

Lesbian, Gay, Bisexual, and Transgender (LGBT) Youth in the Global South

INTRODUCTION

Globally, around 76 countries currently criminalize same-sex relations and five countries impose the death penalty on people caught engaging in same-sex activities. In every region of the world, transgender individuals face significant human rights violations. Culture and religion are often used to defend anti LGBT sentiments and the guise of “protecting minors” becomes a proxy to further advance an anti-LGBT agenda. Young people aged 10-24 constitute one quarter of the world’s population with the majority of them living in the global south and even though statistics on LGBT youth are hard to find, over the course of the last several years, we have seen a continuation of violence and harassment targeting LGBT youth across the globe. This violence further puts young people at a crossroad between having to choose between leading a life of secrecy, or face discrimination and violence. In many countries around the world we have seen laws, either enacted or proposed that punish LGBT people and create a climate of fear and hostility. These measures not only violate the rights of LGBT young people, but also hamper the efforts of activists and organizers who are advocating for issues that directly affect this population, such as access to comprehensive and youth-friendly HIV/AIDS information and services. These laws do not just prohibit same-sex marriage or conduct, but also typically contain provisions that prohibit the formation of LGBT advocacy and support groups as well as restrict rights to freedom of expression and assembly (most recently in Kyrgyzstan, Nigeria and Uganda) further limiting the ability of young people to have a safe and open environment to live in and learn.

We have seen the emergence of an incredible and vibrant global LGBT movement; however young LGBT people are often excluded (as is also the case within the broader civil society) from decision making processes that define their socio-cultural and political environments which puts them at increased risk of becoming marginalized.

VIOLENCE AGAINST LGBT INDIVIDUALS

Homophobic and transphobic violence is witnessed in every region of the world “Since 2011, hundreds of people have been killed and thousands more injured in brutal, violent attacks...” “Other documented violations include torture, arbitrary detention, denial of rights to assembly and expression, and discrimination in health care, education, employment and housing.”¹ Discriminatory laws, combined with culture and religion, can lead to extremely dangerous outcomes, such as bullying and violence, lack of access to education and job opportunities, harassment from the police and other institutions, homelessness, violence, and death.

- In the Republic of Georgia, 32 percent of LGBT individuals reported having experienced physical violence.²
- In countries like El Salvador, Kyrgyzstan and South Africa, it has been documented that lesbian, bisexual, and transgender women are at risk for being raped or forcibly impregnated, based on the justification that women who are raped by a man will change their sexual orientation (so-called corrective rape).³
- There are several reports of targeted killings of LGBT people in the world. For example, 31 LGBT people were killed in Honduras over an 18-month period, 44 bias-motivated killings took place in Europe in 2009, and a number of targeted killings of lesbians happen in South Africa regularly.⁴
- LGBT people suffer from violent attacks in response to peaceful advocacy campaigns, demonstrations, and events that contain any material related to sexual orientation and/or gender identity. Organized resistance is often led by faith groups, Neo-nazis, paramilitary groups, or nationalist groups.⁵
- Some LGBT leaders and civil society activists have become victims to the most extreme forms of violence. Specific examples include the murder of transgender teen Dwayne Jones in Jamaica, LGBT activist David Kato in Uganda, and the torture and murder

THE FACTS

of Eric Ohena Lembembe, the Director of Cameroonian Foundation for AIDS in Cameroon.⁶

- Between January 2008 and October 2014, there were 1,612 reported killings of transgender people in 62 countries. Over 78 percent of documented murders were in Central and South America.⁷
- According to the Council for Global Equality, the Country Reports on Human Rights Practices 2015 produced by the State Department documents that “targeted LGBT killings are cited in countries ranging from Germany to Honduras and Russia to Pakistan. Attacks are commonly identified as occurring in both public and private spaces. The Mali report explains that “family members, neighbors, and groups of strangers in public places committed the majority of violent acts, and police frequently refused to intervene.”⁸
- According to a survey (unpublished) conducted by Men Against AIDS Youth Group (MAAYGO) in Kenya to document the needs of LGBT surveyed youth, half of the transgender women had experienced physical violence.

