three years ago, in 2007, and is now a community of LGBT youth from 12 – 18. It all started with a young gay boy named Danny who, at 14 years old, wanted to come along in the annual Gay Pride Canal Parade in Amsterdam. The Canal Parade is the main event of the Amsterdam Gay Pride and each year 80 boats with thousands of gays, lesbians, bisexuals and transgenders travel along the Amsterdam Canals to celebrate their sexual preference and identity. The parade is political as well as fun and a big tourist attraction: over half a million people watch the parade from the side of the canals in the historic centre of

### Inside-Out (summary)

Our main goal is to help homosexual, lesbian, bisexual and transgender students (and teachers) to bring up dialogue about sexual diversity in their own environment, in order to bring acceptance of sexual diversity in schools. These students (and teachers) lead their own emancipation process. The students that stand up and organize GSA's or other student based initiatives to make sexual diversity visible and bring up dialogue are the activists. COC Netherlands supports, helps, coaches and connects these activists, we bring them together and most important of all: we try to give them the confidence to stand up for themselves.

Amsterdam. Danny got in contact with COC because he wanted to be on a boat too, to show the world that you can be just 14 years old and know that you are gay.

Danny was already out at the age of 12 and he wanted to meet other gay boys (and girls) of his own age. This seemed to be almost impossible. Gay community websites have an age limit of 16 years old, and many are full of pornography. At the same time Danny was too young to go to a gay-bar. Also the activities for LGBT youth organized by COC and other organizations maintained the same limit of 16 years old. In the Netherlands, the age of consent is 16 years.

**Young&Out** is COC's community of LGBT teenagers aged 12 – 18 founded in 2007. LGBT youth organizes activities for their peers. COC facilitates and coaches them. In the Netherlands there are 12 different groups that have meetings of 50 youth each month. COC wants to give them a safe environment to meet. So there are always 2 adults present who help and coach them. Young&Out also has a community website with more than 1000 members which is only accessible for youth under 18 years old.

COC recognized his situation and supported him and eventually 50 other teenagers below 18 as well as group of parents to join the Canal Parade with very fun and successful boat ride. His participation in the pride was widely televised both in the Netherlands as well as abroad.

Danny's Pride boat really opened a national debate on the issue. Interestingly though, after the Gay Pride all the criticism seemed to be gone. Danny, the other teenagers and parents had made a huge statement and they got a lot of praise for it eventually. In the weeks and months ahead of the Gay Pride COC organized a series of activities for LGBT teenagers, mainly to solicit youngsters who would want to come along in the gay pride. Eventually, these get together activities became very successful and after the Gay Pride we decided to continue offering these community youth meetings each month. We chose to brand the activities under the name Young&Out, as this was also our tag line on the Gay Pride boat.

The Young&Out meetings started out in Amsterdam and soon we were approached by more teenagers who wanted to establish their own Young&Out group in their city. Young&Out became something that LGBT youth initiated themselves, teenagers organizing activities for LGBT teenagers to meet each other; COC was coaching, supporting, facilitating, finding teenagers and bringing them together. Now, almost two years later after Danny participated with his Gay Pride boat, there are 12 Young&Out groups all over the Netherlands who meet on a regular basis, all of them facilitated by our local COC's. Needless to say that COC has been very careful in setting up the infrastructure and coaching of the Young& Out meetings. At every meeting two adults are present, they are clearly instructed and clear guidelines on how they should handle the youngsters to avoid any issue or problem have been detailed by COC.

We built an interactive community website where LGBT youth under 18 years of age can meet and chat, in a safe environment. The site already has a thousand members and is expanding. Teenagers can get their membership by simply showing their ID card on the webcam to us. COC



strictly enforces the age limits so we know that there are only LGBT youth under the age of 19 on the site.

### **Gay-Straight Alliances in schools**

Since 2008 we are helping LGBT youth and their straight allies to form Gay-Straight Alliances in schools. GSA's are student led groups of LGBT and straight people that try to create a safe and supportive environment for LGBT and straight students. The concept of GSA's comes from the U.S. GLSEN, the organization that supports GSA's in the U.S., has more than 4000 GSA's registered. GSA's have been known to make schools a safer place for not only

LGBT students, but for everyone. A school where LGBT people are respected, students from every minority group feel safer.

A Gay-Straight Alliance or GSA is a group of LGBT and straight people that makes sexual diversity visible and brings up dialogue about it in schools. They organize activities, hang posters, educate their peers organize debates or manifests and put sexual diversity on the agenda. They are also Based on our inside-out approach we activate, stimulate, coach, empower and connect youth to form GSA's in schools.

In the U.S. schools have after school clubs. Almost every student is part of an after school club, and they range from debating club to Spongebob fan club, from Chess club to GSA. In the Netherlands it's not common to have an after school club. It is therefore harder to get GSA's to form, cause the starting of a GSA is mostly based on activism, where in the U.S. the community and meeting aspect of the GSA is very important. In initiatives of GSA's are coming out of our Young&Out community. GSA's in the Netherlands organize campaigns, debates, hang posters, become storytellers about sexual diversity or get COC storytellers or theater shows about sexual diversity in the school, and most important: bring up dialogue about sexual diversity in the school, for unlike the COC storytellers that only visit the school for an hour, the members of the GSA are always present.

Stimulate the establishment of GSA's in schools is our most important goal in our Education projects. Activism is based on independency. We try to stimulate the movement, but we work to a situation where the process is totally led by the teenage activists and we have our supporting and facilitating role.

One way of stimulating a movement of GSA's is by organizing national campaigns in which GSA's can participate. We try to get together a lot of GSA's and students who are interested in setting up a GSA to participate in a national campaign that makes sexual diversity visible in (and outside) the school. The campaigns are all developed in order to facilitate GSA's to bring up dialogue about sexual diversity in their own environment, the school.

During 2009's Coming Out Day, an event we also copied from the USA and is now in place in the pusince 2007, GSA's and some individual students gave their school principals a small booklet

with 36 stories of LGBT youth in the age of 13 to 17 to show them what LGBT youth have to deal with each day. Since COC has built up such a large community in Young&Out it took us only a short time to collect the stories. With this brochure the students asked their school to sign a contract in which the school pledges to take responsibility to make sexual diversity visible and help bringing more dialogue about in order to promote social acceptance of LGBT within the school. At the same time they asked support for their GSA and asked the school to stand up against discrimination and bigotry against LGBT youth.

This first national GSA campaign was a huge success. GSA's and individual students at some 50 schools participated and got their contract signed by their school. All important youth media paid attention to the campaign. National campaigns like this are ideal to get media coverage and this campaign did just that. Such national media attention than also fuels the creation of even more GSA's. COC only employs a staff of two that oversee the activities aimed at schools and youngsters, but 'Inside Out' now has created a movement where those that are involved are empowered to take the initiative themselves.

In the next year COC will organize new campaigns. One of this campaigns will be the Ally Week. The Ally week is a concept that came from U.S. GSA's. During Ally Week GSA's invite their straight peers to be an ally to LGBT people and to take a pledge against bullying and name-calling to LGBT youth. Allies play a vital role in making schools safer for all students, regardless of sexual orientation or gender identity/expression. Students in the U.S. created Ally Week as a way to build upon the unifying work GSA's do across the country by encouraging people to be allies against anti-LGBT name-calling, bullying and harassment in schools. Organizing the Ally Week in the Netherlands fits perfectly in the inside-out approach. Students that bring up dialogue in schools from the inside is what makes inside-out and Gay-Straight Alliances successful.

Since we started the program in 2008 more and more students form GSA's in their schools. It is a relatively slow process to activate youth, but now that there are more successful GSA's that are an example to other students, the number of GSA's start growing. The national GSA campaign proved to activate a lot of students, but more importantly: students are helping each other. In a few places GSA's that successfully started up and organize activities are now helping other students to form GSA's in their town/region. For example in Dutch city Alphen a boy started up a GSA in his own school, and now build a GSA platform for all the schools (five) in his city. Students as this boy, and examples in other towns/regions show that 'GSA leaders are standing up and creating local movements. Our chances are with students like this, to support them to start their own movement, in which they are leaders of the emancipation process of themselves and their peers.

### **The Pink Elephant**

COC recognizes that to stand up and be the leader of this process, asks a lot from a student. Especially in the school environment where coming out can have big consequences for their positions. In some schools the environment is experienced as too unsafe that no student has

the confidence to address the issues themselves. They are too afraid that their coming out can have negative consequences for their position and safety. Not knowing the consequences of a coming out, they choose to live with a secret and their personal happiness on a second place.

Because COC can only help starting the process in schools where there is enough support, in schools where we help students start up GSA's for instance, we have the problem not to 'get in' to the school and start a process from inside-out. In schools where LGBT's won't address their issues and won't come out because of fear of consequences, the school will say that there are no problems concerning LGBT's in their schools. From experience in previous projects and our former approach we know that it is almost impossible to address LGBT issues to the school. Though, according to the inside-out approach, COC never has a leading role in others' emancipation

When students experience their school as unsafe, and feel that they can't come out of the closet and be open to address their issues themselves, COC advocates on their behalf in the Pink Elephant project. Students (and teachers) can get in contact with the Pink Elephant and we contact the school. The students (or teachers) stay anonymous.

process, we know that our presence changes the dynamics of the process. We can support, coach, help, finance, bring together and give activists confidence to let them emancipate themselves. In schools that are not a safe environment for LGBT's we can still support the LGBT students and teachers in the Pink Elephant project.

COC is in many projects the 'Pink Elephant in the room'. In schools we can have the same role. Students can get in contact with us, the Pink Elephant, and tell us their story. With their experiences we contact the school. Mostly we first start by writing an e-mail to the school director where we lay out the issues concerning certain LGBT students in their schools and asking them what they are going to do about it. The student stays anonymous. This is the start of a process. Mostly the school takes the situation of the students very seriously and want to do something about it, and asking our advice. Now that we are in contact with the school we can advise them on how to make sexual diversity visible and bring up dialogue about it. To put it very simply, we advise them they should educate students about sexual diversity (with COC storytellers, theater groups, lesson materials), take a stand against homophobic bullying, name-calling and harassment, and most important starting point: find the LGBT students and plan a meeting with them to hear their experiences. Schools should first know what the problem is. We can help schools find the students because of our big Young&Out network. Also, if the anonymous student gets back from the school that they take the issues seriously, it is easier to get the student to speak with the school director personally. Eventually, we focus on establishing a GSA in the school that keeps the process going from the inside.

In other cases the school doesn't cooperate that easy. If the school replies to the e-mail that they are not concerned enough about the issues addressed in the additional e-mail, we first try to find more students in the school (or teachers) that also feel that the school environment for LGBT's is not safe enough. We try to collect more stories so we can make our case stronger. We

keep up the dialogue until the school understands that they should take responsibility. In the case the school doesn't want to cooperate we can even think of having a demonstration in the school yard with a big blow-up elephant. In most cases the school cooperates and will take the issues addressed by the LGBT students seriously. By then, we get in the process of helping students to form a Gay-Straight Alliance.

## **Engaging with international instruments and collaborating with international organizations to transform local realities**

**Azusa Yamashita, GayJapanNews**

***Summary: GayJapanNews has submitted its alternative reports on the issues of LGBT rights in 2008 for the review of Japan under the Universal Periodic Review (UPR) and on the International Covenant on Civil and Political Rights (ICCPR) to the UN human rights treaty bodies. There were two progresses after the UN Human Rights Council and the Human Rights Committee have recommended the Japanese government to take measures to eliminate discrimination on the basis of sexual orientation and gender identity (SOGI). They are the government's endorsement of the statement on SOGI at the UN General Assembly in December 2008 and the change of policies by the Ministry of Justice to grant certificate for same-sex partners who intend to marry or register their partnership in countries where such relationships are legalised. It has not been confirmed yet if the recommendations at the UN has encouraged the endorsement of the statement but the decision of the Ministry of Justice was thanks to the recommendations that we got because of our submission of the reports. In the course of the above-mentioned events, there was good collaboration between international NGOs such as ARC International and International Gay and Lesbian Human Rights Commission (IGLHRC) and GayJapanNews. The events also told us that our global activism can transform into changes at a local level.***

### **Background**

The author of this narrative, Azusa Yamashita is a member of GayJapanNews for over four years with basic knowledge and background about international human rights law and mechanism. GayJapanNews is a volunteer-based group of LGBT and LGBT supporters that was originally established as Japanese online LGBT news source for LGBT people in Japan with an aim to empower these people by providing information on LGBT activism all around the world. The group has been a member of International Lesbian, Gay, Bisexual, Transgender and Intersex Association (ILGA) since September 2007. She is a part-time worker for Tokyo-based human rights NGO that advocates for the establishment of an independent national human rights institution.

### **Narrative**

“Our global activism can transform into changes at a local level” and “self-empowerment of a young human rights defender through the lobbying experience” are the two things that I would like to talk about in this narrative. These two things have been learnt through our experiences of submission of the alternative reports for the review of Japan under the UPR and on ICCPR and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in collaboration with international human rights NGOs in 2008 and 2009.

### **Process of the submission of the UPR alternative report**

In the early 2008, a Japanese lesbian activist living in the UK has received an action-alert email from ARC International that said the review of Japan under the newly-installed UN human rights mechanism, UPR was coming. She forwarded the email and suggested me that I draft an alternative report on the situation of LGBT people in Japan. She and I have known each other since our collaboration in Japan's first IDAHO campaign in 2006.

I decided to take her suggestion because I thought advocating for the rights of LGBT people at an international level, specifically at the UN might be useful as one of the ways to pressure the government of Japan on the issue while the government hardly touches it at a domestic level. I then started drafting a report based on the information I gathered online from local LGBT activists and organisations and cases that have been reported in news, books, LGBT magazines and articles. The draft was sent to her and ARC International for feedback. The final version of the draft<sup>6</sup> was sent to the UN Office of High Commissioner for Human Rights (OHCHR) in February 2008 after reflecting feedback from her and ARC International and getting endorsements for the report from 18 Japanese LGBT organisations and 3 international human rights NGOs including ARC International, IGLHRC and then International Lesbian and Gay Association (ILGA) (current International Lesbian, Gay, Bisexual, Transgender and Intersex Association).

The review of Japan was held in May 2008. The UN Human Rights Council has recommended Japan to "take measures to eliminate discrimination based on sexual orientation and gender identity"<sup>7</sup> in May 2008. In June 2008, Japanese government expressed its acceptance of the recommendation for future follow-up.

### **Process of the submission of the ICCPR alternative report**

Similar process in the submission of the UPR alternative report has taken place with the process of the submission of the ICCPR alternative report.

In August 2008, IGLHRC's Regional Coordinator for the Asia and the Pacific Islands emailed me suggesting me to draft an alternative report on the implementation/unimplementation of the rights of LGBT people under the ICCPR for the review of Japan regarding the Convention. The Coordinator and I have known each other since May 2007 when IGLHRC issued an action alert regarding the homophobic statement by the then-candidate for presidency of the Republic of Korea, Mr. Lee Myong-bak. I have then met her offline at the ILGA-Asia Conference in Chiang Mai in February 2008 and had a talk. Through our online and offline communication, my trust to IGLHRC, specifically to the Coordinator has been established gradually.

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<sup>6</sup> The report can be downloaded at the following page.

[http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/JP/LGBTI\\_JPN\\_UPR\\_S2\\_2008\\_LesbianGayBisexualTransgenderTranssexualandIntersePersonsNGOs\\_uprsubmission\\_JOINT.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/JP/LGBTI_JPN_UPR_S2_2008_LesbianGayBisexualTransgenderTranssexualandIntersePersonsNGOs_uprsubmission_JOINT.pdf) (last visited on 19 November 2009)

<sup>7</sup> Para 60-11, A/HRC/8/44.

Like in a process of the UPR alternative report, I decided to take her suggestion for the same reason. I was more sure of the meaning of alternative report submission since we won a recommendation under the UPR review thanks to our report.

