

Combating discriminatory practices against individuals based on their gender identity and sexual orientation

I. Topic Background

Discrimination, in some way, against the LGBTQ community has taken hold in every nation. Examples of these practices are; physical attacks, verbal harassment, denying entry into gender affirming places such as bathrooms, denial of access to gender affirming health care such as; therapy, hormones, surgeries. More examples are employment discrimination, and discrimination on the gender, or lack thereof, a person presents.

In the 21st century there is a growing acceptance of the LGBTQ+ community. But as there is more acceptance, the voices of individuals opposing the LGBTQ+ community continue to be loud. In the year 2020 there were reports of over 1,300 hate crimes relating to one's sexuality or gender identity (FBI). From 2019 to 2021 hate crimes grew by 50% according to the BBC in western countries. In 2021 there were 2,630 reported incidents of hate crimes towards transgender people. This is a concerning rise of anti-LGBTQ+ rhetoric which needs to be subdued.

The excuses people use for these hate crimes stem from religious or political beliefs, people believing it to be fun to commit hate crimes. In many countries people are prevented from jobs, denied access to healthcare, forced into strict dress codes forcing a gender identity. These examples happen in everyday life and the consequences of them can go unnoticed. Throughout the world there are 70 countries where being LGBTQ+ is illegal, 69 being United Nations members. On social media, and in social areas there is a rise of misinformation on the LGBTQ+ community. People spread ideas that the LGBTQ+ community are indoctrinating children and display hormone blockers as ways to force children to become transgender. This is untrue and has no factual or scientific backing and is just spurred from hate. Less than 1% of people identify as transgender detransition. Being LGBTQ+ is unchangeable and the reason there are more people coming out in the 21st century is because being LGBTQ+ is becoming less taboo and more accepted in quite a few areas.

II. United Nations Involvement

Within the United Nations 64% of the member states have legalised same-sex relationships. Fifty-Seven have broad protections against discrimination in areas such as the workplace, health care centres and housing. Four have illegalised conversion therapies. Thirty-four recognise partnership and twenty-eight have legal same sex marriage whilst one non-UN state, Taiwan, also has legalised same sex marriage. Sixty-nine UN member states have same-sex relations criminalised. Six states enact the death penalty for people partaking in same-sex relationships. Eleven member states have constitutional protections for LGBTQ+ people.

Victor Madrigal-Borloz a UN expert is working to have a ban on conversion therapy calling it a “dangerous and deeply harmful practice,” In his report he found the therapies practised in countries of Africa, China, South Korea and Eastern Europe,” In 2016, after debating for four hours the Geneva based UN Human Rights Council founded a new post titled “Human Rights Expert on Protection of LGBT,” Thus Vitit Muntarbhorn became the first expert on the protection of the LGBTQ+ community. He came up with 5 steps to take to foster protection for LGBTQ+ people; (1) Lifting criminal laws which affect LGBT people, (2) Not seeing the community as suffering from a disorder, (3) Giving all people the right to have their gender identity recognized on official documents, (4) Working with different cultures and religions to ensure inclusive practices, (5) Ensuring children grow up with the ability to empathise with people of different sexual orientation and gender identity.

In August of 2022, Muntarbhorn presented a 10-point human rights agenda to improve the human rights within Cambodia. Concerning the LGBTQ+ community Muntarbhorn stated this “LGBTI groups advocated more attention for the country’s commitments under the UPR, including the call to adopt a law to recognize gender identity.” and suggests that Cambodia “Respond to the vulnerabilities of the various groups by adhering to non-violence and nondiscrimination, guided by the recommendations of the various international human rights mechanisms;” in his 2022 End of Mission Statement. In COP27 Muntarbhorn also educated UN officials about the “Urgent need to respect human rights

III. Bloc Positions

In Northern Africa most nations apart from Canary islands, Ceuta, Madeira, and Melilla do not have anti-discrimination laws, in West Africa only Saint Helena and Cape Verde have anti-discrimination laws, none in Central Africa, none in South East Africa, none in the Horn of Africa. In Indian Ocean states only; French Southern and Antarctic islands,

Mauritius, Mayotte, Reunion and Seychelles have anti-discrimination laws, in Southern Africa; Angola, Botswana, Mozambique, and South Africa (constitutional ban) have anti-discrimination laws.

In North America it has full anti-discrimination laws except in Greenland and the United States. In Central America all states have a anti-discrimination laws. In the Caribbean there are mixed laws, in South America most have anti-discrimination laws except Paraguay, Guyana and Argentina does not have a full ban of anti-discrimination.

In Central Asia there are none, and in West Asia; Akrotiri and Dhekelia, Cyprus, Georgia, Israel, and Northern Cyprus have anti discrimination laws. In South Asia; India, and Nepal have anti-discrimination laws and Pakistan have laws only for Transgender people. In East Asia; Hong Kong, Japan, Macau, Mongolia, Taiwan and South Korea (only in some areas) have anti discrimination laws. In South East Asia; Aceh, Indonesia, East Timor, have limited protection, Philippines, Singapore, and Vietnam have some protections and Thailand has full anti-discrimination laws.

In Central Europe there are full anti-discrimination laws, in Eastern Europe Romania, Moldova and Ukraine have some form of anti-discrimination laws. In Northern Europe there are full protections against discrimination for the LGBTQ+ community. In Southern and Western Europe there are full protection laws apart from the Vatican.

In Oceania most nations have anti-discrimination laws apart from; Papua New Guinea, Solomon Islands, Nauru, Palau, Tonga, and Tokelau. This was a full breakdown on all the nations in the world and their positions.

IV. Considerations when making Resolutions;

When making your resolutions one should think:

- What is my country's position concerning the combating of discrimination against the LGBTQ+ community
- Who are my nations allies, who has similar policies
- Do you support the UN's actions regarding comparing discrimination against the LGBTQ+ community
- Is this topic important to your country and how will it affect your country?
- What evidence is there to support your country's position?
- Make sure to have prior knowledge on your topic!

V. Sources

Hate Uk, S., & Hate Uk, S. (2022, December 19). *Home*. Stop Hate UK. <https://www.stophateuk.org/>

ILGA World updates State-Sponsored Homophobia report: "There's progress in times of uncertainty." (2020, December 22). ILGA World.

<https://ilga.org/ilga-world-releases-state-sponsored-homophobia-December-2020-update>

Robinson, B. H. (2022, August 8). *Reports of LGBT hate crimes rise by more than 50% in West*. BBC News. <https://www.bbc.co.uk/news/uk-england-bristol-62413792>

Staff, T. W. (2022, November 14). *The countries where homosexuality is still illegal*. The Week UK.

<https://www.theweek.co.uk/96298/the-countries-where-homosexuality-is-still-illegal>

Wikipedia contributors. (2022, December 22). *LGBT rights by country or territory*.

Wikipedia. https://en.wikipedia.org/wiki/LGBT_rights_by_country_or_territory

OHCHR. (n.d.-a). *OHCHR | Victor Madrigal-Borloz*.

<https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/victor-madrigal-borloz>

OHCHR. (n.d.-b). *OHCHR | Vitit Muntarbhorn, former Independent Expert (2016-2017)*.

<https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/vitit-muntarbhorn-former-independent-expert-2016-2017>

2020 FBI Hate Crimes Statistics. (2022, May 5).

<https://www.justice.gov/crs/highlights/2020-hate-crimes-statistics>