



LGBTI Human Rights in the COMMONWEALTH



18th July 2014
University of Glasgow,
Sir Charles Wilson Building



#LGBTIhrc



CONFERENCE WELCOME

On behalf of the conference partners – The Equality Network, Glasgow Human Rights Network, Kaleidoscope Trust and Pride Glasgow – and the conference steering group, we welcome you to the LGBTI Human Rights in the Commonwealth Conference here in Glasgow.

Just five days before the start of the Commonwealth Games in the city, and with the eyes of the Commonwealth and the world upon us, this conference aims to create a focus for LGBTI human rights discussions, providing a space to share ideas, practice and campaigns, engaging participants in global human rights issues and, importantly, ensuring the visibility of Commonwealth LGBTI people and culture during the games.

The human rights record of the Commonwealth is not one to celebrate. When 42 of the 53 members of the Commonwealth criminalise their own LGBTI citizens and many people do not know about the role of the Commonwealth or what it does, the conference offers a unique opportunity to raise and highlight LGBTI human rights successes and challenges, seeking ways to work together to help make Commonwealth a better place for all, and exploring ways in which people and communities can be a part of wider campaigns for equality and human rights.

We are delighted to be joined by speakers from around the Commonwealth, here to share their insights, expertise and knowledge on the Commonwealth, international human rights, sexual orientation, gender identity and intersex equality.

We hope this conference will be engaging and that you will leave today better informed about the struggles, successes and challenges that LGBTI people face around the Commonwealth and what you can do to better support LGBTI equality around the world.

CONFERENCE PARTNERS



The Equality Network works for lesbian, gay, bisexual, transgender and intersex equality and human rights in Scotland.

www.equality-network.org | [facebook: equality-network](https://www.facebook.com/equality-network) | [@LGBTIScotland](https://twitter.com/LGBTIScotland)



The Glasgow Human Rights Network aims to bring together researchers, practitioners, members of civil society organisations and policymakers who address human rights issues.

www.gla.ac.uk/research/az/glasgowhumanrightsnetwork

Kaleidoscope Trust

The Kaleidoscope Trust is a UK based charity working to uphold the human rights of lesbian, gay, bisexual and trans people internationally.

www.kaleidoscopetrust.com | [facebook: kaleidoscopetrust](https://www.facebook.com/kaleidoscopetrust) | [@Kaleidoscope_T](https://twitter.com/Kaleidoscope_T)



Pride Glasgow is Glasgow and the West of Scotland's lesbian, gay, bisexual and transgender pride festival celebrating the diversity of the LGBT community. This year events take place from 19 July - 3 August 2014.

www.prideglasgow.co.uk | [facebook: prideglasgow](https://www.facebook.com/prideglasgow) | [@prideglasgow](https://twitter.com/prideglasgow)

AGENDA

Date: Friday 18th July 9am – 5.00pm

Venue: University of Glasgow, Sir Charles Wilson Building

8.45 Start of Registration

9.20 Welcome from Conference Partners and Steering Group

Scott Cuthbertson Community Development Coordinator, Equality Network

9.30 LGBTI Human Rights and International Solidarity

Keynote Addresses (lecture theatre)

Chair: Dr. Matthew Waites Senior Lecturer in Sociology/Glasgow Human Rights Network, University of Glasgow

Fiona Hyslop MSP Scottish Government Cabinet Secretary for Culture and External Affairs

Frank Mugisha Executive Director, Sexual Minorities Uganda (SMUG)

Purna Sen former Head of Human Rights at the Commonwealth Secretariat; Chair of Kaleidoscope Trust

10.45 Tea and Coffee (entrance hall)

11.00 Voices from around the Commonwealth

Panel Session (lecture theatre)

Chair: Becky Kent Scottish Transgender Alliance

Bisi Alimi LGBT/HIV advocate and lecturer, Free University of Berlin (Nigeria)

Monica Tabengwa LGBT Rights Programme, Human Rights Watch (Botswana)

