



Together, Apart

**Organizing around Sexual Orientation and
Gender Identity Worldwide**

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Introduction

This report tries to give a brief picture of a global human rights movement. In country after country, people have come together around issues of sexuality and gender—to organize against discrimination and abuse, to affirm their freedoms and their desires. These activists have changed politics and daily life in many places. Yet in some societies, including ones where violence and violations are most severe, they are still not accepted as full partners by other human rights movements. They have struggled for their own togetherness at enormous cost. They are still apart.

The report is based on answers to questions Human Rights Watch asked (in surveys and in interviews) to 100 leading sexual rights activists from some 50 countries, all with long experience in the areas of sexual orientation and gender identity. We did not attempt quantitative analysis, since primarily we wanted to hear activists' own words: their own perspectives on the situations they face, and the strategies they are exploring to confront them. The report's findings are divided into five regional chapters focusing on conditions in what is commonly known as the global South and East—as opposed to Western Europe and North America. We chose to concentrate on those regions because activism around sexuality there faces intense pressures with far fewer resources than elsewhere. The picture this report presents is meant for multiple audiences. For activists themselves, we hope it will show contrasts and connections between work in different places. For funders who support human rights organizations, we anticipate it will reveal the range of strategies and approaches. For a broader audience, we hope it will introduce important voices in contemporary human rights.

One immediate question is that of identity. The words “lesbian, gay, bisexual, and transgender” (LGBT) run through this report. Many activists use these terms to describe the communities they come from and the people they identify with and defend. Many do not. As used here, they are meant to be neither all-embracing nor exclusive. Some Latin American activists will speak of *travesti* identities, some South Asians of “third gender.” Some voices will use “queer” or “sexual minorities” as umbrella words. In other places, indigenous identities such as *hijras* or *metis* will appear. Intersex activists—who criticize the medical protocols used in legally determining biological sex in many countries, and the surgical and other procedures used to enforce them—will also be heard, and will add an “I” to the acronym.

It is important to take the diversity into account, because different identities mean different lives and needs, and different measures to address them. Men who are menaced by sodomy laws and the consequent social inequality need a different remedy than *travestis* subject to arrest under “public scandal” provisions. A Peruvian transgender activist says that worldwide, the “problems and agendas are different, the terms, the difficulties, the realities.” She also adds, though, that “We need a general consensus ... that permits working together.”

Although the differences between concepts and communities remain real and crucial, this work is united, broadly speaking, by *rights* rather than by identities: by a belief in protections for (among many other values) dignity, privacy, expression, and autonomy; a belief that all people should be both free and empowered to make decisions about their own bodies and their own sexualities.

Defending those beliefs can cost people their lives.

The variety of experiences here is enormous. A few common threads do emerge:

a) Organizations working on sexual orientation and gender identity are still under-resourced and severely isolated. That isolation can kill.

The most important victories have been won by overcoming that isolation. Where signal successes have been won, as in Latin America, they have sprung from negotiations and coalitions among social movements.

Integration with other human rights struggles needs to be the first priority in approaching sexual rights. We need stronger political alliances, and conceptual frameworks in which the commonalities between issues can become clear.

b) Daily, defenders of LGBT people’s rights, and sexual rights in general, face extraordinary levels of violence.

In Jamaica, an angry crowd surrounded a church where a gay man’s funeral was being held and beat the mourners. In Kenya, one group told us matter-of-factly that its members were “attacked by an angry mob who wanted to lynch them and they had to be evacuated under tight security.”

Any support for these activists has to take into account not only the atmosphere of danger—but the chance that the support might actually, inadvertently increase it.

Considering carefully how human rights advocacy can be effective in a culturally charged atmosphere of moral panic is crucial.

c) Sexuality has become a cultural and religious battleground.

The danger comes from the weight, political importance, and emotion increasingly attached to issues of gender and sexuality. “Fundamentalism”—the impulse toward a forcible return to what are postulated as religious or cultural fundamentals—is a modern term with many definitions. One common characteristic of so-called “fundamentalisms,” proposed by Human Rights Watch elsewhere, is a “drive to seize the state, turn its spotlight on private life, and make it the agent of a newly-codified ‘tradition.’”¹ Fundamentalists try to use state power to enforce social and cultural norms they believe families and communities can no longer uphold. Some governments and politicians try to use fundamentalists in their turn, to prop up their own authority.

Fundamentalisms weave together elements from religion, nationalism, and other ideologies and traditions to invent a “cultural authenticity” that is fixed, unalterable, and monolithic—but threatened by the supposedly corrosive influences of human rights. Sexuality and the body are increasingly its chosen battlegrounds. The argument from culture devastatingly undertakes to paint LGBT people as beings who do not belong, cannot be accommodated, and—because they are intrinsically alien—cannot even be listened to or understood.

Finding ways to respond to fundamentalisms in human rights terms is complex, and crucial. Many groups we spoke to are practicing a cultural activism of their own, seeking to reach a public through art or images.

One women’s rights activist told us that “we need voices inside” religious communities and other groups that claim monopolies of meaning. She added: “We cannot fight fundamentalism on the level of law alone. We have to struggle with them on their own ground, and that is values. We need to restore the idea that principles are not a monopoly of priests or generals; human rights are one source of ethical values, and there are others.”

¹ Scott Long, “Anatomy of Backlash: Sexuality and the ‘Cultural’ War on Human Rights,” *Human Rights Watch World Report 2005*, p. 88.

d) Changing laws is still a central issue—but in many different ways.

More than 80 countries around the world still have “sodomy laws” criminalizing consensual, adult same-sex sexual relations. We need to look both *at* those laws, and *beyond* them. Why are they there? They bolster state control over private and public life; they divide people and mark some as unequal. However, many other laws, police powers, and state policies and practices control people’s bodies and sexualities.

Repealing sodomy laws across Latin America in the last 20 years opened up new political space for LGBT people’s movements. Yet laws on “public scandals,” “indecent,” “wearing the clothing of the opposite sex,” and sex work are still in place that allow widespread police harassment of transgender people. Getting rid of a sodomy law and enshrining non-discrimination in South Africa produced an example of global importance. Yet it still has not created a state fully committed to equality at all levels, or capable of curtailing sexual violence.

e) Identities aren’t everything.

In many cases, it is far more productive to talk about rights issues than about identities. Talking about “gay rights” in Egypt or Iran makes no sense to most activists or to the public at large. However, talking about privacy or freedom from torture provides a frame many people can readily understand.

By contrast, in some eastern European countries where minority rights have been a key political issue for two or more decades, discussing “sexual minorities” is still a valuable terminology. No one set of terms can be applicable everywhere, and movements cannot be forced into a single framework.

f) Differences cannot be papered over.

Rights principles may create common ground for LGBT movements, but different approaches as well as multiple identities are still real. It is critical at all points to ask who is left out and who is included. A transgender activist reminded us, “Funders should interrogate what groups are saying. If organizations say, ‘We work with the LGBT community,’ it is worth asking what they do for each part of that community. What do they see as its needs?”

One activist remarks that if funders “support only one type of work, usually they will be funding one type of identity over another. An organization that wants to be

inclusive has different kinds of strategies for different communities. *Travesti* groups in Latin America work on political issues, but also do community building. Many lesbians are involved in cultural and artistic work. If you support different kinds of strategies, you will be supporting work that reaches different classes, different identities, different groups.”

Meanwhile, differences in resources create constant divisions. Work on sexuality and gender is underfunded everywhere.

Groups had recurrent and specific concerns in speaking about the resources they garner. They receive project funding, but little general support--undermining their ability to maintain staff or plan for the future. “Our funders don’t cover social benefits and retirement, even if they pay salaries,” one lesbian activist said; “they fund the production of materials but refuse to give you money to pay the electricity that will allow you to turn the computer on. If I were a funder I would understand the projects from a holistic perspective, that is, I would contemplate all the aspects that are needed the project to work.”

The predominance of funding for HIV forces groups into a health framework, and shunts them into service provision, sometimes at the expense of political advocacy. One activist told us, “The LGBT groups know from the start that they do service provision because it is needed, but also because it is a way to build toward other things.” Yet she added, “When you do service provision, there is less stress on demanding the state provide those services—whether health care or legal assistance. So before funding service provision, I would ask what possibilities there are for the groups to push the state to fulfill its responsibilities. And fund that push.”

g) Building better networks for support and communication is crucial.

The different agendas and goals of groups in far-off places interact in unforeseen ways. In one country, activists may be fighting for an end to police abuse and the threat of execution, with marriage rights far from their minds. Yet when “gay marriages” in another country flash across their TV screens, a moral panic may ensue—and their government may use the pretext to introduce new repressive measures.

There is no way to avoid such intersections. But stronger networks for steady communication among movements—in the same regions, and around the world—are badly needed, so that groups can anticipate what is coming, and plan together.

Each section of this report offers, for each region, a summary of patterns of abuse that activists identified; a survey of challenges and opportunities for action that they saw; and a review of what the movements are doing. Naturally, this is schematic. It also risks reducing all that activists do to responding to violations. It omits the parts of their work that are about affirmation, not crisis. This is a distortion probably inevitable in the human rights perspective. We nonetheless hope this will offer a small introduction to a huge, varied, and invaluable body of work, and of hopes, endeavors, and desires.

Methodology and Acknowledgements

This report was written by Scott Long, director of the Lesbian, Gay, Bisexual, and Transgender (LGBT) Rights Program at Human Rights Watch. It is based on 37 interviews (primarily by telephone) with activists from the regions concerned, the bulk of which were conducted by Arvind Narrain and Alejandra Sarda, consultants to Human Rights Watch; some interviews were also conducted by Juliana Cano Nieto, Scott Long, and Iwona Zielinska of the LGBT Rights Program. We asked a wide range of interviewees to participate, with particular attention to ensuring that the voices of lesbian and bisexual women, transgender people, sex workers, and other marginalized identities were fully represented.

