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Parliamentarians' Round Table:
**Supporting diversity and inclusion
in Asia and the Pacific**

13 DECEMBER 2022

Parliamentarians' Round Table: Supporting diversity and inclusion of LGBTQI people in Asia and the Pacific

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An Asian Population and Development Association (APDA)-hosted Parliamentarian's virtual round table took place on 13 December 2022, to examine the issues and challenges faced in the region by people of diverse sexual orientation, gender identity and expression, and sexual characteristics (SOGIESC) - that is, lesbian, gay, bisexual, transgender, queer, intersex and other non-binary and non-heteronormative persons (collectively termed LGBTQI+). The round table was attended by a diverse range of parliamentarians, experts, and delegates from international organizations. The round table was organized by APDA, in association with the Global Equality Caucus (GEC) and Parliamentarians for Global Action (PGA), with support from UNFPA Asia and Pacific Regional Office (APRO) and UNDP Bangkok Regional Hub. All the sessions were moderated by Tele'a Andrews (Global Inclusive Processes and Institutions, UNDP).

Opening Remarks

Dr. Kiyoko Ikegami, APDA Executive Director/Secretary General

Dr. Ikegami welcomed the delegates, national committee officers, the UN, and CSO partners. She thanked GEC and PGA for their cooperation. She expressed appreciation for UNFPA APRO and UNDP Bangkok Regional Hub for their support. She noted that the round table aimed to be a safe space for participants to learn, discuss and share experiences and thoughts on diversity and inclusion. LGBTQI youth are vulnerable to experiencing gender-based violence. Because of discriminatory laws, and socio-cultural norms that stigmatize people of diverse SOGIE, LGBTQI people are often marginalized and excluded from social protection mechanisms, health services, and educational and occupational opportunities. They are also subject to violence, increased incarceration and a variety of health and social problems resulting from this exclusion.

Dr. Ikegami noted that parliamentarians played a role in adopting people-centered policies and legislation to promote and protect the rights of all, including those vulnerable and marginalized populations, and to ensure that no one is left behind. While approaches varied from country to country, she hoped that the round table would strengthen cross-border cooperation.

Björn Andersson, UNFPA Regional Director for Asia and the Pacific

In a pre-recorded address, Björn Andersson said he was pleased to address this round table focusing on the LGBTQI community, during which the delegates and parliamentary colleagues would discuss a range of issues and challenges affecting these individuals, as well as hear from parliamentarians who worked to improve the situation for these often-marginalized communities.

The human race thrives on diversity, and LGBTQI persons contribute in no small way to this uniqueness of being human. He noted that to ignore and reject diversity would mean losing so much of the richness of humanity. Everyone had every right to participate in society's systems and structures.

Remarks by Ambassador Chantale Wong, United States Director of the Asian Development Bank

Amb. Wong noted it was an honor to speak on the important topic of diversity and inclusion in Asia and the Pacific. She told delegates that U.S. President Joe Biden nominated her to serve as the U.S. executive director of the Asian Development Bank (ADB); her appointment being confirmed by the U.S. Senate as the first lesbian U.S. Ambassador ever in the history of the country and the first person of color to hold this role.

ADB has been the premier multilateral bank for Asia and the Pacific, helping to lift millions of people out of extreme poverty. ADB seeks to build a prosperous, inclusive, resilient, and sustainable Asia and the Pacific by providing its member countries with loans, technical assistance, grants, and equity investments to promote social and economic development. The bank had expanded its efforts to support gender equality and social inclusion with a project they termed gender equality and social inclusion (GESI).

Amb. Wong encouraged parliamentarians to discuss with their governments how they can work with the ADB to do more to support LGBTQI+ inclusion. She stated that ADB spent US\$ 20 to 25 billion on this type of programming. She noted that it was an opportune time to address the decriminalization and marginalization of LGBTQI+ people in Asia and the Pacific. The bank was updating its safeguarding standards, and the U.S. had proposed a standalone gender and GESI standard to be included in the updated safeguards to help the ADB achieve its overarching strategy and 2030 objectives which are to achieve a prosperous, inclusive, resilient, and sustainable Asia and the Pacific.

