

Welcome

LGBTTIQQ2SAA+

A very long story of

LGBT people in the world

LGBT

Me Hélène Montreuil

Summary of subjects

LGBT community

In Europe, in Asia, in Africa,
In South America and in Oceania

Who is she?

Where is she from?

Where is she going?

LGBT rights



Your presenter

Me Hélène Montreuil

Lawyer, CRHA and Adm.A.

Who am I?

- I am transgender.
- I will never be a CLL= Cute Little Lady.
- I will never be a BTYM = Beautiful Tall Young Man.
- I am not proud to be transgender just as I am not ashamed to be transgender.
- I am who I am.
- I am Hélène Montreuil.
- www.helenemontreuil.ca
- www.maitremontreuil.ca

Who am I ? II

- **American – I live in America (continent)**
- **British – I live under British laws**
- **Francophone – It is my mother tongue**
- **Canadian – My family has been living in Canada since 1637**
- **Christian – Religion I learned from my parents**
- **Occidental – I feel at home in Europe and in the United States**
- **White – It is a physical reality**
- **Intellectual – I have read and studied a lot**
- **Woman – By choice**
- **LGBT – It is a fact**
- **Conclusion : I am a **tutti frutti** or a blend of many specific characteristics that make me who I am.**

Introduction of Me H el ene Montreuil I

- Me H el ene Montreuil, D.E.S.S. in ethics, D.E.S.S. in Human Resources and Organization, M.B.A., Di. Adm., LL.L., CCVM, B.Ed., Adm.A., CRHA has been a lawyer in private practice since 1976 and lecturer at the University of Quebec in Rimouski since 1984, mainly in Labor Law, Administration and Negotiation of the collective agreement, Human resources management and Ethics.
- She studied at the University of Manitoba, at Laval University, at the University of Ottawa, at the University of Paris I - Panth eon-Sorbonne and at the University of Quebec at Rimouski in Common Law, Law civil, human resources and organization, administration, education and ethics.

Introduction of Me H el ene Montreuil II

- She has written numerous administration and law books and presented several briefs both to the House of Commons in Ottawa and to the National Assembly of Quebec.
- She has also lectured and given training in Canada and the United States.
- She focuses her activities mainly on labor law, human rights law and disciplinary law.
- In case law and in the present day, she has been known as **Micheline Montreuil**. See :
- www.micheline.ca



HÉLÈNE
MONTREUIL **LES**
AFFAIRES
ET LE
DROIT

DEUXIÈME ÉDITION



This book:

<https://store.lexisnexis.ca/fr/categories/products/les-affaires-et-le-droit-skusku-cad-6422/details>

Books written by Hélène Montreuil

<http://recif.litterature.org/recherche/ecrivains/montreuil-helene-1985/>

Books authored or co-authored by Hélène Montreuil

- 2020 - Les affaires et le droit, 2^e édition**
- 2012 - Les affaires et le droit**
- 1999 - Le droit, la personne et les affaires, 2^e édition**
- 1994 - Le droit, la personne et les affaires**
- 1993 - Organisation et dynamique de l'entreprise - Approche systémique, 2^e éd**
- 1991 - Initiation au droit commercial**
- 1990 - Organisation et dynamique de l'entreprise - Approche systémique**
- 1988 - Droit des affaires, 2^e édition**
- 1986 - Droit des affaires**
- 1984 - Le marketing**
- 1984 - Introduction à la comptabilité de gestion**
- 1983 - L'entreprise d'aujourd'hui**
- 1983 - L'entreprise et la gestion des opérations**
- 1973 - Principes de base de la natation et du sauvetage**

Hélène Montreuil's Diplomas

2018 - D.E.S.S. in ethics- Université du Québec à Rimouski

2007 – Teaching certificate– Ministère de l'éducation du Québec

2006 – Bachelor of Education- Université du Québec à Rimouski

1981 – Securities Trading Course- ICVM

1978 – Masters in Business Administration- Université Laval

1977 - D.E.S.S. in HR - Université de Paris I - Panthéon-Sorbonne

1976 - Diploma in administration - Université Laval

1974 – Certificate of Studies in Common Law - University of Ottawa

1974 – Law degree - Université Laval

1973 - Certificate of Studies in Common Law - University of Manitoba

Hélène Montreuil is married to Michèle Morgan
Another lawyer and author
Am I heterosexual, gay, lesbian, trans or ????



Books written by Michèle Morgan

1979 - Pourquoi pas le bonheur?

1983 - Les Clés du bonheur

1990 - Dialogue avec l'âme sœur

1997 - Petits Gestes et Grandes Joies

1998 - Le mieux de la peur

2007 - Le Goût d'être heureux

1999 - Le Courage d'être heureux

2011 - Suivre le courant et découvrir l'essentiel de sa vie

2017 - La Belle de l'Au-delà

2018 - Isabelle

www.michelemorgan.ca

<http://recif.litterature.org/recherche/ecrivains/morgan-michele-1994/>

Abstract of the presentation

- **The evolution of the rights of the LGBT community in Europe, Asia, Africa, South America and Oceania.**
- **How have rights evolved over time when you are not a "normal heterosexual" woman or man?**
- **What is the situation of LGBT rights in Europe, Asia, Africa, South America and Oceania?**
- **What is the difference between the rights of LGBT people in the West, in former Eastern Bloc countries and Muslim countries?**
- **Is it possible to live freely and openly as an LGBT person in the different countries of the world?**

Comments

- **The more letters you add as in LGBTTIQQ2SAA and the more you want to stand out, the more it makes life more complicated for everyone, at home and abroad.**
- **Could I plead the violation of my rights in Court?**
- **My Passport shows an "F"; but, does it mean that I am a woman?**
- **If I am arrested in some countries, will I end up in a women's prison or a men's prison?**
- **Will I be charged with a serious crime? Which one?**
- **What can the Government of Canada do?**
- **It will send the nearest Canadian consul to visit me in prison to tell me that I should not have come to this country.**
- **So, what will I do?**

Who are you LGBTTIQQ2SAA? I

➤ L – Lesbian

- A woman who is physically and emotionally attracted to other women.

➤ G – Gai

- A man who is physically and emotionally attracted to other men. This word is preferred to the term "homosexual," which has had a negative connotation for a long time.

➤ B - Bisexual/Bi

- A person who is physically and emotionally attracted to people of any sex/gender and defines himself or herself as bisexual.

Who are you LGBTTIQQ2SAA? II

➤ T - Transgender/Trans

➤ A person who identifies with a different gender than the one assigned at birth. However, this does not necessarily mean that this person feels that they were born in the wrong body.

➤ People who do not define themselves as male or female can also define themselves as trans.

➤ T - Transsexual/Trans

➤ This is not sexual orientation, but gender identity. It is a person who has had a sex change that may or may not include genital surgery.

Who are you **LGBTTIQQ2SAA?** III

- **T –Tranvestite/Cross-Gender/Trans**
- The cross-gender wears clothing and accessories that are, in a given society, generally associated with the opposite gender of his or her own in order to voluntarily resemble the opposite sex.
- The cross-gender may adopt behaviours associated with a gender different from the sex assigned at birth.
- Cross-dressing is distinct from transidentity, although it is often associated with it.
- Cross-dressing is about appearance, unlike transidentity, which is about the person's identity.

Who are you LGBTTIQQ2SAA? IV

- **I – Intersexual**
- **Intersexuality is when a person is born with sexual characteristics that do not fit the typical definitions of "male" or "female".**
- **Some intersexual individuals are assigned a sex at birth and are raised accordingly.**
- **This gender may not match the way they view their gender identity, just as it could.**

Who are you LGBTTIQQ2SAA? V

➤ Q – Queer

- It is a general term that encompasses all sexual and gender minorities, including those who do not identify with any other identity in the acronym LGBTQ. Historically, the word has been used as an insult, but it has subsequently been claimed as a positive and open way to identify. To say queer is to deny both the conformity and limitations of heterosexuality and the LGBT letters.

➤ Q - (in) Questioning

- Some people who are unsure of their sexual orientation or gender identity sometimes describe themselves as questioning. They may remain questioning until they identify with a particular identity or they may remain questioning throughout their lives.

Who are you LGBTTIQQ2SAA? VI

- **2S – Bispirituel Two-spirit/ 2S**
- The "2S" comes from the English "two-spirit".
- It is a person with a female spirit and a male spirit living in the same body.
- It is an important term in some Indigenous cultures, and some Indigenous people use it to describe their sexual orientation, gender identity and/or spiritual identity.
- Berdache is considered by North Americans to be an individual of both sexes and is also called "two-spirits".

Who are you LGBTTIQQ2SAA? VII

➤ A – Asexual

- A person who does not feel sexual or physical attraction to other people, but who may feel a romantic or emotional attraction to some people.

➤ A – Ally

- An ally is a person who does not identify as LGBTQ, but who supports the rights and security of those who do.
- There is so much to say about sexual orientation and gender identity. There is even more to say about the issues, the difficulties, the victories experienced by all those involved. The most important thing is to be open, respectful and inclusive. **We must all be allies!**

Who are you LGBTTIQQ2SAA? VIII

➤ Drag Queen

- A drag queen is a man who plays the role of an overly feminine person, in a sophisticated costume often consisting of very showy dresses, super tall boots, loads of makeup, and a long wig. A drag queen can imitate roles of famous women, pop stars, or, like RuPaul, play her own role of excessive woman.

➤ Drag King

- A drag king is a woman who plays an overly masculine role, or who imitates an actor or singer. Some *FtMs* may also refer to themselves as a Drag King, although this usage is considered imprecise by some.
- Some women, such as **Amantine Aurore Lucile Dupin, baronne Dudevant**, French novelist, playwright, letter writer, literary critic and journalist have left their mark on history; she is better known as **George Sand**.

Who are you LGBTTIQQ2SAA? IX

➤ Fetichist

- A transvestite fetishist is a person (most often a straight man) who dresses in the clothing of the opposite sex as a sexual fetish.
- The term underdressing is used by male crossdressers to describe the act of wearing female underwear under male clothing.
- Sometimes, one of the two members of a heterosexual couple can wear the other's clothes to turn them on.
- For example, the man can wear the woman's skirts and lingerie, and the woman can wear the man's underpants or various other clothes.

So, are you LGBTTIQQ2SAA?

- **L = Lesbian**
- **G = Gay**
- **B = Bisexual**
- **T = Transgender**
- **T = Transsexual**
- **T = Tranvestite**
- **DQ = Drag Queen**
- **DK = Drag King**
- **F = Fetichist**
- **I = Intersexed**
- **Q = Queer**
- **Q = Questionning**
- **2S = Two spirited**
- **A = Asexual**
- **A = Ally**

Do you want other terms? I

- **Agender:** A person who does not identify with any gender identity.
- **« Allosexuel » or « Altersexuel »:** is the translation for Queer.
- **Androgynous:** A person whose physical appearance may have characteristics that are not associated with a gender and therefore are somewhere between feminine and masculine.
- **Asexual:** A person who develops minimal or no sexual attraction to another person.
- **Cisgender:** A person whose gender identity corresponds to his or her biological sex; in other words, a "normal" person.
- **Aromantic:** A person who feels no romantic attraction to anyone.
- **Demisexual:** A person who feels sexual attraction only in the presence of a strong emotional connection.