I wrote a memo with information regarding the implementation/unimplementation of the rights of LGBT people in Japan under the ICCPR and sent it to IGLHRC. Then IGLHRC has sent the information to a student of International Human Rights Clinic, Harvard University Law School. The student has drafted a report based on the information, gave me follow-up questions regarding my memo, contacted several scholars who are expert on the situation of LGBT people living in Japan, and exchanged feedback among her, IGLHRC staff, officer of Global Rights and me. I must stress that then IGLHRC's Program Manager has provided tremendous support in this drafting process and I have built my trust towards him during this time. We have submitted our finalised report<sup>8</sup> to the OHCHR in October 2008.

Review of Japan took place in October 2008, the Human Rights Committee showed its concern over "discrimination against lesbian, gay, bisexual and transgender persons in employment, housing, social security, health care, education and other fields regulated by law" and recommended Japan to consider "amending its legislation, with a view to including sexual orientation among the prohibited grounds of discrimination, and ensure that benefits granted to unmarried cohabiting opposite-sex couples are equally granted to unmarried cohabiting same-sex couples, in line with the Committee's interpretation of article 26 of the Covenant."<sup>9</sup>

### **Progress after the submission of the alternative reports**

As mentioned in the Executive Summary, there has been a couple of progress after the review of Japan under the UPR and on ICCPR. They are the government's endorsement of the statement on SOGI at the UN General Assembly in December 2008 and the change of policies by the Ministry of Justice to grant certificate for same-sex partners who intend to marry or register their partnership in countries where such relationships are legalised. It has not been confirmed yet if the recommendations at the UN has encouraged the endorsement of the statement but the decision of the Ministry of Justice was thanks to the recommendations that we got because of our submission of the reports.

The Ministry's change of policies occurred as a group of LGBT activists held a meeting with the Ministry concerning the situation of LGBT people and asked them to review their position that did not allow the issuance of a document to same-sex partners while opposite-sex partners were provided with the document by citing the recommendations by the Human Rights Council and the Human Rights Committee. The Ministry, earlier in 2009, announced that they would issue the document for same-sex partners who intend to marry or register their partnership in

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<sup>8</sup> The report can be downloaded at the following page.

[www2.ohchr.org/english/bodies/hrc/docs/ngos/GlobalRights\\_Japan94.doc](http://www2.ohchr.org/english/bodies/hrc/docs/ngos/GlobalRights_Japan94.doc) (last visited on 19 November 2009)

<sup>9</sup> Para 29, CCPR/C/JPN/CO/5.

countries where such relationships are legalised. Japan does not have any legal mechanism to recognise same-sex couples or their rights as a couple.

### **Process and outcome of the submission of the CEDAW alternative report**

In June 2009, I drafted an alternative report on the implementation/unimplementation of the rights of lesbian, bisexual women and transgender people (LBT) under the CEDAW<sup>10</sup> following an email from the IGLHRC's Regional Coordinator and then Program Manager who asked me if I was interested in submitting another alternative report to the UN. My answer was, of course, yes.

In a CEDAW alternative report drafting process, IGLHRC kindly allowed me to use their CEDAW shadow reporting guide, "Equal and Indivisible: Crafting Inclusive Shadow Reports for CEDAW"<sup>11</sup> which was still in an editing process. I drafted a report using the guide, sent it for feedback to IGLHRC, edited it reflecting their feedback and sent it to the CEDAW Committee through International Women's Rights Action Watch Asia Pacific (IWRAP AP).

For the review of Japan on CEDAW in July 2009, IGLHRC invited me to New York to give a speech about my experience with "Equal and Indivisible" since they were launching the guide<sup>12</sup> during the same time. I had a chance to participate in the CEDAW orientation workshop organised by IWRAP AP and lobby the CEDAW Committee member besides speech delivering, thanks to IGLHRC.

The outcome of our CEDAW alternative report was different from what we saw after our two previous reports. CEDAW Committee did not take up the issue of LBT at the session and in their concluding observations.

### **Evaluation of the experiences and the outcome**

Through the submission of the UPR and ICCPR alternative reports and its following progress, I've learned that what we do at an international level can transform into changes at a local level. Through the submission of the CEDAW alternative report and lobbying at the CEDAW Committee including participating in the IGLHRC's side-event, I, 26-year-old young human rights defender have felt empowered in the whole process even though there was not a visible outcome of the report. I consider these as success for we have gained something new for LGBT

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<sup>10</sup> The report can be downloaded at the following page.

[http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/Japan\\_LBT\\_May09\\_japan\\_cedaw44.pdf#search='cedaw japan lbt'](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/Japan_LBT_May09_japan_cedaw44.pdf#search='cedaw japan lbt') (last visited on 19 November 2009)

<sup>11</sup> The guide can be downloaded at the following page.

<http://www.iglhrc.org/cgi-bin/iowa/article/publications/reportsandpublications/945.html> (last visited on 20 November 2009)

<sup>12</sup> IGLHRC's article on the launching event can be read at the following page.

<http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/resourcecenter/952.html> (last visited on 20 November 2009)



activism in Japan and, as for UPR and ICCPR alternative report, something concrete as well. For a volunteer-run group with no financial and limited human resource, I believe we have done as much as we could with resources we had. The whole processes, however, would not have been possible without every individual who have contributed to the process. I would not have drafted a UPR alternative report if ARC International did not inform us of an opportunity to submit one. I would not have been able to commit myself to the ICCPR and CEDAW alternative reporting without my great trust to IGLHRC staff. Domestic change would not be possible without a group of local LGBT activists who have lobbied the government using the recommendations. It may sound ambiguous but, I believe, resources, network, passion and skills that each individual and groups had have contributed to success.

As for self empowerment, I would like to speak about what happened at the IGLHRC's launching event of a shadow reporting guide. As above-mentioned, the CEDAW Committee did not take the issue of LBT at the session, which was a quite shock to me. After the review session of Japan, I approached a few CEDAW Committee members and asked them to incorporate the LBT issue in their concluding observations. The answer I got from them was that they cannot because the issue has been controversial and the Committee was split on whether the Convention covers LBT and the issue was never taken during the session. This made my experience at the session more shocking.

I drafted my speech based on these experiences and read it in front of participants including IGLHRC staff, IWRAW AP staff, funders, women human rights defenders from different countries who participated in the IWRAW AP's CEDAW orientation together and several CEDAW Committee members. As I was reading my speech showing my gratitude to IGLHRC, telling how useful the guide is, and stressing my strong belief that the CEDAW covers LBT, I burst into tears as the bitter experience and feeling I had with the Committee members after the session came back to my mind.

After the event, many people approached me and showed their appreciation for my speech. One of them was a Committee member. She said our alternative report was precise, convincing and the best. Others were IGLHRC staff who said "today is the beginning" and a student of New York City University Law School who said "you did your best" and gave me a hug. This was the moment that I realised that this whole process from UPR alternative report until the CEDAW alternative report was not only for practical change at a domestic level but also for myself as an individual who has been acting as a young human rights defender in her capacity.

The practice has yet been evaluated except the fact that I analysed my experience with CEDAW for Minority Youth Forum at Japan campus of Temple University where I was invited to speak. Since my organisation does not have a formal evaluation mechanism, ARC International's "Rising Through the Challenges" project will be an important opportunity for us to evaluate what we have done both from objective and subjective points of views.

Lastly, I would like to point out some negative and positive things that I have learnt through the practice. I mean room for improvements by "negative things." First of all, empowerment aspect

of Japanese LGBT individuals has been lacking since we have not been able to translate our reports into Japanese due to limited human resources we have. Secondly, lobbying mechanism has not been well established among LGBT organisations at a domestic level. There are many small LGBT organisations but an alliance of LGBT organisations that can work together on core LGBT issues does not exist in the country. That seems to be one of the reasons why LGBT issue has not been in mainstream of Japan's human rights movement. "Positive things" are the fact that we have been able to draw international attention to the situation of LGBT in Japan to some extent and that LGBT stoke up through alternative repots. The practice has yet been well known by human rights defenders who work in different human rights issues such as the rights of child, ethnic minorities or people with disabilities but more and more people are aware of LGBT issues and understanding and respect for LGBT will be broaden by continuing to take actions like we did.

## Queer sex-workers rights in Norway: a collaborative project

Morten Sortodden, PION (Prostitutes Interest Organisation in Norway)  
Andrés Lekanger, Skeivt Forum (Queer Student Organization)

***Summary: During the Gay Pride Week in Oslo (24<sup>th</sup>-27<sup>th</sup> of June 2009), PION (Prostitutes Interest Organisation in Norway, and Skeivt Forum (a queer student organization) had a project together focusing on queer sex-workers. The background was the new Norwegian law, §202, which made it legal to sell sex, but illegal to buy. In the forehand discussion of the law, the focus was mainly on women in prostitution and on trafficking. Men and transgender people were not mentioned. For our project we, among other things, invited the Thai organization SWING who works for these two groups. We also arranged a photo-exhibition that the SWING-members had made, a political debate about the issue of sex work, from a queer perspective, and we participated in the Gay Parade under the parole "SEX-WORKERS RIGHTS = HUMAN RIGHTS".***

PION stands for Prostitutes Interest Organization in Norway, and does not offer social help, but works with promoting and improving the rights of sex-workers. The organization does this by offering free condoms and lube and otherwise promoting health issues, by offering legal help. Being a meeting-place for male, female and transgender sex-workers, and through political lobbying; working against suppression, discrimination and social exclusion. PION started up in 1990 by sex-workers, and the board is built up from sex-workers, activist and intellectuals.

Skeivt Forum is a student-organization working to create a free and tolerant space for people independent of their gender expression, and sexual orientation. The organization is based on Queer Theory, and through seminars and articles works to highlight the lives and issues surrounding queer people and queer- and gay politics. This also including sex-workers and sex-work.

The key persons in this project were the outreach worker in PION working with getting in contact with, and offering eventual services for male and transgendered sex-workers, and the head of Skeivt Forum.

In the autumn of 2008 a number of gay- and queer rights organizations, under the initiative of Skeivt Forum, invited PION to an open meeting to discuss male and transgender prostitution. PION was very happy to take part in this meeting because they have not formally taken part in the gay community or discussions before, and they wanted to take the debate about the coming §202 (a law which will make it legal to sell sex, but illegal to buy sex) into the gay community and wanted they to see both the debate and the law from a queer perspective. Skeivt Forum was motivated by the believe that an open debate would benefit sex-workers by making the other, main gay and queer organizations take to action on the issue.

As mentioned above, from the 1st of January 2009 the §202 was enforced in Norway which makes it criminal to buy sex. Selling sex continues to be legal. There was a very big discussion in media and in society before the law was passed. The debate was dominated by a feminist discourse focusing only on female sex-workers, and the belief that “Prostitution is violence against all women”.

Male and transgendered sex-workers are often invisible in the debate because they challenge the hetero-normative view which places sex-work inside a patriarchal system where you find men dominating women, and also they often do not fit in the view that social workers have of the topic of prostitution. Since male and transgendered sex-workers never were mentioned in this debate PION and Skeivt Forum wanted to broaden the debate to also include these groups, and just as importantly we wanted to change the focus onto a more human right perspective.

In January 2009 Skeivt Forum took contact with PION asking for a continuing cooperation on these issues. We then had three meetings resulting in a project focusing on three topics: “Male and transgendered sex-workers, and human rights”. We decided using the Gay Pride week as our arena would be excellent because it is a successful political festival, which gives us the opportunity to reach out to the gay- and queer community, and outside to society en large. Our project was launched on the 24<sup>th</sup> to the 27<sup>th</sup> of June 2009. It consisted of having a stand in the Pride area, arranging an art exhibition, by and about male and transgendered sex-workers, a political debate, and walking in the Gay Pride Parade. We also invited 3 members of SWING, including their leader miss Surang Janyam, who got the Thai Human Rights Commission Award in 2009. SWING, stand for Service- Workers In Group, and is PION’s sister-organization in Thailand. By inviting SWING we hoped to broaden the debate, showing that sex-work is an international subject. The fact that around 105 000 Norwegians are going to Thailand every year, and The Norwegian Institute of Public Health mentioned in their Annual Report on HIV and AIDS 2008 that many people got HIV positive after having sex in Thailand, were also a topic that made it important to have contact with SWING, so we could also start to make a sex-worker focused approach to HIV and AIDS prevention.

The stand consisted of a small area, with a table with especially made flyers and PION’s own magazine: “Albertine”. Here we were able to have discussions and small-talks with ordinary people, visiting the Pride area.

The photo exhibition was curated by a Norwegian artist, present in Bangkok at that time, which volunteered and organized 5 free workshops in Bangkok, teaching the members of SWING, many of whom had never held a camera before, to handle a camera and to take pictures. Together with the members of SWING he evaluated over 1000 photos, choosing 34 to the exhibition. To make the showing of the exhibition possible we had to co-operate with Queer Artist of Norway, an organization which every year shows an exhibition in an exhibition hall in the Gay Pride Area. They offered us space if we helped them practically with the exhibition – hall and other practical tasks. We did, and they welcomed us as good friends.

The topic of the political debate was “Criminalizing the buying of sex – from a queer perspective”. From us, the organizers view, Queer perspective meant both the gender aspect and how this challenges the hetero-normative view on prostitution, and also health challenges; when male and trans-genders are invisible from the debate, what are the health issues in these groups – not being seen by the social help services, loneliness. The participants on the debate panel were the field-worker from PION, Surang Janyam, leader of SWING, a psychologist and former board-member of Hiv- Norway, an activist from the LLH (The main LGBT Organization), and a politician from the political party “Venstre”. All the panel participants were in agreement that you can’t regulate the sex- marked with enforcing prohibition, and Surang Janyam was applauded for her work improving the lives of Thai sex- workers.

On the 27<sup>th</sup> of June both our organizations and SWING participated in the Gay Pride Parade under the parole “SEX-WORKERS RIGHTS = HUMAN RIGHTS!” We got a lot of attention for this, with people from the sideline joining the parade with us.

In order to get a stand in the Pride Park we had to cooperate with the Gay Pride organization. The leaders were very welcoming. Since our project – sex-work in general, but also the human rights approach - was quite controversial we had been a bit nervous for how we would be greeted, but the Gay Pride organization is a non- political organization. Leaving the political up to the participants of the festival. When our guest from SWING came they got a lot of attention from the gay community and the media. Our state broadcasting made a 20 minute long interview with them about sex-workers and human rights in Thailand, but also in general. The focus in this interview was always the human rights approach, something we think has never have happened in Norway before.

SWING was also invited to several arrangement and exhibition in connection with the Gay Pride Week, but also an HIV and AIDS conference which were in Oslo at that time. They were also greeted by the leader of Oslo Municipality who open the exhibition hall, and mentioned our project in his opening speech, saying PION always have been speaking up for groups that never had their voice heard. Later, they also met our Royal Highness; Crown-Princess Mette-Marit, who is strongly involved in HIV supporting work, nationally and internationally.

Our project in the Gay Pride Park got a lot of attention in the press and gay media, but not at least from the visitors. With the photo-exhibition we got a focus on transgender identity and expression, and by showing the day to day life of the sex-workers in Bangkok, we were able to show that sex- workers are just like everybody else. With family, friends, hopes and dreams. After the Gay Pride Week others have also entered the debate which is still active, and we reached our goal to get a focus on queer sex-workers and their human rights situation in Norway today.

This project was very much activist-orientated. This means not working bureaucratically, but out amongst people. By having such a varied program, we were able to meet people on different arenas. We also made contact with other organizations who wanted to know more about us, or even cooperate with us later.

But not at least, we also managed to address the issue to the “target group”; the government. The Department of Health in Norway, which also supported us financially with this project, also invited both of our organizations to a meeting with national municipalities and organizations working with prostitution on a meeting they held afterwards about male and transgender sex-work. Here we could present our point of view which is based on helping sex-workers through rights, instead of criminalizing them; which to our view strengthens stigma and discrimination of sex-workers, turning them in to a paria-cast. We mean to have observed that the press and the gay media are much more concerned about our issues now, and often take contact with us when they want to write about sex-work.