Amb. Wong noted that the ADB was prohibited from interfering in the political affairs of its member countries and that only economic considerations should be relevant to its decisions. She said, too, that many ADB members continue to maintain laws that discriminate against the LGBTQ community, so it is important to ground any arguments about LGBTQ+ inclusion in economic data, to show how it can support economic growth for all.

She ended her input with a personal note when she related an anecdote about being stuck in traffic in India and a transgender beggar approached their car. It reminded her that the LGBTQI community often has few opportunities beyond begging and sex work. This encounter moved her to underscore why LGBTQI+ inclusion in ADB projects and safeguards are so important to ensure that individuals, like that beggar in Mumbai, can have the opportunity to live fulfilling and meaningful lives.

Presentations by GEC and PGA

Aron le Fèvre, Deputy Director of GEC

Aron le Fèvre explained that GEC is an international network of parliamentarians and elected representatives dedicated to tackling discrimination against LGBTQI+ people. Membership is open to legislators regardless of SOGIESC, which means that every legislator willing to advance the rights of the LGBTQI community is welcome.

The caucus is led by a steering committee chaired by Lord Nick Herbert, UK Prime Minister's LGBT+ representative, and MP Tamara Adrián, a trans legislator from Venezuela. There are 500 elected representatives mainly focused on achieving LGBT+ equality, working with NGOs, businesses, and governments to promote and drive through anti-discrimination and legal equality measures. He said that legislators were crucial as they passed the laws, voted for funds, and influenced leaders. The caucus was launched at the United Nations in New York and they launched the Asia Pacific chapter in September 2019. Although COVID-19 impacted its growth, they are committed to growing in the region, Africa, and Latin America.

Monica Adame, Director, Gender, Equality and Inclusion Program, Parliamentarians for Global Action (PGA)

Monica Adame introduced PGA as an international network of parliamentarians acting to mobilize their colleagues on human rights issues - including human rights and the rule of law,

gender equality, inclusion, peace, justice, including climate justice, and non-discrimination. Legislators are crucial for tackling discrimination against lesbian, gay, bisexual, trans, and intersex people (LGBTI). PGA engages with legislators around the world and members in several countries, like Chile, El Salvador, and Mozambique, have taken actions to advance the human rights of LGBTI+ people, including decriminalization of consensual, same-sex conduct. Monica Adame said that the erosion of democracy and human rights has largely impacted the rights of LGBTQ+ people. PGA is working with UN agencies and partners around the world and would like to increase its collaboration with parliamentarians in the Asia-Pacific region.

In partnership with UNDP, PGA published a parliamentary handbook in 2017, which is an essential tool for Parliamentarians as it includes practical examples of what actions to take to overseeing government actions and within their political parties, in sharing information with colleagues and in communities, and how to make sure that no one is left behind while advancing everyone's rights including LGBTI+ people.

<https://www.undp.org/publications/advancing-human-rights-and-inclusion-lgbti-people-handbook-parliamentarians-0>

UNDP & PGA: "Advancing the Human Rights and Inclusion of LGBTI People: A Handbook for Parliamentarians"

Tele'a Andrews, Global Inclusive Processes and Institutions, UNDP

Tele'a Andrews joined the UNDP after 11 years as a senior ministerial and policy advisor for the New Zealand government. The original parliamentary handbook published in 2017, came about in response to an increasing number of parliamentarians and others reaching out for support to meet challenges confronting LGBTI+ people across the globe. Since the book was published, it has helped support Parliamentarians, civil society, and church groups to protect the human rights and inclusion of LGBTI people.

In many countries there has been progress. In Angola, Botswana, Bhutan, and Singapore, there has been progress on decriminalization of consensual same sex activity. More countries have moved to make inclusive anti-discrimination legislation, like Serbia and Albania. Canada, France, New Zealand and others have either banned or are considering banning the harmful practice of 'conversion therapy,' and many have made steps towards recognizing the diverse family formations and relationships within LGBTI communities.

However, there is also a need to continue efforts for greater LGBTI inclusion. Consensual same-sex activity is still illegal in over 70 UN member countries, and there are some countries actively pursuing legislation that stigmatizes sexual minorities and place restrictions on the freedom of speech and assembly of LGBTI communities, including in the Asia Pacific region. LGBTI communities often face stigma when accessing critical lifesaving services like health and housing and experience barriers to meaningful economic participation through work and education. The rise in hate speech, particularly of political leaders, is a concern and requires a concerted and global effort to address.

