

## **LGBT+ Rights in the Commonwealth**

As part of the 2023/2024 Time Limited Programme on LGBT+ Rights, the CSC hosted a three-day residential retreat at Cumberland Lodge to encourage dialogue and engagement on the topic of gender and sexuality across the Commonwealth.

The retreat enabled Commonwealth Scholars to explore a variety of topics from the history of LGBT+ discrimination and the struggle for rights in the Commonwealth to practical ways for them to become LGBT+ activists and allies.

### **Day 1**

#### **Gender and sexuality in the Commonwealth**

Human rights in relation to sexual orientation and gender identity is a pressing issue across the Commonwealth. Owing to the colonial legacy of homophobia, anti-LGBT legislation and discrimination of the LGBT+ community is significantly overrepresented among Commonwealth countries where 63% of member states currently criminalise homosexual activity compared to 35% globally.

The challenges that the LGBT+ community and its supporters face is significant. The residential retreat was intended to increase understanding of those challenges and support allyship and solidarity with the LGBT+ community in the future.

**'We all have to work together towards greater equality.'** – Professor Robin Mason, Chair of the CSC

The retreat began with introductions given by Annabel Boud, Head of Scholarships at the Association of Commonwealth Universities, and Robin Mason, the Chair of the CSC. This was followed by an icebreaker activity led by Commonwealth Alumnus Kamanda Bosco encouraging openness, positivity, and respect which set the tone for weekend.

### **Day 2**

#### **A history and politics of LGBT+ rights**

The opening session, led by Dr Matthew Waites, Reader in Sociology at the University of Glasgow, examined the history and politics of LGBT+ rights in the Commonwealth.

In his talk, Matthew discussed the British Empire's criminalisation of same-sex sexual acts across its territories, which mirrored existing legislation in Britain at the time, such as the Gross Indecency Law of 1885. This legislation spread and mutated through the so-called 'imperial web' to countries and peoples within the British Empire. Through these laws, the British Empire also sought to eliminate gender minorities and expression, such as hijras (third gender people) in India and cross-dressing in Guyana.

Turning to the present, Matthew discussed how the global LGBT+ movement has articulated its mission around human rights. Sexual orientation is now an established part of international law enshrined in conventions, treaties, and standards set by the United Nations. However, gender identity and expression remains a fragile and contested issue, and Matthew

emphasised that more should be done to ensure that human rights legislation encompasses gender identity.

Matthew concluded by outlining the need for a decolonised approach to gender and sexuality which re-visits, re-imagines, and re-articulates human rights to include all queer identities.

### **Understanding forms of discrimination**

The next session was led by Ibtisam Ahmed, Head of Research at the LGBT Foundation, and explored the complex nature of LGBT+ discrimination in the UK and the Commonwealth.

Ibtisam spoke about institutional discrimination within the healthcare sector in the UK and the negative experiences reported by members of the LGBT+ community, particularly transgender and non-binary people. He also cited the structural discrimination of spending cuts to UK public services which disproportionately affect the LGBT+ community.

'Being LGBT+ is not the problem, the systems that create inequality are the problem'. – Ibtisam Ahmed, Head of Research at the LGBT Foundation

Ibtisam discussed his work at the LGBT Foundation which aims to achieve systemic change and support LGBT+ people across a range of challenges which they experience, from racism to climate justice.

### **Building community support for LGBT+ rights**

After this there was a session led by Tanvir Alim, an activist and PhD student at the University of Glasgow whose research focuses on community organising among sexual and gender minorities.

Tanvir spoke candidly about his work as an LGBT+ rights activist in Bangladesh and the experience that propelled him to become more open about his identity – the murder of his two friends, both fellow activists, by religious extremists in 2016. Not only did this experience galvanise Tanvir's activism, but it also spurred his interest in undertaking research to understand the contemporary social processes at work in community organising among sexual and gender minorities in Bangladesh.

Tanvir highlighted examples from NGOs he had interviewed during his research who are now able to reach LGBT+ people in remote areas thanks to the proliferation of digital communications. He spoke about the benefits of online spaces for young LGBT+ people wanting to express their identity but also the difficulties of online activism, especially for NGOs on the ground whose work with LGBT+ communities could be put at risk by views they expressed or supported online.

### **Becoming an LGBT+ ally**

The final speaker session was given by Yvee Oduor, Operations Manager at galck+, an umbrella organisation representing LGBT+ voices across Kenya.

Yvee is a gender non-conforming feminist who uses their background as a journalist to advocate for the human rights of gender and sexual minorities in Kenya, which is in the process of trying to reverse its anti-LGBT+ laws. As part of their advocacy work, Yvee is deeply

involved in the movement to decriminalise and petition the Kenyan government about the unconstitutional nature of the existing colonial era anti-LGBT+ legislation.

During their session, Yvee spoke about how LGBT+ allyship is an important tool in challenging preconceived ideas and tackling injustice against LGBT+ people. Yvee explained that to be an effective ally you need to practise active listening, self-reflection, and speaking up for marginalised groups. Highlighting a case when white protestors joined a march in solidarity with black LGBT+ activists in Kenya, Yvee described how this example of allyship helped shield the activist leaders from police violence.

'Everyone holds systemic power in some areas, and lacks [it] in others, so everyone has areas in which they can practise allyship...[and be] a catalyst for lasting change.' – Yvee Oduor, Operations Manager at galck+

Yvee stressed that allyship was vital in enabling the LGBT+ community to have a say in the actions and decisions taken by the wider community and ended the session by asking the audience to identify opportunities for allyship in their own lives.