Mayur Suresh Lawyer and activist from India

Morgan Carpenter President, Organisation Intersex International Australia

Silvan Agius Policy Coordinator (Human Rights), Ministry for Social Dialogue, Consumer Affairs and Civil Liberties (Malta)

Jermaine Grant Human Rights advocate in Guyana, the Caribbean and within the Inter-American system of human rights of the Organisations of American States (OAS) (Guyana)

12.15 Religion and Cultural Politics: Understanding Contexts

Panel Session (main room)

This panel will focus on the importance of religion and culture in understanding the politics of sexuality, especially in a non-western context. In particular, the panel will focus on the role religion and culture play in politics and policymaking around the world and how religious and cultural discourses consequently shape understandings on citizenship and minority rights.

Chair: Sam Rankin Intersectional Coordinator, Equality Network

Dr. Barbara Bompani Centre of African Studies, University of Edinburgh

Shanon Shah PhD student, Department of Theology and Religious Studies, Kings College London

Pallav Patankar Director of Humsafar Trust, Mumbai, India.

Workshop 1 (Breakout One)

Intersex Human Rights, led by **Morgan Carpenter**, President, Organisation Intersex International Australia (Australia).

What are the key issues facing intersex people in the Commonwealth and around the world and how do we better include intersex people and concerns in international advocacy.

Workshop 2 (Breakout Two)

Economic development and LGBTI rights, led by **Bisi Alimi**.

This workshop will explore the close connections between economic development and LGBTI human rights improvements including themes of the cost of discrimination to global, national and local economies; and how we make the case for LGBTI human rights to financial institutions inc. the World Bank.

13.15 Lunch

14.00 Scotland, the Commonwealth and LGBTI Rights

Panel Session (main room)

This session will look the role Scotland and its people can play in the Commonwealth and on international LGBTI human rights issues; as well as looking to good practice in other countries.

Chair: Dr Tim Hopkins Director, Equality Network

Silvan Agius Policy Coordinator (Human Rights) at Ministry for Social Dialogue, Consumer Affairs and Civil Liberties (Malta)

Patrick Harvie MSP Co-Convener Scottish Green Party

Pauline Kelly Media and Campaigns Officer, Amnesty International – Scotland

Further speakers to be confirmed.

Workshop 3 (Breakout One)

Changing Laws / Litigation, led by **Jonathan Cooper**, Chief Executive of the Human Dignity Trust.

The role of litigation and international human rights law in bringing about decriminalisation for LGBTI people around the world.

Workshop 4 (Breakout Two)

Discussion on Conference Statement, led by **Alistair Stewart**, Assistant Director, Kaleidoscope Trust and **Dr. Matthew Waites**, Senior Lecturer in Sociology/ Glasgow Human Rights Network, University of Glasgow.

This session will look at the draft conference statement calling for the removal of all laws that criminalise people or limit their human rights due to sexual orientation, gender identity or intersex status.

15.00 **Transnational Activism**

Panel Session (main room)

This session will look at some of the challenges of transnational and cross-border activism. Drawing on the knowledge of panellists with a wealth of campaigning experience this session will examine how activism and solidarity can be conducted across borders. In an era of social media it will examine some of the tensions between accessible and effective activism looking at the role of 'clicktivism' and boycotts.

Chair: Alistair Stewart Assistant Director, Kaleidoscope Trust.

Morgan Carpenter President, Organisation Intersex International Australia.

Monica Tabengwa LGBT Rights Programme, Human Rights Watch (Botswana)

Peter Tatchell Campaigner for human rights, democracy, LGBT freedom and global justice

Frank Mugisha Executive Director, Sexual Minorities Uganda (SMUG).

Workshop 5 (Breakout One)

Asylum, led by **Sam Rankin**, Intersectional Coordinator, Equality Network and Unity.

People from various Commonwealth countries apply for asylum in the UK. In this workshop we will discuss the issues LGBTI asylum seekers and refugees face in the UK; their needs and how to make services more inclusive.