The report is also based on answers to an 11-question survey which Human Rights Watch distributed, principally by e-mail, to activists and organizations in all regions, in Chinese, English, French, Portuguese, and Spanish. We received 63 responses. An English version of the survey questions is contained in an appendix.

While we have tried to be faithful to the responses we received, the conclusions and the organization of the material ultimately reflect our own analysis.

The total number of respondents (questionnaire and interview) by region and country is as follows:

Sub-Saharan Africa: 13 (Burundi 1; Cameroon 1; Democratic Republic of Congo 1; Kenya 1; Nigeria 4; South Africa 4; Togo 1; Zimbabwe 1)

Middle East and North Africa: 7 (Algeria 1; Israel/Occupied Palestinian Territories 3; Iran 1; Lebanon 1; Morocco 1)

Eastern Europe and Central Asia: 11 (Armenia 1; Bosnia and Herzegovina 1; Latvia 1; Poland 1; Regional 2; Romania 1; Russian Federation 1; Serbia 1; Turkey 1; Ukraine 1)

Asia and Pacific: 23 (Australia 1; Bangladesh 1; China 3; India 5; Korea 1; Nepal 1; New Zealand 1; Pakistan 1; Philippines 2; Regional 2; Singapore 2; Sri Lanka 3)

Latin America and the Caribbean: 29 (Argentina 4; Belize 1; Brazil 3; Chile 1; Colombia 1; Costa Rica 2; Dominican Republic 1; Ecuador 1; Guyana 1; Honduras 1; Jamaica 1; Mexico 1; Nicaragua 1; Paraguay 1; Peru 3; Regional 2; Venezuela 2)

Other (international, diasporic): 17

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I. Sub-Saharan Africa

South Africa, in 1996, famously adopted the world's first constitution to include express protections against discrimination based on sexual orientation. In 2005, a long series of legal gains culminated in the Constitutional Court's extending marriage rights to same-sex couples (making South Africa the fifth national government in the world to do so).²

A few months later, Nigeria's president introduced a bill—meant as an explicit answer to the South African “threat”—to ban not only same-sex marriage, but every kind of advocacy or public support for LGBT people's rights. Even holding hands could earn five years in prison.³

There is no simple explanation for the contrast between different African countries. It has to do with domestic politics and regional resentments that extend beyond the issue of sexuality itself.

The paradoxes at work throughout the region were underscored in 2006-7, when a series of brutal murders of black lesbians shocked South Africa itself. Legal protections, of which many in the country were proud, proved unable to curtail lethal violence or address its causes.

Patterns of abuse

African activists cite the same abuses in country after country. A Burundian activist lists:

- Violence and blackmail by the police and others;
- Negative messages from religious leaders;
- Exclusion from schools because of sexual orientation.

Again and again, groups point to homelessness and loss of family ties: “Many [LGBT people] are sent away from home ... family violence is the key problem,” a Nigerian sexual-rights group said.

² *Minister of Home Affairs and Others v Fourie and Bonthuys and Others*, Constitutional Court of South Africa, CCT 10/05.

³ Human Rights Watch, “Letter to Nigerian President Obasanjo Regarding Bill to Criminalize Gay Rights” at <http://www.hrw.org/en/news/2006/03/22/letter-nigerian-president-obasanjo-regarding-bill-criminalize-gay-rights>.

Family, religion, schools, and the police: these four institutions are critical elements of social protection on a continent where safety nets are nonexistent or have been stripped threadbare by economic policies in the last two decades. LGBT people are threatened in all four. Those stigmatized for their sexual orientation or gender identity in Africa risk losing almost every source of safety, support, or belonging.

In the vast majority of African countries, colonial-era laws still penalize (male and often female) homosexual conduct. Most groups lack the resources to document how the laws are enforced, or offer legal support. In some countries such as Cameroon, highly-publicized mass arrests of men and women have terrorized the community in recent years.

These laws publicly condemn a whole class of people. Privately, they promote endemic extortion, by the authorities and by individuals exploiting stigma and fear. Other, obscurer laws, most also colonial in origin, enforce dress codes or give police wide power to arrest and harass people.

Censorship stifles media discussions of sexuality and gender. In Uganda, for instance, a radio station was slapped with a substantial fine just for hosting LGBT activists on a program. Many LGBT organizations are unable to register legally or operate in the open.

“Discrimination in health services and medical maltreatment” is everywhere, says a group in Togo. A Nigerian organization states, “Currently the [health care] system has no provision for LGBT people; there is no accurate nor adequate information on the health of LGBT people.” Even in South Africa, a township-based youth support group says most of its clients “fail to go to health care services, because they are discriminated against when they get there.”

One fact is crucial: *the ever-looming possibility of backlash*. Almost every time LGBT activists in a country between the Limpopo and the Sahara have first gained public visibility, a crackdown followed. It happened:

- when Zimbabwean gays and lesbians dared to appear at a book fair in 1995;
- when a lone man came out in a newspaper interview in Zambia in 1998;
- when a small demonstration at a 2005 AIDS conference in Abuja urged African governments to take the health, social, and rights situations of men who have sex with men (MSM) seriously. (The Nigerian government used the demonstration to justify its repressive bill.)

Virtually any move LGBT groups make, from renting an apartment to holding a press conference, can feed a violent moral panic, where media, religious figures, and government collude. Courageously, LGBT activists in Africa continue to claim their rights. Their allies on the continent and outside, though, must ensure they do not encourage action without anticipating the risk, and:

- recognize the extreme danger in which the activists in Africa operate;
- ready them to protect themselves in the likely backlash to any publicity for their cause;
- make sure they have political tools to respond to a potentially violent backlash.

Challenges and chances

State-sponsored homophobia has become a political staple in many African countries. Its roots arguably lie in the colonial period, when European rulers imported Victorian moral standards, as well as legal codes with criminal penalties for homosexual conduct.⁴ However, in the 1990s, leaders began discovering the political advantages of promoting homophobia. Robert Mugabe in Zimbabwe devoted whole speeches to denouncing homosexuals as “worse than dogs and pigs.” In Namibia, Zambia, and Botswana other politicians took up the theme. Currently, in Uganda, government officials regularly menace LGBT groups; and in Gambia, in 2008, the president vowed to “cut off the heads” of homosexuals.

South African AIDS and human rights activist Zackie Achmat offered one explanation for how state-sponsored homophobia began. “Many African politicians,” he said in 1998, “want to blame the West for everything, homosexuality included”:

And they are right, the West is responsible for their rhetoric, but in a different way than they say. The West, the IMF, the World Bank, push structural adjustment plans on these countries. And they are starved and devastated by it. Food is unaffordable, health care unavailable; educations, opportunities, pensions are all gone. And the populations are enraged, rightly. ... And so these governments are precarious and terrified. The people are roused up against them, and there is no one to support them. Their only real hope is that people die of AIDS or hunger before they are angry enough to rebel. And what do [the governments] find? They say "homosexual" and two sorts come running to them: the Christian churches and the African

⁴ Human Rights Watch, *This Alien Legacy: The Origins of "Sodomy" Laws in British Colonialism*, December 2009, http://www.hrw.org/sites/default/files/reports/lgbt1208_web.pdf.

traditionalists, two groups who usually won't even speak to one another, come flocking behind the government's banner. Suddenly they have support. It's a magic word.⁵

Religious fundamentalists, in most countries, imitated rather than drove the exploitation of homophobia. But they did so with a vengeance. Conservative evangelical movements are burgeoning in southern Africa, with heavy support from North American partners. (In 2009, for instance, US anti-gay minister Scott Lively campaigned in Uganda for new laws against homosexual conduct, while reportedly maintaining “it is good for the government of Uganda to criminalize homosexuality but the government should subject the criminals of homosexuality to a therapy rather than imprisoning them.”⁶) Older denominations are on the defensive: some compete to show their traditionalist credentials. Sexuality is more than ever a war zone where religious forces strive for social and political power. The bid by Nigerian Archbishop Peter Akinola (a strong supporter of the 2006 bill) to split the Anglican Church in opposition to acceptance of gays and lesbians is only one symptom.

“*Culture*”—a supposedly monolithic realm of civilizational values— becomes the zone where political rhetoric and religious intolerance combine. Sexual or gender nonconformity is painted as “un-African,” its agents symbolically—and actually—expelled from the community. The appeal to culture brings violence in its wake. A sexual rights activist in Nigeria says that, since the 2006 bill was introduced, “We have observed constant harassment, arrest, exploitation, shaming, extortion of sexual minorities, and rape.”

HIV/AIDS impales LGBT communities on a paradox. Some blame them for the disease; others, including key policy-makers, refuse to admit they are vulnerable at all to an epidemic portrayed as mainly heterosexual LGBT groups are often excluded from HIV policy discussions or funding. One Kenyan MSM group says institutions “give the excuse of not wanting to partner with organizations whose activities are against the law.” Meanwhile, US-funded “abstinence-till-marriage” programs channel money to homophobic groups, while contributing to crippling silence around the sexualities of people who legally cannot marry the partners of their choice.⁷

⁵ Zackie Achmat, quoted in Human Rights Watch and the International Gay and Lesbian Human Rights Commission, *More than a Name: State-Sponsored Homophobia and its Consequences in Southern Africa*, 2001, pp. 46-47.

⁶ “New bill on homosexuality to be presented to parliament,” *Uganda People News*, March 6, 2003, at <http://www.ugpulse.com/articles/daily/news.asp?about=New%20bill%20on%20homosexuality%20to%20be%20presented%20to%20parliament%20&ID=8626> (accessed April 30, 2009).