Do you want other terms? II

- **Gender fluid:** A person whose gender identity can vary and who can sometimes feel more of a man, sometimes a woman, and sometimes neither.
- **they :** A non-gendered pronoun to avoid using he or she when talking about a non-binary person
- **Intersex :** This biological term refers to people who are born with sexual characteristics that vary from typical definitions. These variations, which can be found at the chromosomal, anatomical or hormonal level, are manifested to varying degrees on the physical level, for example in the appearance of the external or internal genitalia. It is neither a sexual orientation nor a gender identity.
- **Dead Name :** The name given at birth that a trans person no longer uses.

Do you want other terms? III

- **MTF or FTM** : Sometimes we see acronyms «Male to Female» or «Female to Male». They indicate a "male" person (thus born with male genitals) who makes a transition to the female gender, and vice versa.
- **Non-binary** : is said of a person who does not identify with the gender assigned to them at birth, but not entirely the opposite gender. She is a person who is outside the norms of the feminine and the masculine.
- **Gender non-conforming**: A person who does not conform to the typical roles that society assigns to binary genres. For example, someone who wears clothes usually associated with another gender.
- **Pansexual** : A person who is attracted to people, regardless of their gender identity or sex.
- **Transidentity** : refers to a person whose gender identity does not agree with the biological sex assigned at birth.

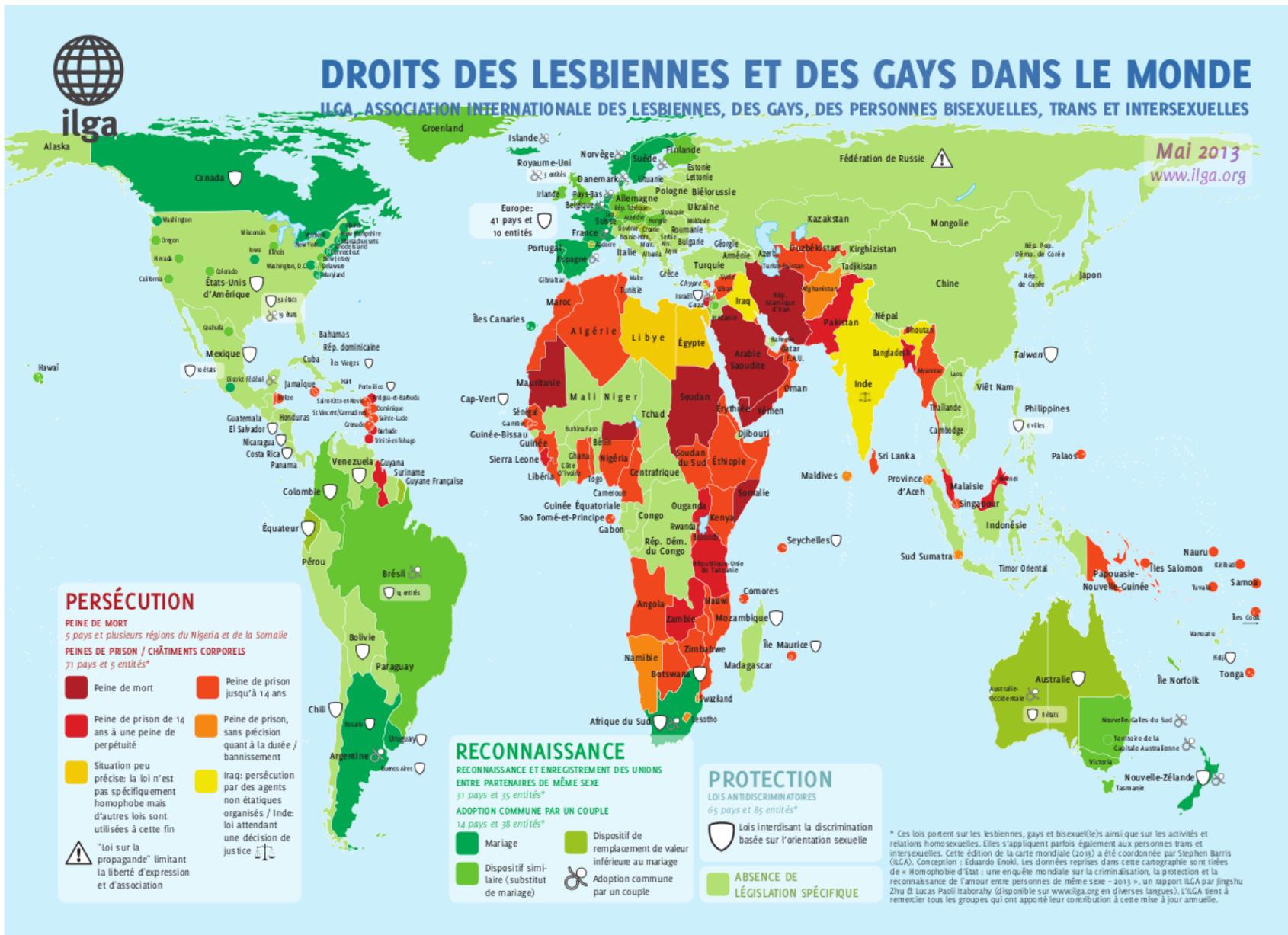
Who are you LGBTTIQQ2SAA ? Do you see yourself?



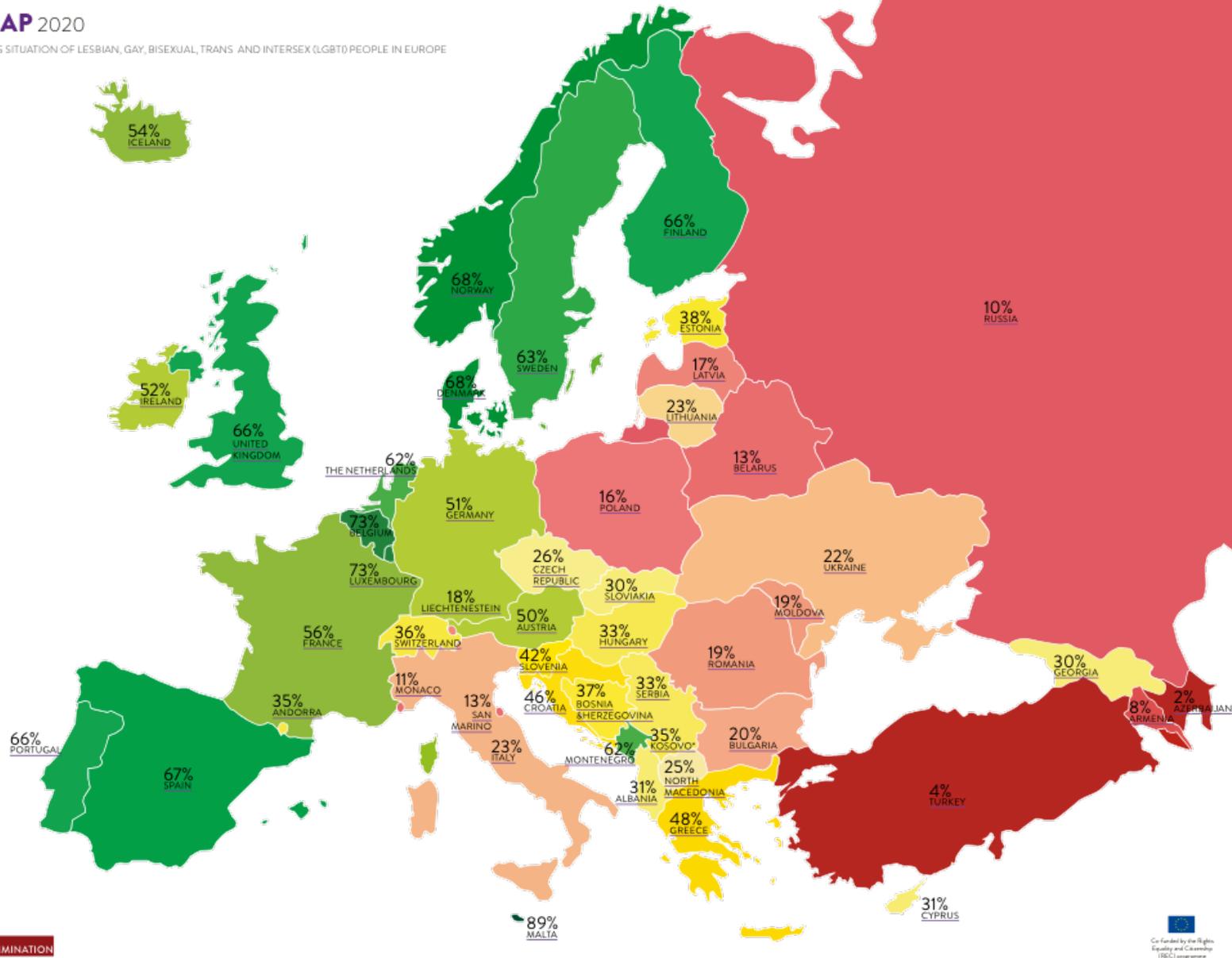
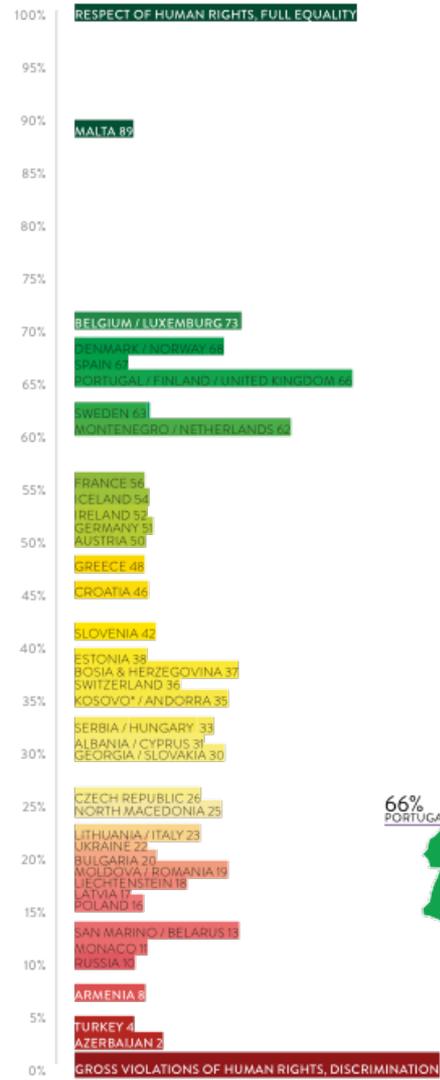
The LGBT movement in the world

- **ILGA World** – the International Lesbian, Gay, Bisexual, Trans and Intersex Association is the International association for people who are lesbians, gays, bisexuals, trans and intersex.
- It is a global federation of over 1,600 organizations from more than 150 countries and territories campaigning for the rights of lesbian, gay, bisexual, trans and intersex people.
- ILGA World has consultative status with the United Nations ECOSOC.
- ILGA members are based in six regions: Pan Africa ILGA (Africa), ILGA Asia (Asia), ILGA-Europe, ILGALAC (Latin America and the Caribbean), ILGA North America (North America) and ILGA Oceania (Oceania).
- Led by an elected council of 19 representing the global family, ILGA World is queer democracy in action!
- <https://ilga.org/about-us>

