

Committee: SOCHUM 2

Topic: The question of LGBTQia+ rights

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Summary

Currently, 37 countries in the UN allow same-sex marriage, whereas far more criminalise it. There are several different areas to do with being LGBTQia+, some of which delegates may find easier to settle, whereas others such as sport may be far more difficult to settle overall. The root of Homophobia and Transphobia comes from the 13th century and was criticised in some states before that anyway. While in ancient society, homosexuality was the only type of LGBTQia+ really understood, in modern times there are many other types of identification on the LGBTQia+ spectrum. Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual and more. Every individual is protected under the Universal Declaration of Human Rights, however in many nations LGBTQia+ individuals are not given their basic human rights and are thrown in prison for how they identify. There are a few solutions that delegates could consider employing to ensure the protection of the Human Rights of LGBTQia+ individuals. This could include educating children about being LGBTQia+ early on to combat Homophobia. Or instituting 3rd category solutions that allow LGBTQia+ individuals to identify happily in sports or with governments. Delegates should aim to find a solution listed here for LGBTQia+ problems.

Definition of Key Terms

Gay - Officially only referring to men attracted to other men, this term has somewhat taken on another meaning and is used now as an umbrella term to refer to all people in the LGBTQia+ spectrum.

Transgender - This term refers again to those changing gender, however, has become an umbrella term for anyone who identifies in the gender part of the LGBTQia+ spectrum. This could refer to Transgender, Non-Binary, Agender or Genderfluid, etc. (“Transgender - Definition”)

Homophobia & Transphobia - “harmful or unfair things a person does based on a fear or dislike of gay people or queer people (= people who do not fit a society’s traditional ideas about gender or sexuality):” and “policies, behaviours, rules, etc. that result in a continued unfair advantage to straight people (= men who are attracted to women and women who are attracted to men).

Gender Dysphoria - Gender Dysphoria is the unhappiness with one's gender. This can lead to anxiety, depression, or being uncomfortable when acting as their traditional CIS gender. People with gender dysphoria very commonly identify in the LGBTQia+ spectrum and are usually much happier identifying as their preferred gender.

Intersectionality - “Intersectionality, in social theory, the interaction and cumulative effects of multiple forms of discrimination affecting the daily lives of individuals, particularly women of colour. The term also refers more broadly to an intellectual framework for understanding how various aspects of individual identity—including race, gender, social class, and sexuality—interact to create unique experiences of privilege or oppression.” (“Intersectionality”)

Human Rights Violations - Human rights violations are when a cooperation person or something else violates the rights of an individual, and this is considered a crime against the person themselves. Many Individuals who identify in the LGBTQia+ spectrum can often face human rights violations in countries that do not allow LGBTQia+ individuals, such as degrading treatment with forced conversion therapy.

Background Information

LGBTQia+ Individuals have been around for a very long time; however, only really gay and lesbian individuals have been understood as a concept for a long time. While not accepted in all historical cultures, it was understood as either natural, a choice or a mental disability. While not true in many cases, it was understood as an idea. In many ancient cultures homosexuality was accepted such as Ancient Greece, China, Rome, Egypt or Japan. All of which have some recognition for same-sex couples today. Going from full marriage to allowing civil unions.

Today much of the opposition to being Homosexual, Bi, Pan activity comes from religion and the rise of Christianity across Europe. This was mainly pushed by Peter Damian in the 12th century, who claimed homosexuality was without morals and a sin against God. His views were echoed by many other people in the Catholic Church and agreed upon by many others, not just in the

Catholic Church. This view of things not being right and needing to earn a passage to heaven was popularised in the 13th century, with more and more things seen as obstacles placed by the devil to tempt people to corrupt them and prevent them from reaching heaven. This includes homosexuality and many other practices. Again, in one view Martin Luther shared with the Catholic Church was the view of homosexuality, naming it sodomy and being viewed as an express ticket to hell. Homosexuality became so taboo in the open that being seen as it was completely illegal publicly. This view was carried around the world during the age of imperialism, during which most of the world was colonised, leading to European views on homosexuality. Being that it was a crime against God and religion as such not being encouraged.

One major problem arising from gender switching can be found in sports and competitive physical sports. While games such as chess pose no issues as the game is entirely intellectual, sports do show a proper issue as through evolution males are naturally stronger on average which can lead to unfair placement for women becoming men and an unfair advantage for men becoming women as they are stronger on average. There are also some examples of this happening in sports competitions and transgender athletes winning competitions, all going from male to female. This has ranged from small relatively unimportant school sports tournaments such as in Connecticut in 2018 to larger competitions with Cece Telfer winning the NCAA Division's 400 metres hurdles and destroying the born female competitors, or finally Lia Thomas again easily defeating competitors in swimming competitions (Muchnick). This is clearly unfair as CIS gender males have a natural-born advantage over CIS gender females in sport, ruining the competitions for many. However, these competitors, assuming the nation has legalised gender changing surgery, have inherent rights to identify how they truly are to feel right in their own skin and are not forced to endure gender dysphoria for their time competing in competitive sports. Different sports have taken different positions on this with a large decision being taken by Rugby officials in banning transgender athletes from competing in their preferred gender because of fears over unfair play but more importantly over health risks with far stronger CIS male athletes injuring female athletes, and for CIS female athletes being injured in male games (worldrugby.org). Overall, this argument has sparked debate between different groups over whether athletes must compete in their CIS gender and what is fair and safe for sport. Another issue that arises from gender changing surgery is that in modern dating and online dating apps, some individuals may not wish to date someone originally from the same gender as themselves however it is sometimes very difficult to tell what someone's CIS gender is accurately. This problem leans towards consent with people being uninformed about who

someone is while consenting, which would violate consent laws around the globe, causing criminal action as consent is often not legal without complete information.