⁷ See Human Rights Watch, “Letter to Congressional Caucus about US support for Ugandan homophobia,” October 10, 2007, at <http://www.hrw.org/en/news/2007/10/10/letter-congressional-caucus-about-us-support-ugandan-homophobia>.

South Africa remains a special case. Uniquely progressive laws and policies are not implemented in the communities where they are most needed. The lack of political will to enforce the laws also has ripple effects across the continent. South Africa refuses to integrate human rights into its foreign policy. In the last decade, it has been unwilling to take the lead on sexual-rights issues in international fora.

At the same time, *institutional change* offers signs of hope. Some NGOs and national human rights institutions (NHRIs) have slowly moved to address issues of sexual orientation and gender identity. Independent rights groups in Kenya and members of the Kenyan National Human Rights Commission have spoken in defense of LGBT people there. Also promising is the slow integration, in a few countries such as Uganda, of sexuality and sexual-rights issues into legal education.

Cross-regional cooperation among LGBT groups, after false starts, has taken off. Activists now have fora to share experiences directly relevant to them, and on-the-ground expertise that cannot come from outside. These opportunities are invaluable. So, too, has been the work of coalitions that have lobbied and raised awareness at the African Commission on Human and People's Rights: a venue that gives them visibility in relative safety, and helps them forge alliances with non-LGBT human rights groups across Africa.

What are movements doing?

In Nigeria, given 48 hours to prepare for a legislative hearing on the repressive bill in 2007, LGBT activists mustered mainstream allies and rushed to Abuja, the capital, to lobby for their freedoms. Their unexpected appearance—and the support they received from the human rights community and a few religious figures—helped stall the bill in the Assembly, where it died.

Victories are possible. The determination of scattered Nigerian LGBT groups “to push other NGOs towards mainstreaming LGBT issues into their work” paid off. Coalition-building made it easier to withstand threats and take a public and political stand.

Ugandan LGBT networks have also opted for public visibility and political protest. But the risks are real. Police arrested and tortured three Ugandan activists who staged a demonstration in mid-2008.

In other countries, groups are looking for lower-profile, local points to engage with powerful actors. These include:

- Building networks of sympathetic *health professionals*.
- Finding and fostering sympathetic *religious leaders*. In countries like Botswana, liberal denominations have supported and defended LGBT activists.
- Groups need *lawyers*—and money for lawyers—to document arrests and defend victims. This means not just locating sympathetic professionals, but ensuring they receive training in relevant national and international precedents.
- A Nigerian campaigner says, “An opportunity to dialogue with *the police*, if funded, would be one of the best options in dealing with homophobia.” In Cameroon, one organization has a long-term plan: training of police and local authorities on human rights would lead to arrests abating; this would create an opening for public HIV work in vulnerable communities; and that in turn would generate political possibilities to lobby for depenalizing homosexual conduct.
- From Cameroon to Zambia, *media* have promoted public hysteria about homosexuality. Trainings for reporters and editors on issues of human rights, homosexuality, confidentiality, and respect are underway in Nigeria and some other countries.

Most groups cite the need to build community and identity, and to reach beyond the urban circles where they are now confined. A Kenyan activist writes, “The rural LGBTI people face exclusion and are left out ... There is a basic need for a toll-free hotline to ensure that even those in the rural areas can get access to counseling services.”

However, arguments that reach beyond identity are also needed. Much LGBT activism in Africa has pursued the paradigm of minority rights, perhaps because that framework has a long history on the continent. Yet some of the most effective recent alliances between LGBT groups and “mainstream” movements have been based not on minority claims, but on urgent issues that provide common ground: freedom of expression, and mobilization against torture and harassment of human rights defenders.

“Homophobia” itself may be a limiting frame. Day by day, people are punished as much for their refusal to conform to norms for “masculine” and “feminine” as for their suspected sexual conduct. “Societal expectations of sex and gender are large barriers within South Africa,” says an intersex group there. Building common ground with women’s rights movements and other movements addressing gender across the continent will be critical.

Meanwhile, resources are a continual challenge. Indiscriminate funding has divided and destroyed some groups in recent years. However, amid economic meltdown, a Zimbabwean

activist reports “the priorities of members shifting from fighting for their sexual rights to fighting for the next meal on the table, and forcing us to shift our focus in the services we provide.”

II. Middle East and North Africa

In recent years, countries from the Atlas to the Persian Gulf have seen brutal crackdowns or cleanup campaigns aimed at “deviant” sexuality or gender expression. In Egypt between 2001-2004, police arrested and tortured hundreds or thousands of men for homosexual sex. Since then:

- Egypt started arresting men again in late 2007, after a three-year hiatus and with a new turn of the screw: targeting people living with HIV/AIDS.
- In Morocco in the same period, police falsely accused men at a party of staging a “homosexual marriage”; political Islamists marched in protest against “immorality,” thousands strong, to the house that had hosted the offending gathering.
- In Kuwait, at the same time, authorities rounded up over a dozen transgender people under a new law against “wearing the clothing of the opposite sex.”

Similar examples have taken place in Iran, Saudi Arabia, and the United Arab Emirates. These have all the marks of moral panics: they go beyond simply enforcing the law, and aim instead to rid society of a deeply frightening enemy.

Patterns of abuse

Law clearly enables the crackdowns. All the countries in the region criminalize homosexual conduct between men (and some between women)—except Israel and, at present, Iraq (where evidence is rapidly mounting that some militias are targeting non-conforming men and women for torture and murder).

Some outsiders mass these laws together as products of Islam, pure and simple. This is not true. The four Sunni schools of *sharʿa*, and Shiʿite jurisprudence, all indeed impose penalties up to death on homosexual conduct under certain circumstances. Saudi Arabia enforces a particularly strict version. Iran’s codification of *sharʿa* into a penal code is similarly rigid. However, *sharʿa* is not at stake in most of these countries. Egypt, Morocco, Algeria, Jordan, Lebanon, all criminalize homosexual sex under secular laws with fines and prison terms—laws that mostly have colonial origins. Islamists may march for stringency in Morocco, but the law they want enforced is not Islamic in origin.

Secular, authoritarian regimes—facing down demands to democratize from leftist movements as well as Islamic dissidents—seem as likely to carry out crackdowns on sexuality as religiously-based ones, if not more so. (Reports from Saudi Arabia suggest sporadic, large-scale arrests targeting men who have sex with men, but are insufficient to deduce a pattern. Iran regularly arrests and tortures men, women, and transgender people under suspicion of same-sex conduct, but there is no real indication that arrests or executions have increased in recent years.)

A different perspective comes not from looking at the highly publicized cases involving men, but from listening to lesbian and bisexual women.

A Palestinian lesbian organization says, “We deal with women and the basic issues of body, movement, not being free to leave the house.” They face—as one Lebanese activist says—a subtle and continuous regime of “violations of women’s rights over their bodies and choices.”

They face, in other words, a complex cultural system that controls people’s bodies and sexualities. Law, custom, economy, and family are all implicated as well. This means the crackdowns may connect to fears that norms for gender and sexuality are shifting or breaking down. Women who defy those norms and men who escape them are equally at risk. It is worth remembering that the law under which Egyptian men are tried for same-sex conduct was originally a law targeting women in prostitution.

Culture and politics, daily life and law, are equally at issue, then. An Iranian lesbian who started an internet site for other women says: “What are the most important things lesbians need? They need somewhere to be safe, to find other women, to be able to communicate with them. The major problem is the family and the culture.” She adds, though: “There is the law beyond that. If you can get knowledge to your family and get them to accept you, you still have to worry about the law and your life, about what happens if the larger community discovers you are a lesbian. There is no respite: when you think you are safe at home, you could step out on the street and be arrested.”

Challenges and chances

In most of the region, *civil society* is under severe attack. While even highly restrictive countries have allowed selected NGOs limited freedom to operate since the 1990s began, the limits are tightly drawn. Human rights organizations suffer especially from harassment, bureaucratic restrictions, surveillance, and arrests. Governments are quick to use any

pretext to discredit them before the broader public—making it doubly risky to take up divisive or difficult issues. Legal constraints, together with lack of resources, make it hard even for sympathetic NGOs to investigate rights abuses shrouded in stigma or secrecy: many simply cannot collect the information.

Internet use has burgeoned in the region. It has also been vital in developing a gay and (to some extent) lesbian or transgender identity and community. The advantage is that it lets people communicate who would never have dared or had the means before. However, much communication remains anonymous, impersonal, and mistrustful. Since most of the websites used by such communities to meet and socialize are Western gay ones, (despite a vigorous blogging community in Iran and Egypt), people articulate their identity and community almost entirely in borrowed terms or *bricolage*. Getting wired remains expensive. Dependence on cyberspace accentuates economic divides.

Most governments censor the Internet, as they censor other information. Almost anything about sexuality falls under the rubric of pornography. Iran, Saudi Arabia, and other countries try to block most gay sites. In Iran and (massively) in Egypt, state authorities have taken advantage of cyberspace's anonymity to entrap and brutalize men.

These examples affirm that sexual rights (like all human rights) in the region cannot exist without progress toward democracy: curbing police powers, establishing rule of law, ending censorship, and freeing civil society. Despite hopeful indications in some countries earlier this decade, that progress is largely blocked. In Egypt, for instance, the government carefully split the democracy movement while the U.S., afraid of Islamism, stood aside. U.S. policy since 2001 has talked of freedom while in practice too often damaging or discrediting democratic forces.