DISCRIMINATORY LAWS AND LACK OF LEGAL PROTECTION

Discriminatory laws and lack of legal protection around sexual orientation and gender identity creates a climate of fear and legitimizes harassment and violence perpetrated by state actors that further puts LGBT people at risk for violence perpetrated by the police, family and community.

- Same-sex sexual relations are criminalized in 76 countries. Punishments range from imprisonment to the death sentence in at least five countries.⁹
- Some of these laws are inherited as colonial era laws.¹⁰
- Most countries in the Global South have no non-discrimination statute regarding employment, access to housing, and government services for LGBT individuals.¹¹
- Transgender communities are considered outside the laws that protect citizens from abuse and discrimination, and hinders their access to health, education, and other social services.¹²
- Laws banning “homosexual propaganda to minors” instill a fear around any show of public support for LGBT people and an

understanding that this support can result in fines or arrest.¹³

- In the Asia Pacific, same sex behavior is criminalized in 19 out of 38 countries, adding additional barriers to young MSM and transgender people being able to access health services and leaving them additionally vulnerable to be impacted by HIV.¹⁴
- Incidents of violence or discrimination against LGBT individuals are often unreported because the victims either do not trust the police or are afraid of being “outed” or violated further. In fact, there have been several cases in which the police attack LGBT individuals in some communities around the world.¹⁵
- According to a focus group convened in Asia by Youth Voices Count, rape of men younger than 18 in Pakistan was reported to be widespread and two participants in the Karachi focus group discussion said that they had experienced rape by police.¹⁶
- The same study reported that at least one young person in all of the focus groups disclosed experiencing sexual violence and in Pakistan, Philippines and China, rapes were not reported to the police because of shame and the belief that the police will not do anything.¹⁷

FAMILY REJECTION, BULLYING AT SCHOOL, HOMELESSNESS AND ECONOMIC HARDSHIP

LGBT young people in the Global South experience extreme hardship within their communities rendering it extremely difficult for them to lead healthy lives and become productive adults.¹⁸

- Across the world, LGBT youth report discrimination in schools.¹⁹
- According to the Council for Global Equality, the Country Reports on Human Rights Practices 2015 produced by the State Department documents that in Dominican Republic, Latvia and Japan there were reported instances of school bullying with violence directed at transgender students as particularly severe. A Bolivian study found “72 per cent of transgender individuals abandoned their secondary school studies due to intense discrimination.”²⁰
- According to a survey (unpublished) conducted by Men Against AIDS Youth Group (MAAYGO) in Kenya to document

the needs of LGBT youth, all men who identified as gay reported some level of victimization from the community with the highest ones being rejected by friends followed by rejection from family.

- Students who were bullied because of their actual or perceived sexual orientation had a 27 percent higher absenteeism rate than those who were not, according to the largest safe school studies to date.²¹
- An online survey which was sponsored by Vietnam's Center for Creative Initiatives in Health and Population found that 77 percent of LGBT youth experienced verbal abuse; 44 percent experienced physical assault in school; 42 percent of these youth lost interest in school, 33 percent skipped school, and 6 percent abandoned school.²²
- According to a survey (unpublished) conducted by Advocates for Youth and the African Queer Youth Initiative, Physical, verbal and emotional abuse; eviction from house, work and community and rejection by family/clan, friends and from church were the top three areas in which they had experienced discrimination.
- Young people with non-conforming gender identities face discrimination in many countries.²³
- In a report on LGBTQ organizing in West Africa, homelessness was listed as one of the issues faced by LGBTQ youth living in West Africa.²⁴
- LGBT youth in and out of school experience discrimination, harassment, as well as violent abuse in some cases.²⁵
- "A survey conducted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) of students in Thailand found that more than 30 percent of LGBT respondents had been bullied in the previous month and more than 30 percent had experienced physical abuse."²⁶
- School is one of the most dangerous places for gay and lesbian youth in South Africa.²⁷
- In South Africa, violence and bullying perpetrated by families contribute to high dropout rates among LGBTI youth.²⁸
- "A 2015 study by Higher Education & Training HIV/AIDS Programme (HEAIDS) and the Networking HIV/AIDS Community of South Africa (NACOSA) found that homophobia, stigmatization and discrimination against LGBTI students led to lower levels of educational attainment and affected their