Workshop 6 (Breakout Two)

Aid Conditionality and Diplomatic Tools, led by **Fionnuala Murphy**, Campaigns Manager at the International HIV/AIDS Alliance

Should donors withdraw aid from countries that violate LGBT people's rights, or make respect for LGBT equality a condition of aid? What about travel bans, or diplomatic boycotts? This workshop will look at aid and beyond it, exploring the other tools, political and diplomatic, that governments can use to help advance LGBTI human rights in the Commonwealth and around the world.

16.00 **Break, Refreshments**

16.15 Presentation on Conference Statement

Plenary Session (main room)

Alistair Stewart Assistant Director, Kaleidoscope Trust

Dr. Matthew Waites Senior Lecturer in Sociology/Glasgow Human Rights Network, University of Glasgow

16.45 Closing Remarks

Joshua McCormick MSYP LGBT Youth Scotland International Youth Representative, member of the Scottish Youth Parliament

17.00 End of Conference

Mutual Respect

We are delighted that this event has drawn a very wide variety of delegates with different identities, views and experiences. Therefore it is particularly important that everyone demonstrates mutual respect and avoids comments that are hurtful or dismissive of other's experiences. While we encourage respectful debate about points of view we trust that delegates will avoid personal or prejudiced comments and allow everyone space and time to express themselves.

CONFERENCE BIOGRAPHIES

CONFERENCE STEERING GROUP

Alistair Stewart is the Assistant Director of the Kaleidoscope Trust, a UK based charity that works to uphold the rights of LGBT people globally. The Trust works with activists and organisations in countries where the rights of LGBT are threatened, and works to communicate their voices to politicians, diplomats and policy-makers in the UK, the Commonwealth and international forums. Alistair has a background in radical community organising, campaigning and communication on a range of social and economic justice issues. He has a Bachelors of Arts in Economics, Politics and Public Policy and a Masters in Postcolonial Theory and Public Policy, both from Goldsmiths University. [@astarst](#)

Bisi Alimi is a Nigerian LGBT/HIV activist who was the first to come out on Nigerian television. He is a Lecturer at Free University of Berlin. He currently consults for the World Bank on the development of safeguard policies which are a cornerstone of its support to sustainable poverty reduction. He has collaborated with a number of organisations on work for human rights in relation to LGBT and HIV/AIDS issues.

In June he was listed on the World Pride Power List 2014 at number 77 and his recent piece "Economic Cost of Homophobia" for Project Syndicate was translated into seven languages including Chinese, French, German & Spanish. www.bisialimi.com [@bisialimi](#)

Fionnuala Murphy is Campaigns Manager at the International HIV/AIDS Alliance, based in Brighton. A law graduate and part-time writer, Fionnuala has worked in campaigns and advocacy on international development and human rights since 2003. At the International HIV/AIDS Alliance, her role is focussed on advancing the rights of people most affected by HIV and AIDS. She led her organisation's response to the recent enactment of anti-gay laws in Nigeria and Uganda, and published a short article about the crisis facing LGBT Ugandans in the Independent. Since then, she has been working to persuade the UK government and other donor countries to increase their support for LGBT people in developing countries through targeted funding and more active diplomacy. [@rightstoendAIDS](#)

Joshua McCormick, a young person from Scotland, is the LGBT Youth Scotland International Youth Representative and a member of the Scottish Youth Parliament. Joshua has represented the young people of LGBT Youth Scotland in numerous LGBTQI events across the pan-European from study sessions on homophobic and transphobic bullying to roundtable events discussing intersectionality and the impacts of being LGBT.