Islamist popular movements have not gained power anywhere in the region except Iran. That very fact gives fundamentalism a dissident prestige, and in countries like Egypt and Morocco it threatens to monopolize opposition politics. Embattled sexual rights activists obviously fear that democratic openings will bring political Islam to power. In some places, particularly Egypt, secular human rights activists have been able to forge expedient alliances with Islamists over core issues such as arbitrary detention and torture. It is not clear whether those alliances—necessary for the moment—have sparked a commitment among Islamist activists to integrating human rights principles with belief.

In the long run, it must be remembered that much of modern political Islam has been, paradoxically, a democratizing force within the faith: a popular movement shaking the power

of judges and scholars. There is no intrinsic reason—though there may be strong sociological ones—why a similar populist drive within Islam could not support politically as well as theologically democratic tendencies. Some organizations—in Europe, South Africa, Indonesia—are already sounding out the space for such support

HIV/AIDS has been largely unreported and invisible in the region. However, in the Maghreb, MSM have been able to organize and do outreach within the parameters of AIDS prevention. Despite government inaction, awareness of AIDS and informed thinking about sexuality are growing among youth. Several popular Egyptian actors spoke out in 2008 against the crackdown on HIV-positive men.

The *medical profession* remains in the sway of 19th century European myths about sexuality. In Egypt, Iran, the UAE, and other countries, doctors administer torturous forensic anal exams to “prove” male suspects’ homosexuality. Programs to train doctors of almost every kind in approaches to sexuality and gender are urgently needed. In a few countries, doctors and lawmakers together have laid out a relatively liberal approach to transgender people: Iran and Egypt have allowed gender reassignment surgeries and change of identity for almost 20 years. Nonetheless, in both countries police arrest and torture transgender people, even with medical papers.

Sparse information on sexuality in the region—or related rights violations—goes beyond the borders. What reaches the Western press mostly draws on anecdotes or travelogues. Misinformation can spread; underground activists in the region have little control over what is said or done on their behalf abroad. One activist cites the “growing Western interest in the Arabic LGBT movement” as “annoying at first,” but says local activists need to find ways to take charge of it, “to elaborate it into something positive.”

What are movements doing?

In a few places, like Egypt and Morocco, sexual orientation and gender identity issues have begun to enter the agendas of some mainstream human rights movements. Now, unlike in earlier years, there are lawyers to defend people when they are arrested, and voices to speak up in the press.

These vital developments were not won through identity politics. Those have misfired disastrously as a way of claiming rights in much of the Middle East; the urge of some western LGBT activists to unearth and foster “gay” politics in the region is potentially deeply counterproductive. Rather, the mainstreaming was won largely by framing the situations of

LGBT (or otherwise-identified) people in terms of the rights violations, and protections, that existing human rights movements understand. It meant speaking about people who endure torture, or arbitrary arrest, or violation of their privacy—rather than about “gay” people seeking community or equality. Talking about rights rather than identities, and seeking support from mainstream movements (vulnerable as they are), is the way those protections are likely to move forward significantly in the foreseeable future.

No country shows much hope of lightening legal penalties through legislative action. Where legislatures have intervened (as with Kuwait’s new dress code law) they have been driven by moral panic to make things worse. In a few countries—Egypt is one—there are limited possibilities for reinterpreting existing legal provisions through strategic litigation.

Religious law does not rule in most states, but it affects and inflects secular law and its enforcement. Possibilities around *shari’a*-based protections need to be explored. *Shari’a*’s stringent punishments for sex crimes are coupled with extremely high standards of proof—which, if put into practice, amount to safeguards for personal privacy against state surveillance.⁸ One liberal Iranian ayatollah has urged strictly adhering to these standards in order effectively to eliminate executions for sodomy or adultery.

Even offering legal defense in the places where it is possible requires finding and training lawyers willing and able to take the cases. Reforming medical attitudes means working with conservative professional groups often dominated by the Muslim Brotherhood. Both these tasks need creative approaches, from inside and outside the region.

Some activists imagine new paths to political visibility. One Maghreb group described a plan to get members to mark their election ballots, “I vote as a gay citizen.” They also hope ultimately to mount a petition against their country’s sodomy law, but add that they need a national or international NGO to promote such an effort for them. “It is necessary to say that since our organization remains in secrecy our modes of pressure remain very limited, under the threat of prison, disappearance, or death.”

In a few places, courageous activists have won real social space for LGBT communities. Lebanon, which has a functioning LGBT center that hosts public discussions and cultural events, is the foremost example. There, too, cultivating alliances with other human rights movements has been a key to success. The leading LGBT group’s active role in supporting

⁸ See Khaled el-Rouayheb, *Before Homosexuality in the Arab-Islamic World, 1500-1800* (Chicago: University of Chicago, 2005), pp. 118-151.

relief efforts during the 2006 war gave it a credibility invaluable in a worsening political situation.

While rights claims may need to be detached from identity, there is a desperate need for building community. Young people are particularly subject to exploitation and despair. Studying case files from the Egyptian crackdown in 2001-2004 reveals a grim figure: most of those arrested and tortured were under 25. Emerging into sexual maturity, they found no community to warn them about social and political dangers, no mentors to protect them from the police.

“We need information,” says the founder of an Iranian lesbian Internet site. “We translate 60-70% of what we put on the web, and the rest we write ourselves, about our own experiences. We give women the basic knowledge they are not sick—translating all this information and putting it in one place.”

She adds, “We believe that we should aim at the family, not the government. We can’t fight with the government, nor can any government outside change the Iranian government. I don’t believe that people can fight directly with the homophobic society. You should fight with the homophobia inside yourself.”

Even moving from cyberspace to personal contact takes time, and courage. “It is not important to get ourselves in the Iranian press,” she says: “instead, for now, we can find opportunities to talk one-on-one to reporters about their attitudes.” Many activists envision such small outreach projects. A Palestinian lesbian reflects, “The moment we start giving lectures on homosexuality in schools, it would be a good achievement.” She adds, “It may take five years.”

III. Eastern Europe and Central Asia

Who would have imagined?

Europe, after all, produced the first international legal findings that sexual orientation was protected by the right to privacy. After the Wall fell in 1989, lesbians and gays were among the first to claim political rights, form organizations, campaign to end repressive laws. European institutions stood behind them, supporting legal reform and safeguards for intimate life. Boris Yeltsin repealed Stalin's sodomy law. Ten years of international pressure led Romania finally to scrap its Ceausescu-era ban on homosexual sex.

Who would have supposed that 20 years later, political leaders would call for beating and jailing LGBT people; that, in ostensibly democratic states, police would stand by while neo-Nazis bashed peaceful marchers? Europe in the 21st century was not meant to be like this.

Patterns of abuse

The pictures are the most memorable evidence of this unexpected Europe: faces bleeding, people running, the air streaked with tear-gas trails. These photographs have burst forth every spring and summer for several years, as LGBT groups try to stage pride marches in Cracow, Chisinau, Moscow.

The Warsaw mayor who banned a march became Poland's president. His political allies called for criminalizing anyone who introduced LGBT issues in Polish schools, and for beating any daring marchers with batons. In Moscow, the mayor called pride participants "Satanic." In Latvia and Romania, church leaders demanded an end to "pervert" demonstrations.

Russian politicians reminded voters that the sodomy law had been abolished fifteen years before under pressure from the West, and told gays, in effect: *We gave you your rights in the bedroom; keep off the streets.* Banning the marches became a way of defining who belonged in the public sphere, who could participate in politics at all.

The backlash—the threat to freedoms of expression and association—is only one sign of a swelling violence. Hate crimes are "a daily reality all over the European continent," the Council of Europe's human rights commissioner says, targeting immigrants, Muslims, Roma, foreign students, and others, from Ukraine to Italy. Political and religious figures who vilify

LGBT people encourage both organized extremists and ordinary haters to move them up the roster of targets. “They use labeling and marginalization, demonizing, spreading misinformation about LGBT people, saying that homosexuality is a sin, against traditional values,” a Latvian activist explains: “Wherever we go, whatever step we take, we always need to expect some reaction: it’s an everyday thing.” A Polish group confirms that “physical attacks on LGBT people” have become a regular occurrence.

The violence happens in places where LGBT people have little visibility. Bosnian activists speak of death threats. An Armenian LGBT organization describes “sexual assault, sexual harassment. . . . physical violence, verbal violence, family violence.”

In Turkey, the state has headed to court—successfully—to close down LGBT groups. Regular assaults against transgender people by police and private individuals, and gang attacks on gay men, go unpunished. A Turkish activist sees the “dark forces” in government—a militaristic establishment committed to conservative codes of morality and masculinity—still in charge. “It seems we are still trying to learn how democracy works.”

There are less visible inequalities. Countries admitted to the EU have been compelled to adopt anti-discrimination standards, which protect sexual orientation in employment (though not, as yet, in other areas of life). In many places, though, no effective enforcement exists. In countries beyond the new iron curtain—the one separating states with a hope of EU admission from those, like Russia, with none—neither the law nor international standards offer real recourse from discrimination.

Recent European Court of Human Rights decisions guarantee transgender people who have undergone surgeries the right to change their legal identities. These decisions make rights depend on medical intervention, however, and most EU countries require sterilization, among other medical invasions, as a condition of identity change. Some states in the region, like Turkey, have essentially adopted European practices on surgery and identity. In others, like Kyrgyzstan, the medical profession looks on gender identity with incomprehension—and transgender people face violence in family and community with little access to justice.

Challenges and chances

A small FTM group in provincial Russia told us: “The main challenge is fear.” Social attitudes in much of the region remain unreformed, and the issues Western European gays find urgent seem far away. In Serbia, an anti-trafficking center that works with LGBT people conducted the “first national research ... documenting the views and opinions of the general public

toward LGBTs... It showed that 70% or more of the general public thinks that by engaging in same-sex relationship you are sick. This research shows a huge gap between those who don't belong to sexual minorities and LGBT people. ... Due to that social distance, violence is seen as an acceptable way of dealing with or reacting to sexual minorities. So we are not at the point of discussing marriage or relationships at all.”

