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## **BRUNEI: Country to punish adultery and gay sex with death by stoning**

By Austin Ramzy

NY Times (28.03.2019) - <https://nyti.ms/2YyfHSs> - When Brunei announced in 2013 that it was bringing in harsh Islamic laws that included punishments of death by stoning for adultery and gay sex, the move was met with international protest. Some investments by the country's sovereign wealth fund, including the Beverly Hills Hotel, were targets of boycotts and calls for divestment.

Following the outcry, Brunei, a sultanate of about 430,000 on the island of Borneo, delayed carrying out the harshest provisions of its Shariah law.

Now, it is quietly going ahead with them.

Beginning on April 3, statutes allowing stoning and amputation will go into effect, according to an announcement posted by the country's attorney general last year that has only recently received notice.

That has set off a renewed outcry from human rights groups.

"Brunei's Penal Code is a deeply flawed piece of legislation containing a range of provisions that violate human rights," Rachel Chhoa-Howard, a researcher for Amnesty International, said in a statement. "As well as imposing cruel, inhuman and degrading punishments, it blatantly restricts the rights to freedom of expression, religion and belief, and codifies discrimination against women and girls."

Brunei has had the death penalty on the books since it was a British protectorate, but in practice executions are not typically carried out.

Homosexuality is already illegal in Brunei, with a punishment of up to 10 years in prison, but the new laws allow for penalties including whipping and stoning. The new laws also introduce amputation of hands or feet as a punishment for robbery.

"To legalize such cruel and inhuman penalties is appalling of itself," Ms. Chhoa-Howard said. "Some of the potential 'offenses' should not even be deemed crimes at all, including consensual sex between adults of the same gender."

Brunei is ruled by a sultan, Hassanal Bolkiah, who lives in a 1,788-room palace and whose wealth amounts to tens of billions of dollars thanks to Brunei's oil riches. In recent decades he has advocated a conservative vision of Islam that has clashed with the more moderate strains generally practiced in the region, and with the royal family's own luxurious lifestyle.

A long-running feud between the sultan and his brother, Prince Jefri Bolkiah, unfolded in courtrooms around the world after the Asian financial crisis of the late 1990s and brought attention to the prince's reputation for extravagance, including cars, mansions, mistresses and erotic statues.

Under the laws about to come into effect, a person can be convicted of adultery or having gay sex only if there are multiple Muslim witnesses. The law will apply to Muslims and non-Muslims alike, although some offenses, such as apostasy, apply specifically to Muslims, who make up about two-thirds of Brunei's population.

In an update to its travel advice for Brunei, Australia's Department of Foreign Affairs said the new Shariah code "applies to Muslims, non-Muslim and foreigners even when on Brunei registered aircraft and vessels." It recommended that travelers "exercise normal safety precautions" when visiting the sultanate.

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## **CAMBODIA: Cambodia to teach LGBT+ issues in schools to tackle discrimination**

By Matt Blomberg

Thomson Reuters Foundation (10.12.2019) - <https://reut.rs/2ssJyQX> - Children in Cambodia will receive lessons on LGBT+ issues from 2020 in a bid to wipe out bullying and discrimination in the socially conservative country, an official said on Tuesday.

From grade seven, around age 13, modules covering sexual orientation and gender identity will be part of sex education in schools, said Yung Kunthearith, deputy director of the education ministry's department of health studies.

"It's about equality," he told the Thomson Reuters Foundation. "We want our children to be aware of these issues and know that no one should be discriminated against in school or any part of life."

Cambodia has no legislation that deals specifically with LGBT+ people. Same sex marriages are neither criminalized nor officially recognized by the state.

While acceptance of LGBT+ people in Cambodia is increasing, one in three report harassment in the workplace, according to research released this week by the Cambodian Center for Human Rights, a non-government organization.

Some are still forced by parents into unwanted marriages or so-called conversion therapy with traditional healers, which aims to make them straight or not transgender, campaigners say.

The new classes would help “cultivate a rights-based mindset so children can exercise their agency to transform discriminatory norms,” said Ryan Silverio, regional coordinator for the ASEAN SOGIE Caucus, an advocacy group.

The move puts Cambodia at the forefront of LGBT+ education in Southeast Asia, with neighboring Thailand the only other nation known to have included such issues in mainstream teaching, he added.