Joshua has a passion for LGBT activism, lobbying and advocacy and has worked extensively in cooperation with NGO's and decision makers from across Europe to promote the rights of LGBTQI young people. [@jmccormickmsyp](#)

Dr. Matthew Waites is Senior Lecturer in Sociology in the School of Social and Political Sciences at the University of Glasgow (www.gla.ac.uk/schools/socialpolitical/staff/matthewwaites). He is co-editor, with Corinne Lennox, of *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change* (London: School of Advanced Study, 2013; free online at: commonwealth.sas.ac.uk/publications/house-publications/lgbt-rights-commonwealth). He is also author of *The Age of Consent: Young People, Sexuality and Citizenship* (Palgrave Macmillan, 2005), and co-editor (with P. Hynes, M. Lamb and D. Short) of three collections: *Sociology and Human Rights: New Engagements*, special issue of *International Journal of Human Rights*, 14 (6), 2010 (also a Routledge book, 2011); *The Sociology of Human Rights*, special issue of *Sociology*, 46 (5), 2012; and *New Directions in the Sociology of Human Rights*, special issue of *International Journal of Human Rights*, 16 (8) 2012 (also a Routledge book, 2014). [@MatthewWaites](#)

Queralt Badia, from Catalonia, is currently undertaking an internship with Equality Network as part of the Leonardo Programme. Her priority has been to collect and collate information from LGBTI people and organisations around the world for an 'LGBTI People of the Commonwealth' Exhibition. She has a Political Science degree from Universitat Autònoma de Barcelona, and a Masters in Marketing and Political Communication from the same institution. She speaks fluent Italian and English as well as her native languages of Catalan and Spanish. [@Queralt_Badia](#)

Sam Rankin is the Intersectional Equality Co-ordinator for the Equality Network. Sam Rankin has been a facilitator and trainer in various roles for twelve years. She was born and raised in South Africa, where her work focused on using arts education in reconstruction and development. She moved to Scotland in 2006. She worked for the Central Scotland Racial Equality Council before joining the Equality Network in 2008. Her work focuses on the intersections of gender identity and sexual orientation with race, faith and disability. [@LGBTIScotland](#)

Scott Cuthbertson (Chair) read Business before becoming active in student politics. He became the LGBT Officer for the National Union of Students in 2006 where he led campaigns on homophobic bullying, the gay blood ban and transgender inclusion. He started full time at the Equality Network in 2008 where he is the Community Development Coordinator, he also leads the organisations projects on inclusive sport, LGBTI travel and the Commonwealth Games. He is currently undertaking an MSc in Social Justice at Queen Margaret University. [@scotcuthbertson](#)

CONFERENCE BIOGRAPHIES

CONFERENCE SPEAKERS

Silvan Agius is Policy Coordinator (Human Rights) at Ministry for Social Dialogue, Consumer Affairs and Civil Liberties in Malta – a post he took up last year. Until 2013 he previously worked for ILGA-Europe as Policy Director, overseeing its strategies and advocacy seeking human rights for LGBTI people in Europe. Prior to 2007 he worked for the National Commission for the Promotion of Equality in Malta. He was honoured as a Trans Rights Champion by Transgender Europe in 2013. His publications include the European Commission report *Trans and Intersex People: Discrimination on the grounds of Sex, Gender Identity and Gender Expression* (2012), co-authored with Christa Tobler. Also an ILGA-Europe & Transgender Europe joint report *Human Rights and Gender Identity: Best Practice Catalogue* in 2011. [@SilvanAgius](#)

Dr Barbara Bompani is Senior Lecturer in African Development at the Centre of African Studies, School of Social and Political Science, the University of Edinburgh. Dr Bompani's work has focused on the intersection between religion, politics and development in Sub-Saharan Africa. Since 2012 she has been involved in a research project that investigates the role of Pentecostal Charismatic Churches in framing the public and political discourse around morality, sexuality and nationhood in Uganda. Key publications include: Bompani B. (2013) "Local religious organisations performing development: Refugees in the Central Methodist Mission in Johannesburg" in *Journal of International Development*; Bompani B. and Frahm-Arp M. (2010), *Development and Politics from Below, Exploring Religious Spaces in the African State*, Palgrave-MacMillan, London. [@BarbaraBompani](#)