We strongly feel that working more activist-orientated has brought our topics much more on the agenda than if we had just been working in a more bureaucratic style, traditional with us the last years. But somehow the combination of these styles is necessary. When we had contact with the Department of Health in Norway and the leadership in the Gay Pride Park, and others, we of course had to be more bureaucratic, but the activist part of the project; the visible part of our project is also an important part because we get to represent sex-workers out in the society that way.

Intentional factors that contributed to the success of our project were the invitation of the members of SWING. Especially Miss Surang Janyam played a very important role. Not only did the debate we arranged in the Gay Pride Park get a much broader perspective, the fact that she has won a human rights award for her work shows that working for the rights of sex-workers, is the same as working for human rights. Then, SWING also contributed by showing that sex-work is traditionally very international, and often linked to migration.

The fact that we had a varied program made it easier for us to come in contact with a more broad arrange of people, and not only those interested in just the discussion or just the exhibition. For PION which participated for the first time on the Gay Pride Week this was important so that they could present their organization for more people.

We were positively surprised when some Thai guys and transgendered persons living in Oslo took contact with PION and SWING. Some of them had been, and some still work as sex-workers. Some of them had also been members of SWING when they lived in Thailand. They articulated appreciation of the fact that an organization like PION exists in Norway. When we went in the Parade some of them went with us under our banner, and so did some Norwegians. Two “khatoyes” or lady-boys that we didn’t know were leading our section, and some “straight” Thai women joined us.

We also a lot of practical help from friends and acquaintances who do not agree with our political view on sex-work, but still wanted to support us since the way we presented gay and transgender sex-workers and gave them a voice.

The persons who first of all had an impact were ourselves; the head of Skeivt Forum and the outreach worker from PION. We took the initiative to the project, and were involved in every aspect of it.

The leader of PION also helped a lot with the structure of the project, and helped us to apply for money to arrange it. She also accommodated the guests from Thailand, and took very good care of them.

The Norwegian artist made together with the members in SWING the exhibition possible, without him it would never be an exhibition.

Our guest from Thailand especially Miss Surang Janyam meant a lot, we could not arranged this without her in this way, since she could tell what human rights mean in practice for sex-workers in Thailand , and then take the discussion to another level.

Our contact person in the Directorate of Health in Norway also meant a lot for us, not only to help us apply for money, but also showed a real interest and encouraging us very much.

As before mentioned this project was 100% supported financially by the Directorate of Health in Norway. The money were given to PION and in the application they had to confirm that they will make an evaluation, and they will do it in the Annual Report that PION every year gives to the Directorate of Health in Norway.

Otherwise we didn't evaluate this project. There are probably two reasons for this. The first; that we were very tired after the project, and the second; that the project ended in July which is the month were everyone goes on summer-holiday. The fact that we have not made a formal evaluation other than this report is something we must take with us and improve for future projects. But informally we got many comments and responses from people who saw or were in some parts involved in the project, and they were all very positive. Also the attention we got from the media told us that this was the right thing to do.

A big challenge for us was the practical work with the photo-exhibition. The exhibition was not a part of the original plan, but the idea developed under way. Even if we were few persons a lot of our friends helped us with this, and PION thanked them by arranging a barbecue-party, together with SWING and Skeivt Forum.

The alliance between PION and Skeivt Forum was very useful since none of our organizations is big hegemonic organizations, this gave us more room to maneuver and to do things the way we wanted to do it.

The temporarily alliances with organizations like "Gay Pride Week" and "Queer Artist" was very useful, since we found them welcoming and interested in our agenda. The experiences made, and the bonds forged can be used for future projects.

We also took contact with HIV Norway, so SWING could have a meeting with them. They were not able to meet them formally, but they bought some of SWINGs products: Condom-clothes, dresses, shirts and other items made of condoms and they got much publicity for this.

Soon after the Gay Pride Week, we were invited to another festival in Oslo; The Queer Festival, which was arranged 20<sup>th</sup>-23<sup>rd</sup> of August 2008. They invited us to have a workshop about male

and trans-gender sex-work. This workshop was very interesting since people from England, Germany, Finland and Canada participated. We also showed the SWING-exhibition there. This was not planned on beforehand, but gave us the opportunity to reach out to even more people.

During the Gay Pride, PION had a meeting with LLH, the biggest LGBT-organization in Norway, and we planned to cooperate more with them especially in practical and international fields. Even though this is just on a project to project cooperation, and neither this nor the other co-operations led to any cross- movement agreement on the political agenda.

Skeivt Forum and PION has hopes this project can be a beginning of a bigger cross movement between the LGBT- community and the sex-workers interest-organizations. Our main challenge lays in getting the LGBT- organizations to see that male and transgendered sex-work is something that is a part of the LGBT “us”, and not something that happens outside with “the others”. We especially think this is important when it comes to health issues. Something the LGBT organizations have realized when it comes to human rights and health issues relating to gay bathhouses, and criminalization of HIV- transmission (the organizations being for saunas, and against criminalization).

But we must admit that we still have a lot more to do when it comes to working politically to get the hegemonic LGBT- organizations on our side – on a more liberal and human rights based political line, and against the repressive and criminalizing agenda against sex-workers in Norway.



## Public media campaign targeting homophobic lyrics of dance hall artists

Kenneth van Emden, Suriname Men United

**Summary:** *In November 2008 the telephone company Digicel celebrated their 1<sup>st</sup> anniversary in Suriname with a free concert. For this concert two Jamaican artists, Elephant Man and Bounty Killer were invited to perform in the main event of the concert. The promotion of this concert was huge since the phone company wanted to promote their services in order to reach the biggest population in Suriname. The above mentioned artists are well known of their homophobic lyrics being used in songs. Lyrics like kill batty man, burn batty man are some of the most common used lyrics you will find in these songs. Because of our experiences in Jamaica, where these songs have an amazing impact in terms of violence and killings on members of the gay community, Suriname Men United (SMU), a gay organization, started a campaign in Suriname to pre-empt this. In collaboration with a lawyer, using our anti – discrimination law, a letter was designed and sent to the director of the phone company, highlighting the homophobic lyrics in the songs of the performers and that the singers should adjust their repertoire. This resulted in a huge media break out in Suriname and the MSM organization was involved in several discussions concerning this issue. Pressured by the board of the phone company and media, no homophobic lyrics were used during the concert. Because of the good advocacy plan involving the media and lawyer, we were proud to achieve this first step to a better future for the MSM community in Suriname. It was the first big action towards these performers in Suriname and we succeeded in getting the repertoire adjusted.*

### **The promising practice.**

The promising practice is that through public debate in Suriname awareness is being raised on what equality before the law means. All the practice related debates were centered around the right to non-discriminatory distinctions and to be free from discriminatory treatment, a right every individual has in Suriname, regardless of the differences in religious, cultural or moral views. In addition to this right debate discrimination related violence was strongly opposed by the wider public. The majority of the public voiced the existing social agreement that every individual should be free from 'hate crimes'.

Suriname Men United wrote a letter to the organizing company. Friends and other gay-friendly people were also mobilized to promote the campaign from mouth to mouth, email communication, and messages through cell phones. SMU also contacted radio stations and some gay men were inspired and went on TV to talk about the issue. The campaign consisted of few phone conversations with the organizers and some journalists were informed and asked to bring the issue on the table during the press conference. Journalists from local news papers were also mobilized to write about this campaign. This was to provide with a murder music dance hall dossier which gives a wide range of the lyrics sang by the artists.

### **The political and/or organizational context when the best practice began.**

The Surinamese Constitution provides everyone with the right to be free from discrimination. The anti-discrimination right is articulated in article 8 (2) under the title Basic Rights, Individual Rights and Freedoms and reads as follows: *“No one may be discriminated against on the grounds of birth, sex, race, language, religious, origin, education, political beliefs, economic position or any other status.”*

Despite the fact that in Suriname in general everyone can live a life free from physical violence, stigma and discrimination towards sub-populations such as the LGBTQI community, sex workers, and people living with HIV & aids are still present and that constitutes a form of psychological violence.

Reducing the stigma and discrimination in Suriname against the marginalized populations as mentioned before, is among other things the existence of non –governmental organizations such as SMU are aiming at in an effort to improve the lives of their constituents according to the standards set by the Human Rights Principles.

Suriname is well known of its diversity of races, cultures, and religions. The distribution of the Surinamese population by ethnicity is shown in the figure below, produced by the Bureau of National Statistics. The diverse compilation of the Surinamese population with more or less no extreme majority of one ethnic group, has a major effect that on the peaceful society that we can claim to be. A society in which diversity is embraced and valued as an asset and not seen as an obstacle. Even though all ethnic groups have their own music, reggae music is very popular among all ethnic groups. Reggae is a foreign music style made popular by Bob Marley whose music is still the favourite of a lot of many. Nowadays we see that reggae is being misused by artists / performers who to the contrary do not sing about social unjust but promote all kind of violence and hate crimes. This phenomenon is well known among most of the Jamaican reggae artists who utilize homophobic lyrics and lyrics promoting ill-treatment of women and the LGBTQI. Jamaican artist such as Beenie man, Elephant man, Bounty Killer and Movado are the most disgraced Jamaican artists in this context. Through their music those performers incite their fans to kill and burn homosexual men.

**The buggery law in the Jamaican constitution states in the article 76, 77 ,78 and 79:**

**Unnatural Offences 76.** Whosoever shall be convicted of the abominable crime of buggery, committed either with mankind or with any animal, shall be liable to be imprisoned and kept to hard labour for a term not exceeding ten years.

**77.** Whosoever shall attempt to commit the said abominable crime, or shall be guilty of any assault with intent to commit the same, or of any indecent assault upon any male person, shall be guilty of a misdemeanour, and being convicted thereof, shall be liable to be imprisoned for a term not exceeding seven years, with or without hard labour.

**Proof of Carnal Knowledge 78.** Whenever upon the trial of any offence punishable knowledge, under this Act, it may be necessary to prove carnal knowledge, it shall not be necessary to prove the actual emission of seed in order to constitute a carnal knowledge, but the carnal knowledge shall be deemed complete upon proof of penetration only.

**Outrages on Decency 79.** Any male person who, in public or private, commits, or is a party to the commission of, or procures or attempts to procure the commission by any male person of, any act of gross indecency with another male person, shall be guilty of a misdemeanour, and being convicted thereof shall be liable at the discretion of the court to be imprisoned for a term not exceeding two years, with or without hard labour.

Jamaica is known as one of the most homophobic Caribbean countries. Homophobic lyrics used by certain artists which incite violence towards gay people have a detrimental effect on the physical and mental wellbeing of black lesbian, gay and bisexual people, particularly gay men.

Black gay men are far less likely to be out to friends and family, are more likely to face homophobia from within their own families and may find themselves with no option other than to lead a double life, often feeling that they should remain silent on such issues. This can increase the likelihood of black gay men engaging in risky sexual behaviour, while also not seeking out sexual health information, putting them at increased risk of HIV and other sexually transmitted infections." Gay activists have been killed in Jamaica for trying to empower other gay men in creating a better life for themselves. A lot of gay men in Jamaica have the need for religious nutrition, but churches do not allow any gay men to enter the house of God which urges gay men to mobilize and start their own churches, the so called Metropolitan Community Churches.

### **Homophobia in Jamaica and its role in driving the HIV/AIDS EPIDEMIC**

**(A piece out of the document Hated to Death, Homophobia, Violence , and Jamaica's HIV/aids Epidemic)**

*Violence against men who have sex with men, ranging from verbal harassment to beatings, armed attacks, and murder, is pervasive in Jamaica. Physical attacks against gay men and men perceived to engage in homosexual conduct are often accompanied by expressions of intent to kill the victim, such as "Battyman fi dead" [gay men must die]. They are reluctant to appeal to the police for protection, as police routinely deny them assistance, fail to investigate complaints of homophobic violence, and arrest or detain men whom they suspect of being gay. In some cases, the police attack them and promote homophobic violence by others. Women who have sex with women are also targets of community violence and police harassment; and, as with men who have sex with men, their complaints of violence are often ignored by police.*

*Endemic violence by private actors and by Jamaican police and security forces, and inadequate state response to it, are problems faced by all Jamaicans. Gays and lesbians are often on the front lines of such violence, however, Jamaica's sodomy laws, which criminalize consensual sex*

*between adult men, are used to justify arbitrary arrest and detention, and sometimes torture, of men (and sometimes women) suspected of being homosexual. Political and cultural factors, including religious intolerance of homosexuality, Jamaican popular music, and the use of antigay slogans and rhetoric by political leaders, also promote violence and discrimination based on sexual orientation and gender identity. While many of these actions are protected under the rights to freedom of speech and religion, the Jamaican government has failed to confront them as root causes of widespread violence and discrimination based on sexual orientation and gender identity.*

*The church, a powerful social institution in Jamaica, denounces homosexuality as a sin and Jamaica's Christian pastors preach strongly against it, sometimes justifying their opposition in cultural, as well as religious, terms. For example, in opposing the ordination of an openly gay cleric (a position not unique to Jamaican clergy), a Kingston-based Anglican priest stated that there was "no way that a Jamaican Anglican contingency could begin to support such a decision," because "Jamaican society is intolerant of homosexuality and homosexual behavior."*

*Jamaican dancehall music, a powerful cultural force in Jamaican society, reflects and reinforces popular prejudices against lesbians and gay men. Many dancehall musicians perform songs that glorify brutal violence and killing of men and women who do not conform to stereotypical gender roles, and celebrate their social cleansing from Jamaica.*

The murder music has its influence on a lot of young people and mostly in the Caribbean. Up to two years ago no attention was given to this matter in Suriname. In general people did not give any importance to the contents of the homophobic lyrics and were just enjoying the rhythm and experiencing the song texts as just the Jamaican slang-language which is very popular in this music style. The above described relaxed attitude towards this particular music is one of the reasons why the Surinamese community and authorities never considered the Jamaican musicians their music of any danger and inappropriate and that, in turns, explains why organizations and officials refrained from taking actions against it.

### **The development / emergence of the practice.**

In November 2008, Digicel a telephone provider organized a music concert to celebrate its first anniversary in Suriname. The artists line-up included two Jamaican artists: Elephant Man and Bounty Killer. Those two artists were scheduled to be the main performers of the music event. The above mentioned music event had a multiple purpose, besides the first anniversary celebration it was also a huge promotional activity.

The Jamaican artists Bounty Killer and Elephant Man are well known of their lyrics which incite to gay related violence, texts such as kill batty man, burn batty man are some of the most common used phrases in their music.

**Beenie Man** one of Jamaica's popular singer sings **Man - Han Up Deh Batty Man Fi Dead (aka 'Weh U No Fi Do') Hang chi chi gal wid a long piece of rope** which is Jamaican slang language. Here he says that all lesbians should be hanged with a piece of rope and that all faggots should be killed. No man is supposed to sleep in bed with another man, we need to take a bazooka and kill and burn them.

**Bounty killer** another Jamaican singer sings **Bun a fire pon a puff and mister fagoty (Uh huh) Poop man fi drown an dat a yawd man philosophy (Uh huh) Man A Badman**. This means that that a fire must be set up and all gay men should be burn on that fire and that all gay men should be wiped out with a pure laser beam.

**Buja banton**, another singer from Jamaica is well known and famous of his big hit boom bye bye. **Boom Bye Bye Boom bye bye Inna batty bwoy head Rude bwoy no promote no nasty man Dem haffi dead Send fi di matic an Di Uzi instead Guy come near we Then his skin must peel Burn him up bad like an old tyre wheel**.

This songs indicates that all queers must be shot in the head. Rude (straight) men don't promote queer guys. All gay men shout be shot with an automatic gun or UZI.