So far, 3,100 Cambodian teachers have been trained to deliver the new material, according to Srun Sronn, an LGBT+ activist who developed the modules with the Education Ministry.

He said that while there was some resistance among “very homophobic” teachers, the program had generally been received with “enthusiasm” and at least five teachers had come out during the training.

“This is a win for us already,” he said, adding that bullying and discrimination was rife among students and teachers.

“We have to start now. In 10, 20 years’ time, the students of today will be business owners, they will be governors ... then we will have change.”

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## **INDIA: India’s transgender rights law isn’t worth celebrating**

***Solely linking transition with surgery is wrong on so many fronts, writes Kyle Knight of Human Rights Watch.***

By Kyle Knight

The Advocate (05.12.2019) - <https://bit.ly/358qS7v> - India’s parliament passed a bill to protect transgender rights last week, but the new law is inadequate on several fronts. Trans activists and allied human rights groups have critiqued the various trans rights bills since the first one was introduced in 2016. In the end, lawmakers failed to consider the concerns the activists raised. As a result, India’s new law will violate the rights of trans people rather than respect and uplift long-persecuted communities.

Perhaps the most serious flaw in the new law is the procedure it mandates for legal gender recognition — the process by which trans people can change their documents to reflect their identity.

India’s new law sets up a two-step process. First, it requires an individual to apply for a “transgender certificate” from the District Magistrate where they live. This can be done on the basis of a person’s self-declared identity. Then, a certificate holder can apply for a “change in gender certificate,” which signals to authorities to change their legal gender to male or female. However, this second step requires the person to provide proof of surgery,

issued by a hospital official, to the District Magistrate for a second evaluation, and the official must be “satisfied with the correctness of such certificate.”

This sets an extraordinary amount of power with one government office to arbitrate which trans people “qualify” to be recognized as who they are. It also coerces people into medical procedures they might not want — a fundamental rights violation that Indian and international jurisprudence condemns.

Indian courts have long held that trans people deserve the government’s recognition on their own terms, without mandatory intervention or discrimination.

In 2014, the Indian Supreme Court in *NALSA v. India* ruled that transgender people should be recognized as a third gender and enjoy all fundamental rights, while also being entitled to specific benefits in education and employment. Justice K.S. Radhakrishnan, writing for the bench, ordered that “Transgender persons’ right to decide their self-identified gender” should be recognized by state and federal authorities. The court made clear that “any insistence for [sex reassignment surgery] for declaring one’s gender is immoral and illegal.”

A Delhi High Court ruling in October 2015 laid out the intrinsic link between the right to legal gender recognition and other rights. Affirming a 19-year-old transgender man’s right to recourse against harassment by his parents and the police, Justice Siddharth Mridul wrote: “A transgender [person’s] sense or experience of gender is integral to their core personality and sense of being. Insofar as I understand the law, everyone has a fundamental right to be recognized in their chosen gender.”

In addition to violating court rulings, the new law’s provisions are also contrary to international standards for legal gender recognition. International standards and best practices — including those of multiple United Nations agencies, the World Medical Association, and the World Professional Association for Transgender Health, all call for separation of legal and medical processes.

The Office of the UN High Commissioner for Human Rights in 2015 recommended that states begin immediately “[i]ssuing legal identity documents, upon request, that reflect preferred gender, eliminating abusive preconditions, such as sterilization, forced treatment and divorce.” A 2015 report by the World Health Organization and the Asia-Pacific Transgender Network recommended that governments “[t]ake all necessary legislative, administrative, and other measures to fully recognize each person’s self-defined gender identity, with no medical requirements or discrimination on any grounds.”

The right to recognition as a person before the law is guaranteed in numerous international human rights conventions, and is a fundamental aspect of affirming the dignity and worth of each person. Legal gender recognition is also an essential element of other fundamental rights — including to privacy, to freedom of expression, to be free from arbitrary arrest, and rights related to employment, education, health, security, access to justice, and the ability to move freely.

Activists in India plan to challenge the new law on this and several other fronts.

That the law expressly prohibits discrimination against trans people in education, employment, health care, and several other spheres offers fertile ground for challenging those provisions of the law that are discriminatory. The new law also recognizes intersex people but offers them no specific protections. Momentum to protect intersex children from medically unnecessary “normalizing” surgeries, such as a 2019 ban on operations in Tamil Nadu, should guide improvements on that front as well.