## **Reflections from across the Commonwealth**

Following this, two of the invited speakers, Ibtisam and Kamanda, shared personal stories about growing up under anti-LGBT+ legislation and the journey they had undertaken to acknowledging their sexuality and gender identity.

### **Ibtisam's story**

Ibtisam talked about growing up in Bangladesh in the 1990s during the country's transition from a military dictatorship, and how sexuality was not discussed. However, moving to Delhi and seeing other people coming out about their sexuality, was a watershed moment for Ibtisam. After relocating to the UK to study, he finally felt able to reveal his sexuality.

Ibtisam joined an LGBT+ university network during his studies and is now part of a collective of LGBT+ artists and performers known as House of Spice whose work celebrates South Asian LGBT+ culture.

After writing about publicly his experiences and sexuality for a Bangladesh newspaper, Ibtisam's safety came under threat, and he is no longer able to return to the country.

### **Kamanda's story**

Kamanda is a transgender woman who spoke about her childhood in Uganda. When she was young, she was targeted by violent bullies and turned to religion as a solution.

Her parents sent her to an all-boys Catholic school because, in their view, she was too feminine. However, the bullying and violence became worse at the school, and she was sexually assaulted because she was perceived to be feminine. She could not speak out about the assaults and, feeling suffocated and stressed, she dropped out of school, being too scared of the violence to continue her education.

After this, Kamanda met other LGBT+ people who had also dropped out of school out of fear of disclosing their sexuality identity. As with many people in the LGBT+ community in Uganda,

Kamanda found employment in sex work to survive. During this time, she encountered an NGO called Transgender Community Uganda that supported transgender sex workers by providing sexual health advice and contraceptives.

**'All we wanted [was] to be free to be ourselves' – Kamanda Bosco**

The Transgender Community Uganda asked Kamanda to get involved in their work and she joined them as a peer educator. Before she knew it, she had been invited to speak at a UN conference in Geneva.

In 2020, she gained a UN Rights and Religion Fellowship to advance her work as transgender human rights defender before achieving a Commonwealth Scholarship in 2021 to study at the University of Bath.

### **Questions and answers**

During a Q&A after the presentations, Kamanda and Ibtisam responded to questions around gender reassignment in children through the use of puberty blockers or by undertaking surgery. Both speakers agreed that supporting children through these difficult decisions and prioritising their welfare and wellbeing was of primary importance.

### **Day 3**

#### **Overcoming exclusion**

The third day of the retreat began with a session on LGBT+ exclusion led by Kamanda Bosco. Kamanda discussed the multifaceted ways in which LGBT+ people face discrimination and exclusion within the legal, social, cultural, and religious realms.

Afterwards, Scholars discussed the exclusion that LGBT+ people experience in other sectors and they changes that could be implemented to address this.

#### **The challenges of accessing healthcare**

Following on from this, Professor Nuala McGrath, Professor of Epidemiology and Sexual health at the University of Southampton, delivered a presentation on the ways on which discrimination affects both healthcare workers and those trying to access healthcare services.

Nuala spoke about the barriers LGBT+ people encounter and how negative healthcare experiences reinforce their feelings of exclusion from society. She also discussed intersecting and compounding forms of discrimination embedded in national laws, policies, and practices and how they perpetuate discrimination in healthcare.

#### **Lessons from Nigeria**

The next presentation was led by Dr Olakunle Oginni, a psychiatrist and Commonwealth Alumnus currently undertaking a Welsh Clinical Academic Track Fellowship in Child and Adolescent Psychiatry at the Cardiff University.

Olakunle discussed Nigeria's Same-Sex Marriage (Prohibition) Act 2014 which in effect criminalises LGBT+ people through various measures that extend beyond its notional purpose of prohibiting of same-sex marriage. These include prohibiting same-sex activity and cohabitation of same-sex couples, banning public displays of same-sex affection, wearing women's attire, and being involved in gay clubs, societies, or organisations. Olakunle spoke about the routine intimidation and harassment of anyone suspected of being LGBT+ by police and soldiers, and the culture of fear this has created within communities in Nigeria.

Olakunle shared a story about one of his patients, Patrick (pseudonym), a gay man who was living with a guardian from his church. Patrick had contracted HIV and was receiving treatment from a local health centre. One of the healthcare staff happened to attend the same church as Patrick and informed his guardian about Patrick's diagnosis after which he was evicted from the house and abandoned by his guardian.

Olakunle highlighted that LGBT+ people are far more likely to experience mental health issues because of the widespread discrimination and stigma in Nigeria. For LGBT+ people this can lead to internalised homonegativity and concealment of their identity which exacerbates mental health issues.

### **Creating inclusive services for all**

The final session was led by Professor Julia Bailey, Associate Professor in Primary Care at University College London's e-Health Unit and Specialty Doctor in Community Sexual Health.

Julia helped define key concepts around gender and outlined the spectrum of genetic sex, gender identity, and gender expression. She also spoke about the importance of making healthcare inclusive and welcoming for all, regardless of their gender, through training and education for healthcare workers.

Turning to audience questions, Julia challenged Scholars to think about the changes in health policy they would like to see. During the discussion, Scholars highlighted the need to create safe spaces for transgender and gender-diverse people, provide better training for healthcare workers, always ensure patient confidentiality, and work with NGOs and policymakers to give adults and children decision-making power over their gender.

### **Final thoughts**

The retreat concluded with a panel Q&A session where Scholars put questions to the different speakers and discussed their hopes for increasing LGBT+ equality across the Commonwealth.

Challenging harmful narratives, asserting human rights, and leveraging the power of community action and allyship to support LGBT+ people were just some of the themes that emerged during the discussion.

'This weekend is not the end, it is a starting point.' – participant at the residential retreat