The revised 2022 edition of the handbook is one tool to support this and consists of four parts:

<https://www.undp.org/publications/advancing-human-rights-and-inclusion-lgbti-people-handbook-parliamentarians-0>

The first part focuses on building the foundations of parliamentarians' understanding of LGBTI people globally and locally, exploring key terms in strengthening the basis of a call to action. Part two focuses on frameworks in which international and regional governance structures and human rights actors can contribute to furthering LGBTI rights and inclusion. Part three contains advice on entry points to dialogue and reform on LGBTI inclusion. It demonstrates success stories on framing laws, shaping legal and policy frameworks, promoting education and leading and supporting political campaigns to encourage inclusion, equality, and respect for LGBTI constituents. And the final part explores more practical tools, such as guidance on how to effectively and in an inclusive way engage with LGBTI communities.

Andrews reiterated that the handbook is specifically for and developed by parliamentarians. UNDP and PGA are willing to work with their partners to support parliamentarians in their endeavors. However, there remains an urgent need for countries to effectively resource these efforts to meet the global need.

Andrews then shared a personal insight of witnessing the passing of New Zealand's marriage equality legislation as an example of the impact parliamentarians can have in influencing the inclusion agenda.

GEC LGBT+ inclusion by tackling HIV inequities

Aron le Fèvre, Deputy Director of the Global Equality Caucus

Aron le Fèvre said that GEC has two strands of work focusing on HIV – one to address the LGBT+ inequities in HIV health care, and the other looks specifically at strategies to ensure they reach underserved communities. The tools are available at: <https://equalitycaucus.org/>.

The tools include “Decriminalising HIV: Strategies and best practice for legislators” and “HIV Prevention Handbook: Best practices for legislators”. Each report puts forward policy recommendations for legislators to ensure LGBT+ people receive equitable access to HIV health care and are protected by law.

The caucus engages legislators, civil society champions, academic experts, and other stakeholders in consultation and convening digital roundtables. The first prevention report is focused on Europe and North America, whereas the decriminalization report is global and suitable for all countries and includes a case study on the Philippines. He introduced the decriminalization report because legislators play a key role in facilitating decriminalization and establishing a framework that prioritizes public health and individual rights.

One report collects expert insights and the best practices examples on HIV criminal law reform, including the Philippines, identifying key takeaways and overarching themes for legislators to consider. It includes the importance of working with civil society groups, experts, and community members; communicating the benefits of reform effectively by centering Public Health Solutions, scientific data and economic impact; building strong political alliances and cross-party relationships; and deploying incremental strategies and patient approaches as necessary.

Decriminalizing is a part of a wider advocacy strategy that tackles the HIV epidemic through prevention and treatment, addresses the stigma and discrimination, and is centered on the human rights and dignity of people living with HIV.

Case Studies: Advocacy efforts by local Asia-Pacific Parliamentarians on health and wellbeing

Hon. Louise Wall, Former MP; New Zealand's Ambassador Gender Equality Pacific

Hon. Wall said that she was a founding member of GEC, an indigenous woman of the Pacific of Aotearoa, New Zealand, and a *Takatāpui*; Te Reo, a Māori term for all those who are rainbow. She said that she identifies as a cis-woman and an advocate for the inclusion of trans women.

She gave an anecdote on how New Zealand came to adopt a Bill she proposed as a backbencher. In 2004 New Zealand approved civil unions but was not ready for marriage equality. However, she was made chair of the Labor caucus' rainbow portfolio and proposed marriage equality legislation. The Bill, like others, went into a biscuit tin and was pulled and placed on the ballot, where it remained for two months and was passed at the first reading. Hon. Wall and two others from the New Zealand Inter-Parliamentary Union also visited Uganda – where there were strong anti-gay sentiments.

While a parliamentarian, she saw her role as serving all her constituents, who gained insight because she understood what historic racism was because she came from an indigenous population group that was colonized. Because she is a cis-woman, she understands sexism, and because she is a rainbow community member, she understands homophobia and transphobia.

For her, as a parliamentarian, advocating for human rights and social justice is a key role, including law reform. She said that decriminalization and the advancement of LGBTQ+ rights were very much tied to global decolonization – and within the region, this community had always been a recognized part of society until colonization.