Put simply, the process for recognition before the law and control over one's own body should be separate from any medical interventions. But if an individual's personal identity or transition process requires medical support, those services should be available and accessible.

India can — and should — do better.

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## **INDIA: Transgender people tell us why India's newly proposed rape laws are discriminatory**

***The fact that punishment for rape against cis-gendered women is more than seven years, but for the trans community, it ranges from six months to two years, has led to the #RapeIsRape campaign.***

By Pallavi Pundir

Vice (11.09.2019) - <https://bit.ly/2moIoTp> - In 2017, as part of a nation-wide survey, an anonymous transwoman recalled going to the doctor right after being gang-raped. She didn't get the dose of Post-Exposure Prophylaxis (an emergency HIV medicine to be taken within 72 hours of sexual violence). Instead, she encountered one searingly invalidating question from the doctor: "How can you be raped?" The woman was a part of a study that exposed extreme transphobia among the medical community, and a complete disregard for the violence meted out to the transgender community in India. But even though there's no big data on the enormity of sexual violence the community faces in India at the moment, or the impunity with which they're dealt with, it's safe to say that the doctors aren't the only erring ones.

Transgender people—an umbrella term for those whose sense of gender doesn't sync with the gender assigned to them at birth, with some 4,900,000 of them in India (according to the latest census in 2011)—often face sexual violence in more frequency than can be evidenced. In an interview with South China Morning Post, Salma Khan of Mumbai-based NGO Kinnar Maa Trust, which supports 5,000 transgender people in India, said that at least one in four of the people registered with them has been a victim of rape, gang-rape or other sexual violence.

So, on August 5, when the Transgender Persons (Protection of Rights) Bill was passed by the Lok Sabha (it's yet to be passed by the Upper House to become the law of the land), despite a large wave of protests since the bill was first introduced in 2014, there was great uproar again. Out of the many flaws of the bill was this glaring one: violence, abuse, and rape against transgender people can be punishable with jail time from six months to two years, and a fine. Compare that with the punishment for rape of cis-gendered women, which can give the offender from seven years of jail time to even life sentence—and you can see how unfair the proposed law reads.

In response to this, transgender people in India have begun a campaign with the hashtag #RapeIsRape, a response that simply states that rape is degrading to all. The movement, which started on August 15, is a part of years and years of struggle by the community to be visible, acknowledged and treated equally in a homophobic and transphobic society. (The transgender community in India got recognised as the third gender only in 2014.)

"Rape is the fourth most common crime committed against women. Trans women are women, whereas trans men are forced to experience femininity by the patriarchal society we live in," says Neysara, a Netherlands-based trans person of Indian origin, who is documenting this online campaign, and runs Transgender India, an organisation for

transgenders in India. VICE reached out to a few members of the community to find out why the bill causes more harm than good:

**"This increases the chances of us getting targeted even more."**

Now that the bill has been passed, this is the reality we have to live with. The main problem in the bill is that of harassment. If a trans woman is abused and harassed, the strictest punishment is that of two years and a fine of Rs 10,000 (approximately 128 EUR). If a woman gets raped, the minimum penalty is much more. This increases the chances of us getting targeted even more. We feel that we're second class citizens who have no value like a regular person. If the government wants to make the bill more inclusive, then make it all-inclusive, and not conditional. — Shakti, 25

**"It's a clear way of telling us that we're less than women, or sub-human in the country"**

The law calls itself a transgender person's protection bill, but, especially in the crimes committed against the community, instead of making it more severe, it dilutes the punishments for offences against the trans community. One such offence that is very gendered is rape. In a country where rape of cis gendered women ranges from seven years to life, it's a clear way of telling us that we're less than women, or sub-human in the country. It's legally writing in the constitution that we're not legally human. — Neysara, 36

**"In the eyes of the family, trans men are women who need to be fixed"**

The trans community is prone to physical and verbal abuse, even if you compare it with women in India today. Why would you not value the life of the trans community the way you value everyone else's? If you rape, you're taking the dignity of the person. It doesn't matter if the identity of the person is a male, female or trans person. Physical and emotional trauma is the same for everyone. Among a lot of trans people, especially trans men, a lot of corrective rape takes place from the family. In the eyes of the family, those are women who need to be fixed. This is an invisible violence that happens on a very regular basis. Often, there's inappropriate touching and if you say anything, the abuser says, 'Oh, I thought you're a male'. This bill is going to aggravate these kind of situations even more. Article 14 of the Constitution says that all humans have equal rights, but this doesn't look like it, no? — Vinod, 30