Morgan Carpenter is President of Organisation Intersex International Australia (OII Australia), and one of the world's leading activists in intersex politics. OII Australia is a national body by and for intersex people; its goals are 'to help create a society where sex differences are not stigmatised, and where our rights as people are recognised'. Morgan worked for a decade in Ireland and the UK in research consultancy, evaluation and project planning, before moving to Australia as a research analyst for an IT company. www.morgancarpenter.com [@morgancarpenter](#)

Jonathan Cooper is Chief Executive of the Human Dignity Trust. He is a barrister and human rights specialist with experience before English and International courts and tribunals, as well as conducting training programmes and advising on human rights issues in jurisdictions all over the world. He has been involved in a number of cases establishing the rights of trans people. He was also counsel in the UK gays in the armed forces case. Jonathan is a member of Doughty Street Chambers and was previously Legal Director of Liberty and Deputy Director of JUSTICE. Jonathan has published extensively on human rights. [@HumanDignityT](#)

Jermaine Grant holds a Bachelor's Degree in International Relations and Post Graduate Diploma in International Studies from the University of Guyana. He is currently pursuing MA International Security and Diplomacy at the University of East Anglia in the UK as a Chevening Scholar (UK FCO Scholarship Program). Mr. Grant has approximately 10 years of experience in LGBT human rights advocacy in Guyana, the Caribbean and within the Inter-American system of human rights of the Organizations of American States (OAS). He was a Trustee for the Society Against Sexual Orientation Discrimination (SASOD) from 2009 to 2013, a LGBT human rights organization in Guyana.

Fiona Hyslop is Scottish Government Cabinet Secretary for Culture and External Affairs and MSP for Linlithgow. Her Ministerial portfolio covers External Affairs, Europe, Culture and the Arts, Broadcasting, Architecture, Built Heritage, Lottery Funding, Historic Scotland, National Records of Scotland and Major Events Strategy.

Born in Ayrshire in 1964, in her early years Fiona Hyslop was brought up in England before returning to Scotland and graduating from Glasgow University with an MA (Hons) in Economic History and sociology. Appointed Minister for Culture and External Affairs in December 2009, Fiona Hyslop established the cultural development body, Creative Scotland, in July 2010, as part of the Public Services Reform Act. She also secured funding towards the Dundee V&A project, the new Bannockburn visitor centre, and the creation of the Robert Burns Birthplace Museum in Ayrshire. As part of the Scottish Government's programme of international development, Fiona Hyslop launched strategic plans for engaging with India and Pakistan in 2010. [@FionaHyslop](#)

Pauline Kelly, Media and Campaigns Officer for Amnesty International – Scotland, trained as a journalist in Scotland before moving to Hong Kong where she worked in publishing and education and latterly as a communications consultant. Whilst in Asia, she volunteered with Hong Kong Aids Foundation. Upon returning to Scotland she retrained as a counsellor. She joined Amnesty International in 2013 and is responsible for media, public outreach, events, and engagement campaigns leading on LGBT, Violence Against Women and gender and equality. [@AmnestyScotland](#)

Becky Kent is a sociologist working for the Scottish Transgender Alliance. Her research focuses on the processes by which inequality is reproduced in society, with a focus on the lived experiences of transgender people in Scotland. She is also active in equalities campaigning and policy development for public bodies. [@beckykent1962](#)

Frank Mugisha is Executive Director of Sexual Minorities Uganda (SMUG), an LGBTI non-governmental organization founded in March 2004 to address human rights issues based on sexual orientation and gender identity. Currently, the network comprises 18 member organisations and 8 LGBTI human rights defenders in Uganda all working to advocate for rights of LGBTIs and improve their welfare through service provision. The vision of SMUG is of a liberated Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) people of Uganda. www.sexualminoritiesuganda.com @FrankMugisha

Pallav Patankar has been involved with the Humsafar Trust since it was set up in Mumbai in 1994. Currently Director of HIV programmes, Pallav oversees the trust's HIV prevention work with gay men and transgender people, while also campaigning to change attitudes to LGBT people in India and to secure repeal of Section 377 of the Indian Penal Code, which criminalises same sex acts. Through The Humsafar Trust he has started a forum called Queer and Political which explores LGBT people's political affiliations and conducted an analysis of queer voting behaviour around the 2014 general elections.