Hon. Geraldine Roman, MP Philippines

Hon. Roman introduced herself as Chair of the Committee on Women and Gender Equality and the first trans woman to win a seat in the National Assembly – breaking the glass ceiling regarding LGBT rights. She noted that it was a difficult task when lobbying for anti-discrimination based on SOGIESC because of personal biases, political leanings, etc. In her first term, she convinced her colleagues and, as a testimony, that an anti-discrimination bill was passed unanimously in the Lower House but encountered stumbling blocks in the conservative Senate.

However, she is more optimistic about the anti-discrimination bill, known as the SOGIE Equality Bill, currently under discussion, because many representatives are millennials and belong to Generation Z, and are more open-minded. More women are now in politics, and are more sympathetic to the cause. The Bill has been approved at the upper House's committee level, and the process will continue in 2023.

However, there is a very vocal minority led by conservatives. Another anti-discrimination bill has been filed in Congress, ironically not addressing discrimination based on sexual orientation and gender identity (SOGIE). Hon. Roman said that a certain sector of the Christian community wished to weaponize basic human rights. She said that "marriage" and even the term "union" was considered controversial. She noted that it was better to strategize and prioritize one step at a time – and eventually widen the scope to include marriage.

Discussion

Tele'a Andrews asked the panelists what their advice would be when there was a reluctance to consider anti-discrimination laws.

Hon. Wall noted that an opposition parliamentarian in the Cook Islands, Hon. Tina Brown, had made significant progress in homosexual law reform. While there was resistance, as a community, it was crucial to engage, and once people realized what the issues were and that the LGBTQ community was not criminals (and never were) and were simply fighting for a right to exist, a basis for ally-ship could be created.

Hon. Damry Ouk, MP Cambodia, commented that he appreciated the presentations and that in his country, all people were equal before the law, so discrimination was not a big problem.

Hon. Aroma Dutta, MP Bangladesh, noted that the LGBT issue was incompatible with Bangladesh's culture or religion. She commented that some communities demanded Section 377 of the Penal Code of Bangladesh, which outlaws homosexual acts, be repealed. She asked the delegates if they had any thoughts on this.

Bangladesh does, however, recognize transgender as a gender. Generally, more is needed to be done for broader services to LGBTI people due to cultural barriers that are often limited to the recognition of transgender, rather than a deeper commitment to the provision of adequate services to the broad spectrum of diverse SOGIESC communities. Bangladesh is harmonious,

but there are problems with minorities, and indigenous communities are left out. Their education status is behind the mainstream.

Hon. Wall said that Hon. Aroma Dutta highlighted exactly the global decolonialization focus because Section 377 was a law inherited from the British Indian government of the 1860s.

Hon. Alex Greenwich, New South Wales State Member for the seat of Sydney, NSW Australia

Australia will be the first country in the Southern hemisphere to host a World Pride 2023. He invited people to participate in person or online:

<https://sydneyworldpride.com/events/human-rights-conference/>.

The event will be an opportunity to debate rights. Australia still has work to do, and there is a lot of law reform still needed to ensure and protect the rights of the transgender community. This includes banning conversion therapy and improving intersex rights, including non-consensual surgery on infants. There would be a strong focus on First Nations justice and how this intersects with LGBTI communities.

Tele'a Andrews

In closing, he thanked the participants and said that the APDA secretariat would share the contacts for the various organizations, and for those interested in the tools, he invited them to reach out. In summary, he stated that this round table provided a lot of useful introductory information to increase parliamentarians' knowledge and understanding of some of the issues and challenges faced by LGBTQI+ people across Asia and the Pacific region. The advocacy work of peak bodies such as GEC and PGA were presented, together with resources for parliamentarians such as the updated handbook for parliamentarians. He also mentioned that hearing from two parliamentary colleagues provided real world examples of how stigma and discrimination were preventing gainful engagement and inclusion of people of diverse SOGIESC within societies and communities; efforts to better include all people regardless of their SOGIESC status need to be sustained and renewed.

Finally, he referred to the World Pride that would be held in Sydney, Australia, during early 2023, saying that it would provide a much-needed focus whereby issues faced by LGBTQI+ people could be raised, better considered, and strategies worked out to address these. He encouraged all parliamentarians to consider attending this event.



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