**"I do feel the bill is one step forward"**

There's no equality in this bill. Rape is rape, be it with cis-women or trans women. However, I do feel the bill is one step forward. It shows that there is some development and we're working towards more. Earlier, even this provision wasn't there, and having something is better than nothing. The only thing discriminatory here is that it impedes our fundamental right to equality, which is our prerogative irrespective of our gender, caste, sex and so on. — Nia, 42

**"So must crimes against us be seen as petty crimes?"**

There should be a punishment for at least three to five years. If you look at the LGBTQ community, they suffer, almost every day, with some kind of violence or the other. So must crimes against us be seen as petty crimes? This will only push us further to the margins. — Ibra, 25

## **INDONESIA: Gay Muslim comic strip goes off Instagram after outrage**

***The account depicting gay Muslim characters taken down following a warning letter from Indonesia over its content.***

Al Jazeera (13.02.2019). - <https://bit.ly/2IlbrSs> - An Instagram account that published comic strips depicting the struggles of gay Muslims in Indonesia has disappeared from the site after authorities labelled it "pornographic" and threatened to block the social media platform in the country.

Indonesia's communications ministry said that Instagram had taken down the account, under the name @Alpantuni, on Wednesday at its request because it was in breach of regulations on content.

But Instagram said it was not involved.

"There are a number of other reasons why an account may no longer be accessible, including, for example, if the account holder deleted the account, deactivated the account, or changed the account username," an Instagram spokesperson told the Reuters news agency.

The comics depicted gay characters facing discrimination and abuse, which has become increasingly common in Indonesia since late 2015 when conservative politicians and religious leaders began a campaign of portraying lesbian, gay, bisexual and transgender people as a threat to the nation.

Communications Minister Rudiantara had earlier warned that Instagram could be blocked in Indonesia if the account was not removed.

"Materials promoting LGBT are against health rules, religious rules and cultural norms. It is not in accordance with Indonesia," the minister told CNN Indonesia.

An account of the same name on Facebook, which owns Instagram, was also no longer accessible.

### ***LGBT backlash***

The now-deleted Instagram account, which had about 6,000 followers, published a dozen posts depicting a gay Muslim man named Alpantuni who talked about discrimination and his life in a conservative family.

"My family is very religious. I have to pray five times a day, but I've got a secret," the character said in one strip that has since been deleted.

"I'm very pious in front of others, but in private, I'm gay."

Homosexuality is not illegal in Indonesia, except in Aceh province under the region's Islamic law, but a backlash against the vulnerable LGBT community is growing and same-sex relationships are widely frowned upon.

The comic strip sparked heated online debate with some conservatives branding it immoral.

"Please remove this account and put whoever runs it in prison - this is indecent," one Instagram user wrote.

"It's not only blaspheming Islam, but it is also destroying morality."

Others said it was an honest portrait of gay life in the world's biggest Muslim majority country.

"Gay Muslims are real. Gay Muslims being persecuted by people in their neighbourhood and their conservative families is real," said one Twitter user.

Human Rights Watch's Indonesia researcher Andreas Harsono criticised the government's demands that the account be blocked.

"That account describes mostly the problems of gay individuals in Indonesia. It's no secret that many LGBT individuals are arrested, their houses raided, some are sentenced to prison terms," he said.

"The Indonesian government does not help them in demanding the removal of that account."

In October, an Indonesian man was arrested for running a Facebook page that catered to the gay community.

Also last year, Google pulled Blued, one of the world's largest gay dating apps, from the Indonesian version of its online store in response to government demands.

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## **IRAQ: Violence and discrimination based on sexual orientation and gender identity in Iraq**

***This shadow report was submitted for the review of Iraq's compliance with the Convention on the Elimination of All Forms of Discrimination against Women at the October – November 2019 74th Session.***

OutRight Action International (07.11.2019) - <https://bit.ly/35K2wkp> - This [report](#) is submitted by IraQueer, MADRE, and OutRight Action International. It addresses urgent areas of concern related to the status of human rights of lesbian, gay, bisexual, and transgender (LGBT) people in Iraq. Violence and discrimination against LGBT individuals in Iraq continues to flourish, and victims are guaranteed virtually no protection or redress. The Government has failed in its obligations to promote and protect the human rights of those who face violence and discrimination based on their sexual orientation and gender identity.