Pallav is co-author to two publications, A people stronger, which details community mobilisation of men who have sex with men and transgender communities, and Charting a Programmatic Road map for Sexual minorities in India. He is also featured in a number of documentaries including 365 without 377, which explores the Indian LGBTI community's first year of freedom after a Delhi court read down section 377 in 2009, and acted in the film Urmi about a transgender woman in transition. @Pallav01

Purna Sen is Deputy Director of the Institute of Public Affairs, Chair of the board of the Kaleidoscope Trust, a member of the Board of RISE, (a domestic violence service provider) and an Advisor to Justice for Gay Africans. She has served as Head of Human Rights for the Commonwealth Secretariat and as Director for the Asia-Pacific Programme at Amnesty International. Her work has included research, publications and activism on violence against women, culture and human rights, trafficking, sexuality and sexual control, human rights developments, civil society organising against violence, and social development issues and race equality in the UK. @Purna_Sen

Shanon Shah is a singer-songwriter, playwright and journalist from Malaysia. In his various writings, he focuses on issues relating to gender, sexuality and Islam. In 2010, Shanon was awarded the Chevening Scholarship to pursue his Master of Arts (MA) in Religion in Contemporary Society at King's College London. He completed his MA in 2011 and won the Shelford MA Prize from King's School of Arts and Humanities. He is currently a doctoral candidate at King's College London. @shanonshah

Mayur Suresh is a practicing lawyer representing the Voices Against 377 coalition of organisations in its contribution to the legal action addressing India's sodomy law, Section 377 of the Indian Penal Code. He also engages in academic legal scholarship, notably as co-editor, with Siddarth Narrain, of *The Shifting Scales of Justice: the Supreme Court in Neo-liberal India* (Orient Blackswan, 2014) – a collection of essays examining the ideological direction of the Supreme Court in the last two decades.

Monica Tabengwa is researcher for the LGBT Rights programme at Human Rights Watch. She is a human rights defender and an activist from Botswana, where she has practiced law for more than 15 years. She took on cases dealing with human rights violations on the basis of HIV status, has successfully defended LGBT cases, and has written papers on the legal framework of human rights for LGBT people in Botswana. Tabengwa was part of a team conducting a litigation strategy to decriminalise same-sex sexual conduct between consenting adults. Monica Tabengwa received the Hubert Humphrey fellowship in 2001-2002, which allowed her to study gender, development and women studies at Rutgers University in the United States. She holds a law degree from the University of Botswana. [@tabengm](#)

Peter Tatchell has campaigned for LGBT and other human rights since 1967. A pioneer of the London Gay Liberation Front in 1971, he staged the first gay rights protest in a communist country (East Germany, 1973). In 1989, he helped found the AIDS activist group ACT UP London, and in 1990 he was a founding member of the LGBT direct action organisation OutRage! He outed 10 anti-gay bishops in 1994; twice attempted a citizen's arrest of the Zimbabwean dictator Robert Mugabe (1999 and 2001); interrupted the 1998 Easter Sermon of the then anti-equality Archbishop of Canterbury, George Carey; ambushed Tony Blair's motorcade in protest at the Iraq war (2003); and was badly beaten by neo-Nazis at the banned Moscow Pride parade in 2007. He is Director of the Peter Tatchell Foundation and human rights spokesperson for the Green Party. [@PeterTatchell](#)

Dr Tim Hopkins is the Director of the Equality Network. He was one of the founding members of the organisation and has been a leading campaigner on behalf of LGBT rights for 27 years, playing a key role in securing most of the LGBT-related legislative changes that have taken place in Scotland, including the repeal of Section 28, an equal age of consent, civil partnership, adoption laws and same-sex marriage.

