

POL3113

The role of Amnesty International in the battle against violation of human rights based on sexual orientation and gender identity.

Introduction to the Issue:

It has been more than 30 years since World Health Organization has purged its list of mental health disorders and took off homosexuality from it, by means, accepting it as a common form of sexual orientation (Reid,2020). After this decision was made in 1990, over the years more countries started showing their support towards same-sex relationships and people involved in them, by allowing them to get married legally and even adopt children.

In the context of this paper, violation of Human Rights based on gender identity and/or sexual discrimination refers to article 2 of the United Nations Human Rights Charter which states: “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind”.

It is important to understand why sexual orientation and gender identity based discrimination is a global issue. Ipsos, a market research company issued a 27 country report which shows that almost 12% of these countries’ population identify as either gay, lesbian, or bisexual. Sadly, to this day According to the Human Rights Campaign, currently, there are only 30 countries that legally ratify same-sex marriage and only a few that have laws that prevent discrimination against them. The research gathered over the years by various organizations shows that the fundamental human rights of the people who associate themselves with the LGBT+ (lesbian, gay, bisexual, transgender) community are systematically violated through hate crime, incompetent health care, discrimination at work, educational and governmental institutions (LGBTQIA Resource Center). UNAIDS (Joint United Nations Programme on HIV/AIDS) research shows that there are more than 75 countries where same-sex relationships are prohibited by law and people involved can be prosecuted including receiving the death penalty. A recent report published by The Center of American Progress states that in the United States alone 36% of the

LGBT+ community have experienced discrimination due to their sexual orientation and/or gender identity.

The role of Amnesty International:

Amnesty International is a multinational non-governmental organization that has been established in the early 1960s with the purpose to unite people to protect human rights and ensure that they are enjoyed by all equally (Amnesty International, 2021). According to Amnesty International, their work includes two ways that help the organization to achieve its goal. The first way is defined as “advocacy and lobbying” in which they use their extensive research on human rights violations to pressure the global actors to act in favor of human rights. Another way of achieving change is identified as “campaigns and action” this includes petition signing and peaceful protesting. Research conducted by Robyn Linde on Amnesty International and its transnational LGBT+ network provides great insights on how they started their advocacy for the LGBT+ community in the world from the early 1990s and how they continue their support. He states that Amnesty International started its support to the above-mentioned community by hosting panels in the United States to educate its members and the general public on issues faced by the community. Starting their campaign this way is very powerful since education is a strong tool when it comes to changing opinions and opening up minds that are limited by unconscious biases that were embedded into them by the environment (World Economic Forum, 2020). When it comes to their more recent achievements, Amnesty International has contributed towards Taiwan’s legalization of same-sex marriages, which is a remarkable event due to the fact that it is the first country in Asia to legalize same-sex marriage (Huang, 2019). This shows that such simple yet powerful actions such as lobbying and petitioning can change the lives of millions of people who have been marginalized and discriminated against.

Methods used by Amnesty International can be considered to be long-term commitments since education, lobbying, and petition signing is time-consuming. Also, it can be argued that these efforts require an environment where the country that has been accused of violating human rights is not pushing back by creating a system that puts constraints on these actions. So far, countries where Amnesty International was successful such as European countries, the US, and Taiwan are

considered to be democratic and liberal meaning that the citizens have a chance to change the legislature through political participation.

Example of Russia:

Despite Amnesty's hard work towards LGBT+ community support around the world, there are multiple limitations to their work, and usually, these obstacles come from the government of the country where the discussed problem is evolving. In recent years Amnesty International has been trying to raise awareness about Russian discriminatory treatment of the LGBT+ community and even prosecution (Amnesty International, 2021). Unfortunately, raising awareness and signing petitions is the most they can do when it comes to a country like Russia. According to statistics, Russia is not an LGBT-friendly country, despite the decriminalization of homosexuality in 1993. IGLA-Europe ranks Russia as the least safe country for the LGBT+ community in Europe. Further, a Russian independent research center has concluded that in 2020 only a small fraction agreed that people who associate themselves with LGBT+ are allowed to have equal rights (Levada Center, 2020). In 2017 Thomson Reuters Foundation Reported that hate crimes in which a member of LGBT+ has physically suffered or died have doubled (Litvinova, 2017). These statistics are showcasing the heartbreaking reality of what the LGBT+ community has to face in Russia alone. It is also necessary to understand that Russia has a tremendous influence on many post-Soviet countries, which can contribute to the spread of violation of human rights based on sexual orientation and/or gender identification due to shared anti-West agenda and mutual socio-political support (Cooley, 2017).