Faced with the ever-present possibility of discrimination, extreme violence, torture, and murder, being perceived as LGBT in Iraq places one in immediate danger. The state-sanctioned culture of anti-LGBT discrimination permeates Iraq's institutions and society. Perpetrators of egregious anti-LGBT human rights violations include victims' family members, militia fighters and religious militants from various groups, as well as government officials. Members of the security forces and police are, at best, non-responsive to human rights violations committed on the basis of sexual orientation or gender identity, and at worst, active participants in them. People in Iraq can count on virtually no protection or recourse for anti-LGBT violence and discrimination.



# **KAZAKHSTAN: Kazakhstan Supreme Court upholds privacy rights**

***Judges dismiss "moral policing" justification for anti-lesbian Facebook post.***

By Kyle Knight

HRW (24.09.2019) - <https://bit.ly/2lmtGMw> - Kazakhstan's Supreme Court has ruled that two women will receive compensation from a Facebook user who posted a video of them kissing on the social media platform without their permission, and solicited homophobic comments. The ruling is not only an important milestone for privacy rights, but also illuminates how strong safeguards for digital privacy can protect internet users from discrimination.

The court ruled this month that the posting violated the women's privacy rights, rejecting a lower court's argument that the intimate embrace violated the "moral foundations of society" and justified the video and public shaming.

The video of the women, which was posted on Facebook and quickly shared on other social media platforms on January 30th, 2018, received derogatory and threatening comments. Though the man who posted the video deleted it within a day, the video had been viewed at least 60,000 times by then.

Fearing for their safety, the women left Kazakhstan for eight months. As the Supreme Court noted, the film, which urged viewers to "shame" the women, "triggered a wave of offensive comments" and "placed the applicants in the focus of public attention, their private life having become public against their will."

Feminita, a feminist group that works with lesbian, bisexual, and queer women in Kazakhstan and supported the applicants, quoted one of the women anonymously: "Few believed that we would defend our rights in court. Those who did not believe argued that our society was not yet ready for such changes."

The ruling shows that the enforcement of the right to privacy provides a critical safeguard against online discrimination, particularly discrimination targeted at lesbian, gay, bisexual, and transgender (LGBT) people.

As Human Rights Watch has documented, LGBT people in Kazakhstan routinely face harassment, discrimination, and the threat of violence. However, in 2015, the Kazakh Constitutional Chamber ruled that then-pending anti-LGBT legislation violated the country's constitution, nullifying a Russia-style "gay propaganda" bill before it came into force.

It's also an important victory for Feminita, which has faced numerous attempts by the government to scuttle its registration as a non-governmental organization - significantly limiting the scope of the group's activities.

Kazakhstan's government would do right to support the fundamental rights of all citizens, regardless of their sexual orientation or gender identity. As the Supreme Court has demonstrated, a sober assessment free of moralizing establishes everyone as equal before the law.

# **LEBANON: End systemic violence against transgender women**

***Protect against discrimination, simplify legal gender recognition.***

HRW (03.09.2019) - <https://bit.ly/2IUU67W> - Transgender women in Lebanon face systemic violence and discrimination, Human Rights Watch, Helem, and MOSAIC said in a report and [video](#) released today. Transgender women face discrimination in accessing basic services, including employment, healthcare, and housing, as well as violence from security forces and ordinary citizens.

For the 119-page report, "[Don't Punish Me for Who I Am': Systemic Discrimination Against Transgender Women in Lebanon](#)," Human Rights Watch, in collaboration with Helem and MOSAIC, interviewed 50 transgender women in Lebanon, including 24 Lebanese trans women, 25 trans refugees and asylum seekers from other Arab countries, and one stateless trans woman, as well as human rights activists, representatives of international agencies, lawyers, academics, and healthcare professionals who work with trans individuals in Lebanon.

"This groundbreaking report shows the ever-present violence and discrimination against trans women in Lebanon," said Lama Fakih, acting Middle East and North Africa director at Human Rights Watch. "Confronted by ignorance and hostility from society, trans women also face violence and abuse from the security forces and government that are meant to protect them and their rights."

Exclusion of trans people is exacerbated by a lack of resources tailored for their needs and by the difficulties they face in obtaining identification documents that reflect their gender identity and expression. Discrimination is often worse for trans refugees, who are already marginalized.