Because of the experiences in Jamaica, where these songs are argued to have led to actual violence against gays and even murders, Suriname Men United (SMU), a Surinamese gay organization, campaigned against the scheduled performances of the two Jamaican artists. Based on the domestic anti – discrimination law, a letter is drafted and sent to the director of Digicel, highlighting the unacceptable contents and incitements of the lyrics of the performers and that the singers should at least adjust their repertoire when performing in Suriname.

Initially SMU intervened based on a one on one communication strategy with Digicel, but soon realized that to increase the pressure on Digicel and its promotional activity media exposure was necessary. SMU adjusted its strategy and involved the media and therefore the wider public in the debate on whether the Surinamese society allows the incitement to violence against gays by performers such as the lined up artists Bounty Killer and Elephant Man. This strategy resulted in a huge media coverage of the matter in Suriname and SMU was involved in several debates concerning this issue. Ultimately, pressured by the board of the phone company, media and the expressed public opinions against violence incitement against any one including gays, no homophobic lyrics were used during the concert.

### **Success to do the work.**

SMU is aware of the fact that having a public debate on LGBTQI issues is still taboo in the Surinamese society and therefore a delicate issue. But since the wider public actively participated in the public debate as part of the practise SMU considers the practise a success already. The practise has partly removed the taboo barrier which prevented LGBTQI to enjoy their rights and entitlements.

Because of a strong advocacy plan involving strategic partnerships with the media, government officials and legal experts, we were able to send out a strong message against gay related discrimination, ignorance, intolerance and violence. We consider this to be a first step to improve the life of the LGBTQI community in Suriname, with respect to the equal enjoyment of human rights as well as equal protection of their human rights against violations. The above described intervention has been the first one of this nature in Suriname and we can proudly proclaim it a huge success.

This practise has paved the path for a lot of organisations to start networking with SMU. Also members of the gay community were empowered by practise and its success and are more willing to come out for their sexual orientation. A different dialogue has started within the society on the issue of LGBTQI and the media is more willing to facilitate this dialogue in a more sensitive and less sensational manner.

### **Contributed intentional or non-intentional, external or internal factors success.**

SMU is a member of the Caribbean forum for lesbians and gays (cariflags). Through this network the Jamaican experiences with gay related violence stemming from the dancehall reggae music are shared. SMU committed it selves to act in a preventive manner to avoid similar calamities as Jamaica is experiencing.

The practise was fully supported by the team of SMU and members of the gay community. Several advices and reports / documents with information on the dancehall history were provided by HIV/AIDS activists and experts in Suriname, the Caribbean and Canada.

Also a major contribution to the success was provided by the media, which was instrumental in the public debate as well for providing correct information on this matter. Journalists also confronted the respective artists with specific question about their violence promoting lyrics. Digicel the music event organising company eventually also became an ally. The executive director assured that no homophobic music will be performed and to obey the anti – discrimination law on national television during a press conference in the presence of the performers and journalists.

### **Individuals and leaders that impacted the outcome.**

One of the individuals that impacted the outcome was the help of a lawyer, SMU hired to help in designing the letter. This method was used to highlight the importance and the seriousness of the campaign. Further more journalists played a big role by giving wide exposure to the campaign. This helped SMU in sensitizing and informing the community about LGTBQI. Also the help and advices of several directors of ngo's were very helpfull and impacted the outcome. These people have years of experiences within the advocacy field, so sharing those with SMU was very useful. Interviews with gaymen en woman played an important role also in the outcome since they are the one experiencing the hate lyrics as emotional violence. The help of

the caribbean forum in sharing reports and documents made it possible for SMU to engage in discussions and dialogues with evidence base information.

### **Measures to evaluate the practise.**

First of all this practice started as a spontaneous response to a circumstance that presented itself unexpectedly and evolved and expanded into an ongoing awareness project. The initial practice which is presented in this narrative had a clearly defined aim: communicating to the performers that within Suriname hate crime promotion is not tolerated and that they will not receive permission perform music containing any such message. The indicators based on which the result was measured were: (1) the public statement by Digicel the contractor of the performers claiming that the performers signed an agreement to refrain from performing music with a violence against gays incitement character; (2) The repertoire performed was free from homophobic lyrics. (3) A post concert survey among gay men on their opinion on the practise shows that they were happy for the efforts done by Suriname Men United. Others showed their appreciation by sending emails and making phone calls congratulating SMU for not only its efforts related to the practise, but also for being successful. (4) One on one interviews with other people helped us also to evaluate the practise.

### **Intended and unplanned outcomes.**

The intended outcome is the music concert without homophobic music. The unplanned outcome is the expansion of the response to a more structural movement which includes all forms of discrimination and exposure to violation of rights. The enthusiasm among all involved partners on the success has motivated them to stay on board and continue to support the efforts to improve the quality of life of the LGBTQI community. The media is more sensitized on the issue of LGBTQI and therefore reports in a less sensational manner on LGBTQI news items. Also the public sector in particular law enforcement is also more aware of their role to provide equal protection against violence to the LGBTQI and similarly the LGBTQI community is more empowered to speak out and demand equal treatment.

There were no unintended negative outcomes or potential negative outcomes or backlash by bringing this issue more in public. The only negative outcomes were that people who are against homosexuality aired their opinion on the radio.

A lot of people were happy with this campaign, since it was also pointed from a view of the Surinamese constitution, stated that discrimination is against the law.

Recently two concerts were held where Jamaican artists Beenie Man and Movado performed. The organizers stated in the press conference and also on tv and radio that none such lyrics may be used. Suriname Men United was even asked to view the show on cd, to find out if the shows were free of homophobic lyrics. The work of the organization is getting more recognition and companies are getting involved in decision making when it comes to the screening of the shows for example.

### **The challenges and how to overcome.**

Fear for backlash: One of the challenges for us was in the beginning the thought of getting out in the open to start a huge campaign like this. It was the first time and we were a bit afraid of stepping out on such a level. But through encouragement from others and positive thinking we did the first step.

Empirical Data: The event manager stated that the contracted artists do not belong to the category of “murder music” performers. To disprove this statement we provided him with a dancehall “murder music” dossier where both of the artists were fully described. The impact of the music on violent behaviour though, is not supported by reliable evidence.

Moral and religious views: Part of the public opposed the practise, by expressing stigmatizing and discriminatory remarks towards homosexuals. Arguments were posted such as gays should not get any sort of attention nor should they receive this level of facilitation. The positive profiling must be stopped. Claims were also made felt that SMU was promoting homosexuality publicly but that the gays should keep their activities private. Even claims like the gays are preparing to take over the country were made. These remarks were predominantly of a moralistic and religious nature.

### **The alliances / linkages forged to endure success.**

The most strategic partnership SMU made was with the media. All possible formats of media exposure were utilized. For example, written newspaper articles in support of the practise were regularly published. Several radio station invited SMU to send a representative to participate in a call-in informative programs with the possibility to the audience to call and ask informative questions or to express their opinion on the practise. A local television station also exposed the practise by inviting gay men for a live discussion on the issue while short videos were aired of people on the street who expressed their opinion on the practise.

The Caribbean network was approached for their assistance. They provided SMU with a dancehall “murder music “dossier. This dossier consists of names of the reggae artists and their songs with an explanation of the homophobic lyrics. Also experiences and reports of activities undertaken against the respective artists in the Caribbean were shared.

### **The contribution to a broader movement or cross-movement goals.**

The unplanned outcome is the expansion of the response to a more structural movement which includes all forms of discrimination and exposure to violation of rights. The enthusiasm among all involved partners on the success has motivated them to stay on board and continue to support the efforts to improve the quality of life of the LGBTQI community. The media is more sensitized on the issue of LGBTQI and therefore reports in a less sensational manner on LGBTQI news items. Also the public sector in particular law enforcement is also more aware of their



role to provide equal protection against violence to the LGBTQI and similarly the LGBTQI community is more empowered to speak out and demand equal treatment.

The media board has also become more vocal on the impact of music and other media products on behaviour of children and viewpoints on equal treatment of different sub-populations such as women, homeless people etc

### **Skills and lessons learned in the process.**

The lessons learned and skills in this process were:

1. Know the strengths and weaknesses of your own organization but also those of your opponent
2. Make sure you understand the battle you are embarking on.
3. Have a good understanding of the problem you are facing. Understand the different dynamics involved (political, religious, legal, cultural sensitivities)
4. Have access to documentation and operate evidence based and informed
5. Involve as many other strategic partners
6. Strive to set-up an inter-disciplinary team with for example, lawyers, policymakers, educators and media workers.
7. Ensure that your constituency supports the practise
8. Set achievable goals. For example, in our case don't prevent the performance but demand an appropriate repertoire. This approach helps to satisfy both the needs of the fans of the artists and your constituency's needs
9. Involve your constituency from an early stage
10. communicate clearly before, during and after the practise with all involved parties
11. At all time utilize the power of information, by constantly feeding the public opinion with the correct information

**An initiative to build the capacity of grassroots LGBT organizations in the Global South and East in countries that are particularly oppressive or dangerous for LGBT activists and individuals**

Sean Casey, Heartland Alliance

*Summary: In 2008, Heartland Alliance for Human Needs & Human Rights - a US-based human rights and social services agency – launched the Global Equality Network (GEN) to build grassroots LGBT capacity in the Global South and East through financial assistance, technical support, networking, mentoring and resource mobilization. Heartland Alliance serves as the coordinating partner of the Global Equality Network.*

*GEN is operationalized through key LGBT organizations in several regions of the Global South and East that serve as intermediaries between large funding institutions and nascent LGBT movements. GEN is unique, in that it focuses support in countries that are particularly oppressive or dangerous for LGBT activists and individuals. With the capacity to solicit and manage funding from large donors, GEN Regional Convening Organizations in West Africa, Central Africa, the Middle East/North Africa and South Asia streamline the movement of resources to on-the-ground activists. Simultaneously, Convening Organizations work with grassroots LGBT activists to build their operational capacity to design, fund, implement and monitor programs. The result of these efforts is a strengthened civil society that can support the movement for LGBT rights and protections both locally and regionally.*

*GEN represents a best practice for the development of grassroots LGBT civil society in the Global South and East, building sustainable, regionally-based support and protections networks, while reducing reliance on North-based funding intermediaries. Now entering its third year, GEN supports grassroots LGBT activists and nascent LGBT groups/organizations in nearly twenty countries, including: Sierra Leone, Liberia, Ghana, the Gambia, Rwanda, Democratic Republic of Congo, Egypt, Jordan, Syria, Iraq, Afghanistan, Pakistan, Bangladesh and the Maldives, working through Convening Organizations based in Nigeria, Burundi, Lebanon and Sri Lanka.*

### **Background**

LGBT rights are limited in all parts of the world, yet several global regions are particularly dangerous or oppressive for sexual minority populations. GEN was designed to focus its efforts on the development of LGBT civil society in five global regions in which LGBT populations are particularly vulnerable and in which there is significant need to invest in grassroots LGBT civil society development.

Violence and arrests based on perceived or actual sexual orientation have become the norm in several countries in the Middle East. In Egypt, 52 men were arrested at a nightclub popular

among Cairo's underground gay community in May 2001. The men were charged with "habitual debauchery" and "obscene behavior" under Article 9c of Law 10 of 1961 on the Combat of Prostitution, with two men accused of running the "homosexual cult" also "contempt of religion" under Article 98f of the Penal Code. In Saudi Arabia 55 gay-perceived youth were arrested at a birthday party in June 2009. Here, arrests were made because "two of the detainees were wearing makeup and dancing in front of the group." In both situations, the only basis for arrests was the perception that the attendees were gay men. LGBT individuals also face a significant lack of protections in Iraq where political and family-incited killings are on the rise. At least 25 men were brutally murdered in Sadr City during the spring of 2009, all apparently killed because they were perceived to be gay. In Lebanon, Article 534 of the Lebanese Penal Code still officially criminalizes "sexual acts against nature," giving authorities the right to arrest and charge LGBT individuals based on their sexual activity.

In South Asia, Islamic conservatism is creating dangerous situations for LGBT populations. Afghanistan, Pakistan, Bangladesh and the Maldives all lack any developed LGBT civil society, making it difficult for LGBT individuals to connect and forge community-based support systems. Living in isolation, LGBT individuals receive little or no representation in policy-making processes. In spring 2009, the GEN Coordinator met with several gay men in Kabul, Afghanistan who had been targeted by their families and their communities. In Sri Lanka, Eastern parts of the island have recently seen increased aggression targeting LGBT populations. In 2008, a conservative Muslim publication ran a smear campaign against Equal Ground, a GEN Convening Organization based in Colombo, falsely accusing the organization of luring young men and women into deviant sexual behavior with the sponsorship of the State of Israel.

In Nigeria, bills criminalizing same-sex acts and the development of LGBT civil society have been introduced in an effort to criminalize homosexuality at multiple levels. A combination of conservative Christian movements, including those coming from the institutional Anglican Church, and the influence of Islamic Shari'a law in the northern states create extremely dangerous climates for LGBT populations in all corners of the country, often taking the form of family/community violence towards LGBT individuals.

In Central Africa, the rise of conservative Christian movements has led to increased social pressures, further marginalizing LGBT populations in the region. The Government of Burundi recently adopted a bill criminalizing sodomy in that country. LGBT individuals have been targeted in Rwanda. In the Democratic Republic of the Congo, LGBT civil society remains weak and under-supported.

Recognizing the danger and oppression facing LGBT populations across the Global South and East, and the lack of funding and support for local LGBT groups and activists, Heartland Alliance launched GEN to mobilize resources and capacity development assistance to make key investments in the development of grassroots LGBT movements in the Middle East, South Asia, West and Central Africa, and Central America.

## **Structure**

To respond to significant rights and protections needs facing LGBT populations in several global regions, GEN was established in January of 2008. Heartland Alliance for Human Needs & Human Rights took on the role of Coordinating Partner, while Convening Organizations initially included Helem of Lebanon, Equal Ground of Sri Lanka, The Independent Project of Nigeria and OASIS of Guatemala. In 2009, OASIS legal challenges prevented OASIS from fully participating in GEN, and beginning in 2010 OASIS will be replaced by Humure, shifting the fourth regional focus to Francophone Central Africa.

For the past to years, Heartland Alliance has acted as an intermediary between multiple large-scale funders and South-based LGBT organizations, facilitating significant advancements in Convening Organizations' abilities to develop, fund and implement programs that work to secure the rights and safety of LGBT populations in their countries and around their regions.

GEN Convening Organizations serve as primary implementing agents, directly liaising with activists and nascent organizations in their regions, providing technical support and capacity development assistance, and developing regional grantmaking mechanisms to channel funds to Regional Partners.

Beginning in January 2009, two GEN Convening Organizations, Helem and Equal Ground, launched regional capacity development and support networks in the MENA and South Asia regions, respectively. In early 2010, two additional regional networks will be formed by TIP in West Africa and by Humure in Central Africa. Each of these Convening Organizations has dedicated specific staff members to regional work, they have defined travel and meeting budgets, and they have developed strategies for developing funding and capacity development initiatives in their regions.

#### GEN Convening Organization Profiles

- Helem – Lebanon (working in the Middle East and North Africa – MENA) - Founded in 2004, Helem works to advance the rights and to support the protections of the LGBT community in Lebanon and around the Middle East.
- Equal Ground – Sri Lanka (working in South Asia) - Founded in 2004, Equal Ground works to secure the rights of all individuals in Sri Lanka regardless of ethnicity, class, caste, sexual orientation or gender identity. In addition to their advocacy efforts, Equal Ground works to build community pride among LGBT individuals who are often ostracized and made invisible by mainstream society.
- The Independent Project (TIP) – Nigeria (working in Anglophone West Africa) - The Independent Project (TIP) was founded in 2005 in Lagos, Nigeria in response to human rights violations targeting individuals based on their perceived or actual sexual orientation. The group acts as a forum for young human rights activists to be proactive in defending the rights of all Nigerian citizens, regardless of sexual orientation, gender identity, tribe, religion or ability.
- Humure – Burundi (working in Francophone Central Africa) - HUMURE has become a strong voice for LGBT rights and protections in Central Africa. Founded as ARDHO in

2003, HUMURE has developed strategic partnerships with local NGOs, sympathetic government officials, diplomatic missions and international organizations in Burundi and around the world.