In many countries, movements that trace their origin to 1930s fascism are reviving in skinhead garb. Orthodox churches (some of which saw their credit damaged by collaboration with Communist regimes) have periodically used controversies over “culture” and sexuality to revive their political influence and prestige, sometimes allying with neo-fascists.⁹ Newer Protestant denominations have spread in the Baltics and other areas, supported by North American evangelism; they start virtual “competitions,” one activist explained, “to see which church is the most homophobic.”

In Hungary and Romania, some ministers and parliamentarians have vocally defended LGBT people's rights. In Poland, however, no political group is willing to speak out; and a Latvian lesbian says, “We do not have any truly liberal political forces, just some individual politicians.”

“Our biggest opportunity,” a Bosnian activist declares, “is entrance in to the EU family, which brings with it issues of harmonization of laws with treaties and human rights instruments.” During accession negotiations from 1992 on, the EU raised the issues of sodomy laws and discrimination with several states; it was largely through its pressure that Romanian law changed. The mere possibility of EU entry brought real political liberalization to Turkey. However, many EU states feel its elasticity to absorb new members is at an end. Moreover, the Union did little to restrain Poland during its government's worst homophobic rhetorical rampages. In some apparently straightforward matters, it has exercised little influence: a Maltese activist points out that EU membership has still left his country the only one on the continent where divorce is illegal. A Serbian lesbian fears “that within this process of European integration ... the EU will trade off sexual rights. There are many things that Serbia needs to change, and if two more high profile war criminals are extradited, the EU might not be that demanding on sexual rights issues.”

Groups also face funding challenges. Some foundations are withdrawing from the Balkans: a Serbian anti-trafficking activist says, “only a few funders continue to support us. Activists

⁹ See Human Rights Watch and the International Gay and Lesbian Human Rights Commission, *Public Scandals: Sexual Orientation and Criminal Law in Romania*, 1998.

are operating with very little funding, fighting among themselves for the little funding that has been left.” Meanwhile, the leading Romanian LGBT group states that “Access to human resources, specialists on LGBT issues, experts on legislation, is becoming more and more problematic.” Expanding for-profit opportunities mean that “being an employee in the non-governmental sector cannot compete ... We need to invest in people and keep the experienced people in the organization.”

What are movements doing?

Many activists in Eastern Europe make cultural change a priority: fighting invisibility and the climate of violence. An Istanbul activist says, “the main issue we tackle is silence.” Through pride events, conferences, intensive work with independent media, and articles and exhibitions on gender roles in society, they hope to change heart and minds: but “it’s far from enough. It has to be connected with other movements: women’s and anti-nationalistic and anti-militaristic.”

For a feminist activist in Serbia, “lobbying also means lobbying the masses, finding ways to communicate the message to the widest possible public—a new public, outside of the co-opted media.” Theater and film offer possibilities for outreach.

For most activists, however, legal and policy change remain critical. Goals they mention include:

- Hate crimes legislation that mandates keeping disaggregated statistics on incidents of violence and their motivation.
- Liaison and trainings between LGBT community organizations and the police.
- Detaching transgender identity from surgical intervention, and instituting simple and accessible procedures for changing legal papers to reflect the gender in which one lives.
- Protections for freedom of assembly and expression.
- Decriminalizing sex work and relaxing legal regulation of public spaces through “morals” laws.
- Partnership recognition.

Comprehensive anti-discrimination laws, a key element of EU integration, also remain a central goal. Serbia in 2009 passed such a law, amid opposition from the Orthodox Church but with the support of rights activists both in the country and in the rest of Europe. However, the passage from paper protections to full implementation also demands close

monitoring. Romanian activists stress the importance of “ensuring that the state institutions fighting discrimination ... will continue their work in a professional manner, independent of the political pressure put upon them.”

Hopes for such change vary immensely, between the repressive atmosphere of Russia—where neither courts nor lawmakers preserve much independence or have time for LGBT concerns—to the openness of Hungary and the Czech Republic (where forms of partnership and other protections have been achieved).

The question many activists ask is: given the role European integration has played in legal and political change so far, can European institutions still support LGBT rights effectively?

The EU is obviously not the only player. The *Council of Europe* has taken an active role in condemning hate crimes and promoting free assembly. Russian activists plan regular appeals to the ECHR against decisions denying them the right to demonstrate. While a similar appeal against Warsaw’s ban on a pride march led to embarrassment for Poland, it is not clear that Russia can be similarly shamed.

The *Organization for Security and Cooperation in Europe*—the only non-military European body that also includes the US—monitors and works against violence based on intolerance and hatred, through its Office for Democratic Institutions and Human Rights (ODIHR). The US has up until now actively opposed ODIHR taking on sexual orientation in its mandate.

The most significant test is coming soon within the EU itself. A new anti-discrimination directive—launched after much hesitation by the European Commission, and after vocal pressure from human rights groups across the Union—would finally extend protections for sexual orientation to a broad range of areas of life, including access to goods and services. (It would extend similar protection to those suffering discrimination due to religion, age, or disability.) Now the Council of the European Union, representing all 27 member states, must decide by consensus whether to support or reject the commission’s proposal.

Both in new member and in non-member states, however, activists also look to alliances with other domestic movements to press forward reforms. Their motto is: Use the EU, but don’t depend on it. A Serbian lesbian says, “We need to have the presence of civil society” in all processes of government reform, rather than relying on outside help. “We don’t want to have the Poland situation, where the legislation is EU-harmonized but you can’t have a pride parade, abortion is forbidden, there is a highly conservative government constantly threatening sexual and reproductive rights ... It’s not only about harmonizing legislation. It’s

about working together with the government so they change their own conceptions about the world.”

IV. Asia and the Pacific

Asia's four billion people defeat any generalization. A Philippine activist says, "the sheer diversity of cultural contexts and political systems ... makes it a real challenge to develop any common strategy." The diversity within many countries mirrors this: even relatively small Nepal has dozens of ethnic identities. Making any sense of the complexity means leaving much of the richness out.

Patterns of abuse

One way of organizing the differences from an LGBT perspective is to look at the *sodomy laws*. In most of South Asia—Bangladesh, India, Pakistan, and Sri Lanka, stretching over to Malaysia and Singapore and some Pacific islands—versions of the same British colonial provision were handed down from code to code. Embodied in the Indian penal code as Section 377, it punishes "carnal intercourse against the order of nature." A leading Nepalese activist says his "priority would be decriminalization of consensual same-sex sexual activity in South Asia." Although his country escaped the British-era sodomy provision, its repressive effects on both public awareness and policing still seep across the border.

In India itself, Section 377 gives the police enormous powers to harass and blackmail. But so do other provisions, particularly the Immoral Traffic (Prevention) Act, which regulates sex work. It is a basis for regular harassment of *hijras* (working-class transgender individuals) and other gender-nonconforming communities—as well as many women, whether in commercial sex work or not.

More broadly, *hijras* (an identity widely shared across South Asia) as well as similar local identities such as *metis* in Nepal are virtually "excluded from social and political life"—prevented by law or practice from receiving ID cards, renting houses, working, or even voting in some places—because they violate gendered expectations of how people should look or behave.

Activists in South Asia point to "Police powers that are unregulated, and police corruption," as primary concerns, including "violence at sex sites from police and hooligans, indiscriminate use of laws against 'public nuisance' ... and denial of public space for sexual minorities." Police regularly target HIV/AIDS outreach workers for harassment.

Meanwhile, lesbian and bisexual women face “forced marriage, employment discrimination ... violence within the home and in public spaces.” Anecdotal reports of patterns of suicide among lesbian and bisexual women, particularly in India, point to commonalities with single women, widows, and other people marginalized by gender norms. They also suggest the absence of information about sexuality and gender at many levels of society, the lack of sexuality education, and—as one activist puts it—the “complete lack of recognition and any kind of state assistance for queer youth.”

Harassment in schools and silence in curricula are regional concerns. In Singapore, one group says “Gay teachers are systematically removed from classrooms, sex education packages ... are either silent about homosexuality or negative about it, school administrators ... often invite anti-gay Christian groups to give ‘sex education’ talks.” Mental health professions in the region often cling to the pathologization of gender nonconformity or same-sex relations. They have only begun reforming policy and practice on sexual orientation and gender identity.¹⁰

In much of East Asia (and part of the Pacific), homosexual conduct is not criminalized. An organizer in the Philippines, looking at regional activist goals, cites “passing an anti-discrimination law where there is no anti-sodomy law.” However, an anti-discrimination bill has stalled in the Philippine legislature for years, facing severe opposition from the Catholic Church. Sexual orientation (with six other categories) was dropped from an anti-discrimination law in South Korea in 2007, at the urging of Protestant churches and business leaders.

China has seen police crackdowns on gay and lesbian bars, baths, and cultural events. Authorities regularly harass or detain AIDS activists. They have closed LGBT websites-- including ones focused on AIDS prevention—as “pornographic.”

Sri Lankan activists also note “increased restrictions by the government on NGOs, internet access, telephones.” In Singapore, an activist says, “Virtually no positive representations of LGBT people are allowed on TV. Newspapers carry as little gay-related news as possible ... leading to climate of silence and a perpetuation of ignorance.”

¹⁰ China’s medical professionals, for instance, only eliminated homosexuality from the official list of psychological disorders in 2001; they retained the definition of so-called “ego-dystonic homosexuality”—essentially covering people who are unhappy with their homosexuality—which arguably permits pathologization of people whose real source of discomfort may be surrounding homophobic attitudes in society. See Chinese Society for the Study of Sexual Minorities, “Homosexuality Depathologized in China,” March 5, 2001, at <http://www.csssm.org/English/e7.htm> (accessed April 30, 2009).