The report shows that the discrimination transgender women face begins at home. Interviewees reported incidents of family violence, including physical and sexual assault, being locked in a room for extended periods, and being denied food and water. Many trans women were pushed out of their homes, and in the case of refugees and asylum seekers, their countries, yet they felt they had no recourse to the law. There are no shelters providing emergency housing for trans women, leaving them to navigate the informal, expensive, and often discriminatory Lebanese housing market on their own. Trans women reported facing discrimination by landlords, flatmates, and neighbors, in addition to being forcibly evicted by the police because of their gender identity.

Many trans women said that they do not feel safe in public. They told the researcher that security forces often subject them to harassment at checkpoints, arrest, or violence because of their appearance, in some cases amounting to torture. While Lebanese law does not criminalize being transgender, article 534 of the penal code, which criminalizes "any sexual intercourse contrary to the order of nature," has been regularly enforced against trans women. Trans people are also arrested on charges such as "violating public morality" and "incitement to debauchery." Trans women detained under such laws reported being placed in men's cells and made to give coerced confessions.

Further, members of the public harass and physically assault trans women with impunity, the report found. Many transgender women said they are forced to hide who they are to survive. One trans woman said that walking through Beirut in daytime "feels like boiling water is being poured on me."

Nearly all interviewees recounted being denied jobs because of their appearance. For trans refugees and asylum seekers, this discrimination is compounded by their lack of legal residency, which limits their ability to work in Lebanon.

Many transgender women also face discrimination when seeking medical care, including being denied treatment because of their gender identity. One trans woman said: "I got really sick and had to be taken to the hospital. When I got there, I was spitting blood, but they refused to let me in because I am trans... I could have died at the hospital door."

Trans women said one of the main obstacles to being able to access basic services was their inability to get identification papers that reflect their gender identity and expression. Trans people in Lebanon can only change their names and gender markers on official documents through a court ruling, often following a "gender dysphoria" diagnosis and surgery, which is expensive and sometimes unwanted. Many trans women are also deterred from seeking rulings due to high fees, lack of legal assistance, and protracted court proceedings.

In January 2016, an appeals court ruled that a transgender man could change his name and gender marker, overruling a lower court, and citing the right to privacy under article 17 of the International Covenant on Civil and Political Rights. The court found that gender affirming surgery should not be a prerequisite to gender identity recognition, but this does not set a binding legal precedent.

Lebanon should act swiftly to end the systemic discrimination and violence against transgender women. Lebanese security forces should stop arresting trans women based on their gender identity and instead protect them from violence, including by holding the perpetrators to account. The Lebanese government should enact legislation protecting against discrimination on the grounds of gender identity and establish a simple, administrative process allowing transgender people to change their names and gender markers on documents based on self-declaration, as is the practice in countries ranging from Argentina to Malta to Pakistan.

Donors and international agencies should fund trans-led initiatives to provide much needed services such as health care, legal aid, and income-generating activities. They should also fund emergency shelters for transgender women across Lebanon.

"Trans women in Lebanon have been forced to hide who they are just to survive, but the government can no longer claim ignorance of the violence and discrimination they face," Fakhri said. "By sharing their stories, trans women are demanding that the government see them and give them equal access to livelihoods, services, and protection."

### **Selected Evidence**

Randa, a 25-year-old Syrian trans woman, told Human Rights Watch that she spent five months and five days in detention, much of it underground in Roumieh – "no sun, no air" – after Internal Security Forces officers arrested her for sodomy:

*They interrogated me from midnight until 5 a.m. They beat me nonstop and kept trying to make me tell them names of other LGBT individuals. They barely gave me food or water for 10 days. They didn't let me call a lawyer or assign me one. They shaved my head. They tied me up to a chair with my hands cuffed behind my back. Every time the officer would ask me a question and I said, 'I don't know,' he smacked me across the face. Another officer would come and put out his cigarette on my arm. I got sick while I was detained and I could barely stand up, and I asked for a doctor. They said, 'Leave him to rot and die.' Not only was there harassment from the police, but also other detainees. They cursed me and verbally harassed me the whole time I was there – they referred to me as 'the faggot.'*

Trans women face immediate discrimination when seeking employment due to the mismatch between their gender expression and the name and gender on their identity documents. The barriers to changing gender markers on official documents reinforce trans women's economic marginalization. Elsa, 50, said:

*My problem is my ID, they would never hire me, because I look like a ciswoman [a person who identifies as a woman and was assigned female at birth], no one would doubt that, but my ID says male. I went and applied for retail jobs everywhere in Beirut, they say, 'Okay madame, bring your papers tomorrow and you can start.' As soon as they see my ID, they don't hire me. If I could explain my situation to them, that would be easier, but no one here knows or accepts what it means to be transgender. I tried four times in Bourj Hammoud, twice in Dekweneh, and for a woman my age, the embarrassment and humiliation are just too much.*

While trans women's access to formal employment is limited, their participation in the informal labor market denies them any protection when they are abusively dismissed. Lola, a 42-year-old Lebanese trans woman, said:

*At my last job, at the airport, my hair was very long, but I put it in a bun and wore a cap, but they still insisted I cut it all off, and I just couldn't, so they fired me. The security officers at the airport were not okay with me having long hair, that's the reason they gave me. This was after three months of waking up at 5 a.m. to get to work at 6 a.m. and I worked until 7 p.m. every day, they paid me \$400. I accepted that so that I can work and not be on the streets, and then they fired me.*

In Lebanon, trans people struggle to obtain documents that match their identities. Diana, a 27-year-old Lebanese trans woman, said:

*I threw my ID in the trash and applied for a new one. I told them I lost it. I had to go to my hometown, to the mukhtar, I swear around a dozen times just to have them put my picture on an ID as I look now. I got so much harassment, they asked me, 'Why do you look like this? Aren't you a man? You are disgusting.' The mukhtar said he won't start my papers until I cut my hair, and I had to bribe him so he would accept. Finally, after months of running around, they put my picture on my ID as I look now, but my name obviously stayed the same.*

Lina, 28-year-old Iraqi trans woman, said:

*Changing gender markers and names should be a normal process that doesn't even require lawyers or medical professionals. I don't need to 'prove' to anyone that I'm a woman, it's just an internal feeling.*

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## **MONGOLIA: Charges in Mongolia LGBT attack hint at changing attitudes**

***Police bring charges against far-right group after attack on transgender sex worker investigated as a hate crime.***

By Aubrey Menarndt & Khaliun Bayarsogt

Al Jazeera (09.10.2019) - <https://bit.ly/2OwKY5R> - Last month, Bosoo Khukh Mongol, a far-right Mongolian nationalist group, teamed up with a local television station to lure a transgender sex worker into a hotel room.

In the room, they threatened her with physical violence and forced her to describe her work on camera.

The video was aired on the evening news and posted on Bosoo Khukh Mongol's Facebook page, alongside incendiary commentary accusing the LGBT community of paedophilia, spreading disease and compromising national security.

Gay and transgender people continue to be the target of harassment and violence in Mongolia, although some progress has been made in recent years.

In 2017, changes were made to the law to provide more protections for the LGBT community as well as better training for law enforcement officials on hate crimes and preventing and prosecuting them.

"Previously, Mongolians had limited knowledge about acceptance of LGBT rights and dignity," said Tamir Chultemsuren, a political sociologist with the Independent Research Institute of Mongolia, "but now, people have more information... and so general public awareness has improved."

### ***Educating authorities on hate crimes***

The LGBT Center, a Mongolian NGO, began training the police on hate crimes and the implications of the 2017 criminal code after they failed to take action against an officer who assaulted a detained transgender woman.

They have since trained more than 500 police officers, prosecutors, and judges.

Now, the Mongolian police force has guidelines for processing transgender individuals: In police custody, transgender individuals are treated according to the gender they identify as, regardless of their state-issued identification.

"Compared with 2017, I see an improvement, especially from the Crime and Investigation Division," said Baldangombo Altangerel, the LGBT Center's legal director who was responsible for overseeing the police training programme.

Following Bosoo Khukh Mongol's harassment of the transgender women last month, the Human Rights Commission of Mongolia submitted a formal request to the police to investigate the incident under the new criminal code.

Mongolian police told Al Jazeera they are investigating the case as a hate crime and, in late September, they brought formal charges against Bosoo Khukh Mongol leader, Gankhuyag Ganzorig. They have not taken action against the TV station.

The woman, who prefers to remain anonymous, has worked with the police and is being treated as a victim, a sign of progress as historically, rape and sexual violence against Mongolia's LGBT community have not been prosecuted.

### ***Growing support***

The LGBT Center has been surprised by public reaction to the incident.