access to health resources."²⁹

- LGBT youth can face violence perpetrated by family and community.³⁰
- There are "rehabilitation clinics" in Ecuador where lesbian and transgender youth are forcibly detained with the permission of family members. These youth have been subjected to torture, including sexual abuse.³¹
- Religious rhetoric can also place LGBT people at risk. The Committee on the Right of the Child has criticized the Holy See for contributing to stigmatization faced by LGBT adolescents.³²

LACK OF ACCESS TO COMPREHENSIVE SEX EDUCATION AND CULTURALLY COMPETENT HEALTH CARE

Access to quality comprehensive sex education remains unattainable to most youth globally which places additional barriers to LGBT youth's ability to access culturally relevant and age appropriate information to live healthy lives.

- Due to lack of or poor implementation of comprehensive sex education, young people are not informed and educated. For example, the percentage of young people with comprehensive knowledge of HIV was just 39 percent for young men and 28 percent for young women 15 to 24 in sub-Saharan Africa.³³
- Globally, men who have sex with men (MSM) are 19 times more likely to be living with HIV than the general population³⁴ and "transgender individuals have alarmingly high HIV prevalence rate ranging from 8 percent to 68 percent."³⁵ While HIV rates among the general population are falling in many countries, Young Men who have Sex with Men (YMSM) are particularly vulnerable and have significantly higher prevalence rates than the general population.³⁶ Inadequate access to comprehensive sex education, shown to be effective in delaying sexual activity and increasing condom use among young people who are sexually active, also undermines efforts to protect young people from acquiring HIV.
- In West Africa, social taboos combined with tradition and religion make it very difficult to implement comprehensive information around sexual and reproductive health. However according to a survey administered by the Queer African Youth

Network (QAYN) 99 percent of gay and MSM youth engaged in their first sexual activity by the age of 15.³⁷

- Lack of availability of condoms and lube can also make it difficult to engage in safer sex behaviors. According to a mystery client research (unpublished) conducted by Sexual Health And Reproductive Rights For Youths (SHARRY) around services available to Young Men Who Have Sex with Men (YMSM) in Uganda, none of the ten sites visited distributed condom compatible lubricants, which makes sex among YMSM risky even with a condom. According to a focus group convened in Asia by Youth Voices Count, condoms were not readily available in rural areas and young MSM and transgender women in Nepal and other countries did not have information about where to access lube.³⁸
- Lack of access to comprehensive sexuality education or using materials that promote stereotypes can lead to violence and negative health outcomes.³⁹
- According to a survey (unpublished) conducted by Men Against AIDS Youth Group (MAAYGO) in Kenya to document the needs of LGBT youth, the majority of LGBT youth surveyed identified “access to health services without fear of stigma and discrimination” and access to “safer sex methods” as key concerns around sexual health.
- According to a survey (unpublished) conducted by Advocates for Youth and the African Queer Youth Initiative, Lack of connection to other LGBTI Youth, safe space for LGBTI youth, friendly health services, sources of employment and lack of friendly social places were amongst the top three challenges they face as an LGBTI Youth.
- YMSM and young transgender women in Asia reported feeling fear, shame and stigma in accessing health care services due to judgmental attitudes of the health care workers and the possible compromising of confidentiality by the health care workers.⁴⁰
- Young transgender women in Asia reported not being able to access health care services because their gender identity did not match the gender marker on their ID card.⁴¹
- Cost of medical services, operating hours and distance to health care facilities were also reported as obstacles to health care services by YMSM and transgender women in Asia.⁴²