LGBT World Map – Search LGBT World Map on Google



RESPECT OF HUMAN RIGHTS, FULL EQUALITY

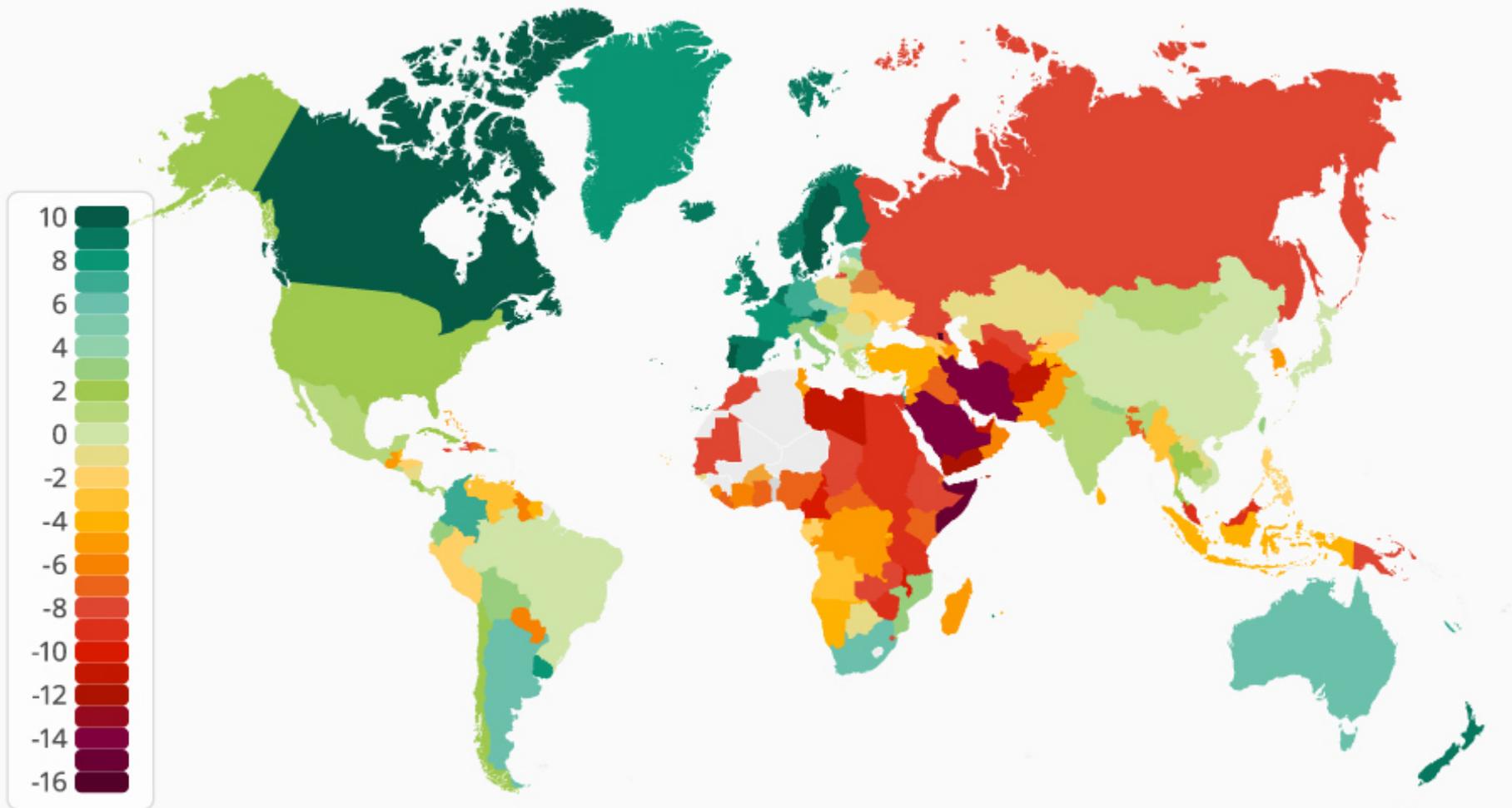


Co-Funded by the Rights, Equality and Citizenship (REC) programme 2014-2020 of the European Union



Gay-friendly ?

Pays classés selon le Gay Travel Index 2019 *



* plus le score est élevé, plus le pays est libéral et accueillant envers les personnes LGBT.

Source : Spartacus Gay Travel Index 2019 - Spartacus International Gay Guide

Countries that have practiced anal exams between 2011 and 2015 to prove homosexual behaviors.



The friendliest countries for LGBT people

- According to the Spartacus Gay Travel Index 2019, the most LGBT-friendly countries and tied for the top of the rankings are Canada, Portugal and Sweden.
- The Berlin, Germany-based Spartacus International Gay Guide provides tips for gay travelers on its website and mobile app.
- Its most recent index ranks 197 countries according to 14 criteria, such as the existence or not in a given nation of anti-discrimination laws, laws on the rights of transgender people, laws on marriage and civil partnership, or laws on adoption, transgender rights and persecution.
- Chechnya comes last. The guide says the country is involved in "state-organized persecution and murder of gay men."

The friendliest countries for LGBT people II

- Radio Canada International contains several reports concerning the rights of LGBT people around the world.
- <https://www.rcinet.ca/fr/2019/03/01/pays-les-plus-amicaux-au-monde-envers-les-voyageurs-lgbt-le-canada-no-1-les-etats-unis-no-47/> (French)
- <https://www.rcinet.ca/en/>
- <https://www.rcinet.ca/fr/2018/05/01/une-majorite-des-canadiens-sous-estime-les-problemes-des-lgbt-dans-le-monde/> (French)
- Please visit the Spartacus Gay Travel website at:
- <https://spartacus.gayguide.travel/blog/gay-travel-index-2019/>

The friendliest countries for LGBT people III

- **The SPARTACUS Gay Travel Index is updated annually to inform travelers about the situation of lesbian, gay, bisexual, and transgender (LGBT) people in 197 countries and regions.**
- **One of this year's rising stars is India, which, thanks to the decriminalization of homosexuality and an improved social climate, has risen from 104 to 57 on the Travel Index. In 2018 the criminalization of homosexual acts was abolished in Trinidad and Tobago and Angola as well.**
- **With the legal recognition of same-sex marriage, Austria and Malta were also able to secure a place at the top of the SPARTACUS Gay Travel Index 2019.**
- **However, the situation for LGBT travelers in Brazil, Germany and the USA has worsened. In both Brazil and the USA, the right-wing conservative governments have introduced initiatives to revoke LGBT rights achieved in the past. These actions have led to an increase in homophobic and transphobic violence. There has also been an increase in violence against LGBT people in Germany. Inadequate modern legislation to protect transgender and intersex persons as well as the lack of any action plan against homophobic violence have caused Germany to drop from 3rd to 23rd place.**

The friendliest countries for LGBT people IV

- Countries such as Thailand, Taiwan, Japan and Switzerland are under special observation. The situation is expected to improve in 2019 as a result of the discussions on the introduction of legislation to legalize same-sex marriage. Thailand has already moved up 20 places to rank 47 thanks to a campaign against homophobia and the introduction of laws to recognize same-sex civil partnerships. The already announced introduction of same-sex marriage laws could make Thailand the most LGBT-friendly travel destination in Asia.
- In Latin America, the decision by the Inter-American Commission on Human Rights (IACHR/CIDH) to require nearly all Latin American countries to recognize same-sex marriage has caused a sensation. So far, same-sex marriage is legal only in the countries of Argentina, Colombia, Brazil, Uruguay and in some individual states of Mexico.
- Some of the most dangerous countries for LGBT travelers in 2019 include again Saudi Arabia, Iran, Somalia and the Chechen Republic in Russia, where homosexuals are widely persecuted and threatened with death.

International Day Againsts Homophobia, Transphobia and Biphobia

- International Day Against Homophobia, Transphobia and Biphobia is a global day celebrated on **May 17**. It is sometimes referred to for short as World Day Against Homophobia.
- **May 17** was chosen at the initiative of Louis-Georges Tin as the symbolic date for the international day against homophobia and transphobia to commemorate the decision of the World Health Organization or WHO of **May 17, 1990** to no longer view homosexuality as a mental illness.
- It was on **May 17, 2005** that the anti-homophobia day initiative was first organized internationally, thanks to the efforts of Louis-Georges Tin, a French professor and activist. He was the chairman of the IDAHO Committee between 2005 and 2013.

Transgender Day of Remembrance

- **Transgender Day of Remembrance (TDoR)**, takes place on **November 20** around the world, to commemorate the memory of trans people murdered for transphobic motives and to draw attention to the violence suffered by trans communities.
- **Trans Day of Remembrance** is held on **November 20** of each year in honor of Rita Hester, who was killed on **November 28, 1998** in Allston, Massachusetts, in a transphobic hate crime.
- It was started in **1998** by **Gwendolyn Ann Smith**, a graphic designer, columnist and trans activist.

International Day for Transgender visibility

- International Transgender Visibility Day is an annual event that takes place on **March 31** and is intended to celebrate transgender people and raise awareness of the discrimination they experience around the world.
- The first international transgender visibility day was held on **March 31, 2009**.
- The special day was created by Michigan-based transgender activist Rachel Crandall in 2009 in response to the lack of an LGBT celebration day dedicated to transgender people, citing frustration that the only known day that is dedicated to trans people was the trans day of remembrance which honors transgender people who have been victims of hate crimes, but no day was dedicated to celebrating living members of the transgender community.

Montreal Declaration I

- **The "Montreal Declaration" is a document adopted on July 29, 2006, by the "International Conference on LGBT Human Rights" which formed part of the first World Outgames.**
- **The Declaration will be raised and publicized to United Nations authorities and national governments in order to mobilize undeniable support for the respect of LGBT and intersex rights.**
- **The Declaration will be enriched by the participation of a large number of people from diverse backgrounds and cultures.**
- **More than 1,500 delegates participated and discussed in the various workshops and plenaries, where several international experts spoke: jurists, opinion leaders, academics, specialists and human rights defenders.**

Montreal Declaration II

- **The Montreal Declaration takes stock of the rights of LGBT people in the world in general and in the world of sport in particular.**
- **It also denounces the double discourse of the UN, which refuses to apply its Universal Declaration of Human Rights to homosexuals.**
- **Several fundamental rights, including the right to life, are scorned in several UN member countries where homosexuality is criminalized.**
- **Homosexual acts are still punishable by death in some countries.**
- **In other countries homosexual acts were also condemned by various prison sentences or 100 lashes.**

Montreal Declaration III

- **The Montreal Declaration calls to mind the governments of the world and the great religions. The former because they do not guarantee homosexuals the right to marry and raise a family and the latter because they do not apply their principles of tolerance towards LGBT people.**
- **"Intersexual individuals experience a particular form of violence, in the form of genital mutilation resulting from unnecessary post-birth surgery designed to make them conform to a rigid binary model of physical sex characteristics." This statement influenced Principle 18 of the Yogyakarta Principles.**

Montreal Declaration IV

- **The Declaration requires "that governments permit all medical treatment necessary for gender reassignment, that they fund such treatment to the same extent that their resources permit them to fund other medically necessary treatment, and that they amend their legislation so as to permit a transgender person to change their legal sex to the one that corresponds to their gender identity."**
- **The Declaration influenced the drafting of Yogyakarta Principles 13 and 17 regarding medical treatment and Principle 3 regarding legal sex reassignment in all identity documents.**
- **The Montreal Conference can be considered as the point of emergence of a francophone intersex voice at the international level. The text of the Declaration is available at:**

<http://www.declarationofmontreal.org/DeclarationofMontreal.pdf>

Yogyakarta Principles I

- **The Yogyakarta Principles are a series of principles on the application of international human rights law in matters of sexual orientation and gender identity for the protection and for the absolute prohibition of discrimination against LGBT people and intersex according to the Universal Declaration of Human Rights.**
- **The Principles were drafted by the International Commission of Jurists and a group of 29 international experts at Gadjah Mada University in the Indonesian city of Yogyakarta from November 6 to 9, 2006.**
- **The Yogyakarta Principles were presented to the United Nations Human Rights Council on March 26, 2007.**
- **On December 18, 2008, the United Nations General Assembly issued the Declaration on Sexual Orientation and Gender Identity.**

Yogyakarta Principles II

- The Principles claim to formalize the international legal standards to which States must conform. They promise a different future, where all human beings, born free and equal in dignity and rights, can enjoy this precious right to life and integrity.
- During the session of the United Nations Human Rights Council on March 26, 2007, the text received official support from a group of 54 countries.
- The text about the Principles is available at :
- <http://yogyakartaprinciples.org/principles-en/>
- There is a Principles guide:
- <http://yogyakartaprinciples.org/>

Yogyakarta Principles III

- The Yogyakarta Principles are composed of a preamble and 29 principles and recommendations.
- The authority of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the Convention on International Human Rights Law on Sexual Orientation and Gender Identity is affirmed therein.
- The principle that "All human rights are universal, interrelated, interdependent and indivisible", as adopted by the Vienna Declaration and Program of Action, is cited in the first principle.
- Following the Convention on the Elimination of All Forms of Discrimination against Women, the abrogation of the idea of inferiority or superiority of one over the other sex, and of a stereotypical role of men and women is put forward.
- The right to decide freely and responsibly in all matters relating to sexuality, including reproductive health, without coercion, discrimination or violence "is affirmed therein.