In 2013 the Federal Assembly, a legislative branch within the Russian government, voted in favor of a new subclause in already existing law that prosecutes pedophilia (Human Rights Watch, 2014). The subclause prohibits any and all propaganda of nontraditional relationships, i.e same-sex relationships. This subclause essentially aligned homosexual relationships with pedophilia. Violation of this law can result in a fine of up to 100,000 rubles (10,000 HKD) for local citizens and incarceration for 15 days and deportation for foreign visitors (The Council on Global Equality). This law caused a lot of debate in the international community about the future of the LGBT+ community in Russia. Human Rights agencies like the Amnesty International and

LGBT+ activists like Elton John were spreading petitions and encouraging peaceful protests against the new law, but Russia was ahead of them because there is a law that makes it illegal to participate in any kind of protests or marches without governmental approval (Amnesty International, 2019). During the G20 summit in 2019, when Putin, the president of the Russian Federation, was questioned about the fate of the LGBT+ community, he stated that he is just trying to avoid Western influence on the minds of young children. He further expressed his confusion about transgender people by using derogatory terms such as “transformer” (Caroll, 2019). However, in 2020 the Russian government took it further. In 2020, the Russian government held a referendum where citizens were able to agree or disagree with newly proposed amendments into the constitution. One of the amendments included a sub-clause that described marriage as a union of a male and female, this makes it almost impossible for the next president to amend. Therefore, as stated by famous Russian LGBT activist Alexander Belik in his interview with IGLA-Europe, this established a system that created a completely demoralized environment where people are giving up due to not seeing any possibility for a change (Belik, 2020).

Concluding Remarks:

In conclusion, despite active attempts to bring attention to the problem of violation of human rights of the LGBT+ community around the world, non-governmental agencies like Amnesty International can only succeed depending on the socio-political environment of the country they are working in (Olema, Takwi, Taban, 2020). After analyzing an example of Russia where the government has created and is still creating an environment where NGOs are viewed as “foreign agents” and are banned for the propaganda of non-traditional values even though they are just pledging for equal recognition of oppressed groups. It can be argued that NGOs have very little power over governments in countries like Russia that have a deeply enrooted conservative mindset that has been lasting through decades due to the unchanging president and the leading party. Russia faces many socio-political issues such as extreme levels of corruption and civil liberties that only exist de jure.

Regardless of the progress that has been achieved in some countries, the LGBT+ community still faces various complicated difficulties, such as brutality and rejection that violate their basic human rights, these are all a result of incompetent governments that can not guarantee support and recognition of LGBT+ community as common citizens and their human rights (Guevara Rosas for Amnesty International, 2020). Borderline is, it must not matter who you come home to at the end of the day or what are your pronouns are, when it comes to human rights, more should be done for them to be universally accepted and protected. Human Rights are fundamental for peace and development of humankind (OHCHR, 2015).

References:

1. Amnesty International. (2017). Amnesty International. Retrieved from Amnesty.org website: <https://www.amnesty.org/en/what-we-do/>
2. Amnesty International. (2019, May 17). Taiwan becomes first in Asia to legalize same-sex marriage after historic bill passes. Retrieved November 24, 2021, from 國際特赦組織香港分會 Amnesty International Hong Kong website: <https://www.amnesty.org.hk/en/taiwan-becomes-first-in-asia-to-legalize-same-sex-marriage-after-historic-bill-passes/>
3. Amnesty International. (2020, June 26). Pride can't be quarantined. Retrieved November 24, 2021, from Amnesty International website: <https://www.amnesty.org/en/latest/news/2020/06/orgullo-derechos-personas-lgbtq-america/>
4. Bagalini, A. (2020, August 19). 3 cognitive biases perpetuating racism at work - and how to overcome them. Retrieved from World Economic Forum website: <https://www.weforum.org/agenda/2020/08/cognitive-bias-unconscious-racism-moral-licensing/>
5. Carroll, O. (2019, June 29). Putin responds to Elton John's LGBT+ criticisms with rant against "transformers" and "5 genders." Retrieved November 24, 2021, from The Independent website: <https://www.independent.co.uk/news/world/europe/putin-elton-john-russia-lgbt-rights-gay-trans-propaganda-law-a8980256.html>
6. Casey, L. S., Reisner, S. L., Findling, M. G., Blendon, R. J., Benson, J. M., Sayde, J. M., & Miller, C. (2019). Discrimination in the United States: Experiences of lesbian, gay, bisexual, transgender, and queer Americans. *Health Services Research*, 54(S2), 1454–1466. <https://doi.org/10.1111/1475-6773.13229>
7. Clark, F. (2014). Discrimination against LGBT people triggers health concerns. *The Lancet*, 383(9916), 500–502. [https://doi.org/10.1016/s0140-6736\(14\)60169-0](https://doi.org/10.1016/s0140-6736(14)60169-0)
8. Cooley, A., & Cooley, A. (2017, June 30). Whose Rules, Whose Sphere? Russian Governance and Influence in Post-Soviet States. Retrieved from Carnegie Endowment for International Peace website: <https://carnegieendowment.org/2017/06/30/whose-rules-whose-sphere-russian-governance-and-influence-in-post-soviet-states-pub-71403>
9. *FAQ on Health and Sexual Diversity An Introduction to Key Concepts*. (n.d.). Retrieved from <https://www.who.int/gender-equity-rights/news/20170329-health-and-sexual-diversity-faq.pdf>
10. Hamiza, O., Francis, T., & Rashid, T. (2020). Attitudes towards Local Anaesthetic Simulator Kit as a Novel Teaching Aid. *International Journal of Academic Research in Business and Social Sciences*, 10(10), 783–799. Retrieved from https://hrmars.com/papers_submitted/8006/the-role-of-socio-political-environment-in-business-success-a-case-of-small-businesses-in-uganda.pdf
11. Henry. (2020). The Facts on LGBT Rights in Russia - Council for Global Equality. Retrieved from Globalequality.org website: <http://www.globalequality.org/component/content/article/1-in-the-news/186-the-facts-on-lgbt-rights-in-russia>