- OASIS – Guatemala - Founded in 1993, OASIS works to promote the respect of human rights, especially those relating to HIV and sexuality, in Guatemala. OASIS documents human rights violations against the LGBT community and works to defend the human rights and safety of LGBT individuals.

## Approach

GEN’s stated goal is to contribute to the development of a strong and cohesive grassroots LGBT civil society capable of advancing LGBT rights and protections locally, regionally and globally. GEN works towards this goal by working to achieve several key intermediate objectives:

1. To develop the capacity of key regional partners,
2. To create regionally-based subgrant and capacity development mechanisms and
3. To make strategic investments in grassroots LGBT activists and organizations through a combination of subgrants to Regional Partners and regionally-directed capacity development assistance.

Key activities contributing to the achievement of GEN’s goal and objectives include:

### *Capacity Assessments/Capacity Development Plans*

GEN was launched with a series of initial visits to the Convening Organizations in Nigeria, Lebanon, Guatemala, and Sri Lanka<sup>13</sup>. Visits averaged two weeks in length, and each focused on completing an organizational capacity assessment and creation of an organizational capacity development plan. A capacity assessment tool was developed to identify key organizational and programmatic gaps to be addressed (see table below).

GEN Capacity Assessment Indicators	
<ul style="list-style-type: none"> <li>• Defined Mission, Vision and Strategic Objectives</li> <li>• Organizational Governance</li> <li>• Management Structure and Approaches</li> <li>• Financial Management and Accountability</li> <li>• Strategic Planning Process</li> <li>• Program Development</li> </ul>	<ul style="list-style-type: none"> <li>• Objectives (SMART) – specific, measurable, achievable, relevant, time-based</li> <li>• Workplan Development and Use</li> <li>• Budget Development and Management</li> <li>• Monitoring and Evaluation</li> <li>• Legal Protections</li> <li>• Documentation/Corroboration</li> </ul>

<sup>13</sup> For clarity, Heartland Alliance refers to GEN’s key regional partners as “Convening Organizations,” while the local organizations receiving support through Convening Organizations are referred to as “Regional Partners.”

<ul style="list-style-type: none"> <li>• Fundraising</li> <li>• Proposal Development</li> <li>• Projects Management</li> <li>• Needs Assessment Approaches</li> <li>• Regional Expansion Planning</li> </ul>	<ul style="list-style-type: none"> <li>• Policy Work/Advocacy</li> <li>• Regional Networking/Collaboration Capacity</li> <li>• HIV/AIDS Programming</li> </ul>
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Working with staff, board members and volunteers from each GEN Convening Organization, capacity assessments were undertaken and detailed capacity development plans were created identifying key organizational and programmatic weaknesses to address. Capacity development plans now serve as annual workplans for organizational strengthening and growth, identifying weaknesses and gaps, listing action plans, assigning responsibility for follow up, and specifying deadlines for action to be taken. Capacity development plans also allow Heartland Alliance to coordinate support to the GEN Convening Organizations, allowing the GEN Coordinator to identify opportunities for coordinated responses to gaps identified by multiple Convening Organizations.

### *Grants*

In January 2009, after focusing the first year's efforts on organizational capacity development for the four GEN Convening Organizations, grants were made to three organizations (excluding OASIS) to invest in their overall operational capacity and to support regional network development. Each GEN Convening Organization was asked to submit a plan for 2009, along with a budget. While each Convening Organization's proposed activities and budget was unique, funds were generally used to support core organizational costs (office space, internet connections, telephones), salaries for personnel working on regional network development, and travel. While Helem and Equal Ground focused their efforts on international networking, TIP initially directed its efforts towards developing the organization's capacity and connections within Nigeria.

In 2010, regional network development grants will be issued to the Arab Foundation for Freedom and Equalities (AFE – a regional initiative developed through Helem), Equal Ground, TIP and Humure<sup>14</sup>, supporting continued regional collaboration and coordination. In addition, each GEN Convening Organization will be issued "subgranting grants", which they will then use to make small grants to partners in their regions. AFE is establishing itself as a formal regional grantmaking and capacity development initiative, while Equal Ground, TIP and Humure will continue to function in their current roles, adding regional projects to their roster of organizational activities/initiatives.

GEN subgrants form a critical part of the project, as they represent the development of regionally-based and regionally-informed grantmaking mechanisms. Over the next two years, GEN aims to help Convening Organizations to operate as independent regional funders, directly

<sup>14</sup> From 2010, OASIS will no longer be a GEN Convening Organization.

soliciting grant funding from larger Global North-based funders and working to channel those funds to grassroots activists and organizations in their regions.

### *Supportive Field Visits*

Heartland Alliance's GEN Coordinator visits each Convening Organization at least once annually. This visit serves to 1) work with GEN Convening Organizations to update and refine capacity development plans; 2) to work with Convening Organizations to refine and expand regional networking and capacity development strategies; and 3) to work with Convening Organizations on plans to develop funding proposals to generate funding to sustain GEN activities independently.

### *Annual Meeting*

In August 2008, Heartland Alliance organized the first GEN Global Assembly in Mexico City, coinciding with the International HIV/AIDS Conference. This event provided GEN Convening Organizations with an opportunity to share experiences from diverse global regions, to identify key areas for support, and to develop strategies for regional capacity development and investment in grassroots movements. During the meeting, the group affirmed the following key targets, specifically focusing on regional outreach in West Africa, the Middle East, Central America and South Asia:

- Provide concrete support for grassroots organizations in times of crisis;
- Offer base-level capacity development for smaller regional partners;
- Support the needs of organizations on the "front lines";
- Invest in getting dedicated human rights competency/capacity;
- Tailor make regional networks in accord with regional sociopolitical contexts i.e. use of women's rights and HIV service networks in some particularly dangerous locales.

In August 2009, the second GEN Global Assembly was held in Copenhagen, Denmark, coinciding with the World OutGames Human Rights Conference. During this meeting, GEN Convening Organizations further refined and solidified regional outreach and funding strategies. This meeting also served as an opportunity for Heartland Alliance and GEN Convening Organizations to define key areas for investment – financial and operational capacity – at a global level, and to develop global-level standards and objectives for GEN Regional Partner financing.

### **Measuring Impact**

Heartland Alliance measures GEN's impact through multiple means – mostly focusing on "process" and "output" indicators, rather than broad "outcome" or "impact" indicators. At the global level, GEN's success can be measured by the number of partners supported (four Convening Organizations and at least 17 Regional Partners), the level or resources invested in grassroots movements, and the level of "new" resources (and new donors) mobilized for

grassroots-level LGBT rights, health and protection efforts. At the regional level, GEN's success is measured through Convening Organization capacity development indicators, by resource mobilization at the regional level, and by assistance provided to Regional Partners.

### Success Factors

The success of GEN hinges on multiple levels of effort and accomplishment – global, regional and local. Some key factors that have influenced – and that will continue to influence – the impact of GEN and the project's success include:

- The commitment of convening organizations to work at a regional level, investing time and organizational capacity to expansion of LGBT efforts in their global regions.
- The commitment of donors to continue to support investments in grassroots LGBT activists, particularly working through regional intermediary organizations.
- The Capacity of the GEN Coordinator to mobilize resources for the project, both from existing LGBT funding mechanisms and from “new” sources, such as USAID, the US State Department, foundations and individual donors.

While GEN is a relatively young initiative, the project has already achieved several important successes:

#### Resource Mobilization

Since launching GEN, Heartland Alliance has successfully secured funds from a number of sources. In January 2008, Heartland Alliance launched the GEN Leadership Council to engage the Chicago LGBT community in global LGBT activism – an effort that has secured unrestricted funding for GEN emergency response support.

In spring 2008, Heartland Alliance secured a grant to host Sewedo Joseph Akoro for a two-month Human Rights and Leadership Fellowship at Heartland Alliance. Heartland Alliance also received funding to host five GEN partner staff members in a one-month fellowship in Chicago and to organize a working meeting on LGBT protections and emergency response – addressing key areas of concern to GEN partner organizations.

Heartland Alliance has received three grants to support NGO registration and conference attendance expenses incurred by The Independent Project in Nigeria, and to support a grassroots LGBT initiative in Afghanistan.

In October 2009, Heartland Alliance received a U.S. government grant to launch the Integrated MSM HIV Prevention Program (IMHIPP), which will lead to millions of dollars worth of investment in five grassroots LGBT organizations in Nigeria.

#### GEN Portfolio



Convening Organizations requested template materials that can be used by all partners and to support other grassroots initiatives in GEN target regions. In response to this request, Heartland Alliance developed the GEN Resource Portfolio, a web-based repository of ready-to-use templates that GEN partners and their regional partners can use to strengthen their organizations and projects. GEN Convening Organizations now regularly use this portfolio as a valuable organizational resource.

GEN Portfolio Contents	
<ul style="list-style-type: none"> <li>▪ Yogyakarta Principles</li> <li>▪ Human rights abuse monitoring and reporting template</li> <li>▪ Project budget template</li> <li>▪ Budget narrative template</li> <li>▪ Budget tracking tool</li> <li>▪ Workplan template</li> <li>▪ MOU template</li> <li>▪ Program and financial reporting templates</li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance Monitoring Plan (PMP) template</li> <li>▪ Proposal template</li> <li>▪ Phone tree template</li> <li>▪ Organizational constitution</li> <li>▪ Press release template</li> <li>▪ Financial controls checklist</li> <li>▪ Trial observation template</li> <li>▪ Capacity assessment tool Capacity development plan tool</li> </ul>

### Training/Capacity Development Opportunities

In September 2008, Heartland Alliance received a grant to bring five global LGBT activists to Chicago for a one-month Human Rights and Organizational Leadership Fellowship. Heartland Alliance saw this as an opportunity to provide more intensive training and capacity development support to the GEN partners. With this funding, Heartland Alliance brought five activists to Chicago from March 1-30 to participate in trainings, experiential work placements and to participate in a working meeting on LGBT emergency response and protections.

During the final week of this program, participants participated in two conferences – one focused on emergency response and protections for LGBT individuals facing danger and another focusing on LGBT immigration and refugee issues. The first meeting was especially relevant for GEN Convening Organizations, as they regularly address crisis situations in their countries and as they begin to expand their efforts to other countries around their regions. Invitees to this meeting included representatives from the four GEN Convening Organization, other global grassroots LGBT activists, and staff from key global-level LGBT partner organization (ARC International, Human Rights Watch, the International Gay and Lesbian Human Rights Commission, Front Line Defenders, Global Rights, and the Council on Global Equality).

### Convening Organization Accomplishments

Since launching GEN, Convening Organizations have made significant advancements, often working in collaboration with the GEN Coordinator. Selected GEN partner accomplishments over calendar year 2008 include:

#### TIP – Nigeria

- Funding increased significantly in 2008 and 2009, with revenue from multiple donors.
- Executive Director, Sewedo Joseph Akoro, participated in a two-month leadership and management fellowship with Heartland Alliance in summer 2008, where he learned about project management, financial management, human resource management and donor relations;
- Began the process of registering as a non-governmental organization with the Nigerian Corporate Affairs Commission (application submitted and pending).
- Developed printed materials on TIP and its projects (working with Heartland Alliance’s Communications Manager);
- Coordinated several emergency response situations and played a key role in coordinating Nigerian LGBT for strategic planning and advocacy;
- Established an office space in Lagos and first salaried positions.

#### Helem – Lebanon

- Defined new staffing structure to increase focus on program development and fundraising;
- Defined capacity development strategy (now being used as annual strategic plan);
- With assistance from GEN, secured funding from multiple donors;
- Developed a diversified funding strategy, including proposal development, chapter support and outreach for individual donations in Lebanon;
- Developed a regional outreach strategy to provide support to nascent LGBT movements across the Middle East/North Africa region;
- Founded the Arab Foundation for Freedoms and Equality.

#### Equal Ground – Sri Lanka

- Increased staff capacity by adding two additional positions focusing on new program development and national and regional outreach;
- Defined regional networking strategy to support grassroots LGBT movements in Afghanistan, Pakistan, Bangladesh and the Maldives;
- Significantly increased funding for national-level work.

### **Challenges and Unintended Outcomes**

While GEN’s intermediate objectives have largely been accomplished to date, the initiative has faced several challenges. Heartland Alliance, GEN donors and partners have expressed satisfaction with the project’s success in expanding the capacity and scope of Convening Organizations, in mobilizing resources to support grassroots movements, and in developing

regionally-based funding, support and protections mechanisms. Despite these successes, some specific challenges and concerns faced through the implementation of GEN include:

- **Complacency** - GEN does not apply a competitive model in making grants to Convening Organizations. This non-competitive environment can contribute to grantee complacency, which in turn can lead to inconsistent program management, monitoring and reporting.
- **Time Demands/Commitments** – Several GEN Convening Organizations have noted that it is sometimes difficult to balance domestic and international/regional work. Multiple competing demands on relatively small organizations often lead to increased burdens on one or two core individuals, indicating the need to invest in mid-level management capacity within these organizations.

## A diplomatic campaign to combat criminalization in Burundi

Christian Rumu, Humure

***Summary: On 22 April 2009, President Nkurunziza signed into law the new Burundi Criminal Code, who's Article 56 makes sexual relations between people of the same sex a criminal offence. The mobilisation of the international community, foreign embassies in Burundi and front-line development aid partners to intervene in reaction to this has resulted in the situation where, although the Article remains on the statute book, no measures to apply it in practice have been adopted to date. Under pressure from the country's various development aid donors, the government has agreed not to apply the law in practice and to work towards its repeal after the elections in 2010. Without beating about the bush, this situation leads us to conclude that interventions by key development aid donor countries in states where the rights of sexual minorities are threatened can significantly advance the rights of LGBTI people.***

**Describe the approach used by your campaign.**

The debate which followed the criminalisation of homosexuality in Burundi paved the way for a new approach by Burundi's LGBTI associations and gay activists to the fight for the rights of sexual minorities. By putting pressure on the foreign embassies in Burundi and the country's development aid donors to in turn put pressure on the Burundian government to repeal the law against homosexuality, the LGBTI activists were able to create a situation where the government understood and took responsibility for the undesirable consequences of the criminalisation of homosexuality.

This process involved our organisation working in close collaboration with European diplomats based in Burundi and the country's development aid donor partners to put pressure on the government to repeal the homophobic law, based not only on international human rights charters, but also on the economic consequences that could follow if this law was retained on the statute book.

**What was the political and/or organisational background to your campaign? In other words, why did it take place or what caused its development?**

In November 2008, Representative Fidèle Mbunde, Chairman of the National Assembly's Justice Commission presented a new article of the Criminal Code to the National Assembly's lower house for approval. The new article made homosexuality a crime, and was introduced without any prior debate. The article states:

*"Anyone found guilty of having sexual relations with another person of the same sex will be punished by imprisonment for between three months and two years and by a fine of between 50,000 and 100,000 francs, or only one of these penalties"*

The LGBTI community, brought together in an association called “Humure”, which had formerly been known as the Association for the Respect and Rights of Homosexuals (*Association pour le Respect et les Droits des Homosexuels, ARDHO*) met to decide a strategy for fighting against the new law. An *ad hoc* crisis committee was formed to follow developments closely and to lead campaigning activities.

The crisis team of seven people held a series of meetings to decide on the approach to adopt to fight the new law. Its first task was to identify the interested parties in this question: having done so, the *ad hoc* committee then picked out those parties likely to support its point of view and which had the means to put pressure on the politicians, including civic society organisations, the media, foreign embassies in Burundi and the international community.