Yogyakarta Principles IV

- **The Principles specify binding international legal standards to which states must comply.**
- **The prohibition of all forms of human trafficking, homelessness, and domestic violence is formulated, together with the relevance of awareness-raising work to ensure the reduction of discriminatory social behavior.**
- **The Preamble contains definitions on sexual orientation and gender identity.**
- **Sexual orientation refers to the ability of each individual to feel a deep emotional, affective and sexual attraction to individuals of the opposite sex, same sex or more than one sex, and to maintain intimate and sexual relationships. sexual with these individuals.**

Yogyakarta Principles V

- **Gender identity refers to the intimate and personal experience of gender deeply lived by each one, to the personal consciousness of the body which can involve, if freely consented, a modification of the appearance or the functions of the body by medical means. , surgical or otherwise, and other expressions of the genre, including dress, speech and behavior.**
- **One of the recommendations states that “the regional human rights courts consistently integrate the previously stated principles that are relevant to the human rights treaty they interpret, into the case law they develop concerning sexual orientation and gender identity”, as well as the duties of the United Nations and the international community.**

Rainbow or LGBT Flag I

- **The rainbow flag is a flag representing stripes in the colors of a rainbow. The use of the rainbow flag is an ancient tradition common to many cultures. It generally evokes peace, diversity and harmony.**
- **Today, the rainbow flag has been known as the Lesbian, Gay, Bisexual and Transgender or LGBTQ+ flag since 1978.**
- **The first rainbow flag used as a symbol of the LGBT movement was designed and handmade by the American graphic designer and activist Gilbert Baker, then 27 years old, for the Gay and Lesbian Freedom Day Parade in San Francisco on June 25, 1978.**
- **The first flag has eight stripes. Gilbert Baker gives each of the colors a meaning described on the following page.**

Rainbow or LGBT Flag II



Rose : la sexualité
Rouge : la vie et la guérison
Orange : la santé et la fierté
Jaune : la lumière du soleil
Vert : la nature
Turquoise : la magie / l'art
Bleu : la sérénité / l'harmonie
Violet : l'esprit

You can find the different LGBT symbols at :

https://en.wikipedia.org/wiki/LGBT_symbols

https://en.wikipedia.org/wiki/Transgender_flags

<https://en.wikipedia.org/wiki/LGBT>

Rainbow or LGBT Flag III

- During the march organized in November 1978 to protest the assassination of Harvey Milk, San Francisco's first openly gay elected official, the Paramount Flag Company produced seven-stripe versions because pink was not commercially available. Subsequently, Gilbert Baker also removed the turquoise, to maintain an even number of colors for a Market Street decoration: the flag then has six stripes (red, orange, yellow, green, blue, purple) and becomes final.
- Today, the LGBT rainbow flag has gained worldwide fame. It is widely used by organizations of the LGBT movement as well as by businesses aimed at LGBT audiences. The Beaudry metro station in Montreal, located in the gay village, is decorated with the six LGBT colors.
- Harvey Bernard Milk, born May 22, 1930 in Woodmere (New York) and assassinated on November 27, 1978 in San Francisco, is a politician and activist for the rights of American homosexuals. He is the first elected supervisor, a post similar to that of city councilor, openly gay in the city of San Francisco.
- Harvey Milk was gunned down along with San Francisco Mayor George Moscone on November 27, 1978. His murderer, Dan White, was sentenced to seven years and eight months in prison for intentional homicide (rather than murder). His advocates argued that he was allegedly disturbed by a "bad diet"; he will finally be released after five years in prison. The verdict is considered too lenient by **the gay community.**

Rainbow or LGBT Flag IV



History of the LGBT movement - The beginning

- **The lesbian, gay, bisexual and transgender or LGBT movement refers to all individual or movements and actions that seek to change the social perception of sexual minorities, homosexuality, bisexuality and transidentity.**
- **A goal often claimed by these movements is equal civil and social rights for LGBT people and sometimes the development of LGBT communities or the liberation of society from biphobia, homophobia and transphobia.**
- **There is no organization that brings together the entire LGBT community and many structures exist in different countries around the world. The movement takes shape notably through militant, cultural and artistic actions or street demonstrations such as the Pride March.**

The LGBT movement in Germany

- In the first decades of the twentieth century, Germany was considered a strongly liberal state, and Berlin in particular. In 1897, the Scientific Humanitarian Committee was created on the initiative of the physician and sexologist Magnus Hirschfeld. The committee's objective was to abolish a section of German legislation, Paragraph 175, according to which homosexual male behavior is punishable.
- The Paragraph 175 is section 175 of the German Penal Code called Strafgesetzbuch, which criminalized male homosexuality from 1871 to 1994. It was under this paragraph that about 50,000 people were prosecuted, some of whom were sent to concentration camps during the Third Reich.
- The paragraph also made it possible, before 1933 and long after the Second World War, in practice until the 1970s, to prosecute homosexuals before the courts and sometimes to sentence them to prison terms.

Section 175 from the German Penal Code

➤ From 1871 to 1933

- **§ 175** Unnatural sexual acts that are perpetrated, whether between males or between men and animals, are punishable by prison; it can also be pronounced the loss of civil rights.

➤ From 1933 to 1994

- **§ 175** A man who commits a sexual act with another man or who allows himself to be used by him for this purpose is punished with prison. In the case of a participant who, at the time of the facts, was not yet 21 years old, the court may waive, in the lightest cases, to punish.
- **§ 175a** The following is punished with a term of forced labor of up to ten years, in the event of mitigating circumstances, a prison term of not less than three months:
 - a man who compels another man, by force or by a threat which currently endangers his body or his life, to commit a sexual act with him or to allow himself to be used by him for this purpose;
 - a man who convinces another man, by using a dependence based on a relationship of authority, work or subordination, to commit a sexual act with him or to let himself be used by him for this purpose;
 - a man over 21 who seduces a male minor under the age of 21, so that he commits a sexual act with him or that he allows himself to be used by men for such an act or who offers himself for this reason ;
- **§ 175b** An unnatural sexual act that is committed by a man with an animal is punished with prison; the loss of civic rights can also be pronounced.

LGBT movement in Germany from 1860 to 1920

- Despite the law, a certain tolerance is nevertheless required. In Berlin, for example, homosexuals have their bars, restaurants, and even a magazine, *Der Eigene* (Le proper). Still, Germany is rocked by a resounding scandal through the Harden-Eulenburg affair.
- The Harden-Eulenburg or Eulenburg Affair refers to the scandal which shook the Second Reich from 1907 to 1909 following a press campaign against the alleged homosexual entourage of Kaiser Wilhelm II and the subsequent trials. This case, which had a wide impact, is considered by some historians as a major scandal that shook the German Empire.
- The Scientific Humanitarian Committee officially becomes the first association in the world to defend the rights of homosexuals. Ramifications are developed in many Western countries, but on a still small scale.

LGBT Movement in Germany and France from 1920 to 1940

- **Founder Magnus Hirschfeld created a new center in 1919, called the Institut für Sexualwissenschaft (Institute for Sexual Research), which became an important hub of documentation and information until its destruction by the Nazis in the 1930s.**
- **While the homosexual subculture is emerging from the shadows in Germany, it remains predominantly male. A certain lesbian activism nevertheless managed to emerge in German feminist circles, but it was in France that the lesbian movement really flourished thanks to the arrival of American intellectuals, French writers and artists; Renée Vivien, Colette, Polaire, Rachilde, Romaine Brooks, Gertrude Stein, Djuna Barnes, Claude Cahun, etc.**
- **In Paris, the American Natalie Clifford Barney opened a salon where, between 1909 and 1939, a whole community of women artists came together, many of whom were openly lesbians.**

LGBT Rights in Poland I

- LGBT people in Poland may face legal difficulties that non-LGBT residents do not experience. The stigmatization of LGBT people, regularly denounced by European authorities, increases after the return to power of the ultraconservative Law and Justice party in 2015.
- In 1932, the criminalization of homosexuality was removed from the Criminal Code.
- In 1985, the authorities launched Operation Hyacinthe to identify Polish homosexuals in the context of the AIDS epidemic. They must sign a document certifying that they do not have relations with male minors. A list of 11,000 people has been drawn up, a figure much lower than the actual number of Polish homosexuals. Beyond the medical argument, it was an initiative to monitor and control a social group in search of recognition.
- There is no legal recognition of same-sex couples. Section 18 of the Constitution of the Republic of Poland of 1997 defines marriage as the union of a man and a woman and places it under the protection of the Republic of Poland.
- Jarosław Kaczyński, leader of the Law and Justice Party (PiS) and vice-president of the Council of Ministers since October 2020, is opposed to legislation on marriage for same-sex couples.

LGBT Rights in Poland II

- In 2019, the Polish Constitutional Court, controlled by the conservative Law and Justice party, allows traders to refuse gay customers on the grounds of their religious beliefs.
- As the notion of homophobia does not exist legally in Poland, it is not possible to assess the extent of discrimination against LGBT people.
- In 2019, at least 88 Polish localities, where around 30% of the population lives, pass resolutions in which private services can be denied to LGBT people.
- The European Parliament denounces the presence of allegedly "free from LGBT + ideology" areas in Poland and recalls that EU funds must not be used for discriminatory purposes. Some French municipalities are suspending their twinning with Polish anti-LGBT + municipalities.
- In 2019, Jarosław Kaczyński, who made LGBT people a target and an electoral issue, described the pride marches as "a traveling theater that appears in different cities to provoke and then cry... we are the ones who suffer from it". MPs from Konfederacja (an alliance of conservative libertarians, Catholic nationalists and Catholic monarchist traditionalists) add to this by wanting to ban "LGBT ideology".