12. Human Rights Campaign. (2021). Marriage Equality Around the World. Retrieved from Human Rights Campaign website:
<https://www.hrc.org/resources/marriage-equality-around-the-world>
13. Hussein, A. (n.d.). *High Commissioner for Human Rights Zeid Ra'ad Office of the High Commissioner for Human Rights Palais des Nations Petitions and complaints Donor and external relations Civil society civilsociety@ohchr.org Publications*. Retrieved from
https://www.ohchr.org/Documents/AboutUs/Leaflet_english_web.pdf
14. IGLA Europe. (2020, September 4). #NeverGiveUp: Meet 7 LGBTI activists fighting for all families and human rights in Russia | ILGA-Europe. Retrieved November 24, 2021, from www.ilga-europe.org website:
<https://www.ilga-europe.org/blog/nevergiveup-meet-7-lgbti-activists-fighting-all-families-and-human-rights-russia>
15. Ipsos, Marketing Company. (2021). *LGBT+ PRIDE 2021 GLOBAL SURVEY A 27-country Ipsos survey*. Retrieved from
https://www.ipsos.com/sites/default/files/ct/news/documents/2021-06/LGBT%20Pride%202021%20Global%20Survey%20Report_3.pdf
16. Levada Center. (2021, October). Opinion on LGBT equal rights in Russia 2021. Retrieved November 24, 2021, from Statista website:
<https://www.statista.com/statistics/1128654/opinion-on-lgbt-equal-rights-in-russia/>
17. License to Harm. (2014, December 15). Retrieved November 24, 2021, from www.hrw.org website: <https://www.hrw.org/node/267945/printable/print>
18. Litvinova, D. (2017, November 21). LGBT hate crimes double in Russia after ban on “gay propaganda.” *Reuters*. Retrieved from
<https://www.reuters.com/article/us-russia-lgbt-crime-idUSKBN1DL2FM>
19. Mallory, C., Brown, T., Russell, S., & Sears, B. (2017). *The Impact of Stigma and Discrimination Against LGBT People in Texas AUTHORS*. Retrieved from
<https://williamsinstitute.law.ucla.edu/wp-content/uploads/Impact-LGBT-Discrimination-TX-Apr-2017.pdf>
20. Reid, G. (2020, May 18). A Global Report Card on LGBTQ+ Rights for IDAHOBIT. Retrieved from Human Rights Watch website:
<https://www.hrw.org/news/2020/05/18/global-report-card-lgbtq-rights-idahobit>
 - a. Robyn Linde (2018) Gatekeeper persuasion and issue adoption: Amnesty International and the transnational LGBTQ network, *Journal of Human Rights*, 17:2, 245-264, DOI: 10.1080/14754835.2017.1332518
21. Russian censorship of Elton John biopic an insult for the rights of LGBTI people. (2019, May 31). Retrieved November 24, 2021, from Amnesty International website:
<https://www.amnesty.org/en/latest/press-release/2019/05/russia-censorship-of-elton-john-biopic-an-insult-for-the-rights-of-lgbti-people/>
22. Stonewall. (2016, March 8). LGBT facts and figures. Retrieved from Stonewall website:
<https://www.stonewall.org.uk/cy/node/24594>
23. Taiwan becomes first in Asia to legalize same-sex marriage. (2019, May 17). Retrieved November 24, 2021, from Amnesty International website:
<https://www.amnesty.org/en/latest/news/2019/05/taiwan-same-sex-marriage-law-2/>
24. The Constitution of the Russian Federation. (2019). Retrieved from Constitution.ru website: <http://www.constitution.ru/en/10003000-01.htm>

25. The State of the LGBTQ Community in 2020. (2020, October 6). Retrieved from Center for American Progress website:
<https://americanprogress.org/article/state-lgbtq-community-2020/#Ca=10>
26. Today, I. (2019, September 2). Why education is one of the most powerful weapons to transform society. Retrieved from India Today website:
<https://www.indiatoday.in/education-today/featurephilia/story/why-education-is-one-of-the-most-powerful-weapons-to-transform-society-1579790-2019-09-02>
27. UC Davis. (2014, January 14). LGBTQIA Resource Center Glossary | LGBTQIA Resource Center. Retrieved from Ucdavis.edu website:
<https://lgbtqia.ucdavis.edu/educated/glossary>
28. Umland, A., Klimkin, P., & Ivanov, V. (2020, September 10). Putin's new constitution spells out modern Russia's imperial ambitions. Retrieved November 24, 2021, from Atlantic Council website:
<https://www.atlanticcouncil.org/blogs/belarusalert/putins-new-constitution-spells-out-modern-russias-imperial-ambitions/>
29. United Nations. (n.d.). Universal Declaration of Human Rights. Retrieved from United Nations website: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>