The debate about homosexuality quickly replaced all other national talking points and set, on one side, the politicians (mostly those belonging to the party in government) who aggressively defended the new law, based solely on Burundian practice and customs, against, on the other side, Humure and a few other civic society organisations whose arguments for repealing the law were based on public health and the fight against AIDS. Both sides began by developing key contacts and ended up making appearances on national radio and television stations to explain their points of view.

The Roman Catholic church adopted the Vatican’s position on homosexuality by declaring itself against homosexuality but not in favour of its criminalisation. It even proposed the setting up of “re-education centres” for homosexuals. The Anglican church and other denominations supported by the President’s family, who are fervent and devout Christians, adopted less tolerant positions, demanding firmer sanctions against acts they called “against nature”.

These events caused shock waves in Burundian society, where the mere fact of talking about sex was seen as immodest. Talking about sex between two people of the same sex was even more shocking in a society where the family is held up as a sort of sacred institution. Due to ignorance or modesty, nobody imagined that such subjects would one day be discussed by the media.

The result was that homophobia grew rapidly among the population. LGBTI people who had spoken out in the media found themselves taken to task and shunned by family members, friends and work colleagues, etc.

### **Describe how the campaign developed or was forced to develop.**

As our contacts with the civic society organisations did not lead to the expected results, a small working group was set up made up of representatives of some of the European embassies in Burundi (in particular those of Belgium, France, the Netherlands and Norway), of Humure and of the Burundian Anti-AIDS Alliance. This group met almost every week to analyse developments and to take stock of the current situation.

The international community (the UN organisations, inter-generational LGBTI associations, etc) addressed the question of Burundi's criminalisation of homosexuality. Co-ordinated initiatives were led, in particular by the World Fund through its Country Co-Ordination Mechanisms, the United Nations Human Rights Council and others, targeting various Burundian individuals and government officials and politicians.

In February 2009, the new law came before the Burundian Senate for approval and was rejected by a majority of 35 votes, despite the government having a majority there. It should be noted that three former Presidents of Burundi, Pierre Buyoya, Silvestre Ntibantunganya and Domitien Ndayizeye, publicly spoke out against the law, saying that it breached international agreements and hindered the fight against AIDS. The government party leader, Jérémie Ngendakumana, under strong pressure from foreign diplomats, instructed the government party's senators to vote against the law's adoption.

In March, around 10,000 people took part in an official demonstration against homosexuality, but the consensus among commentators is that this demonstration was a manipulation of the population to party political ends, given the tensions within the governing party among the various candidates for the party leadership.

Before the demonstration, Jérémie Ngendakumana, leader of the CNDD-FDD governing party (*Conseil National de Défense de la Démocratie – Forces de Défense de la Démocratie*), held a press conference in which, in a dramatic change of position, he condemned homosexuality. This created dismay among the foreign diplomats to whom he had pledged his support for the repeal of the law, and was particularly surprising given his role in ensuring the law's rejection by the Senate.

On 29 March 2009, at the congress of the governing party, Jérémie Ngendakumana had his powers as party leader curtailed<sup>15</sup>. Given this new radical position of the governing party, the working group turned its attention to using the threat of financial sanctions to achieve its objectives.

The issue was raised during the visit to Burundi in April 2009 by the Dutch Minister for Foreign Affairs and Development Aid. The minister stressed that the Dutch government would only continue to give development aid to Burundi if it demonstrated its respect for human rights.

For their part, the members of the Dutch parliament also demanded that it be made clear that any Dutch development aid to Burundi was given on condition that Burundi respected human rights.<sup>16</sup>

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<sup>15</sup> [http://www.omac-afrique.org/article.php3?id\\_article=1076](http://www.omac-afrique.org/article.php3?id_article=1076)

<sup>16</sup> <http://www.burunditribune.com/news.cfm?LANG=F>

The United Nations Human Rights Council's independent expert also criticised the Burundian government for their criminalisation of homosexuality, as a breach of the country's commitments to act as a law-abiding state.

During his visit to Burundi, the Belgian Minister for Development Aid, Charles Michel, criticised the Burundian government for its criminalisation of homosexuality, while praising it for advances such as the abolition of the death penalty and the measures taken to reduce violence against women<sup>17</sup>. He also made a point of congratulating the senators for rejecting the new law criminalising same-sex relationships.

The support of the World Fund contributed to the maintenance of constant pressure on the Burundian government, who's Minister of Health, Emmanuel Gikoro, in a letter to Professor Michel Kazatchkine dated 27 November, gave assurances that he would do everything he could to have the new law repealed.

On 22 April 2009, the new Criminal Code, containing the article criminalising homosexuality, came into force in Burundi.

Among the countries mentioned above, Norway and the Netherlands immediately froze all development aid payments to Burundi, citing this new law and other serious breaches of human rights, corruption and bad government.

In June, a Burundian government delegation, led by the Minister of Foreign Affairs, the President's political adviser and Fidèle Mbunde, Chairman of the National Assembly's Justice Commission, toured European capitals explaining that the new law would never be applied in practice and promising its repeal after the elections in 2010.

Our campaign had thus made the government understand that none of its development aid donor partners would continue working with it if it refused to respect the rights of sexual minorities. We had also realised that financial leverage was a useful means of forcing the government to state that it had no intention of persecuting homosexuals.

### **Why did this campaign succeed or why did it become your preferred method of working?**

This campaign succeeded because it led the government to correct its original position on the criminalisation of homosexuality. Previously, the government had remained silent and had failed to respond to any of the activities organised by Humure and its partners in the LGBTI community. Despite being well aware of these activities, the government had taken no repressive measures. For example, a socio-behavioural study of 180 men who had sex with men in Burundi had included two people who passed information to the Burundian Secret Service, without any consequences.

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<sup>17</sup> [http://www.burunditribune.com/news\\_flash.cfm?ID=3148](http://www.burunditribune.com/news_flash.cfm?ID=3148)

In addition, Humure, which had long been known as a LGBTI rights organisation, was recently officially recognised by the Ministry of the Interior, even though LGBTI rights were not specifically mentioned in the registration application made to the ministry.

For us, this campaign has made it easier for us to achieve our objectives because it directly affects the interests of the Burundian government, and touches on its very sensitive weak spot: its dependence on foreign development aid. In other words, the dependence of the Burundian government on development aid forces it to maintain cordial relationships with its long-term development aid donors.

Burundi is one of the poorest countries in the world and cannot survive without international development aid, thus its government was forced, in this specific case, to make concessions and to take steps to massage its image on the international stage.

**Which factors contributed to the success of this campaign (both intentionally or accidentally, internally or externally)?**

The factors which contributed to the success of this campaign were:

*The determination and energy of LGBTI activists:* throughout this period, our LGBTI activists took on work which led to some of them being disowned by their families and friends. Their courage in stirring up the national and international communities has led to the current atmosphere of expectation. To ensure their own safety and that of other LGBTI people, they have maintained a low profile. This also enabled the association to re-organise itself from ARDHO, a rights-based organisation, to Humure (which means “Don’t be afraid”): the association’s members wanted to drop the “victim” label that ARDHO represented, but also the change of name enabled the association to receive official government recognition, which could never have been achieved under its previous name.

*The support of the foreign diplomats based in Burundi:* the availability of the diplomats and the stakeholders to actively intervene in this debate was crucial when dealing with the government. Their firm support for our position was crucial throughout this campaign.

**If applicable, which individuals or leaders had an impact on the result of the campaign?**

The positive impact, above all, was on the members of the government, who more-or-less understood that the criminalisation of homosexuality tarnished the image of a country which claimed to be democratic and a supporter of human rights. They were also made to understand that the country’s international development aid donors would not fund projects, for example AIDS awareness among men who have sex with men, in a climate of repressive national legislation.

Another group impacted by this campaign were the LGBTI activists, who were able to strengthen their links with politicians and seek supporters in other networks and organisations. The issue of the rights of LGBTI people will henceforth be considered with particular attention



by government bodies themselves. Even if it may take time for concrete measures to emerge, we in Humure sense that they are more disposed to support us in our fight.

The greatest beneficiaries of this campaign are Burundian LGBTI people in general. The debate about the law raised awareness within the LGBTI community, which had a concrete result in a significant increase in the number of members of Humure: membership rose from around a dozen at the start of the campaign to 42 today.

**Do any means of assessing the campaign exist? If they do, please describe them.**

The means of evaluating the success of the campaign is to observe the changed behaviour of the parties involved.

A comparison of the situation when the new law was introduced with the situation today shows that a sort of tacit agreement has been established between the LGBTI activists and the government. For their part, the activists have agreed not to be too outspoken (which could be considered by the opponents of homosexuality as promoting unnatural practices) and for their part, the government, courts and police have agreed not to enforce the law (which would put great strain on Burundi's relationships with its development aid donors).

At the moment, Humure is in contact with some parts of the government, most notably the Ministry of Health and the Ministry of Human Rights, some members of parliament and the leaders of some of the political parties. In many cases, these contacts were brokered by the above-mentioned foreign diplomats based in Burundi who have, on numerous occasions, provided opportunities for the exchange of views between both sides (Humure and the government).

The environment of non-hostility and mutual understanding that has developed following our campaign has convinced us that the support of Burundi's development aid donors was crucial in forcing the government to step back from its radical position and adopt a more reasonable view.

**Were any results expected from the campaign? If there were, what were they?**

The expected results were:

- The rejection of the proposed new law by the Senate
- The withdrawal of the new article from the Criminal Code

The unexpected results were:

- the change in the government's position after the new law came into force (which led them to send a delegation to visit Burundi's development aid donors to explain to them that the law would not be enforced and would be withdrawn after the next elections)
- the decision by the government not to enact the measures required to enforce the new law.

### **Did you face any challenges? If you did, how did you overcome them?**

The challenges we faced in our campaign:

1) *How to mobilise support for our position among foreign diplomats in Burundi and Burundi's development aid donors.* Humure built on its previous good relationships with several foreign embassies in Burundi. Humure also built relationships with international LGBTI organisations such as WISH, ILGA, IGLRC, Tels Quels, Human Rights Watch and Amnesty International to help its campaign succeed. Some of these organisations wrote to the governments of the countries where they were based, asking them to speak out against the criminalisation of homosexuality, while others asked us to keep them informed about what was happening in Burundi and the actions they could take to support us, and others contacted leading figures in Burundian society to ask them to support Humure.

2) *How to mobilise support for our position inside Burundi.* This was a major challenge, because most of the government's officials and politicians, and those in charge of other organisations did not understand what homosexuals were. This has now changed, following many exchanges of views. Humure was able to put pressure on the organisations that provide funding for many of these organisations to in turn put pressure on the organisations to act in our favour.

3) *How to mobilise the LGBTI community leaders in Burundi.* At the start of our campaign, it was far from certain that the members of Burundi's LGBTI community would survive this battle, given the lack of a sense of security which has persisted here since the recent end of a long civil war. However, these community leaders all decided that they had much more to gain than to lose by joining us in our struggle.

### **Did you ensure success by building alliances and links with other organisations?**

The links Humure developed during this campaign are listed above.

In fact, to ensure the success of our campaign, Humure had to develop close links with foreign embassies in Burundi, civic society organisations and the international community.

A national LGBTI committee will now be set up to ensure that the government keeps its promise to repeal the anti-homosexuality law after the 2010 elections.

Humure hopes to reinforce its alliance with Burundian civic society organisations by setting up a permanent working group to campaign for the decriminalisation of homosexuality and the promotion of the rights of sexual minorities in Burundi.

**Did your campaign contribute to a wider movement or to the achievement of multilateral objectives?**

As part of our exchanges with other similar organisations in our sub-region, representatives of Humure have been discussing with our peers the efficiency of our campaign. It should be noted that our campaign in itself has been better appreciated by other partners, but similar campaigns can only work on the ground if they are built on the context of each country in our sub-region.

Humure's overall objective is to develop deeper discussions about its campaigns so that they can be improved and so that a common approach can be found to be used throughout the sub-region to fight against rising homophobia and the firm stances taken by our various governments as homosexuality becomes more visible in Africa.

It was in this context that Humure organised a short visit to Rwanda, funded by the Heartland Alliance, just after a law against homosexuality had come into force there. During the visit we were able to talk about our experiences in Burundi and suggest how our campaign could be adapted to the local situation there. Following our visit, we published a report and recommendations to guide and assist the Rwandan activists in their work.

As part of the Heartland Alliance's Global Equality Network project, Humure will co-ordinate, support and assist the Rwandan LGBTI associations in their activities on the ground in Rwanda.

**Did the experience of running the campaign develop skills or teach you lessons (both formal and informal, both intentionally and unintentionally)?**

The lessons we learned from this campaign:

- How to critically analyse the situation we found ourselves in and how to devise and implement an action plan,
- How to identify the parties involved and, crucially, how to determine if they were likely to support us or oppose us,
- How to identify the organisations which were likely to be able to influence the decisions taken by politicians and senior government officials,
- The importance of leveraging the importance of development aid to the government in our discussions with government representatives on the development of rights of sexual minorities,
- How to build close links with influential individuals and organisations who supported our fight,

- How to continually evaluate our own actions and how to adapt them as required to the changing situation,
- How to maintain a non-violent approach to overcoming the obstacles to the development of rights for LGBTI people,
- How to run a targeted campaign among media practitioners to avoid media actions which increased our activists' exposure to violence from the homophobic, ultra-conservative majority in Burundian society and government.

## **Changing discriminatory policies that impact travestis, transsexuals, and transgendered people in Argentina**

**Diana Sacayan- Movimiento Antidiscriminatorio de Liberación (Argentina)**

*Summary: I want to talk here about the strategies and impact of the advancement of norms that affected the right of the transvestite, transsexual and transgender people to have an identity name, and of the positive outcomes of its implementation in terms of access to the basic rights such as health and education.*

*The norm in force that I will study here came to be as a result of the demands of organizations that work for the acknowledgment of the transvestite, transsexual and transgender gender identities. A constant problem for this population is the access to health and education where discrimination on the grounds of sexual orientation and gender identity is manifested more openly and with the most negative effects.*

*Thus, the goal of this presentation is to share the actions taken within the field of education: the planning and implementation of the first project towards the inclusion of the transvestite and transgender people within the education system. This idea materialized in the form of a pilot project that started in one municipality, and was later extended to be ranked as a provincial program; a unique institutional experience.*

*Except for a few examples of departments that have adopted working strategies and to which we will refer to later in this paper, transvestites and transexuals suffer marginalization derived from concrete acts of discrimination; they avoid showing up at HOSPITALS AND SCHOOLS altogether to avoid receiving a hostile treatment.*

*We consider these tools as an important precedent in terms of the advancement of the Human Rights of the GLTBI collective. At the same time, it enables discussion at the legislative and public levels, by inserting in the mass media the need to progress –in our country- by the creation of a law on gender identity that guarantees the much needed rights for this collective.*

### **Describe the selected practice**

I will now describe two examples of excellent practices. The first one is the *Program for Inclusion of Transvestite people within the education system*, which is being implemented within the framework of three institutions: the **General Ministry of Culture and Education of the Buenos Aires Province**; the **National Ministry for Work, Employment and Social Security**; and the **Anti-discriminatory Liberating Movement (MAL)**.

The goal of such program is to ***facilitate the inclusion within educational institutions of transvestite and transsexual people who had not had the chance to complete their primary and/or secondary studies.***

To create spaces for exchange, production, training between all the actors involved in the experience: teachers, the transvestite and transsexual community, pupils, coordinators, supervisors.

To rescue, recover and strengthen human rights-oriented education practices, in order to reflect on and analyze in depth the existing prejudices towards the people who are discriminated because of their identity.

To foster **Non**-discriminatory practices and a friendly education environment that is open to a sexually diverse population.