- Punitive social and legal contexts along with limited access to sexual and reproductive health services are the main determinants for high prevalence of HIV amongst YMSM.⁴³

SELF-STIGMA, THE PRESSURE TO MARRY AND TO MAINTAIN HETEROSEXUAL RELATIONSHIPS

LGBT youth are especially vulnerable to internalizing messages that frown upon any deviation from mainstream understandings of gender and sexuality which can lead to self stigma, negative health outcomes and a diminished ability to envision a hopeful future.

- Self stigma can have devastating effects around self efficacy, negotiating healthy behaviors and access to care that can lead to negative health outcomes and that young MSM and transgender women reported struggling around self-acceptance, depression, anxiety, entering into relationships with older people where there was a power imbalance which affected self-efficacy including being able to use condoms and suicidal ideations.⁴⁴
- The majority of studies on Caribbean men who have sex with men (MSM) show that many men also have sex with women. Similarly, women who have sex with women (WSW) often engage in heterosexual relations to avoid stigma and discrimination, or for childbearing purposes.⁴⁵
- In Pakistan, some lesbian and bisexual women enter into heterosexual marriage to escape violence from families of origin while others are forced to comply with family expectations.⁴⁶

RECOMMENDATIONS:

- Condemn the violence and bigotry committed against LGBT youth in the global south, and around the world.
- Specifically recognize and prioritize the needs of LGBT youth.
- Target specific funding for LGBT youth organizations and young human rights defenders.
- Specifically invest in LGBT youth leadership development and capacity building to make sure that youth have the skills to advance the work within the LGBT movement.

- Promote evidence- and rights-based, LGBT-inclusive comprehensive sexuality education. All young people deserve to have complete and accurate information about their sexual and reproductive health, including sexuality, condoms and contraception, healthy relationships, and the prevention of violence, stigma, and discrimination.
- Support the full range of youth-friendly sexual and reproductive health services with guarantees that such services are confidential, affordable, and respectful of young people's rights to privacy and informed consent.
- Advocate for the inclusion of strong language recognizing the diversity of youth, including LGBT youth and other marginalized youth, at the United Nations. As young people themselves articulated in the UN Bali Global Youth Declaration, recognition of sexual rights is a critical component of guaranteeing the safety, security, and healthy development of LGBT youth.
- Advocate to make sure that laws criminalizing sexual assault must also address violence perpetrated against LGBT people.

The following recommendations are directly quoted from UN Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on Discrimination and violence against individuals based on their sexual orientation and gender identity, 2015*, UN Human Rights Council: Geneva.

- Ban “conversion” therapy, involuntary treatment, forced sterilization, forced sterilization and forced genital and anal examinations.
- Prohibit medically unnecessary procedures on intersex children.
- Revise criminal laws to remove offences relating to consensual same sex conduct and other offences used to arrest and punish persons on the basis of their sexual orientation, gender identity or expression.
- Repeal so-called “anti-propaganda” and other laws that provide restrictions on freedom of expression, association and assembly.
- Sensitize health care workers around the needs of LGBT and intersex persons, including

in the areas of sexual and reproductive health and rights, suicide prevention, HIV/AIDS and trauma counseling.

- Establish national standards on non-discrimination in education; develop anti-bullying programs and establish helplines and other services to support LGBT youth and gender-non-conforming youth; and providing comprehensive age-appropriate sexuality education.
- Ensuring that housing policies do not discriminate against tenants based on sexual orientation and gender identity; and establishing shelters for homeless LGBT persons, with specific attention to youth, older persons and those in emergency situations.