As in other regions, legal registration is difficult for many groups to obtain, either due to morals restrictions or the effect of sodomy laws. A Singapore group says, “In the absence of legality, we are effectively breaking the law whenever we organize anything.”

Challenges and chances

A Pakistan support group speaks for many in the region in saying: “*fundamentalism* is the most disturbing factor for our society, especially for LGBT.” Activists in Sri Lanka warn of “Buddhist religious fundamentalism” and “prevailing pseudo-nationalistic attitudes.” Indian activists fear renewed attention from the Hindu right. In Singapore Christian fundamentalism is “inspired (and possibly funded) by US evangelical churches. Related to this is the tendency of many civil servants and school administrators to bias in favour of ‘morality’ (as Christian-defined) and the conservative concept of ‘family.’”

In many parts of Asia, different forms of fundamentalism are able to set aside differences and cooperate locally where sexual orientation and gender identity are at stake. In Hong Kong, a group for lesbian and bisexual women sees coordinated attacks “from traditional Chinese ‘family values’ and the Christian Right movement.”

As in other regions, nationalism and religious intolerance come together in a conception of cultural authenticity that excludes sexual or gender nonconformity. As one Indian lesbian activist said, “At this point the conservatives simply act as though all sexuality comes from the West.”

Asian exceptionalism—the ideology that the continent had different political needs and values, that individual rights protections were at odds with collectivist traditions and an unwanted brake on economic advances—retreated after the economic crises of the late 1990s. Yet it still materializes as an excuse for state neglect or inaction, particularly in sensitive areas such as sexuality. A South Korean activist laments, “The present government puts economic development and efficiency in front of democracy and human rights.”

More concretely, the absence of an Asian regional human rights structure leaves activists without a near-at-hand institutional focus for advocacy, or for networking with mainstream human rights groups. However, regional LGBT networks, as well as networks of HIV/AIDS organizations, have an increasingly strong presence.

In country after country, the *response to HIV/AIDS* opened doors for LGBT activism. In some cases it did so simply by making conversations about sexuality possible. A Pakistan groups

says: “Until the last decade we could not even talk about sex issues and HIV/AIDS prevention issues among MSM, it was forbidden and illegal. But now we can discuss the health issues ... It means the circumstances are being changed slowly but continuously.”

The most important doors now ajar, though, are arguably those to funders. After taking the lead in the lead in outreach and prevention efforts, many LGBT groups found grants available for the first time. At the same time, this sparked internecine competitions over identity—over who should be supported for outreach to what communities under what names. The funding streams also confined many groups to service provision and sapped their energy for advocacy.

More comprehensively, a Tamil-Nadu-based MSM group criticizes “HIV-AIDS focused funding streams that strip MSM of everything but their genitals ... The ‘medicalized’ version of work happening on the ground is actually detrimental to our community ... MSM are much more than just sexual beings.”

What are movements doing?

Asian social movements—sexuality and gender-related movements among them—are rich in strategic discussions and disagreements. It is impossible to capture more than a small part of the manifold perspectives posited and directions proposed.

At least one success story has inspired LGBT activists throughout the region. Nepal’s leading LGBT group negotiated the thickets of HIV/AIDS funding, found its own path from service provision to political advocacy, and changed the country. “We started with health intervention,” they recount, which was “a way to reach out to the larger society in a non-threatening manner.” With the information collected through outreach they began documenting and publicizing human rights abuses, “letting the world know what kinds of violations sexual and gender minorities faced.” Political interventions grew out of that, as they “took to the streets, began to lobby political parties, and even participated in elections,” as well as “took the government to court.” They persuaded the country’s Supreme Court to mandate protections in law for sexual orientation and gender identity—and the group’s founder now sits in the Constituent Assembly.

The step from service provision to advocacy is still difficult for groups to manage, given funding constraints. Even after many victories, Nepalese activists admit there is much to be done. Judicial acknowledgement and political influence still do not mean improvements for

many of their constituencies. The relationship between legal change and social change is a crucial question for many activists in the region.

“Legal change is only one of the strategies towards social change,” a rural Indian group comments. An Indian activist heavily involved in campaigning against Section 377 adds, “In India, law and policy often follow social change, and in and of themselves, can do little to change the everyday ... Law and policy should never be our priorities even as we recognize the need for them to keep pace with changes we are making on the ground.”

Even recognizing the importance of removing Section 377, Indian activists long debated the relative value of litigation as opposed to broad social mobilization against the provision. Similar divisions occur—or are likely to—in other countries, including those where anti-discrimination protections are a key goal. In India, a compromise has been achieved. As lawyers move a case on Section 377 toward a conclusion in Delhi’s High Court,¹¹ a diverse “coalition of groups, only some of which are LGBTI” are using the case to raise community and national awareness on a range of related issues, through “publications and writing, public protests and presence, individual case work on LGBT people in crisis.” One member says “The use of law and policy as symbols to mobilize around ... is critical.”

If Section 377 goes down in India, its fall will echo through the region. It will raise the question of what comes next. An anti-377 activist points to future priorities:

- Employment schemes, ID cards [for *hijras* and others denied recognition for gender nonconformity], and other measures to match the economic needs of LGBT people. I don’t think we need to wait for Section 377 to do this [but] the possible removal of Section 377 would be an ideal moment to gain momentum towards goals like this.
- Working with police and other authorities to reduce violence.
- Anti-discrimination legislation.
- Increasing mainstream cultural representation of queer issues.

Others worry that an agenda focused on “LGBT” identity, or on “sexual orientation” and “gender identity,” will neglect some of the most crucial social and political needs even of groups within those umbrellas. For instance, eliminating 377 and ensuring that *hijras* can gain IDs will remove some sources of abuse—but will not affect the criminal-justice

¹¹ India has no gender-neutral law on rape or separate law protecting children against sexual abuse by adults of the same sex, Section 377 is used to cover both. The court case therefore calls for “reading down” Section 377 to make clear that it should no longer criminalize consensual same-sex relations between adults.

machinery regulating and repressing sex work, overwhelmingly the legal pretext for the police impunity and violations *hijras* face.

Groups across the region warn that the push for stricter anti-trafficking policies generates expanded state power over all sexualities in public (and often private) spheres.¹² For some, this links to how the politics of representation operate in LGBT movements—how “sexual subjects” are spoken for, not allowed to speak for themselves. A New Zealand sex worker activist relates how hard it is for people viewed as “sexualized” to be seen and heard as political actors, and condemns “groups that have no contact with sex workers purporting to be experts in the field.”

An Indian activist says, “We need more progressive funding on issues of sexual minorities and sex workers—most of the funding now is for HIV/AIDS work from conservative funders.”

For years, some activists in Asia have criticized the uncritical importation of Western identity constructs as templates for sexuality and gender. In Nepal, activism around “gay” or “transgender” identity has given way, in many communities, to *metis* (an indigenous Nepali term for biological men who do not conform to norms for “masculinity”) organizing and claiming their rights as *metis*.

Many also question the weight placed on national-level lobbying at the expense of local work. A Sri Lankan lesbian and transgender group says it is shifting its efforts from political advocacy to “sexual rights and sexual health awareness programmes at grass roots level to change attitudes toward sexuality ... We prefer to work with CBOs [community-based organizations] in rural areas around the country.”

An Indian attorney observes that *hijras*’ real rights will hinge on their voting in local elections, where the authorities most affect their lives. In Tamil Nadu, an activist says, “While most MSM-related advocacy in India has focused on repealing archaic sodomy legislation in the Indian Penal Code ... there is a dearth of advocacy work happening with municipal governments, or *panchayats*. ... Most work to date in India that focuses on MSM has been focused on urban spaces. Considering 70% of India lives in rural spaces, and sex between men [is] very much a reality in villages, we work in rural spaces—and firmly believe that more work needs to happen in this space.”

¹² See “Letter to Sonia Gandhi: Proposed Amendments to the India’s 2006 Immoral Traffic (Prevention) Amendment Bill Raise Human Rights Concerns,” a joint letter by Human Rights Watch and Indian and international human rights organizations, June 22, 2008, at <http://www.hrw.org/en/news/2008/06/22/letter-sonia-gandhi-proposed-amendments-indias-2006-immoral-traffic-prevention-amend>.

Groups also look to non-social-movement allies. “Singapore depends massively on foreign talent to drive its economy, and the government is sensitive to corporations’ human resource needs. If our organization can get access to corporations and lawyers, and catalyse the documentation and demand for equal treatment of LGBT employees,” a range of demands, such as repeal of the sodomy law, might come within realization.

In Indonesia, LGBT activists, after cautious bridge-building with the Ministry of Religious Affairs, have quietly engaged in dialogues and trainings with young imams, raising issues of sexuality and gender. Such an initiative, in the home of what historically has been one of the most syncretic versions of Islam, has potential resonance far beyond the country’s borders.

V. Latin America and the Caribbean

Lesbian, gay, bisexual, and transgender movements in Latin America have achieved an astonishing record of success in the last 20 years. (The Caribbean, a distinctive case, will be dealt with in a separate subsection.) LGBT groups have seized on democratic openings to enter the political and cultural spheres. Despite steady harassment, they have become visible and stayed vocal. The intensity of debate among activists, the degree of networking across the continent, and the diversity of identities and demands they bring to bear, are perhaps greater than anywhere else in the world.