'LGBTI Human Rights in the Commonwealth' conference was held at the University of Glasgow on Friday 18th July 2014, to coincide with the opening of the Glasgow 2014 Commonwealth Games and to mark the challenging environment faced by lesbian, gay, bisexual, trans and intersex (LGBTI) people in Commonwealth states. The conference was led by Scotland's Equality Network, with partners including the Kaleidoscope Trust, Pride Glasgow and Glasgow Human Rights Network. It drew speakers from across the Commonwealth, and involved a range of activists, policy-makers and organisations in discussion of how to improve the realisation of human rights for LGBTI people in Commonwealth states, and the role of Commonwealth institutions themselves.

We note that:

The human rights record of Commonwealth Member States on sexual orientation and gender identity issues is poor relative to all states worldwide. Due historically to the legal legacy of the British Empire, of the 53 member states, 42 criminalise some or all adult same-sex sexual behaviour. Ninety per cent of people in Commonwealth states live in countries where such criminalisation exists. Over half the countries in the world with laws banning same-sex sexual acts are in the Commonwealth. Across the Commonwealth lesbian, gay, bisexual, trans and intersex people are denied equal access to human rights.

In 2013 the Commonwealth Charter was formally adopted by all member nations. The Charter states that the Commonwealth is “implacably opposed to all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds.” In 2013 the Secretary General of the Commonwealth, Kamallesh Sharma told the UN Human Rights Council: “With regard to sexual orientation and gender identity our position remains that, based on shared Commonwealth principles, we oppose discrimination or stigmatisation on any ground.” This language of anti-discrimination is reiterated by the Commonwealth Games themselves, stating, “there shall be no discrimination against any country or person on any grounds whatsoever.”

LGBTI HUMAN RIGHTS IN THE COMMONWEALTH

CALL TO ACTION

The participants in the conference:

Declare the historical responsibility of the British Empire for the criminalisation of same-sex sexual behaviour and relationships; and call for the repeal of all British colonial laws which criminalise same-sex sexual acts between consenting adults.

Affirm that human rights on the basis of sexual orientation and gender identity exist in the context of all forms of civil, political, social, economic and cultural rights as defined by the United Nations, and are to be claimed together with human rights related to other forms of discrimination such as in relation to racism and religion.

Affirm the United Nations Human Rights Council resolution 'Human Rights, Sexual Orientation and Gender Identity' of 2011 (A/HRC/RES/17/19) which expressed 'grave concern at acts of violence and discrimination, in all regions of the world, committed against individuals because of their sexual orientation and gender identity'.

Affirm the Yogyakarta Principles on the Application of Human Rights Law in relation to Sexual Orientation and Gender Identity.

Affirm the resolutions of regional bodies that are co-extensive with the Commonwealth, in particular resolution by the African Commission on Human and People's Rights and resolutions by the Organisation of American States from 2008 onward.

Condemn absolutely the recent extensions of criminalisation and state persecution in several states.

The participants in the conference:

Recommend that all Commonwealth states:

- remove all laws that criminalise people or limit their human rights due to sexual orientation, gender identity or intersex status;
 - work with local LGBTI civil society organisations and human rights defenders to understand better and to realise/claim these human rights.
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Recommend that the Commonwealth, through its Secretariat and other relevant agencies:

- work with member states to uphold the Charter in full by developing a shared understanding of “other grounds” as being inclusive of sexual orientation and gender identity.
- work with member states to meaningfully include LGBTI human rights into wider national and regional human rights frameworks, in particular with national and regional human rights commissions.
- work closely with LGBTI civil society within and across Commonwealth member states to better understand the struggles faced by LGBTI people in realising rights
- work with Malta, the host government of CHOGM 2015, to include a discussion on equal rights for LGBTI citizens as a substantive agenda item
- that the Secretariat and the Chair of the Commonwealth (Malta) to provide a public report at CHOGM 2015 on progress made towards these ends



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