On the other hand, to share an experience that has had such a huge and positive impact on transvestites, transexuals and transgenders:

That is, ordinances and resolutions implemented in different provinces and municipalities. The organization called *Movimiento Antidiscriminatorio de Liberación* (MAL) was a pioneer, when in 2007 it obtained the signature of the Health Ministry of the Buenos Aires Province, in Argentina. After that, four provinces and four municipalities have approved these norms that have had an impact on the right of the transvestite, transsexual and transgender people to have an identity name. These norms regulate a vast majority of the health institutions, but they are also being applied in education institutions. Its implementation has had an impact not only at a symbolic level, but it also challenges institutions and their discriminatory practices against the trans collective, and talks of the need to create for them immediate access to both systems. The norm in force that I will study here came to be as a result of the demands of organizations that work for the acknowledgment of the transvestite, transsexual and transgender gender identities.

**What was or is the political and/or organizational context(s) that lead to the best practice you mention above? In other words, what caused it, how did it come to be?**

The first trigger element that gave rise to the norms that establish the respecting of the identity name of transvestites, transexuals and transgenders, and of the program of inclusive education addressed to the trans population, has to do with the data I read in "*La gesta del nombre propio*" (gestation of the proper name), a report on the situation of the transvestite community in Argentina, *Madres de Plaza de Mayo*, Buenos Aires, J Fernandez. L Berkin 2005.

These practices respond to a political context closely linked to the commitment of the highest politicians in Argentina to protect Human Rights. Although, it is important to mention that they also come to be in the most critical moment for the Trans Movement.

**Describe how this idea or practice was developed or conceived.**

The alarming data obtained from the Berkins and Fernandes survey: 60% of the transvestite population do not attend health centers for fear of discrimination or abuse, was a helpful tool from which the Anti-discriminatory Liberation Movement (MAL) organization planned a series of meetings for working on a project entitled “Inclusion of transvestite people into the health system”. From those working meetings between the transvestite population and the health agents, it was concluded that one of the most hostile situations that account for transvestites not wanting to attend hospitals is that they are called by the name that appears at their official document (DNI). Thus, the proposed resolution by which transvestites’ names are respected, and its issuing to the relevant institution (Health Ministry of the Buenos Aires Province).

The aforementioned survey also showed the education situation of transvestites and transexuals: 64% of them did not finish primary school, while 41% did not finish secondary school. Only 9% has completed secondary studies.

The organizations *Jovenes por la diversidad* and the *Movimiento Antidiscriminatorio de Liberación (MAL)* had the initiative of proposing to the Ministry of Education a project of education with a trans-inclusive perspective.

**Why do you consider that this practice was or is successful, or why do you prefer it as a way of doing your work?**

Health norms:

We can consider this practice as successful, because the proposal is to encourage transvestite and transsexual people to attend the health centers in their province.

The gender discrimination against transvestite and transsexual people within Health Institutions is one of the most serious human rights violations, abuse and neglect, violation of the basic rights of individuals, such as the right to life, freedom of thought and expression, equal access to services and the right to enjoy the highest attainable standard of health.

Inclusive education program

The goal of the inclusive program is to promote the access of transvestite and transsexual people to education. There is no need to point out that education is the most important sphere for attaining a honorable life, nevertheless, it is a domain -among others like health and work- that are strongly exclusive of the less favored sectors (socio-economical point of view), and especially of those who have particular identities that are different to the hegemonic ones, like the population addressed in this project.

It aims to facilitate integration of transvestite and transsexual people into the education system by different strategies designed to involve teachers, principals, and governmental agents/decision-makers.

It opens the possibility for transvestite people to have a formal job in the future; this fundamental right is inaccessible to them, leaving the 90% of this population in situation of prostitution as their only possibility of sustenance.

**What intentional or unintentional, external or internal, factors contributed to the success of this practice?**

One of the unexpected elements was the good reception from the education officers, who had a better attitude than expected. Another of the elements that worked in our favor was the organization of workshops to positively sensitize the education community. The promotion within the community through workshops that promoted participation with strategies of approaching the field was also helpful.

Within the framework of the program, a Project for a Statement was proposed and approved. The statement called for the General Ministry of Culture and Education of the Buenos Aires Province to take the necessary steps so that in every school the name of transvestites and transsexuals is respected by both, students and teachers.

Thanks to the transvestite collective pushing the Matanza Municipality, we achieved that the Bioethics Committee of the Municipality voted yes to our Statement.

Our lobbying at the Human Rights institutions, the Matanza Ombudsperson, and the Human Rights Secretariat of the Buenos Aires Province was also helpful.

**Were there any outcomes, what individuals or leaders had an influence on them?**

Diana Sacayan, Coordinator of the Anti-discriminatory Liberation Movement (*Movimiento Antidiscriminatorio de Liberación*) is the promoter of both practices, as well as its leader.

But, regarding the norms to respect the identity name, there were other paid actors such as: Marcela Romero, from ATTA and Dario Arias from *Jovenes X la diversidad*

**Was there any parameter to evaluate this practice? Which one?**

There was no evaluation parameter; nevertheless, the practice can be evaluated from the outcomes obtained: the resolutions and ordinances that facilitated concrete actions to reduce discrimination within health institutions. One of the first actions was to encourage our fellows to **denounce non-compliance to the norms** within the entities of promotion of respect of human rights and against discrimination.



### In the case of the Education Program

We deem this practice as successful, because during the first period **75 teachers from 21 schools** from La Matanza municipality were trained on the following issues:

- ✚ Reflection on “hetero-normality” in education, with the specifications that each level requires
- ✚ Reflection on practices as ways to self-growth and knowledge
- ✚ To encourage anti-authoritarian and anti-repressive practices in Education
- ✚ To create an Educational environment that is less hostile to those who identify with a non-hegemonic sexual and/or gender identity.
- ✚ To integrate trans studies within the Education field.
- ✚ During the new period, we plan to replicate these workshops with 300 teachers from 80 schools that stick to the program.
- ✚ To do a campaign addressed to the transvestite and transsexual population so that they know of the existence of the
- ✚ To create a newsletter on education that includes the trans topic and addressed to teachers

### **Were there any unintentional or unexpected outcomes? Which one(s)?**

In relation to the health norm that proposes respecting the name of choice of transvestites and transexuals, our first victory was expressed in Resolution No. 2359 of the Health Ministry of the Buenos Aires Province. This had a domino effect, as it was later replicated in the Autonomous City of Buenos Aires Res. N° -----; in the Province of Neuquen, Res. N° 1408/2008, October 28, 2008; in September, 2007, San Luis Province, RESOLUTION N° 824 Mdes-2008.

As for the education program inclusive of transvestites and transexuals; we can also understand that there has been an unexpected outcome as it was born in the Matanza municipality, in the last piece of suburb, as a pilot project that after only one year became extensive to four other municipalities: Lanus, Mar Del Plata, Moron y Lomas de Zamora.

Then we have the following Municipalities: La Matanza (ordinance N° 17807), General Pueyrredon (ordinance N° 18486), Moron (ordinance 10971/2008) and Lanus (ordinance N°).

### Health Sector Outcomes

The outcomes related to the norm generated great expectation within the GLTTBI movement; at the same time, it placed our country in the first place in the advancing of this right. Nevertheless, it showed that the needed mechanisms to implement these advancements were not facilitated.

In many cases, institutions ignore the existence of this norm, there is a lack of promotion, there are no promotion campaigns neither from the State, nor within the Transvestite organizations.

Education Sector Outcomes: The evaluation of this experience affirmed some relatively known information about the serious difficulties faced by the transvestite and transsexual community to enter and stay in the education system. One of the main problems is related to the fact that the only working option for transvestites and transsexuals is prostitution, activity that is practiced at hours that overlap with school hours. In order to attend school, they have to lose a working day and, thus, a day of pay. On the other hand, the insertion of transvestite and transsexual referents to the project was not given enough attention; maybe, had there been a follow-up of the process, school absence could have been avoided. On the other hand, we must acknowledge that the teachers received a good training regarding the implementation of this project; we know that the elimination of stereotypes and prejudices is much more complex and hard than what is usually believed. The implementation of the program within the education agents started, but we need to ensure its long-term existence.

**Were there any challenges? If so, how were they overcome?**

The challenges faced during both practices have to do with the prevailing concepts of sexuality and gender identity; construed from a binary perspective. Also, to make people understand that with these practices we are not looking for privileged treatment, but for the advancement of equality of rights, was one of the hardest challenges we faced; but we were able to sensitize health professionals and education actors around the specific problems that the transvestite community faces.

**Were there any alliances or networks established to guarantee success?**

Yes, it was a must to establish alliances in order for us to advance our goals successfully; regarding the norms to respect the identity name, in the one hand we established links with institutional bodies; we looked for the supporting decision of the Ombudsperson of Matanza, the Human Rights secretary of the Buenos Aires province, and the Bioethics Committee of La Matanza; at the same time, we created a shared space with organizations who joined MAL during the lobbying actions through notes to the health ministry, notes to the press, and public appearance during events where the officer whose signature we needed for the resolution was present.

Regarding the education program; the alliance between MAL and *Jovenes por la diversidad*; we sought to extend it to have the support of other transvestite organizations in other districts where the educative program addressed to transvestites and trans was to be implemented. Those organizations included, among others, ALLIT, Fututo Trans, AVE FENIX, APID, M.I.S.E.R.

We also looked to develop agreements within the **General Ministry of Culture and Education of the Buenos Aires Province, the National Ministry for Work, Employment and Social**

**Security, and the Anti-discriminatory Liberation Movement (MAL)** so as to guarantee that each one of them would do their part in the program, to render it sustainable.

**Did this practice contribute to a broader movement goals or cross movement goals?**

Indeed, both practices contributed to a unification process, since the goal was of interest to the different organizations, so we established working alliances with different organizations in two levels. With some we had only in common these two practices, with others we developed a wider relationship for further joint work, thinking of the need of creating a single front for facing the challenges of new actions.

**What (formal or informal, intentional or unintentional) skills, lessons, etc., were learned in the process?**

As skills, we can underline the lobbying actions undertaken from international alerts; with these we set our issues in the mass media. In order to achieve our goals, there were also cross-sector agreements with the health and education sectors. This process taught us the weaknesses; we acknowledged our capacities and what points to strengthen.

On the other hand, we could establish the main axes for the development and design of the practices; let us note that such design for the **education program** could not be implemented as such, so we had to modify it.

## Protection Manual for LGBTI Defenders

Shaun Kirven, Protection International

*Summary: Protection International has been working in the protection of human rights defenders for some years. To date our work has focused mainly on mainstream human rights defenders working in situations of open conflicts. In conversations with various defenders working on SOGI rights it became evident that we needed to expand our focus and our work to include the specifics faced by this sector of the human rights community. Many discussions as to what kind of format this would take happened over a period of several months that involved conversations with a whole range of defenders both mainstream and “non-mainstream”. PI worked with the comments and criticisms that had been made about its previous manuals for the protection of defenders and began to look at how it would address the need to highlight the specifics. Through its work with LGBTI defenders in Nepal and confirmed by other defenders around the globe it began to identify common issues that affected our community and those that defend it. Extensive research was carried out, both primary and secondary sources consulted and PI began to adapt its framework for mainstream defenders to suit.*

*The manual is a result of the input of many people not only the research and training unit of PI. It is designed to be practical, it is designed to challenge, to generate a debate within organisations and perhaps more ambitiously within our umbrella as a whole. What does it mean to include more and more acronyms with out adapting our discourses and agendas and more over adapting our security measures to ensure that the umbrella really does its job of protection? The manual has been tested, it has been adapted and PI hopes that it will continue to evolve and hopefully remain relevant in its content for the LGBTI community. It can only do that if LGBTI defenders engage with this process that has begun.*

### Background to LGBTI Defenders Manual:

Protection International (formerly the European Office of Peace Brigades International PBI-BEO) published along with Frontline Defenders a Manual for the Protection of Human Rights Defenders. This manual aimed at giving practical tools to defenders in order that they were enabled to better manage their own security in the absence of any state mechanisms and often being targeted by the very state authorities that are obligated under international law to protect them. This manual was to form the basis of the capacity building and security trainings that PI developed in several countries. Feedback from the participants of these workshops and from other members of PI helped develop the manual and the content of the training programme.

### Manual-criticisms

It soon became evident that the manual though thorough in its content and analysis was inaccessible to defenders who don't benefit from high levels of education, weren't familiar with international instruments though through their daily actions were defending human rights on a

very local scale. Others levied criticisms that the manual was designed, written by and aimed at male, mainstream human rights defenders and did not take into consideration the complexities or the diversity of the human rights community. PI's response that the chapter on women human rights defenders sort to redress this imbalance was again met with criticisms that a separate chapter did little to incorporate the security concerns faced by women human rights defenders into the working ethics and actions of their male colleagues. Others complained that the formatting of the manual was inconsistent, ranging from "chatty" to "teacherish". Combined these criticisms made the manual inaccessible for many defenders.

Omissions in the manual, SOGI rights; Environmentalists versus multinationals; indigenous populations rights to self determination; victims of human rights violations demanding their rights to truth, justice and reparations; women who struggle on a daily basis for their economic, social and cultural rights that don't necessarily believe that their situation should be reduced to one of sexual violence; the legal processes now being levied against defenders for "supporting" terrorism under emergency and prevention of terrorism acts all need to be considered and tools developed in order for these diverse defenders to feel represented in any manual.

#### **Conversations with LGBTI defenders:**

The self identified LGBTI defenders that I spoke with felt that their struggle was linked to the ideal of struggling for freedom not just of the LGBTI population but for every human being on the planet. Fundamental freedoms to self-expression, to association, to privacy, to equality before the law and not to be discriminated against either because of their sexual orientation, their gender identity or their physiology-genitalia or chromosomal make up. Defenders working on SOGI issues coined the phrase "by being who we are, by struggling for our visibility we are human rights defenders". It was these people that insisted that there was a need for the specific issues faced by the LGBTI population to be represented in the manual. Initially the idea was to include another chapter though some people refuted this idea stating that again it would seek to separate out the issues when the idea was to encourage the "mainstream defenders" to accept the human rights of the LGBTI community. Some defenders took another position stating that to produce a manual specifically for the LGBTI community was giving into identity politics and would lead to further separation. Others stated that it would be impossible to work with a specific manual given that the simple act of having such a manual in their position would "out" them through association and bring with it a new set of security concerns. One journalist from Vietnam stated that anything, including the trainings especially those focused on the LGBTI community and their security would invite too much unwanted attention from the Government. Their suggestion was to develop a specific training programme that could easily be carried out by the already active organisations which would not generate so much unwanted attention.

Despite the concerns over the publishing and use of a manual dedicated to the protection of LGBTI defenders PI felt that it was an important step forward towards the recognition of the universality of human rights.

### **Trainings with Nepalese LGBTI defenders**

PI and Protection Desk Nepal by this stage had been working with LGBTI organisations giving capacity building and security trainings to its members both in the Capital and in the regions. It was noticed that the defenders were often unaware of their basic human rights, the international and national instruments that exist for their protection and how to build advocacy plans that would in fact encourage local authorities to respect those rights. Other issues lack of access/ collaboration with the mainstream human rights community, self-blame for the violations that were perpetrated against them, lack of access and often re-victimisation by state authorities, lack of skills in documenting cases, family pressure not to take cases forward, lack of employment opportunities, lack of educational opportunities or being forced to drop out of schooling reducing capacity to access human rights information, family pressure to get married, lack of options to earn a living that leads them to sex work, stigmatization, lack of identity documents that recognised lived gender identity were also acknowledged as serious problems in Nepal.

It was often also the case that peoples' attitudes to security and what was perceived as an impingement on their social activities presented serious security concerns not only for the individual but also for the organisations they work with.

In all the trainings it was evaluated by the participants that the documents, the issues dealt with and the way examples were given were inappropriate. PI and PDN felt that it was necessary to both further contextualise the examples given and address head on the issues faced by LGBTI defenders. This programme of trainings began in early 2007. To date over 200 LGBTI defenders have participated in the pre and post manual testing.