The remaining sodomy laws have fallen one by one. Chile, Ecuador, Mexico, Peru, Uruguay, and Venezuela now have national protections against sexual-orientation-based discrimination—though none for gender identity. In 2008, Uruguay became the first Latin American country to recognize same-sex relationships by law at the national level, although many cities and provinces in the region already offer domestic partnerships.

Yet progress has had an uneven reach. Brazil, a transgender activist pointed out, “has the largest Pride parade in the world, but also some of the highest levels of hate crimes against LGBT people.” Laws used to arrest transgender people in public places—along with sex workers, gay men, and lesbians—are still on the books across the continent.

What happens next? A Nicaraguan activist says, “Our first goal was to get rid of the sodomy law, which also affected free expression and assembly, because it punished those ‘supporting’ same-sex issues. That is done, and now our priority is to have sexual orientation included in the anti-discrimination law, which now mentions ethnicity, color, sex—but not this. ... Then we will move to civil rights and full citizenship.” Other activists, though, look at such pathways and ask: who would still be unprotected? Who is left out?

Patterns of abuse

The repeal of sodomy laws has left a range of *other provisions* that enable police abuse. “Homosexuality is not penalized in the Dominican Republic,” says a lesbian activist there, “but the provisions on ‘morality and good customs’ are used to harass gay men and trans people.”

Such provisions are found in state and local criminal codes, and sometimes in national laws, from Mexico to Argentina. For example, 10 (out of 23) provinces in Argentina retain them.

Sometimes they punish “homosexual or sexually vicious individuals” engaged in solicitation, sometimes “scandalous prostitution,” sometimes simply “acts against decency” or “public scandal,” sometimes “moral contravention.” (They are often called “contraventional codes.”) Many give police broad authority to fine or detain people arbitrarily and without a court hearing. Transgender people are constant targets.

A Brazilian transgender activist, asked about the most widespread human rights violations she sees, answers: “Everything! For *travestis* in particular, to survive means ‘to kill a lion every day.’” Police brutality is the most common report, she says, but violence is ubiquitous. In Guatemala, Honduras, and other countries, armed gangs—which many believe include off-duty police—menace, abuse, and shoot transgender people on the streets.

Transgender people encounter the *health system* in charged ways, as perhaps the key point where they meet the state and officialdom: they report discrimination, abuse, lack of access to services, and comprehensive refusal to acknowledge their identities. In Venezuela, one campaigner claims that “Nine out of ten trans people do not consult doctors even in case of serious illness, because of the mistreatment they know they will face in health services.” A Brazilian leader says many transgender people die from “self-medication with hormones and silicones because they do not trust doctors. ... This is the biggest challenge we face as a movement.”

Many governments still do not permit any change of legal identity for transgender people—and lacking identity papers that reflect their lived gender, many still cannot work legally, rent rooms, obtain passports, or even drive. States that do, however, generally make surgery an obligatory condition. An FTM transgender activist in Chile condemns “the complicity between the justice and health systems to deny us personhood.” A landmark Colombian decision 10 years ago restricted surgeries on intersex children, but such surgeries continue in most countries in the region.

Medical care is also an issue for other groups. A lesbian activist in Ecuador says reports are widespread of psychiatric institutions trying to “cure” lesbians through shock therapy and other abusive means: “We refuse to call it ‘forced institutionalization’: it is torture.”

Workplace discrimination is common. A Nicaraguan woman says, “We hear many cases of lesbians who have been abused at work and who have been fired for being lesbians.” As patriarchal values flourish without mitigation, violence against non-conforming women is also widespread. A Dominican respondent told us, “Lesbians have been murdered by their girlfriends’ families, as punishment.”

Some of those reports are anecdotal partly because lesbians have little visibility, both within the movement and before the state and society: abuses against them go unrecognized and their needs unmet. An Argentinean working against domestic violence said, “Everything that exists in the field of domestic violence is geared toward straight women.”

The rights of lesbian, gay, bisexual, and transgender children—including sexual rights, both to autonomy and to protection from abuse—are at risk in all regions. In Latin America, it is conspicuous that, amid region-wide advances in protection, children have been almost completely left out. A Colombian transgender activist says that “Those under 18 are not considered citizens and their participation in the design of public policies and legal proposals is practically nil. ... Speaking about sexual orientation and gender identity in people under that age raises terrible fears.” She observes, “A *travesti* is not suddenly born as one the day she turns 18. By that time, she already has a long history of marginalization and abuse behind her.”

“Everything starts with the school,” a Brazilian transgender woman says. “We are not only expelled but also morally and psychologically attacked by students, teachers, and school staff.” The harassment is connected to silence in curricula. In many countries sexual education does not exist—“in Venezuelan schools,” an activist there observes, “sexuality is talked about only in relation to the reproduction of certain plants”—but where it does, activists complain that only heterosexual models culminating in marriage are presented.

Challenges and chances

Almost every activist from the region cited, first and foremost, the power of religion and the *Catholic Church*—and its politicization of the concept of “family.” In Argentina, the Church combats the inclusion of same-sex couples in the domestic violence law; in Guatemala, it is pushing a bill excluding single-parent or non-nuclear families from the definition of the term “family”; in Honduras, it helped pass a constitutional amendment barring marriage or adoption by same-sex couples. Its opposition to state promotion of safer-sex methods, including condoms, has a disproportionate effect on groups particularly vulnerable to HIV and AIDS. In places like Guatemala or Brazil, growing evangelical denominations also contribute to what one activist calls “a continuous process of desecularization, which is not limited to society but ends by pressing the state to endorse its perspective and to participate in prejudice.”

The Latin American Church has not generally coupled with secular, cultural nationalism to create the complex around “cultural authenticity” other regions see. Religion in the region

operates on its own terms. Confronting its authority, for many activists, means countering the reality of a “confessional state” with a “secular state” model. There are also some limited openings within the Church itself: some transgender activists find the hierarchy more sympathetic to people whose identity does not appear defined by “behavior.”

Where laws and policies actually are positive, *implementation* remains uneven. People point to several levels:

- *Training and monitoring officials.* If Argentina passes an inclusive domestic violence law, a campaigner says, “We need to change completely the educations that professionals in those institutions that will have to deal with lesbians in abusive relationships receive, and find mechanisms to observe how they are carrying out their duties.” Few groups have resources to do either.
- A “related challenge,” a Brazilian says, is reaching out to *local and state governments*, “where so many federal laws ‘die’” because they are not enforced.
- Finally, as one Brazilian notes, “Public policies based on social inclusion and the promotion of human rights must be *policies of the state, not just the government*. They cannot rely on a particular administration alone. This is a key challenge for us ... to guarantee the continuity of the current policies through legal and other kinds of mechanisms,” including dedicated, permanent positions in ministries, “so they will not end with this administration.”

Yet activists pointed to positive opportunities, now and in the near future. Sympathetic governments hold power in influential countries in the region. Several activists noted that such neighbors rarely use their weight regionally on LGBT issues. A Venezuelan said, “If we could have high-level officers from countries that are Venezuela’s allies—like Argentina, Brazil—talking to our authorities about LGBT rights, there would be advances.”

Overridingly, people cited the potential of the hard-won alliances between LGBT groups and other social forces. An Argentinean leader remarked of the region as whole, “The [LGBT] movements in Latin America are not isolated. ... I cannot think of a single movement that is very cut off from the rest of civil society. All have genuine allies in at least one other social movement, maybe women’s, maybe human rights.”

This is the product of the patient, intersectional work of a generation of activists. It is paying off. A Dominican lesbian says, “The feminist movement has long ago stopped being afraid of lesbians. Our proposal for Constitutional reform is being submitted as part of the Women’s Forum for Constitutional Reform, a coalition of women’s and feminist groups from across the

country.” A Costa Rican activist also praised “an opening in the feminist movement to welcome trans women and allow us to claim our feminist identities.”

Regional networks and cooperation among LGBT social movements—especially lesbian and transgender groups—have had a powerful effect. “The positive regional trend for LGBT rights is the biggest opportunity,” a Dominican activist says: “Our people, and particularly the younger LGBT generation, see what is happening in the rest of the region.”

Some activists expressed concern over what they see as a funders’ push to turn informal networks into formal, structured federations, particularly at the national level. “The real agenda,” one said, “is that they want to make the funding simpler. ... But a formal federation can lead to monopolizing resources by a few. Or you have a truly inclusive federation, and the groups in it spend all their time fighting over power, and it’s a waste of their energy.” Another activist said, “Trans groups participate in the federations. But they don’t get the resources.”

Lack of funding is a continual problem, as well as the demands of specialized funding sources. A Nicaraguan lesbian reports, “Most of the funding that comes to Central America is related to HIV/AIDS and we refuse to do that work just to get funding. We want to work on the issues that matter to us, lesbian and human rights, and we want to get funding for that, explicitly.”

This also affects political horizons. A Honduran activist claims that there, “a political vision of the rights of the LGBTTI community does not exist among community organizations: they are not founded in a vision of defending human rights, but in a vision of preventing HIV.” Concentrating on health also affects institutional relationships. A Brazilian transgender leader says that because the movement has strong ties to the Health Ministry, “the other Ministries (Labour, Education, Culture) do not consider us a priority.”

What are movements doing?

The main question, again, is: what next? Many would agree with the Paraguayan activist who says, “Our absolute priority is the Law against All Forms of Discrimination”; or with Brazilian groups campaigning for a national law to criminalize homophobic hate speech.

Others would qualify or question this. Bills with criminal penalties for unequal treatment raise doubts in some quarters about the wisdom of relying on state punitive measures for protection. Meanwhile, Latin America, says a transgender and intersex activist, “is very

much under the influence of the Spanish model—that you protect sexual orientation first, building toward marriage; then gender identity and gender recognition for trans people; and then only can you talk about issues like genital mutilation of intersex people. We [transgender and intersex people] cannot wait for it.”