LGBT Rights in Poland III

- For his part, Rafał Trzaskowski, liberal mayor of Warsaw, signed an "LGBT + charter" on February 18, 2019, drawing criticism from conservative and ultra-Catholic circles. This charter "provides for the creation of a" refuge "for people in difficulty or rejected by their families, a system for monitoring and statistics of homophobic behavior, education against discrimination and sex education that takes into account the issue of sexual orientation.
- In June 2020, the European Commission asks Poland for explanations on the anti LGBT + "Zones" and recalls that the payment of funds is subject to respect for fundamental rights; The European Union is depriving six Polish cities of grants linked to a twinning program due to their measures against LGBT people. On July 15, 2020, the proclamation of two zones "without LGBT ideology" was overturned by the courts, but four other courts rejected the complaints against these zones.
- On November 2 and 3 2020, the Congress of Local and Regional Authorities of the Council of Europe plans to conduct an investigation to draft a report on "The role and responsibilities of local authorities in the protection of LGBTI + people" in Poland. In a report released on December 3, 2020, Council of Europe Commissioner for Human Rights Dunja Mijatovic underlines the worsening stigmatization of LGBT people since the return to power in 2015 of the ultra-conservative party Law and justice.

LGBT Rights in Poland IV

- **Activism has been established since the 1980s through the creation of associations, such as the Warsaw Gay Movement (1988), Lambda Warszawa (1997), or against homophobia. A television program, Homofonia (2006-2008), was entirely devoted to LGBT people.**
- **On May 3, 2007, Poland was condemned by the European Court of Human Rights for having banned homosexual activists, under pretexts described as "spurious" by the Court, from organizing a parade and several rallies in Warsaw in June 2005. Since then, the Pride March (Parada Równości) has taken place in Warsaw every year.**
- **From July 7 to 17, 2010, Poland hosted the 17th Europride in Warsaw, a European Pride March event. It was the first time that this European event met in a former communist country. This march was a success with around 10,000 to 15,000 participants.**
- **On May 30, 2015, the Gdańsk Pride March attracted its record number of participants, with 2,000 participants. On June 3, 2017, nearly 10,000 people took part in the 17th Warsaw Equality Parade in a context where, since the election in October 2015 of an ultraconservative government led by the Law and Justice Party (PiS), the homophobic speech is released. While paradoxically 29% of Poles are in favor of same-sex marriage, and more than half of the population agrees with some form of legal regulation of same-sex unions, this development has received little political attention.**

LGBT Rights in Poland V

- According to the annual Rainbow Map study conducted by the European LGBT organization ILGA-Europe, in 2017 Poland was one of the European countries with the weakest legal protection in this area. The Polish penal code does not recognize homophobic crimes or offenses.
- On July 20, 2019, during the Pride March, nationalist activists attack marching people with bottles and pebbles. A far-right weekly also distributes **LGBT free Zone** ideology stickers.
- At the end of August 2020, the arrest of a trans activist accused of having damaged a van bearing homophobic inscriptions in Warsaw, the arrest of some fifty protesters who tried to oppose this arrest, and the indictment of three people who have draped several Warsaw monuments with LGBT flags, arouse international disapproval and lead to a wave of protests especially in Warsaw.

LGBT Rights in Poland VI

- The representativity of LGBT politicians is recent in Poland.
- On November 21, 2010, Krystian Legierski (The Greens) became the first openly gay politician to be elected as a Warsaw city councillor thanks to an alliance with the Alliance of the Democratic Left.
- The parliamentary elections of October 9, 2011 mark a historic turning point with the election of openly LGBT people. Indeed, the breakthrough of the anticlerical Ruch Palikota party allows the election of Robert Biedroń and Anna Grodzka, respectively the first openly gay and the first transgender MP in Poland.
- On November 30, 2014, Robert Biedroń is the first gay mayor elected in Poland in the city of Słupsk (95,000 inhabitants), winning with 57% of the votes in the second round against the incumbent mayor.

LGBT Movement in Australia I

- Australia is a country in the southern hemisphere whose area covers most of Oceania. Since its independence, Australia has maintained a stable political system of liberal democracy and remains a parliamentary monarchy, a member of the Commonwealth of Nations. The national language is English and the currency is the Australian dollar. Its capital is Canberra, located in the Australian Capital Territory.
- Its population, estimated at 25.6 million in March 2020, is mainly concentrated in the major coastal cities of Sydney, Melbourne, Brisbane, Perth and Adelaide.
- While Canada is divided into ten provinces and three territories, Australia is divided into six states and three mainland territories, not counting other small external territories.
- The States are:
 - South Australia (l'Australie-Méridionale)
 - Western Australia (l'Australie-Occidentale)
 - New South Wales (la Nouvelle-Galles du Sud)
 - Queensland
 - Tasmania (la Tasmanie)
 - Victoria
- The Territories are:
 - Northern Territory (le Territoire du Nord)
 - Australian Capital Territory ou ACT (le Territoire de la capitale australienne)
 - Jervis Bay Territory (le Territoire de la baie de Jervis)

LGBT Movement in Australia II

- For the most part, the way the territories function is comparable to that of the states, but the federal Parliament can, if it considers necessary, veto almost any legislation passed by the territorial parliaments. On the other hand, the federal Parliament cannot veto state laws in some areas that are set out in section 51 of the constitution; the state Parliaments retain full legislative powers in the areas of health, education, police, justice, the road system, public transportation and local government.
- Recognition of the rights of lesbian, gay, bisexual and transgender (LGBT) people in Australia has gradually increased in the various States and territories that make up the country since the 1970s.
- At the federal level, marriage has been explicitly defined as the union between a man and a woman since 2004, when the Marriage Amendment Act was passed. However, as of July 1, 2009, same-sex couples enjoy the same level of "de facto" recognition as opposite-sex couples under federal law in matters including taxation, health, retirement and elder care.
- Transgendered or transsexual people can declare themselves as transgendered or transsexual in their passports with an option X.

LGBT Movement in Australia III

- The first laws in Australia were based on the laws then in Great Britain, which were inherited from colonization in 1788. Lesbianism was never illegal in Great Britain, nor its colonies, including Australia. Sodomy laws, however, were part of Australian law from 1788 until 1994, under the Human Rights (Sexual Conduct) Act of 1994. The punishment for "buggery" (sodomy) was reduced from execution in 1899 to a minimum of 10 years or life imprisonment. After the law of 1899, the penalty was reduced to imprisonment with hard labor for fourteen years.
- Homosexual "weddings" were revealed in the 1930s in Australia, although at that time such marriages behind closed doors were not recognized. A 1932 newspaper (The Arrow newspaper) reported that gay men in Brisbane illegally joined together in what it called "bonds of matrimony".
- Since the beginning of his term as Prime Minister in 1996, John Howard had made his position clear on the issue of gay rights, refusing, for example, a message of support for the Sydney Gay & Lesbian Mardi Gras Pride March. In July 1996, the Howard government reduced the number of interdependency visas, which made it more difficult for same-sex couples to move. These visas were introduced by Prime Minister Paul Keating in 1991 to allow same-sex partners of Australian citizens to emigrate to Australia.

LGBT Movement in Australia IV

- The UN Human Rights Commission declared the Australian federal government to be in violation of equality and privacy rights under the International Covenant on Civil and Political Rights in September 2003, after denying a man a spousal pension based on his same-sex relationship with his partner of more than 38 years. The UN request that Australia take steps to treat same-sex couples equally was ignored.
- In March 2004, Howard condemned Australia's first proposed legislation that would allow same-sex couples to adopt children. Howard said, "I think this idea of legislation, and this new Bill of Rights is ridiculous. I'm against gay adoption, just as I'm against gay marriage". The Federal Commonwealth, however, did not overturn the legislation.
- On November 15, 2004, the Australian Bureau of Statistics announced that 62% of Australians were in favour of marriage for same-sex couples, leading the government to announce the introduction of a law to that effect.

LGBT Movement in Australia V

- **Same-sex relationships are legally recognized in federal legislation and have a wide range of rights, but laws at the federal Commonwealth level do not permit same-sex couples to legally marry.**
- **Since 2009 Australian law has recognized same-sex couples as either unregistered cohabiting relationships or relationships with "de facto" status.**
- **From 2011 Queensland, Tasmania, Victoria, the Australian Capital Territory and New South Wales have established relationships that are recognized and registered by these states and territories.**
- **On 22 October 2013, the Australian Capital Territory became the first Australian territory to legalize same-sex marriage.**
- **Victoria State is the most progressive state in Australia and 70% of its population is concentrated in the city of Melbourne.**

LGBT Movement in Australia VI

- Several Australian websites contain detailed information about LGBT people:
- The Victorian Equal Opportunity & Human Rights Commission at:
➤ <https://www.humanrights.vic.gov.au/hub/lgbtiq-rights/>
- The Victoria State Government site at:
➤ <https://www.vic.gov.au/lgbtiq-equality-legislation-progress-and-history>
- The Guardian Newspaper's website at:
➤ <https://www.theguardian.com/world/2020/nov/24/victoria-to-ban-abhorrent-practice-of-gay-or-gender-conversion-therapy>
- The Victorian Pride Lobby website at:
➤ <http://vicpridelobby.org/>
- The situation in Australia is basically very similar to Canada and the differences between the different states in Australia are very similar to the differences between the Canadian provinces.
- Two explanatory tables are added on the following pages.

LGBT Movement in Australia VII

Nom de l'État		Reconnaissance	Sous la forme
Français	Anglais		
 Australie-Méridionale	<i>South Australia</i>	✓ Oui	Accord de partenariat domestique
 Australie-Occidentale	<i>Western Australia</i>	✓ Oui	De facto
 Nouvelle-Galles du Sud	<i>New South Wales</i>	✓ Oui	Partenariat enregistré
 Queensland	<i>Queensland</i>	✓ Oui	Partenariat enregistré
 Tasmanie	<i>Tasmania</i>	✓ Oui	Partenariat enregistré (registre)
 Victoria	<i>Victoria</i>	✓ Oui	Partenariat enregistré (registre)

Nom du territoire		Reconnaissance	Sous la forme
Français	Anglais		
 Territoire de la capitale australienne	<i>Australian Capital Territory</i>	✓ Oui	Union civile
 Territoire du Nord	<i>Northern Territory</i>	✓ Oui	De facto

LGBT Movement in Australia VIII

Situation au niveau fédéral

Majorité sexuelle égale à celle des hétérosexuels	✓ (depuis 1997)
Reconnaissance des couples de même sexe	✓ (depuis 2009)
Pénalisations de toutes les discriminations	✓ (depuis 2013)
Droit pour les gays et lesbiennes de servir dans l'armée	✓ (depuis 1992)
Droit de changer de genre légal	✓ Oui
Autorisation du don de sang pour les HSH	✓ (depuis 2009)

HSH = Homme ayant un rapport Sexuel avec un autre Homme

LGBT Rights in China I

- China has a very long history of tolerance towards homosexuality, with the first references to its acceptance dating back to the time of the Shang Dynasty (16th century BC). It is only with the introduction of Western ideas from the 19th century onwards that this tolerance came to an end.
- During the Western Han Dynasty (206-23 B.C.), ten of the thirteen emperors had lovers in addition to the women and concubines that were obligatory at the time. Sima Qian writes that the favorites were very often admired more for their skill in war, their administration or their culture, than for their beauty.
- During the period of disunity (265-589 A.D.), when six dynasties ruled and succeeded one another, historians of the Southern Song Dynasty claim in their records that homosexuality was as common as heterosexuality.
- During the Song Dynasty (920-1279), increased urbanization and the introduction of paper money led to an increase in prostitution. A law was created, outlawing male prostitution, but it was not strictly enforced. In addition, the increasingly wealthy merchant classes took pleasure in spending their money on parties with young courtesans.