SUCCESSFUL DEVELOPMENTS IN THE GLOBAL SOUTH:

Despite these significant challenges, as a result of a strong LGBT movement and advocacy, there have also been exciting developments in the global south that has shifted the discourse and given everyone hope that the importance of human rights for LGBT people are finally on the global agenda.

- In 2015, India's Supreme Court took proactive action, recognizing transgender people as legal third gender and granting transgender Indians status as an official minority requiring protection from discrimination (The governments of Nepal, Bangladesh and Pakistan have formally recognized third gender/transgender people as well.)⁴⁷
- In 2015, homosexuality in Mozambique was decriminalized which revised the colonial penal code dating back to 1886.⁴⁸
- In 2012, Argentina put in place some of the most liberal rules on changing gender in the world, allowing people to alter their gender on official documents without first having to receive a psychiatric diagnosis or surgery.⁴⁹
- In 2016, Colombia's Constitutional Court voted in favor of legal marriage equality. The ruling takes effect immediately, meaning same-sex couples can now marry throughout the South American nation.⁵⁰
- In 2014, the National Task Force on Gender and Sexual Orientation-based violence was established in South Africa.⁵¹
- In 2016 the government of Chile announced a directive on intersex rights whereby the ministry of health issued guidance to stop

“normalization” surgeries on intersex children becoming only one of two countries in the world to have produced formal guidelines preventing medical interventions the other one being Malta, which in April 2015 became the first country to prohibit these surgeries by law.⁵²

- In 2014, the African Commission of Human and People’s Rights passed a resolution condemning violence and human rights violations against the LGBT community and the Organization of American States approved its seventh resolution on human rights, sexual orientation and gender identity.⁵³

The following successful developments are directly quoted from UN Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on Discrimination and violence against individuals based on their sexual orientation and gender identity*, 2015, UN Human Rights Council: Geneva.

- In 2014, the African Commission of Human and People’s Rights passed a resolution condemning violence and human rights violations based on real or imputed sexual orientation and gender identity; the Organization of American States approved its seventh resolution on human rights, sexual orientation and gender identity, having in 2013 adopted the Convention against all forms of Discrimination and Intolerance, which addresses these issues, the Inter-American Commission on Human Rights established the mandate of Rapporteur on the rights of LGBT and intersex persons, having established a dedicated unit in 2011.
- Expansion of anti-bullying programs and other anti-discrimination measures in schools in Albania, Australia, Brazil, Canada, Taiwan province of China, Ireland, Portugal, Sweden and United Kingdom.
- Annual reporting of discrimination and violence in schools in Brazil.
- Human rights-based comprehensive sexuality education curriculum for schools in South Africa.
- Scholarships for transgender persons to enroll in vocational training in Brazil.
- Shelters for homeless LGBT youth (Albania, United States).

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MISSION

Established in 1980 as the Center for Population Options, Advocates for Youth champions efforts to help young people make informed and responsible decisions about their reproductive and sexual health. Advocates believes it can best serve the field by boldly advocating for a more positive and realistic approach to adolescent sexual health.

OUR VISION: THE 3RS

Advocates for Youth envisions a society that views sexuality as normal and healthy and treats young people as a valuable resource.

The core values of Rights. Respect. Responsibility.® (3Rs) animate this vision:

RIGHTS Youth have the right to accurate and complete sexual health information, confidential reproductive and sexual health services, and a secure stake in the future.

RESPECT Youth deserve respect. Valuing young people means involving them in the design, implementation and evaluation of programs and policies that affect their health and well-being.

RESPONSIBILITY Society has the responsibility to provide young people with the tools they need to safeguard their sexual health, and young people have the responsibility to protect themselves from too-early childbearing and sexually transmitted infections (STIs), including HIV.

SOME RELATED PUBLICATIONS FROM ADVOCATES FOR YOUTH

The Facts: LGBTQ Youth

The Facts: Transgender Youth

The Sexual and Reproductive Health of Young People in Low and Middle Income Countries

See the complete library of publications at www.advocatesforyouth.org/publications