Further legal change is needed. Repealing “contraventional laws” and “morality” provisions is a priority for transgender groups and others, complicated by how those provisions hide in patchwork state and local codes that must probably be changed one by one. Existing anti-discrimination laws do not include gender identity, nor does Ecuador’s Constitution (the first one in the region to include sexual orientation).⁴³

“We have to pay much more attention to family law,” says one Argentinean women’s activist, “and we have not. Then something happens, a custody case for instance, and we run to the family code and see the horrors that are happening.” The 2004 case of a lesbian judge in Chile, denied custody of her child by a court, focused regional attention on family-law inequalities. Beyond that, activists looking toward recognition of same-sex couples face both the Church’s militant opposition, and the question of whether to pursue litigation (which has brought significant partnership benefits piecemeal in Colombia) or social-movement mobilization, or both.

Inadequate funds hamper taking up strategic litigation, or simply providing legal help to people who face discrimination. A Honduran lesbian group cites the “lack of lawyers who want to carry on the fight against discrimination,” the lack of training for those who do, “and lack of financial resources to pay for legal services.”

Alliances continue to be crucial. In Paraguay, a lesbian activist says, “The network against All Forms of Discrimination, a very broad coalition of civil society organizations,” drafted the equality bill and included sexual orientation and gender identity. “We worked really well together. ... The fundamentalists have clearly said that if the bill did not include LGBT people, it would already have been approved. But the coalition is holding its ground strongly. The disabled people’s movement is the strongest partner in our coalition and their motto is ‘All or none.’”

Regional work is also vital. This can mean regional *encuentras*, trainings, or networks, or the increasing focus on the Inter-American human rights system as a means of moving

⁴³ Bolivia in 2009 passed a new constitution which included express protections against discrimination based on both sexual orientation and gender identity. However, it also expressly defined marriage as between a man and a woman, in an attempt to appease religious leaders, who nonetheless vigorously (if unsuccessfully) opposed the anti-discrimination language.

governments. A growing number of groups are preparing to lobby or take cases to Inter-American institutions. The recent resolution at the OAS General Assembly condemning human rights violations based on sexual orientation and gender identity came after years of work by LGBT groups around Latin America, as well as the Caribbean. Groups are also increasingly documenting human rights violations themselves, including police practice and impunity.

Transgender and intersex activists are trying to work with individual doctors and professional bodies—and, in Brazil, working through the Ministry of Health. An FTM activist in Chile hopes to create “health care networks,” lists of referrals to sympathetic doctors. Beyond that, another activist says, “We need to reach medical schools. And we need to convince lawyers and bioethicists about trans and intersex issues”— about the limits of medicalization and medical interventions. “Challenging the medical establishment, for both trans and intersex movements, is crucial and very difficult,” he says. “At some point, it’s exactly the same as with abortion: you can change laws, even create clinics, but you need people within key institutions to start thinking in a different way. Otherwise the bulk of the profession will say, I simply won’t have anything to do with it.”

Widening possibilities for legal change have not diminished LGBT groups’ projects at the micro-level: the incremental, the local, or the cultural. One Argentinean activist notes the push to persuade hospitals to use the names under which transgender people’s actually live, while calling them “codes” for the legal names the law forces them to employ. “Changing the law on names is very difficult. ... this is not connected with a grand affirmation of social change, but it is a very practical short-term solution.” Similarly, in Brazil activists worked with the Health Ministry on new policies allowing transgender people to use “social names” in hospitals where their legal names still cannot be changed.

Some projects center around simple daily challenges, moving freely or being seen. A Brazilian transgender umbrella group “requests all affiliated associations to include time and money in their work plans for pleasure-oriented spaces for TTT [*Travestis, Transexuais* and *Transgeneros*]. The activities can be anything: going to the movies, shopping, having ice cream. The only requirements are that it has to be done *in a group* and *during the day*. The goal is ... to teach them to be out during the day, to feel strong in a group and to face those spaces they believe are ‘off limits’ for them. And it is also meant to educate the public, so people can see TTT as ordinary citizens who can have fun ... with whom they can share a movie or a game and the beach.”

Meeting these basic needs can also mean concentrating on cultural activism: images, film, drama. A lesbian in Ecuador says, “Of course we think that legal reforms are important and we do work on specific claims. But we also believe that feminists as a whole have forgotten for a long time to address another dimension: transforming the way our societies think. ... Creativity is little valued in human rights or development perspectives, in spite of its being a key element in unlearning the harmful aspects of particular cultures.” An activist in the Dominican Republic calls art “a very powerful tool to reach people with our discourses, because it is a channel people don’t fear.”

Amid this, most activists also remember acutely the broad social context of their work. “It is impossible to conceive radical democracy without bodies and sexualities, but also without what makes it possible for the population to exercise their rights, that is, economic power,” one told us. “Without a radical change in the economic situation in the region, we can’t have real democracies.”

The Caribbean

Caribbean countries, mostly Anglophone and Francophone, are divided from the mainland by more than language. In Guyana, an activist notes the intense level of “social homophobia rooted in our colonial-era laws.” The combination of an intensely repressive environment in families, communities, and public places, and antiquated laws on sexuality that are still enforced, keeps people underground—and sometimes kills those who emerge.

13 of 15 CARICOM (Caribbean Community) states still criminalize same-sex acts, most under “buggery” laws inherited from the British. Post-independence democratic governments have shown deep resistance to any suggestion of repeal. The laws lead to discrimination and silence in other spaces: organizations unable to operate openly, jobs and homes lost, and police who refuse to protect people against day-to-day violence.

Violence is a general problem in the region. Music and pop culture help channel it toward people who are “manly,” or “womanly,” in the wrong way. Homophobic mob attacks in Jamaica have burgeoned, amid what one regional activist, now working in Canada, calls “a louder voice by the government to excuse homophobia and transphobia. The Caribbean, although a region poised to benefit from [outside] political and economic development, remains resistant to any social or cultural suggestions to advance rights-based approaches.”

A Guyanese activist sees mounting “religious fundamentalisms, Christian and Muslim, and the political conservatism that is tied to them, as politicians are appealing to conservative

voting bases more than ever. ... Canadian [evangelical] groups are supporting and organizing with their counterparts in the region, while local LGBT advocacy groups are not receiving similar kinds of tangible support from our global allies.”

Two things have changed recently. One activist notes, “As a society we are recognizing that gender is at the root of a lot of social issues, so mainstreaming LGBT issues as gender issues provides us with opportunities to address homophobia ... which [is] often tied to issues of masculinities, as well as opportunities to build alliances with women’s groups, children’s rights groups, anti-violence and peace-building movements, etc.”

The same activist says: “The response to the AIDS epidemic has provided a forum that brings everyone to the table.” HIV has helped get groups working on sexuality access to policymakers for the first time. A Belize LGBT group notes that it is incorporated into the work of the National AIDS Commission; elsewhere in the region, organizations are engaging in high-level policy advocacy on health.

None of this has added up to significant social change or law reform, however—although upcoming revisions of the Bill of Rights and Constitution in Jamaica provide a possible opening. Groups complain they have “no resources to support lawyer’s fees” for either case work or long-term litigation. Increasingly, though, groups are trying to produce documentation on rights violations (as well as HIV-related practices) among MSMs and LGBT people, hoping to generate sustained pressure to move advocacy forward.

Appendix: Questionnaire

1. Please give us the name and address of yourself or your organization. This will be kept confidential (unless you tell us otherwise).
2. In a sentence or two, describe your organization's *goals* or *mandate*: the main purposes for which it works.
3. In a sentence or two, describe the main *strategies* or *methods* your organization uses to achieve those goals. Examples could include:
 - providing counseling;
 - organizing community social events;
 - political advocacy/lobbying;
 - research and documentation;
 - job training.
4. Is your work mainly at the local, national, or international level, or a combination of these?
5. What are the *most widespread* or *important* human rights violations or inequalities you or your organization encounter in your work?
6. As you look at the political situation around you, in your country or your region, what do you see as the *most important* priorities for changing or introducing *laws* or *policies*? That is: based on the problems you encounter, what do you think should be the next major goal? Examples could include:
 - getting rid of sodomy laws or dress code laws;
 - introducing anti-discrimination legislation;
 - ensuring everyone can get an ID card in the gender they live in;
 - marriage or relationship recognition or adoption;
 - asylum and immigration;
 - discrimination in health services, or medical abuses;
 - rights to education;
 - ensuring access to reproductive technologies.

These are only examples. If you list more than one, try to give them a ranking (1 = most important)

7. What are the biggest *challenges* to your work, and to legal or political change? These can obviously include *internal* challenges for your organization or movement, such as lack of money or people. But think too about *external* challenges in the society or region—now, or ones you can see in the near future. Examples could include:
- Religious fundamentalism;
 - Patriarchal attitudes;
 - A new and unfriendly government;
 - Traditions of police power and impunity;
 - and many others.
8. Not everything that needs to change can be reduced just to a matter of law or policy. What are some of the important targets for activism in your country or region that do not fall simply into law and policy fields, and how can you imagine addressing them? Examples could include:
- Violence within families;
 - Loneliness and isolation among LGBT people;
 - Pervasive economic disempowerment
 - and many others.
9. When you look at the political and social situation in the foreseeable future, what are the *opportunities* that you think your movement can take advantage of? Examples could include:
- A change of government;
 - A shift in popular attitudes;
 - A planned revision of the laws;
 - Changes in the health care system;
 - New international alliances or international aid;
 - New opportunities for training the police;
 - and many others.
10. What would you or your organization need to take full advantage of those opportunities?
11. Dream for a moment: name one success you would like to see your organization or movement achieve in the next five years. What would you need to achieve it?