LGBT Rights in China II

- In 1740, during the reign of the Qing Dynasty (1644-1911), the government passed the first law against homosexuality. It was punishable by one month in prison and one hundred blows with a stick, the least severe punishment in the penal code. It was an era of sexual repression during which only actors at the bottom of the social ladder enjoyed some freedom in their sexual life. It is in fact the growth in popularity of neoconfucianism, which imposes strict rules on the behavior of men and women, that is the cause.
- With the end of the Chinese empire comes the end of tolerance. The Cultural Revolution took place between 1966 and 1976, during which homosexuals were persecuted. Homosexuality was considered a mental illness until 2001. Today, homosexuality is still a taboo in Chinese society.
- As for homosexual relations between women, there are many documents proving its existence and acceptance. However, they are far less numerous than those concerning men, because of the situation of inequality and isolation suffered by women. Nevertheless, female homosexuality is not uncommon: for example, a man's wife has relations with his concubine.

LGBT Rights in China III

- According to Confucius thought, a man must conform to the traditional role, as must a woman. But homosexuality is not considered a sin in terms of Christianity.
- Taoism values the balance between yin, the feminine principle, and yang, the masculine principle, every man being yang and every woman being yin.
- Important changes took place at the end of the 20th and the beginning of the 21st century. Sodomy was decriminalized in 1997, and the new Classification of Mental Disorders and their Diagnostic Criteria in China removed homosexuality from the list of mental illnesses on April 20, 2001.
- In 2009, the first Pride March was held in China. The organizers agreed to cancel some events at the request of the authorities, in order not to shock the population. This event gathered about 500 people.

LGBT Rights in China IV

- In Taiwan, where homosexuals have long been persecuted, the ousting of the Kuomintang from power after the 2016 elections paves the way for the eventual legalization of same-sex marriage.
- The project meets with hostility from certain conservative organizations, in particular the Taiwanese Union for the Protection of Families, which is "very active because of the financial means at its disposal and the support it collects from certain American lobbies.
- In 2019, same-sex marriage was finally legalized there.
- In Mainland China, the subject has already been discussed in the National People's Congress, and the main media do not seem to be opposed to the idea.

LGBT Rights in Japan I

- **Some ancient Japanese chronicles describe scenes that Western scholars consider to be the earliest accounts of homosexuality in Japan.**
- **Before the modern period, there were some laws in Japanese history that regulated sexual behavior. Sodomy was legally prohibited in 1873 but the law was repealed seven years later with the introduction of the 1880 Penal Code modeled on the Napoleonic Code.**
- **Despite recent global trends suggesting a high level of tolerance, as well as open scenes in very cosmopolitan cities such as Tokyo or Osaka, Japanese homosexual men and women often hide their sexual orientation and many marry people of the opposite sex.**
- **It should be remembered that in the 1970s, the Japanese Communist left held a violently homophobic discourse, including among intellectuals. The Japanese Communist Party, a very small minority, no longer holds the same discourse today. According to the TBS channel, broadcast on May 1, 2013, nearly a quarter of young homosexuals do not go to school because of intimidation, bullying and humiliation from other students.**

LGBT Rights in Japan II

- In 2015, a study estimates the number of LGBT adults in Japan at 7.7%, but outings are still rare.
- There are no laws in Japan prohibiting homosexual behavior, and legal protections exist for those affected as well as for transgender people.
- Consensual sex between adults of the same sex is legal, but some prefectures set the age of sexual majority for homosexuals higher than for heterosexuals.
- **There are LGBT Associations in Japan, but they are divided and march separately in Tokyo.**
- While no national law protects against discrimination on the basis of sexual orientation, local governments, such as Tokyo's, passed several laws such as prohibiting discrimination in hiring based on sexual identity.

LGBT Rights in Japan III

- The major political parties do not express themselves much in public on the issue of gay rights. Despite the recommendations of the Council for the Promotion of Human Rights, the Japanese Diet still did not vote on the issue of sexual orientation, and there were no laws in the Civil Code.
- A few political figures, however, began to come out publicly. Kanako Otsuji, M.P. of Osaka, declared herself a lesbian in 2005. Two years earlier, in 2003, Aya Kamikawa became the first transgender person to win an official election in Japan.
- In 2015, Prime Minister Shinzo Abe expressed reservations about marriage for same-sex couples. In the October 2017 parliamentary elections, the Liberal Democratic Party (in power since 2012) promised to pass a law for better consideration of LGBT people.
- In 2003, Aya Kamikawa was the first trans woman elected as a municipal councillor in Japan, and in 2017, Tomoya Hosoda was the first trans man.
- Same-sex wedding is not recognized in Japan. Nevertheless a movement started in 2015, the legal recognition of same-sex couples, called "registered partnership" by the cities. Nine have already adopted it.

LGBT Rights in Chile I

- The rights of LGBT people in Chile have made great progress since the legalization of homosexuality in 1999. Historically conservative, Chile has become one of the most tolerant countries in Latin America toward LGBT people.
- In 1875, the National Congress adopted a new penal code prohibiting sexual relations between men. Section 373 of the same code covers behavior contrary to morals and good morals.
- During his presidency, between 1927 and 1931, Carlos Ibáñez del Campo used legislation to attack homosexuals. He implemented sections 365 and 373 of the penal code. A large number of homosexuals were imprisoned in an internment camp in Pisagua.
- Law No. 11.625 on Anti-Social Behavior, proposed under Gabriel González Videla and enacted by Ibáñez del Campo in 1954, takes action against "antisocial" groups that constitute a danger to society. In particular, an accelerated criminal procedure is foreseen for these groups, among which are **vagrants, drug addicts and homosexuals.**

LGBT Rights in Chile II

- In March 1973, Marcia Torres was the first Chilean to undergo sexual reassignment surgery and then to change her name and sex in her civil status. A few months later, on April 22, 1973, the first demonstration in favor of homosexual rights in the country was organized in Santiago's Plaza de Armas by twelve transvestites. About 40 long-haired men participated in the demonstration. The left-wing newspaper Clarín ran the headline: "**Fags showed their sexual deviations in the *Plaza de Armas***".
- The military dictatorship of Augusto Pinochet, which came to Chile in September 1973, did not establish a repression specifically directed against LGBT people as it did against those on the left. However, **sexual orientation and gender identity can be an "aggravating circumstance" when a person is tortured, particularly among lesbians**. While the dictatorship promoted a macho and patriarchal model, there was here was a sense of freedom among the wealthier classes; the first gay nightclubs appeared in Chile under Pinochet. It was also under the dictatorship that the first small groups fighting for the rights of LGBT people appeared, such as Integración, founded in 1977.
- As in many countries, the AIDS epidemic that affected Chile in 1984 awakened a deep sense of homophobia. For example, a decree to combat the spread of the virus calls for the education of children against "**social pathologies of sexuality: homosexuality, prostitution, rape, rape of minors and incest**".

LGBT Rights in Chile III

- The year 1989 brought the return of democracy to Chile. Two years later, the country's main association for the defense of homosexual rights was created: the Movement for Homosexual Integration and Liberation (in Spanish: Movimiento de Integración y Liberación Homosexual or Movilh).
- The Movilh mainly advocated the abolition of section 365 of the Penal Code, which prohibits homosexual relations between men. The section was amended in 1999, ending the ban on male homosexuality for adults. To reassure the more conservative fringe of society, a different sexual majority was introduced for homosexuals, 18 years of age versus 14 for heterosexuals.
- During the years 2010, the legislation changes rapidly to protect LGBT people. After Daniel Zamudio's murder in March 2012 because of his sexual orientation, an Anti-Discrimination Law was adopted by the National Congress.
- In 2015 a Civil Union open to all couples was established. In 2018, the success of the film "**A Fantastic Woman**" led to the passing of a law in favor of Chilean transsexuals.

LGBT Rights in Chile IV

- In 1875, a new Penal Code was adopted. It is fully inspired by the Spanish Penal Code of 1848, which does not prohibit sodomy. If the initial law did not address the subject of same-sex relations, a crime of sodomy was introduced during parliamentary discussions.
- The Chilean Penal Code includes a section 365 prohibiting the practice of sodomy: "Whoever is guilty of sodomy will be punished with a minor prison sentence in his middle class". Since sodomy has several meanings, jurisprudence ends up considering that only sexual relations between men are concerned: the crime is considered an attack on society, and not on individual sexual freedom.
- Throughout history, however, section 373 of the same Penal Code, which punishes breaches of morals and good manners, was used more often to attack homosexuals, both men and women, who often remained in cells for five days before being released.
- On August 3, 1993, President Patricio Aylwin introduced a sexual offense reform removing section 365. The bill was discussed for several years in Congress. On July 12, 1999, President Eduardo Frei promulgates Act 19.617, which amends section 365 and makes sexual relations between men legal.

LGBT Rights in Chile V

- However, the reform of section 365 of the Penal Code does not equalize heterosexual and LGBT individuals. Homosexual relations with a minor under 18 years of age are prohibited, even with consent, while the sexual majority is 14 years for heterosexual relations.
- The current section 365 of the Chilean Penal Code states: "Whoever has carnal access to an eighteen year old minor of the same sex, without the circumstances of the crimes of sexual aggression or rape being taken into account, will be punished by imprisonment as a minor in his or her minimum to medium classes".
- At the time, this was a compromise to make the decriminalization of homosexuality for adults accepted. In fact, it only concerns situations where the minor is a "passive" man in sexual intercourse.
- In August 2018, the constitutionality of this section was validated due to an equality of votes in the Constitutional Court: five judges considered the section homophobic and contrary to the equality before the law and the right to privacy guaranteed by the constitution; five others considered that minors do not have a right to sexual freedom and that the law did not describe the right to personal freedom as a right to sexual self-determination.

LGBT Rights in Chile VI

- Furthermore, section 373 of the Penal Code prohibiting breaches of morals and decency is still in force. Because of its vague nature, it could be used to repress marks of public affection between homosexuals or to arrest transgender people, even in the 21st century.
- In August 2011, Sebastián Piñera's right-wing government introduced a bill regarding the couple life agreement. In 2013, the Senate merged this project with the proposal for a cohabitation agreement proposed by Andrés Allamand in 2010. The joint commission finally chose the name of civil union agreement or Acuerdo de Unión Civil. The text is voted in 2014 and the law is promulgated on April 13, 2015 by President Michelle Bachelet.
- Act 20.830 states that **"the Civil Union Agreement is a contract celebrated between two people who share a home, with the aim of regulating the legal effects deriving from their affective common life, of a stable and permanent character"**. The CUA is concluded between adults of the same or opposite sex. It provides, among other things, for rights of inheritance and reversionary pension, a presumption of paternity for heterosexual couples and mutual assistance in common expenses, without the obligation of cohabitation. Between its entry into force and June 30, 2016, 6.360 Civil Union Agreements are being celebrated. 75% of them concern heterosexual couples, 14% men's couples and 11% women's couples.

LGBT Rights in Chile VII

- In Chile, adoption is reserved, in order of priority, for families of children, married couples and single people. Adoption is not permitted for homosexual couples, but adoption for singles is not reserved for heterosexuals. In the spring of 2019, the Chamber of Deputies votes in favour of adoption for all couples without priority for heterosexuals.
- From 1970, Act 17.344 allows a person to change his or her name and then sex once in a lifetime, after filing a claim in a civil court. Its initial vocation is to correct errors of civil status. The Act does not regulate the procedure and does not provide precise criteria, so the judge has a great deal of freedom of appreciation. It is in fact up to the judge to examine the application and to request any information such as medical examinations. Marcia Alejandra Torres Mostajo (born Arturo) was the first Chilean to undergo sexual reassignment surgery in March 1973 and then to change her name and sex on her identity papers in May 1974.
- From the years 2010, due to the greater visibility of transsexual people, more sex changes in the Civil Registry are made. If only 9 sex changes are registered in the Civil Registry in 2006, this number increases to 59 ten years later. In each case, half are male-to-female changes and half are female-to-male changes.

