

ACADEMIC POLISH  
MODEL UNITED NATION



*Future of Diplomacy*

**United Nations Human Rights Council**

*LGBT+ Rights in Developing Countries*

*Kinga Grzelczak and Jakub Jarema*



## WELCOMING LETTER

Dear delegates,

It is our greatest pleasure to welcome all of you to the United Nations Human Rights Council during Academic Polish Model United Nations 2019. We are absolutely honored to serve as your Chairs during this year's conference. UNHRC is a special committee for us. It protects and cares for fundamental rights, which are human rights - universal and inalienable. This year we are discussing the extremely important issue of LGBTQ+ rights, which, even in today's modern world, are systematically violated. We will try to focus especially on currently developing countries, where this topic should be indisputable and absolutely protected.

We hope for substantive and effective discussion and we are ready to answer all of your questions regarding both the organization of work in the committee and the topic itself.

We cannot wait to meet all of you, welcome to POLMUN 2019.

Yours sincerely,

**Kinga Grzelczak and Jakub Jarema,**  
*Chairs of the Human Rights Council.*



## INTRODUCTION TO THE COMMITTEE

Human Rights Council is a United Nations body whose mission is to promote and protect human rights around the world. It was established by the UN General Assembly on March 15, 2006. UNHRC promotes and protects human rights by raising topics such as the LGBTQ+ representatives' rights.

## INTRODUCTION TO THE TOPIC

In 2011, the UNHRC passed its first resolution recognizing LGBTQ+ rights. The topic was also raised by the Office of the United Nations High Commissioner for Human Rights who created a report paying attention to hate crimes, criminalization of homosexual activity, and discrimination of the LGBTQ+ community.

Despite actions taken, the reluctance to different sexual orientations continued to grow, constituting over 32% of all the hate crimes in 2015.

LGBTQ+ people around the world face violence and hate only because of who they are, how they look and who they love. They experience discrimination daily, at schools and workplaces, they are harassed in the streets, beaten up and sometimes killed in the places where they should be free from any kind of judgement for simply being in line with their nature.

Right now, there are 70 countries penalising same-sex sexual activity and 9 of them, which penalise it with death. Sexual orientation and gender identity are integral aspects of our



selves and should never lead to any abuse or discrimination. Citizens of every country should always have the right to freedom, equality and tolerance.

The history of LGBTQ + goes back to ancient times. Each of the generations had a certain impact on the situation of LGBTQ+ representatives but all indicates that we are the ones who can have the greatest impact so far thanks to wide access to information and increasing globalization of the world.

During this year's conference, we will focus on the situation of LGBTQ+ representatives in currently developing countries, widely understood as countries with a less developed industrial base relative to other countries. These countries, seeking to provide a higher quality of life, should ensure basic rights for all of their citizens.

Article 19 of the Universal Declaration of Human Rights protects everyone's right to express themselves freely. The protection of this article should be the first priority for the United Nations member countries which you will represent during our conference.



## LIST OF ABBREVIATIONS

AFEW Aids Foundation East West

AIDS Acquired Immunodeficiency Syndrome

ARV Antiretroviral treatment

CBO Community Based Organisation

CEDAW Convention of the Elimination of all forms of Discrimination Against Women

DFID Department for International Development

EU European Union

GF Global Fund on HIV/AIDS, TB and Malaria

HIV Human Immunodeficiency Virus

IDU Injecting Drug User

IGLHRC International Gay and Lesbian Human Rights Committee

IGLYO International Lesbian And Gay Youth Organisation

ILGA International Lesbian and Gay Association

INGO International Non-governmental Organisation

IOM International Organisation for Migration

LGBT Lesbian, Gay, Bisexual and Transgender

LGB Lesbian, Gay and Bisexual



MENA Middle East – North Africa

MSM Men who have Sex with Men

NACO National AIDS Control Organisation (India)

NGO Non-governmental Organisation

OECD-DAC Organisation for Economic Co-operation and Development – Development Co-operation Directorate

TAC Treatment Action Campaign

TI Transgender and Intersex

UN United Nations

UNHCR United Nations Commission on Human Rights

UNDP United Nations Development Programme

UNGASS United Nations General Assembly Special Session

UNIFEM United Nations Development Fund for Women

VCT Voluntary Counselling and Testing

## **NECESSARY DEFINITIONS**

1.LGBTQ+ is an acronym for lesbian, gay, bisexual, transgender and queer or questioning. These terms are used to describe a person's sexual orientation or gender identity.



2.DEVELOPING COUNTRIES are countries with a less developed industrial base and a low Human Development Index relative to other countries.

3.SEXUAL ORIENTATION refers to who people are and who they are attracted to. According to Amnesty International, „everyone’s sexual orientation is personal and it’s up to them to decide how – and if – they want to define it, and for some people this changes over time”.

### **EXAMPLES OF VIOLATION OF LGBT+ RIGHTS IN DEVELOPING COUNTRIES**

Despite the measures undertaken by the UN and the vast majority of Member States to protect and liberate LGBT+ people around the globe, there can be still observed new examples of the countries where essential human rights are violated. Latest alarming attempts to stifle LGBT+ communities and their inalienable human rights came from Uganda, Brunei and earlier from Chechnya and Russia.

#### **Ugandan “Kill the gay” Bill**

Previously overturned under the pressure from the Western countries, Anti-homosexuality Act is once more being considered to be introduced into Ugandan law. Uganda is again facing pressure from the international community, especially the EU which firmly condemned proposed changes in the state criminal law. After the persistent diplomatic and political efforts from the European countries and threat of sanctions and isolation, Uganda has once again withdrawn from inhumane idea.