Overall, there are issues that do spark from being LGBTQia+. However, while sexual identity related issues often have few issues, gender related identity problems create far more problems including other problems not listed here that only complex solutions will be able to solve.

Major Countries and Organisations Involved

Germany - Germany is an important leader in the LGBTQia+ world as it has legalised some important laws giving same-sex couples many of the same rights and different gender couples such as the ability to adopt children in 2017. As well as being far ahead of many other nations and giving a kind of marriage to same-sex couples called a civil union. Germany has also passed progressive laws making discrimination based on sexual orientation or gender orientation illegal. Finally, Germany has introduced a third option on official documents for a diverse gender to include people who do not fit cleanly into male or female.

South Africa - South Africa is one of the few countries in Africa that has protection for LGBTQia+ individuals, having published anti-discrimination laws in 2000 and legalising changing gender from 2003 on, setting a good precedent for other countries in a similar region without such protective laws.

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) - ILGA's mission statement explains why they are relevant as they advocate for LGBTQia+ rights and as such why their organisation is important to the promotion of LGBTQia+ rights since 1970.

"Our mission is to: act as a leading organisation and a global voice for the rights of those who face discrimination on the grounds of sexual orientation, gender identity, gender expression and/or sex characteristics (SOGIESC). Work towards achieving equality, freedom and justice for lesbian, gay, bisexual, trans and intersex people through advocacy, collaborative actions, and by educating and informing relevant international and regional institutions as well as governments, media and civil society. Empower our members and other human rights organisations in promoting and protecting human rights, irrespective of people's sexual orientation, gender identity, gender expression and/or sex characteristics and to facilitate

cooperation and solidarity among ILGA regions and members. Promote the diversity and strengths of persons of diverse SOGIESC around the world.” (“What we do - ILGA World”).

Timeline of Events

Date	Description
2284 BCE	Pepi II Neferkare - First reasonable evidence of an individual being either Gay, Bi, Pan or attracted to individuals of the same sex. Historians argue over whether this may have been propaganda intended to slander Pepi.
1919 – 1933	Weimar Republic - Relaxed censorship and increased tolerance because of the horrors of the first world war along with many other factors such as reduced censorship laws, led to the Weimar Republic allowing most people on the LGBTQia+ spectrum so long as sexual action was kept private, effectively being the first state with being LGBTQia+ legalised in Europe for over 1000 years. This ended in 1933 with the rise of the Nazis.
1978	Founding of ILGA - ILGA is a large player in promoting LGBTQia+ rights and encouraging different nations to accept LGBTQia+ individuals.
1980	First gender changing legislation - Germany legalises changing official gender on documents apart from medical records.
2001	Same sex union legal in the Netherlands - The Netherlands became the first country to allow some kind of civil union/marriage for same-sex couples in recent history.
2003	Considerations Regarding Proposals to Give Legal Recognition to Unions Between Homosexual Persons - The church published a document opposing same-sex marriage and recognising same sex union, however while stating that it was not evenly remotely close to a marriage and would not hold the same rights in their eyes. [The Roman Catholic Church]
2004	Changing official gender legal in Parliament - British Parliament officially makes the change in law to legalise changing gender on documents such as passports.
2015	Obergefell Vs Hodges - This was a ruling by the American supreme court that made banning same-sex marriages in their states illegal and protected the right to same-sex marriage in all of America.
2016	Human Rights Council Resolution 32/2 - See relevant Un Treaties and Events
2024	Thailand Legalises same-sex Marriage - This is the most recent case of same-sex marriage being legalised.

Relevant UN Treaties and Events

Universal Declaration of Human Rights - The Universal Declaration of Human Rights protects many different rights of all individuals, including the right to gender. As well as the right to be recognised as a person, which some nations do not recognise LGBTQia+ citizens as. Again, this being like article 19 allowing freedom of expression, which again is not allowed in many nations for LGBTQia+ individuals (“Universal Declaration of Human Rights | United Nations.”).

Human Rights Council Resolution 32/2 - This resolution protects LGBTQia+ individuals against discrimination by law and strictly outlaws' violence and discrimination against them. However, this resolution has not been implemented in many nations around the world (“Human rights Documents”).

List of all countries where same sex unions are legal to different degrees

https://en.wikipedia.org/wiki/Same-sex_marriage

The same for allowing preferred gender

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

Possible Solutions

Education and Awareness Programs - One more solution that targets the base of the problem (being LGBTQia+ phobia) that leads to discrimination and a lack of protective policies is introducing educational programs in schools and educational facilities such as universities or language learning institutes but, most importantly to primary and elementary schools so that young children become used to LGBTQia+ individuals and are not scared by them or the possibility of not being what they may consider “normal” and as such will be far more inclusive in the future resolving some of the issues faced by LGBTQia+ individuals slowly by lowering the discrimination.

Mandatory Inclusive Policies - This solution could include policies that make it far more difficult to discriminate against LGBTQia+ individuals, such as making it mandatory to not include genders on CV's or having more checks in a company to make sure that companies do not turn away similar individuals with similar qualifications based on their sexual orientation or

gender orientation and hire people purely based on merit, as well as possibly an addition to the Universal Declaration of Human Rights that protects same-sex marriage as well as the right to gender altering surgery.

3rd Category Solutions - Another possible solution is introducing a third option in sports or in other categories of competition or work, where people are often split into male and female. Then in violent sports such as rugby, possibly introducing a 4th category so that sports personalities feel comfortable playing as their chosen gender but still in their CIS gender so as not to injure any other competing individuals.

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