LGBT Rights in Chile VIII

- A bill to regulate gender change is introduced in May 2013 in parliament. It then provides for a judicial mechanism to effect change, the need for medical recognition and the exclusion of minors. The project stagnated in parliament for several years.
- In March 2018, the conservative Sebastián Piñera returned to the presidency of the Chilean Republic. **He is known to have considered that the gender change in the civil status was like "a t-shirt that you change every day"**. However, after the success of Sebastián Lelio's Oscar-nominated film "A Fantastic Woman" (in Spanish: Una Mujer Fantástica), whose main character is a transgender woman played by Daniela Vega, the Chilean Parliament passed a law allowing gender reassignment without the need for a judge's authorization or sexual reassignment surgery.
- The final text is approved in September 2018 by the Chamber of Deputies. It is promulgated by President Piñera in November 2018. The law extends the gender change to civil status to persons between 14 and 18 years of age and provides that the minor must be accompanied by a legal representative to make the change or can appeal to a judge. For adults, a change before a judge is not necessary: a form must be filled out at the civil registry in the presence of two witnesses. However, due to the lack of recognition of same-sex marriage, the law requires divorce for anyone wishing to have their sex change recognized.

LGBT Rights in Chile IX

- On July 12, 2012, the law 20.609 or Zamudio law is promulgated by President Sebastián Piñera. It prohibits any discrimination based on race or ethnicity, nationality, socio-economic status, language, ideology or political opinion, religion or beliefs, trade unionism or participation or not in trade union organizations, sex, sexual orientation, gender identity, civil status, age, filiation, personal appearance, illness or disability.
- The victims have 90 days after the discriminatory act occurred to bring an action for arbitrary non-discrimination before a judge. The law prohibits only "arbitrary" discrimination.
- To reassure conservatives, the law maintains reasonably justified discrimination, particularly with respect to privacy, freedom of conscience and religion, etc. The law does not prohibit "arbitrary" discrimination. Fines ranging from 320 to 3,200 euros are expected.
- The law is in fact rarely applied. Between 2012 and 2018 only 389 complaints were based on the Zamudio law. The Movilh Association is calling for a reform to make the law more effective, including the creation of an agency dedicated to the fight against discrimination.
- In January 2019, the government launched a consultation to improve the Zamudio Law.

Coalition of African Lesbians I

- **Created in 2003, the Coalition of African Lesbians (CAL) is a non-profit, pan-African lesbian rights organization based in South Africa. The Coalition comprises 30 different organizations based in 19 countries across Africa. The organization's mission is to achieve greater justice, equality and visibility for lesbian and bisexual women and trans diverse people across the continent.**
- **The organization was founded by 50 activists attending the Sex and Secrecy Conference held by the International Association for the Study of Sexuality, Culture and Society in Johannesburg, South Africa, in 2003.**
- **In 2010, the African Commission on Human and Peoples' Rights refused to give the CAL observer status and rejected the organization's May 2008 application. The Commission initially rejected the application, stating "the activities of the said Organisation do not promote and protect any of the rights enshrined in the African Charter."**
- **However, in 2014, the CAL submitted another application, which was approved in 2015. Then, in 2018, the organization's observer status was revoked, leading to protests.**

Coalition of African Lesbians II

- **The Coalition of African Lesbians outlined a number of broad objectives in its 2006 constitution:**
 - To advocate and lobby for the equal political, sexual, cultural and economic rights of African lesbian, bisexual and trans diverse people by engaging strategically with African and international structures and allies.
 - To eradicate stigma and discrimination against lesbians in Africa.
 - To build and strengthen our voices and visibility through research, media and publications, and through participation in local and international forums.
 - To build the capacity of African lesbians and our organizations to use African radical feminist analysis as a means of understanding and challenging the discrimination and oppression we experience in all spheres of our lives.
 - To build a strong and sustainable LGBT coalition that supports the development of national organizations working on LGBT issues in every country in Africa.
 - To support the work of these national organizations in all the foregoing areas, including facilitating the personal growth of African LGBT people and building capacities within their organizations.

LGBT Rights in Somaliland

- LGBT people in Somaliland may face legal challenges that non-LGBT residents do not.
- In 1858, the Ottoman empire legalized same-sex relationships. In 1940, Italy conquered British Somaliland and annexed it to Italian East Africa. Because Italy had legalized homosexuality in 1890, it became legal by default in Somaliland. In 1941, the British reconquered Somaliland, and homosexuality became illegal again.
- When the Democratic Republic of Somalia gained independence in 1964, a new penal code came into force. Sections 400 and 409 of the code state that “whoever has carnal intercourse with a person of the same sex shall be punished, where the act does not constitute a more serious crime, with imprisonment from three months to three years. Where the act committed is an act of lust different from carnal intercourse, the punishment imposed shall be reduced by one third.”
- In 1991, Somaliland unilaterally declared its independence from Somalia, but continued to enforce the same penal code.
- Currently, the country does not legally recognize same-sex marriage or civil unions.

LGBT Rights in Senegal I

- Homosexuality is a crime of indecent assault in Senegal. Homosexuality is legally characterized as an “improper or unnatural act with a person of the same sex,” and is punished by imprisonment of one to five years.
- The anti-homosexuality law is based on the French ordinance of June 1942, signed by Marshal Philippe Pétain, which was inspired by a German law.
- Homosexuality is punishable in Senegal under paragraph 3 of section 319 of the Senegalese penal code (law no. 66-16 of February 12, 1966), which states that “whoever will have committed an improper or unnatural act with a person of the same sex will be punished by imprisonment of between one and five years and by a fine of 100,000 to 1,500,000 francs. If the act was committed with a person below the age of 21, the maximum penalty will always be applied.”
- Before 2008, Senegal was one of the African countries thought to be most accepting of homosexuality. It was the first Francophone African country to create public health programs for men who have sex with other men. However, acceptance was relative: homosexuals who were too visible risked having stones thrown at them. Subsequently, events that occurred in 2008 and 2009 caused homophobia to become rampant in Senegal.

LGBT Rights in Senegal II

- In August 2008, two men, one of whom was a Belgian citizen, were sentenced to two years in prison for “**gay marriage and unnatural acts.**” Members of the public reacted strongly. One of the men thought to have attended the “wedding” had to go into exile in South Africa. Right after that, the young men accused of homosexual acts were arrested, before being released. Mbaye Niang, an imam and a parliamentarian, protested their release and organized an anti-homosexuality rally. Afterwards, people accused of homosexual acts were persecuted across the country.
- In 2008, in a rare occurrence, proposed legislation brought many members of the governing and opposition parties together with the goal of imposing harsher punishments on people convicted of homosexuality. **This alliance was rooted in the shared homophobia of Muslim religious leaders from competing brotherhoods.** Young rappers also supported the initiative.

LGBT Rights in Senegal III

- On January 6, 2009, nine Senegalese men who had been arrested at a private residence, following an anonymous tip, were sentenced to eight years in prison without parole for “**criminal association.**” The men were gay and involved in the fight against AIDS as representatives of AIDES in Senegal. Their sentence was apparently harsher because sex toys and condoms, used to protect against AIDS, were seized from the residence.
- AIDES Senegal is a Senegalese organization headquartered in Dakar that was registered on March 5, 2012, by the Ministry of Interior.
- The organization’s objectives are as follows:
 1. To unite members working toward a common goal and foster understanding and solidarity between them.
 2. To work to improve the health and well-being of vulnerable populations in Senegal.
 3. To fight HIV/AIDS.
 4. To support and assist people living with HIV.
 5. To contribute to the country’s development.

LGBT Rights in Senegal IV

- During a council of ministers, French president Nicolas Sarkozy said he was troubled and concerned by the arrests. The director of the French National Agency for Research on AIDS and Viral Hepatitis (ANRS) expressed worry. The National AIDS Council asked the French government to take action with respect to the conviction. The mayor of Paris, Bertrand Delanoë, expressed great concern.
- On January 14, 2009, AIDES started a petition aimed at Senegalese president Abdoulaye Wade. The Dakar court of appeal overturned the conviction, and the nine men were released on April 20, 2009.
- Frustrated by the government's laxity, a group of Muslim religious leaders created the *Front islamique pour la défense des valeurs éthiques* (Islamic front for the defense of moral values) and stated that they wanted anyone convicted of homosexuality to receive the death penalty. This initiative took hold across the country: the corpses of *goor-jigen*, “men-women” in the Senegalese tradition, were dug up in cemeteries in a number of Senegalese regions. Prominent political and religious figures convinced themselves that a wave of homosexuals were entering the country, posing a threat to Senegal's social order, and the media echoed this belief.

LGBT Rights in Senegal V

- In December 2015, 11 people were arrested for attending a private wedding ceremony between two people of the same sex.
- In a country that is 90% Muslim and where homosexuals are poorly regarded, the press fuels homophobia by publishing sensationalist headlines and presenting biased facts.
- In 2014, President Macky Sall stated that the country was not ready to decriminalize homosexuality. Two years later, he specified that homosexuality goes against the Muslim religion and said that as long as he was president of the Republic, homosexuality would never be permitted in Senegal.
- Because of certain mindsets and the law, life is especially difficult for LGBT people, and they face homophobic violence.

LGBT Rights in some Muslim countries

- Homosexuality, bisexuality and transidentity are considered taboo in Pakistan, and the rights of LGBT people are almost non-existent. According to law, homosexuality has been illegal in Pakistan since 1860. The law has not yet been abolished. Because of religious intolerance for some sexual practices, public opinion tended to focus on sexual minorities.
- The rights of LGBT persons are not recognized in Saudi Arabia. Homosexuality and cross-dressing were viewed as immoral acts and treated as serious crimes. Although the kingdom was criticized by human rights organizations, Saudi Arabia consistently defended itself as conforming to the morality of Islam.
- LGBT persons in Morocco may face specific legal challenges not faced by non-LGBT residents because homosexual relations between women and men are illegal. Recognition is therefore null and void, since same-sex sexual relations are very severely punished under Moroccan law under the provisions of section 489 of the Moroccan Code of Criminal Procedure.

LGBT Rights in the Middle East I

- Lesbian, gay, bisexual and transgender citizens generally have limited or highly restricted rights in most Middle Eastern countries and may encounter hostility. Homosexuality is illegal in 10 of the 18 countries that make up the region and punishable by death in 6 of those 18 countries. The rights and freedoms of LGBT people are greatly affected by the region's culture and religious principles, in particular Islam.
- All sexual orientations are legal in Bahrain, Cyprus, Israel, Jordan, Palestine (West Bank) and Turkey. Female homosexuality is legal in Palestine (Gaza Strip) and Kuwait. However, the legal status of female homosexuality is unclear in Egypt.
- Although laws against female homosexuality are less strict, the rights of lesbians are generally not recognized or protected.
- Male homosexuality is illegal and punishable by imprisonment in Kuwait, Egypt, Oman, Qatar and Syria. It is punishable by death in Iran, Iraq, Saudi Arabia, Qatar and the United Arab Emirates. In Yemen and Palestine (Gaza Strip), the punishment may be death or imprisonment, depending on the act committed.
- Several Middle Eastern countries have received harsh international criticism for criminalizing homosexuality.