#### **Brunei’s death penalty proposal**

After the introduction of Sharia law and proclaiming dual law system in 2014, Brunei sharply turned towards restricting personal freedoms of its citizens. Proposed in 2019 and quickly deprecated by the international community, change in the legal system that would punish



sexual intercourse between men with death was eventually backtracked by country's regulators. The proposed change alone caused massive outburst of anger against Brunei's ruler, Sultan Hassanal Bolkiah, whose luxury hotels and other businesses were boycotted by such personalities as George Clooney or Elton John. Worth noting is the fact that Bruneian law much more harshly penalises sexual contacts between men than women.

### **In Chechnya “there are no gays at all”**

Those words were spoken by Chechnian ruler Ramzan Kadyrov, when he was asked about anti-gay purges taking place in the republic. In 2017 the world heard for the first time about organised and encouraged by the local government anti-gay purges happening in Chechnya. Since then, dozens of men were reported missing and some of them confirmed dead after detention in camps and prisons. The regular manslaughter was taking place there under the connivance from the government. But more alarming is the fact that little has been done by the international community to cease this brutal practice. Chechnya is an autonomous republic that belongs to Russian Federation and local law is applied there and it penalises sexual intercourse between men with capital punishment.

## **DISCUSSION OF THE TOPIC**

The discussion of the topic should firstly focus on addressing legitimate threats and problems of LGBT+ communities in developing countries, especially those where discrimination and abuse of the human rights occur at the institutional level. Thorough discussion should lead to substantial solutions that can be implemented in the developing countries, based on their social attitudes and cultural conditions. The solutions proposed by the chamber should include both institutional and social approaches to tackle the problems.





Different measures should be taken into account based on the level of discriminations and abuse experienced by nonheteronormative groups in different countries, the situation of LGBT+ people in Ukraine isn't though the same as it is in Iran. Positive impacts of providing LGBT+ groups with protection and rights should be highlighted as they might be valuable arguments for developing countries to change their legislation and social attitudes. Worth noting is the fact that many research conclude a clear message that emancipation of LGBT+ people have a positive impact on the economic condition of the country. Latest estimations claim the purchasing power of LGBT+ community around the world at 4,6 trillion US dollars, which is more than the GDP of Germany. The resolution submitted by the house should include complete solutions and clear ways of implementing them in order to be satisfying.

## CONCLUSION

Rights of people for their sexual and gender expression are inalienable in ordinance with UN resolutions, thus all the countries that are members of the UN should at least decriminalise nonheteronormative sexual intercourse and adopt basic juridical solutions to protect those people. Words once said by UN High Commissioner for Human Rights Navi Pillay during the International Day Against Homophobia and Transphobia in 2014 should echo in all the different parts of the world carrying the powerful message that there is still plentiful of work to be done to protect LGBT community, "I have yet to come across a government that says it supports violence and discrimination against LGBT people. Yet very few take action to protect people against such violations."



## POINTS TO BE ADDRESSED

- 1.What actions can be taken by the Human Rights Council to counteract the violation of the human rights of LGBT+ people in developing countries?
- 2.What is the role of the international community in the fight for LGBT+ rights in developing countries?
- 3.Should countries which do not protect LGBT+ people face international repercussions and political or economic isolation?
- 4.How can the Human Rights Council tackle the conflict between certain cultural conditions and reinforcement of LGBT+ protection and rights?
- 5.What are the most important areas that are not necessarily addressed by the Universal Declaration of Human Rights and which should be included purposely to protect specific group which is LGBT+ community?
- 6.Should developing countries which violate LGBT+ rights be limited with UN founded aid?
- 7.How can be juridical solutions transferred from developed countries to developing countries in order to grant LGBT+ community with lawful protection and personal freedoms?
- 8.How can social attitudes in developing countries be changed towards LGBT+ communities?



## USEFUL SOURCES OF INFORMATION:

<https://www.theguardian.com/global-development-professionals-network/2017/mar/01/where-are-the-most-difficult-places-in-the-world-to-be-gay-or-transgender-lgbt>

<https://www.nationalgeographic.com/news/2016/06/lgbt-laws-gay-rights-world-map/>

<https://www.worldbank.org/content/dam/Worldbank/document/SAR/economic-costs-homophobia-lgbt-exclusion-india.pdf>

<https://williamsinstitute.law.ucla.edu/wp-content/uploads/GDP-and-LGBT-Inclusion-April-2018.pdf>

<https://www.theguardian.com/global-development-professionals-network/2016/feb/10/lgbt-rights-six-countries-progress>

[http://internap.hrw.org/features/features/lgbt\\_laws/](http://internap.hrw.org/features/features/lgbt_laws/)

[https://www.sida.se/contentassets/77a0ee7f307a4ff49fa0514d080748dc/sexual-orientation-and-gender-identity-issues-in-development\\_718.pdf](https://www.sida.se/contentassets/77a0ee7f307a4ff49fa0514d080748dc/sexual-orientation-and-gender-identity-issues-in-development_718.pdf)

<https://www.bbc.com/news/world-asia-48171165>

<https://www.bbc.com/news/world-europe-46871801>

<https://rainbow-europe.org/country-ranking>

<https://edition.cnn.com/2019/10/12/africa/uganda-wants-death-penalty-gay-sex-intl/index.html>

<https://www.amnesty.org/en/what-we-do/discrimination/lgbt-rights/>