Kenna, Youth Programme manager for the LGBT Center, said people had posted messages of support on its social media page.

"I've noticed that people speaking up for LGBT rights has increased," Kenna said, "People are starting to know about the criminal code, anti-discrimination."

In October 2018, Kenna launched the Mongolian Queer Podcast, a well-received podcast which recently completed its third season.

The podcast focuses on providing advice and support, profiling those who are already out and proud to highlight their experiences for others in the community as well as non-LGBT people to underline social support and acceptance.

In 2014, Mongolia's first pride parade was held with only 15 participants; in August of this year, an estimated 250 took part.

On the weekends in the capital Ulaanbaatar, D.D./H.Z., Mongolia's first gay bar, is busy. Zorig Alima, the owner, says his clientele has increased since police raids on the bar stopped after the implementation of the new criminal code.

And his is no longer the only bar in town, with as many as four new places opening in recent years.

### **Discrimination**

While Mongolia's new criminal code has given gender and sexual minorities more protection from hate crimes, Baldangombo says more needs to be done to help them integrate into society.

A 2014 report from the United Nations Development Programme found that a Mongolian from a gender or sexual minority was more likely to be unemployed and that an LGBT person's perceived risk of falling into poverty doubled when they lived openly.

The situation is even more difficult for Mongolia's transgender population because they can only change their gender on state-issued identification documents after undergoing gender reassignment surgery, which is not available in the country. As a result, they often risk being discriminated against upon submitting their paperwork for employment.

Many transgender people go into sex work - illegal in Mongolia - when they are unable to access formal employment, putting themselves at risk of being harassed or arrested.

Marta Sukh-Ochir, a transgender woman who once worked alongside the woman attacked by Bosoo Khukh Mongol, told Al Jazeera she took up sex work after her family kicked her out and she couldn't afford food or a home.

"I actively looked for other jobs, cashier at a supermarket, receptionist at a hotel, shop assistant...I tried many times, she said. I applied to so many jobs. My gender expression, my appearance - how I looked with long hair, nails, being and acting feminine - was a struggle for employers."

Sukh-Ochir fled Mongolia as a refugee but still worries for the safety of her friend and transgender people back in her homeland.

While life is gradually improving for Mongolia's LGBT community, there are still a number of hurdles to overcome.

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## **SOUTH KOREA: South Korea shouldn't backslide on LGBT rights**

***Lawmakers should strengthen protections, not weaken them.***

By Ryan Thoreson

HRW (27.11.2019) - <https://bit.ly/2Rcaeje> - Conservative lawmakers in South Korea have already blocked the passage of nondiscrimination laws that would protect lesbian, gay, bisexual, and transgender (LGBT) people and other minorities. Now, they're trying to defang one of the few watchdogs protecting LGBT rights in the country.

This month, opposition politician Ahn Sang-soo introduced an amendment that would remove "sexual orientation" from the mandate of the National Human Rights Commission of Korea (NHRCK), a body tasked with promoting human rights and investigating discriminatory acts in South Korea. The amendment would seriously undermine its ability to address discrimination against LGBT people in education, employment, public services, and other areas.

The NHRCK's work is badly needed. LGBT people face widespread discrimination in South Korea, with one national survey finding that nearly half of South Koreans do not want gay friends, neighbors, or colleagues. In interviews with Human Rights Watch, LGBT youth described how indifference or outright hostility toward LGBT people left them feeling isolated and alone, jeopardizing their mental health and well-being.

Ahn's misguided opposition to LGBT rights illustrates why the NHRCK's work is so vital. Ahn justified the amendment by repeating offensive and discredited myths about LGBT people. He has also repeated the dangerous misconception that LGBT rights endanger the freedom of religion, which increasingly has been used to permit and even encourage discrimination against LGBT people around the globe.

International human rights bodies have clearly said that governments cannot subject people to discrimination because of who they are or who they love. The NHRCK has been one of the few government entities in South Korea that has taken this principle seriously and worked to protect LGBT rights.

In the weeks ahead, South Korean lawmakers should reaffirm that discrimination against LGBT people is unacceptable. Rejecting Ahn's amendment would be a start, but it isn't enough.

President Moon Jae-in, himself a former human rights lawyer, and South Korean legislators should speak up publicly supporting victims of all rights violations, including LGBT people.

They should also finally enact nondiscrimination legislation that protects the rights of minorities and show the country that LGBT rights are human rights.

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