LGBT Rights in the Middle East II

- In Iran, Saudi Arabia, Qatar, the United Arab Emirates and Yemen, the law states that if a person is found engaging in sexual activity with a person of the same sex, the death penalty will be applied. According to national reports from the US Department of State, there are no established LGBT organizations in Saudi Arabia. Furthermore, reports of official and social discrimination on the grounds of sexual orientation remain unclear because of considerable social pressure not to discuss LGBT matters.
- Jordan, Bahrain and Iraq are the only Arab countries where homosexuality is legal; however, there is some stigma in Iraqi society that sometimes leads to vigilante executions. The Islamic State does not tolerate homosexuality. Certain Middle Eastern countries have some degree of tolerance and legal protections for transgender people. For example, the Iranian government approved gender affirming surgery with medical approval. The Syrian government approved similar surgeries in 2011. There are LGBT rights movements in other Middle Eastern countries, including Turkey and Lebanon. However, in both countries, change has been slow, and the recent crackdown on LGBT-related events has raised concerns about the freedom of association and expression of LGBT people and organizations.
- Israel is a notable exception. It is the most progressive Middle Eastern country in terms of LGBT rights and the recognition of unregistered cohabitation. Same-sex marriage is not legal in the country, but there is public support for the idea. Trans people can legally change their gender without surgery and can openly serve in the Israel Defence Forces.

LGBT Rights in the Middle East III

- In a few places, such as Egypt and Morocco, sexual orientation and gender identity issues have begun to enter the agendas of some 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.
- Identity politics 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 people in terms of the rights and protections violations that existing human rights movements understand.
- Although many Middle Eastern countries have penal codes that are against homosexual acts, these codes are rarely enforced because it is difficult to prove the crime unless the person is caught in the act. In the Middle East today, many countries still do not have codification of homosexuality or queerness as an identification of sexual orientation.
- In Saudi Arabia, gender segregation is practised to preserve women’s purity. As a result, some men and women will openly seek same-sex companionship in public spaces, such as coffee shops, public bathrooms, their cars and their homes. To navigate their own sexuality, many men who engage in same-sex acts in Saudi Arabia do not consider the acts to be homosexual unless they are on the bottom, a sexual position deemed to be more feminine, whereas being on top is considered to be more masculine.

LGBT Rights in the Middle East IV

- In Iran, gender is strictly binary. The government enforces gender binary by eliminating information on homosexuality and by encouraging people questioning their sexuality to undergo gender affirming surgery.
- Since gender affirming surgery is approved by the government and religious institutions and since government funding is available for the surgery, many Iranians who are attracted to people of the same sex feel that it's a way for them to be open about their sexual orientation without being persecuted by the government.
- Since being homosexual is not an option for Iranians, a growing number of Iranians who are attracted to members of the same sex are having gender affirming surgery.
- Religious figures, psychologists and the government support the surgery because homosexuality is illegal and punishable by lashing or execution.
- This has boosted Iran's transsexual community. Since homosexuality has been removed from society as an identity, homosexuals and transsexuals all have to have gender affirming surgery.
- The people who undergo surgery are fully accepted by the government, but often their families still reject them. Family members are a key resource for getting jobs in Iran. Without a social network to call on for job leads, it is increasing difficult for transsexuals to find work. Discrimination on the job market forces them into sex work.

LGBT Rights in the Middle East V

- The following organizations have made a significant impact in the Middle East:
- **Rainbow Street** is a non-governmental organization (NGO) that is determined to help LGBT people in the Middle East and North Africa (MENA) in any way they need. This includes
 - working with local health care providers to promote the mental and physical health of members of the local LGBT community; and
 - providing regular cash stipends to especially vulnerable LGBT people to alleviate some of the challenges of homelessness, food insecurity and other barriers to dignity and self-determination.
- **Outright** is an NGO that promotes LGBT human rights around the world, including in the Middle East. The organization focuses more on Iraq, Iran and Turkey, but it also partners with other regional groups to listen to local LGBT activists and advocate on their behalf to the United Nations.
- **Helem** is an NGO based in Lebanon. Its main objective is to abolish section 534 of the Lebanese penal code, which punishes unnatural sexual intercourse and is most commonly used to target people who do not conform to society's binary gender system. Helem also aims to raise Lebanese society's awareness of the AIDS epidemic and of other sexually transmitted infections in the country and to advocate for the rights of Lebanese LGBT individuals. Helem allows allies to join the organization.

LGBT Rights in Algeria

- **LGBT individuals in Algeria face specific challenges. Both male and female same-sex acts are illegal.**
- **Sections 333 and 338 of the Algerian law state the following:**
 - **Anyone who has committed an act of outrage to public decency shall be punished by imprisonment of two months to two years and a fine of 500 to 2,000 Algerian dinars (\$5 to \$20 CAD).**
 - **When the outrage to public decency involves an act against nature with an individual of the same sex, the penalty is imprisonment of six months to three years and a fine of 1,000 to 10,000 Algerian dinars.**
 - **Anyone guilty of a homosexual act shall be punished by imprisonment of two months to two years and a fine of 500 to 2,000 Algerian dinars.**
 - **If one of the participants is under 18, the sentence given to the older person can be raised to three years and a fine of 10,000 Algerian dinars.**

LGBT Rights in Spain

- In 2005, Spain became one of the few countries in the world to legalize same-sex marriage. The country also has some of the most progressive LGBT rights legislation. For example, same-sex couples have adoption rights, and trans individuals can legally change their gender.
- Spain's LGBT culture has crossed national borders through films such as those by Pedro Almodóvar and events such as EuroPride 2007, held in Madrid.
- Homosexuals are now seen in branches of society that were once off limits to them: the army, the Guardia Civil and the judiciary.
- However, in other areas, such as football, homosexuality is not necessarily widely accepted.

LGBT Rights in the United Kingdom

- The United Kingdom did not recognize the rights of LGBT people until the second half of the 20th century, when sexual activity between men was decriminalized and the State gradually gave its support to the LGBT community. Before that, the Buggery Act 1533 defined sodomy as a crime punishable by hanging (until 1861) and subsequently imprisonment.
- Today, discrimination on the grounds of sexual orientation and gender identity is illegal in housing, employment, and the provision of goods and services. The British armed forces allows LGBT individuals to openly serve their country.
- On January 8, 2001, the age of consent was lowered to 16, regardless of sexual orientation, through an amendment to the Sexual Offences Act. In 2002, same-sex couples were granted the right to adopt, and in 2005, the right to enter into a **civil partnership**. Moreover, the Gender Recognition Act 2004 enables trans people to legally change their gender. Same-sex marriage has been recognized in the United Kingdom since April 2014.

Homosexuality is punishable by death

- **Afghanistan**
- **Saudi Arabi**
- **Bruni**
- **Iran**
- **Mauritania**
- **Nigeria**
- **Pakistan**
- **Qatar**
- **Somalia**
- **Yemen**

In Rome, do as the Romans do

- In medieval Latin, the maxim "**Si fueris Rōmae, Rōmānō vīvitō mōre; si fueris alibī, vīvitō sicut ibi**" means : "If you are in Rome, live like the Romans; if you are somewhere else, live like they do."
- This quotation refers to St. Augustine's journey to Rome, where, as he describes in letter 54 to Januarius, he became accustomed to the customs. This maxim is repeated in several languages:
- German: Wenn du in Rom bist, verhalte dich wie die Römer - In Rome, act like the Romans
- English: When in Rome, do as the Romans do - In Rome, do as the Romans do
- Arabic: **عندما تكون في روما تصرف كما يتصرف الروم** - In Rome, act like the Romans
- Chinese: **入乡随俗** - **Faites comme les locaux** ou **入鄉隨俗** - Follow local customs
- Spanish: **a donde fueres haz lo que vieres** - Where you go, do what you see
- Esperanto: **alia lando, aliaj moroj** - Another country, other customs
- French: **In Rome, do as the Romans do**
- Japanese: **郷に入れば郷に従え** - In Rome, do as the Romans do
- Portuguese: **em Roma, sê romano** - In Rome, be Roman
- Turkish: **Roma'dayken Romalılar gibi davran** - When in Rome, act like the Romans

- Therefore, when an LGBT person is abroad,
- Act like the locals!

My personal comments and as counsel I

- Generally, in Western countries, human rights and freedoms have a similar meaning and application, but not the same as ours.
- In the former countries of Eastern Europe, the Middle East, Asia, Africa, South America and the Caribbean, human rights and freedoms have a meaning and application which can be very different from ours because the cultures of these countries, their history, their evolution, their society, their religion, their way of life, the color of their skin and their government are different.
- Being an LGBT person adds an extra element of difference and as in my case I am a very visible person and I talk to everyone I realize this difference very easily but people remain polite.
- However, as LGBT laws have greatly evolved over the past sixty years, I see that the problem is no longer so legal but rather social; **it's a mentality issue.**
- Mentalities are changing, but slowly; we will need at least two generations for an LGBT person to be no longer just tolerated, but accepted as a full person.
- The law can do little or nothing to change mentalities, but changes in the law can convince people to change their opinion. However, this change will take time, at least two generations.
- Case law can help resolve different issues one by one.
- **Do you want examples ?**

My personal comments and as counsel II

- In one case that I pleaded, the judge kept calling me "Sir", not even "Master", while the lawyer representing the other party called me at least "chère consoeur" or "ma consoeur". What do you think?
- In a competition for a position in the public service, the manager who interviewed me told me that I was the best candidate but that he would not hire me because he feared the reaction of his employees to him if he hired me.
- In another competition for a public service position, the manager's administrative assistant called me privately to tell me that the manager had preferred to close the position rather than hire me because he did not want a transgender person on his team. The assistant added that I was the only qualified candidate and she thought it was unfair that I was not hired.
- I will not describe all the cases of discrimination I have faced, as there are hundreds of them, but you can well imagine.
- Being transgender is not politically correct; it's not preppy.

My personal comments and as counsel III

- When I began my transition in 1997, I received several hurtful comments from male lawyers, usually older, such as:
 - You are a disgrace to the Bar.
 - The Bar should disbar you.
 - You will never work for us as a lawyer, etc.
- Women lawyers have been kinder and more understanding towards me. To my recollection, none of them ever made a derogatory remark to me. A woman probably understands my situation better.
- As I said, there are attitudes that need to change, but it will take time.
- My motto is "Fluctuat nec mergitur" and it means:
 - **She is defeated by the waves, but does not sink.**
- **To use a popular term, I am very resilient.**

My personal comments and as counsel IV

- I have a general comment to make. Of all Western countries and having traveled extensively, I am convinced that Canada is the country where the rights of LGBT people are best guaranteed by law and the courts and where LGBT people are the best treated and have opportunities to develop in human and professional terms.
- The main problem arises from the presence in positions of authority of people who are prejudiced, who are homophones and transphobes or who are extremely religious and who, because of their religious beliefs, constitute a significant obstacle to the recognition of rights of a person who happens to be an LGBT person.
- A judge or a registrar of civil status or a director of human resources or a department head can put obstacles in the way of the recognition of a name, a change of the designation of sex, a marriage, a job, promotion, leave, etc. because of his prejudices.
- These people should be fired and that is why they need to be reported, privately to begin with, in public if necessary, and finally through court proceedings if it comes to this point.
- **Discrimination must stop here and now.**

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Any questions?





THANK
YOU