#### **Lack of real tools:**

The tools that were being offered by the manual were as we have seen framed within the context of internal armed conflicts where defenders are often caught between the two or more conflicting parties in their attempt to protect the civilian population. Though the theory is basically the same many of the defenders who we spoke to didn't feel that this represented their scenario at all. Defenders from Sri Lanka for example felt that the issues they faced were more as a consequence of the "defending corner" syndrome than effects of direct combat. LGBTI defenders didn't see them selves a directly involved in the conflict nor did they see their work taking them to conflict areas. What we have seen often is compartmentalisation of the universal human rights that we are all entitled to as Gay, LGBT or LGBTI rights.

#### **Initial ideas:**

Much discussion was had at several board meetings of PI on how to proceed. The idea of adding in a chapter on LGBT defenders was discussed and the criticisms levied at the then current manual were taken into consideration. Also there was it seems a need to make the wording and the content more accessible to defenders who perhaps hadn't benefitted from high levels of education. People who simply just wouldn't read a manual especially if the

content was aimed at mainstream predominantly male middle class urban defenders working in conflict situations.

In previous conversations with LGBTI defenders it has been established that we, at PI, would be lucky to get people to read one manual on security. One of the defenders consulted stated, semi-joking, that if you want people to read this manual then include pictures of naked men in it. The comment though flippant does highlight one of the many challenges faced in developing a more proactive attitude towards security management and also working with the challenges presented by this seemingly overriding attitude towards “light heartedness” something that in researching the manual was coined as the “everything is alright syndrome”. Discussions about the design, the colour and the format of the manual ensued and that it perhaps needed to be adapted to suit this specific audience.

PI then looked at including a chapter on the protection of LGBTI defenders in the new edition of the protection manual for mainstream defenders. The information that needed to be included was rather more than one chapter and so a different solution needed to be found. It was at this stage of the discussions that the British Embassy in Nepal as part of its “Tool Kit on LGBT Rights” decided that it would be able to fund a publication that would help to protect LGBTI Defenders in Nepal.

It was then decided that work would be done to adapt the PI manual making it more accessible and engaging for LGBTI defenders. Between April and December 2008 most of the research and writing was done on the manual with the majority of the writing being done in three weeks in Sri Lanka with the help of certain LGBTI defenders there.

### **Disagreements/ Questions/ Challenges**

#### **Identity Politics:**

The discussions within PI centred on whether it was necessary to develop a specific manual for people working on SOGI issues or defenders from the LGBTI community. Why single them out? One of the gay defenders consulted, argued that the idea of writing this manual was giving in to the growing trend of identifying certain groups, working on “their” issues and this was a step away from the human rights for all approach. The discussions with this particular defender gave PI an greater insight into the complexities of identifying LGBTI defenders through publishing this manual and opened up discussions with others about the real security concerns of being “outed” just by having a copy of the manual.

#### **Separate issues:**

The initial idea behind the manual was to address the challenges that LGBTI defenders and those who work for the promotion of equal rights that include the human rights of the LGBTI community. It soon became evident that just as the original PI manual had to a certain extent be general that the specific manual for LGBTI defenders would also have to deal with issues on a very general level. Much of the criticism was over definitions of the different acronyms and

why we, as PI chose to concentrate on the L, G, B, T and I and not the Q or the A. Should it be only the SO or should it extend itself to all those persons working on Transgender and Intersex issues? If you include the I what does that actually mean content wise? Do you need to include the Q or is that covered by the fact that those of us working on SOGI issues are considered to be queering the norms anyway? What about the Object-Sexuals should the manual include the security issues that surround campaigning for recognition on equal terms of their sexuality? PI then decided to use the acronyms that the organisations with which we were already in discussion with were already using. Coming back to the L, the G, the B, the T, the I what really does identification as one or more of these labels actually mean in security terms?

It is evident even before discussing and testing theories and strategies that there exist gaps in our understanding of the diversity of the LGBTI community and the security issues specific to each. PI made an attempt to address this in the first edition of the LGBTI Defenders manual and quite rightly received criticism that the approach was insufficient. The idea was to include sufficient information in order to generate a debate that will hopefully lead to these issues being discussed as part of individual and organisational security plans.

### **Why the I in particular?**

At the beginning of the new revised manual we have attempted to explain why the I was added and also tried to outline what we perceive as the ongoing debate being held between different camps within the intersex movement; PI considers this to be an important debate, as security plans need to be both inclusive in development and their coverage.

### **Threats:**

During the discussions with both defenders/activists and internally in PI a lot of importance was given to highlighting the threats that LGBTI defenders face. At best it could be considered patronising to the target audiences who are very aware of the threats they face. It struck at least one of the authors that there seems to be a fascination amongst the “straight” protection world about threats we face as much as there is amongst the straight world in general about what we do in bed. The idea of this manual was to concentrate on the tools using examples that are specific to our community.

### **Terminology:**

Each one of us could and would define the differences in us that make up our identity in different terms using different stresses and understandings perhaps of similar words. Does queer with a small “q” mean the same as queer with a capital? When did gay become a noun? Is intersex a bio-medical term or an identity? In the first printed version of the manual mistakes in trying to define our acronyms were made. In a world where transgender studies and transgender and intersex people are demanding that we rethink our binaries and prejudices it is perhaps understandable that our labels need to be just that, ours. Is transgender an adjective? Do we have to qualify it with “man”, “women” or person or can it stand-alone? The labels we



give our selves or chose not to have imposed upon us make the writing of any manual a difficult task someone will always disagree somewhere.

In the development/ human rights world there is a tendency to dress everything up in jargon. The “Jargonistas” become embroiled in new words for old things moving away from accessible language towards exclusivity. In this manual we tried to change that. Ask someone what risk means and you will get several different versions on a theme ask the same people what danger is and you get something to be avoided. The idea of prevention is already there.

The word, Pornography for example, caused quite a stir. It didn’t seem to bother any of those interviewed but it did bother PI. Reclaiming pornography has become part of our identity process. PI would not allow the word to be printed in the manual. Sexually explicit or adult material is open to interpretation. Calling porn by any other name just doesn’t get the message home. PI’s argument was that including the word porn or pornography would support the general perceptions that LGBTI persons are sexually promiscuous. The removal of the word had possibly more to with antiquated feminist perceptions of porn than how LGBTI defenders would be perceived if the manual included the word. Jargonistas can go too far.

#### **Accessibility versus “dumbing-down”:**

Did we dumb it down? In a sense that was the intention, the discussions and the workshops held with LGBTI defenders highlighted the need to work with a language that was more accessible to the people it aimed at benefiting. So yes we “dumbed” it down. However in the process of review the jargon began to creep back in. The co-authors felt that their work in the previous manual had been adapted too liberally that it was necessary to include the jargon, “understanding the jargon is understanding security”. Security is not about jargon call things want you want as long as you are able to convince others to change and leave no room for doubt about the message you want to deliver.

#### **Research and interviews:**

Much of the interviews that were used to establish trends and patterns of the security issues faced by LGBTI Defenders were either done on the previous to even thinking about writing such a manual or during the contact that PI had with defenders either through capacity building activities or research and assessment missions to third countries. Specific interviews were carried out in Nepal, Sri Lanka, Indonesia and Thailand. Email consultations were carried out with defenders in Africa and with defenders in Colombia and Europe. Once patterns in the responses began emerging then secondary sources were consulted in order to look at theories, practices and strategies that had been or were being employed.

#### **Writing from Personal experience:**

In this manual and we wanted to avoid creating an “us and them” scenario. Many of us as members of the LGBTI community have experienced the negativity that surrounds the “them”, “they”, the others and this was something that we wanted to avoid. Of course it’s not easy to

write consistently from the “our” point of view .the manual does interchange between the YOU and OUR but we hope that the OUR comes over much more strongly than the disassociating YOU.

#### **Peer reviews and ability to accommodate comments:**

Once the first draft of the manual was written it was sent to several LGBTI defenders for them to review it. Comments and criticisms were made. Definitions again became a source of discussion. Many defenders some from our community, others not were asked to again give opinions on the definitions. Feedback was also sort on the terms LGBTI rights, Gay rights etc. as the author felt that whilst there was an obvious need to refer to the human rights of the LGBTI community these terms smack of separatism and it some cases prevent defenders from identifying with the larger human rights movement.

Some quite rightly questioned the manuals leaning towards the G with some L and B thrown in for good measure. What was needed was more info and more security related concerns for the T’s and I’s. Something we hope we have addressed in the second revision. A similar concern was raised over the lack of tools in the manual for dealing with, often, very hostile media campaigns against LGBTI populations.

#### **Testing: SAARC/ EHA:**

The content of the manual was tested with SAARC LGBTI defenders in September 2008. For the most part the manual was well received and feedback was positive. The training session followed the structure of the manual everything leading up to the final activity which is the collecting of all the information and the tools together and putting them all into a security plan. It became clear that there was a need for organisations to be able to carryout these trainings by themselves or at least parts of the sessions and given the relative small capacity of PI meet the demand a suggested schedule with notes for the trainers is included in the manual. LLH a Norwegian lesbian, gay and transgender organisation participated in parts of that SAARC training. It was on their suggestion that this same manual and training be tested with defenders from the Eastern Horn of Africa. In March 2009 two months after the publication of the manual PI worked with over 20 defenders from Uganda, Kenya, Rwanda, Burundi and Tanzania on the development of organisational security plans.

#### **Publication, Format and Design:**

Careful thought was given to both the style of this manual and to the colour of the final printed version. The layout and design was done to make the information more accessible, or at least that was the intention. To date no one has got back to us to say anything to the contrary. In each of the chapters we have tried to sum up the concepts in short phrases that will hopefully serve as reminders of the content and discussions in those chapters. Boxing off paragraphs again was with the aim of helping people remember the issues being discussed and hopefully making the manual “dippable” i.e picked up and flicked through. Maybe there is an argument for us to develop a style of our own?

### **Review process and translation:**

Review of the manual is ongoing. Of course it is impossible to reprint the whole thing every time a new idea or a new challenge arises. In the second edition we have tried to correct the more serious mistakes above on the definitions and tried to expand the information regarding our trans and intersex colleagues. External members of the LGBTI movement have contributed a great deal to the understanding of these issues with personal and theoretical accounts of the difficulties faced. Others have contributed to the revision via late night/ early morning chats over skype. The revised manual now exists in English (soon to be printed), Nepali (again soon to be printed), French and Spanish. Electronic versions

### **How the Content Changed:**

#### **Rights: Our rights at stake?**

The first chapter then was designed to give people access to knowledge about human rights, about how our rights are violated in ways that differ from the heterosexual or “gender-normative” majority and to also try and steer people away from using the term “LGBTI rights” that as we have seen can lead to a sense of separatism and even privilege.

The extracts from the various international conventions and declarations are there to emphasize that these rights universal, inalienable and indivisible. How these international standards are then included in either national or foreign policy would seem a logical progression.

#### **Political analysis:**

Not every one is a politics junkie, not everyone in our organisations has the same capacity to look at the world and ask themselves why things are the way they are and why things “happen” when they do. Not being a news addict doesn’t mean that you shouldn’t be part of the process to develop a working scenario on which to base your security and protection plans. We need to ensure that everyone feels included in this process, even those who think that political analysis is not their strongest point will have useful information, have observed strange goings on. The inclusion then of the skits where the organisational members take the leading roles and act things out according to their experience is a good way of involving everyone from the very beginning. This method has been tried with LGBTI defenders in the regions of Nepal the result was a very in-depth look at working environments from which the participants could then proceed towards the development of scenarios.

#### **Organisational image:**

As far as I could see this is one of the chapters that had to be as direct as possible. It is often our own attitudes to security that create weak links in the chain, failure to abide by rules, arguments that security protocols hamper our social lives and how these attitudes can create tensions between other colleagues of other organisations working on similar issues as us. In the testing, for example the issue of us, the LGBTI community being perceived as promiscuous

caused very heated discussions about one rule for the heterosexual males and another rule for us. The examples given to guide discussions within organisations on what can be done to strike this balance are all true examples coming from the personal experience of the author or close colleagues.

### **Psychological impact of Homo and Transphobia:**

Internalisation of wider society's prejudice and hatred can often have a negative impact on the image we have of ourselves. Some of the people interviewed and who participated in the trainings had the feeling that they in some way deserved the violence and abuse they face for failing to meet up to family expectations of them. We face violent expressions of discrimination every day, sustained bullying in school or work, harassment and intimidation on the street due to our presumed sexual orientation or gender expression. Internalising this hate can often cause very high levels of stress that in turn affect our capacity to develop coping strategies be they ad-hoc or developed over time. Non-recognition from our own colleagues and organisations and the failure to develop internal policies to deal with these levels of stress and their physical consequences can exacerbate the issues. The manual makes suggestions on how to cope with colleagues that have suffered violent attacks or find themselves in situations of unbearable pressure.

### **Security at home and in the office:**

LGBTI offices are often multifunctional. Many organisations would have started out working on HIV/AIDS prevention projects. Drop in centres often require anonymity. Pressure from families at home can often turn LGBTI offices into social centres in the evenings where people feel they can be themselves. Offices open late into the night. Human rights offices require confidentiality, stricter security measures and procedures that can prevent unauthorised access bringing them into conflict with the health programmes and the social centre approach many offices want to generate. No other manual to our knowledge had dealt with these issues.

### **Internet:**

The manual tries to work on the premise that we do use porn, we do enjoy, the vast majority of us, healthy and experimental sex lives with one or more partners and we do log on to the internet dating sites via our phones and computers that we use for work purposes as well. The dangers are obvious. Yet we still do it. Ignoring this fact in the manual would have left a huge hole in any of our security plans. If we are going to use porn, enjoy it and perhaps even learn from it then we need to do it in a fashion that it doesn't compromise our own personal security or that of our colleagues. We are adults we need to acknowledge that our actions can and will affect our capacity to do our work. We need to take responsibility for our actions and be strategic. Changing our attitude to security in permanent not going to the local cruising area after dark during a period of heightened interest from the police is a temporary measure that could avoid a whole lot more danger.

### **Conclusions:**

Nothing is ever perfect but the road to hell is apparently paved with good intentions, this manual then had to hit somewhere in the middle never going to satisfy everyone it had to do a good enough job at least to generate a debate about the need for specific actions to be taken to protect LGBTI defenders. There is also a need for us to look at the prejudices and discrimination that exists within our own communities, attitudes that create divides and weaken us as a movement.

We at PI think that we have done a good job in getting the ball rolling when talking of defenders protection. With this manual specifically dealing with the issues faced by the LGBTI defenders community we hope to have contributed to a growing debate on how to protect defenders that don't fit our stereotypical roles or models. How do we protect the defender working as a peer educator with transgender sex workers in a border town in a developing country? A town controlled by local political leaders in bed with the local criminal bosses and where the state authorities are at the beck and call of their corrupt local leaders. Organised sex workers regardless of the issue that unites them present a problem the peer educator is then in great danger. Those charged with their protection are working for those with a vested interest in the sex industry and the money it brings. How do we protect that person? How does that person develop, evaluate and sustain a security plan in the absence of any state protection and probably with a severe lack of resources and contacts outside of their peer group. These are the people we need to be giving our attention to. Not only by ensuring that protection umbrellas extend far enough to shelter people but also that we can develop programmes that will give them the tools to become active agents for change and manage their own security in the process.

Trainings in accessible formats using examples contextualised and representative of the defenders reality is one way of beginning this process of protecting those that so far fall outside protection umbrellas. Monitoring the development of those all-important security plans is another. Listening to the defenders and being prepared to challenge them on their prejudices accepting our own prejudices towards the other acronyms in our alphabetic soup could be ways to move forward. This manual aimed at contributing to this process, by contributing to the discussions on defenders security. By trying to highlight the issues faced without patronising the target audience and to give policy makers an idea of the actions they could be taking to protect the human rights of not only the LGBTI population but the LGBTI populations rights to defend theirs and everyone else's human rights. We think that despite all the problems we have encountered that objective has been reached. Protection for LGBTI Defenders is happening and it is for the most part focused and appropriate. There is, however, still a long way to go.