

# LGBT Rights: Frequently Asked Questions



## What does “LGBT” mean?

LGBT stands for “lesbian, gay, bisexual and transgender.” While these terms have increasing global resonance, in different cultures other terms may be used to describe people who form same-sex relationships and those who exhibit non-binary gender identities (such as *hijra*, *meti*, *lala*, *skesana*, *motsoalle*, *mithli*, *kuchu*, *kawein*, *travesty*, *muxé*, *fa’afafine*, *fakaleiti*, *hamjensgara* and Two-Spirit). In a human rights context, lesbian, gay, bisexual and transgender people face both common and distinct challenges. Intersex people (those born with atypical sex characteristics) suffer many of the same kinds of human rights violations as LGBT people, as indicated below.

## What is “sexual orientation”?

Sexual orientation refers to a person’s physical, romantic and/or emotional attraction towards other people. Everyone has a sexual orientation, which is integral to a person’s identity. Gay men and lesbian women are attracted to individuals of the same sex as themselves. Heterosexual people (sometimes known as “straight”) are attracted to individuals of a different sex from themselves. Bisexual people may be attracted to individuals of the same or different sex. Sexual orientation is not related to gender identity.

## What is “gender identity”?

Gender identity reflects a deeply felt and experienced sense of one’s own gender. A person’s gender identity is typically consistent with the sex assigned to them at birth. For transgender people, there is an inconsistency between their sense of their own gender and the sex they were assigned at birth. In some cases, their appearance and mannerisms and other outwards characteristics may conflict with society’s expectations of gender-normative behaviour.

## What does transgender mean?

Transgender (sometimes shortened to “trans”) is an umbrella term used to describe a wide range of identities—including transsexual people, cross-dressers (sometimes referred to as “transvestites”), people who identify as third gender, and others whose appearance and characteristics are perceived as gender atypical. Transwomen identify as women

but were classified as males when they were born. Transmen identify as men but were classified female when they were born. Some transgender people seek surgery or take hormones to bring their body into alignment with their gender identity; others do not.

## What is intersex?

An intersex person is born with sexual anatomy, reproductive organs, and/or chromosome patterns that do not fit the typical definition of male or female. This may be apparent at birth or become so later in life. An intersex person may identify as male or female or as neither. Intersex status is not about sexual orientation or gender identity: intersex people experience the same range of sexual orientations and gender identities as non-intersex people.

## What are homophobia and transphobia?

Homophobia is an irrational fear of, hatred or aversion towards lesbian, gay or bisexual people; transphobia denotes an irrational fear, hatred or aversion towards transgender people. Because the term homophobia is widely understood, it is often used in an all-encompassing way to refer to fear, hatred and aversion towards LGBT people in general.

## What kind of human rights violations are LGBT people exposed to?

LGBT people of all ages and in all regions of the world suffer from violations of their human rights. They are physically attacked, kidnapped, raped and murdered. In more than a third of the world’s countries, people may be arrested and jailed (and in at least five countries executed) for engaging in private, consensual, same-sex relationships. States often fail to adequately protect LGBT people from discriminatory treatment in the private sphere, including in the workplace, housing and healthcare. LGBT children and adolescents face bullying in school and may be thrown out of their homes by their parents, forced into psychiatric institutions or forced to marry. Transgender people are often denied identity papers that reflect their preferred gender, without which they cannot work, travel, open a bank account or access services. Intersex children may be subjected to surgical and other interventions

without their or often their parents' informed consent, and as adults are also vulnerable to violence and discrimination.

### **Is there any reason to criminalize homosexuality?**

No. Criminalizing private sexual relationships between consenting adults, whether the relationships are same-sex or different-sex, is a violation of the right to privacy. Laws criminalizing consensual same-sex relationships are also discriminatory, and where enforced, violate rights to freedom from arbitrary arrest and detention. At least 76 countries have laws in effect that criminalize private, consensual same-sex relationships, and in at least five countries conviction may carry the death penalty. In addition to violating basic rights, this criminalization serves to legitimize hostile attitudes towards LGBT people, feeding violence and discrimination. It also hampers efforts to halt the spread of HIV by deterring LGBT people from coming forward for testing and treatment for fear of revealing criminal activity.

### **Are there LGBT people only in Western countries?**

No. LGBT people exist everywhere, in all countries, among all ethnic groups, at all socioeconomic levels and in all communities. Claims that same-sex attraction is a Western practice are false. However, many of the criminal laws used today to punish LGBT people are Western in origin. In most cases, they were imposed on the countries concerned in the 19th Century by the colonial powers of the day.

### **Have LGBT people always existed?**

Yes. LGBT people have always been a part of our communities. There are examples from every locality and time-period, from prehistoric rock paintings in South Africa and Egypt to ancient Indian medical texts and early Ottoman literature. Many societies have traditionally been open towards LGBT people, including several Asian societies that have traditionally recognized a third gender.

### **Is it possible to change a person's sexual orientation and gender identity?**

No. A person's sexual orientation and/or gender identity cannot be changed. What must change are the negative social attitudes that stigmatize LGBT people and contribute to violence and discrimination against them. Attempts to change someone's sexual orientation often involve human rights violations and can cause severe trauma. Examples include forced psychiatric therapies intended to "cure" (sic) individuals of their same-sex attraction, as well as the so-called "corrective" rape of lesbians perpetrated with the declared aim of "turning them straight."

### **Does being around LGBT people or having access to information on homosexuality endanger the wellbeing of children?**

No. Learning about or spending time with people who are LGBT does not influence the sexual orientation or gender identity of minors nor can it harm their wellbeing. Rather, it is vital that all youth have access to age-appropriate sexuality education to ensure that they have healthy, respectful physical relationships and can protect themselves from sexually transmitted infections. Denial of this kind of information contributes to stigma and can cause young LGBT people to feel isolated, depressed, forcing some to drop out of school and contributing to higher rates of suicide..

### **Are gay, lesbian, bisexual or transgender people dangerous to children?**

No. There is no link between homosexuality and child abuse of any kind. LGBT people all over the world can be good parents, teachers and role models for young people. Portraying LGBT people as "paedophiles" or dangerous to children is wholly inaccurate, offensive and a distraction from the need to for serious and appropriate measures to protect all children, including those coming to terms with their sexual orientation and gender identity.

### **Does international human rights law apply to LGBT people?**

Yes, it applies to every person. International human rights law establishes legal obligations on States to make sure that everyone, without distinction, can enjoy their human rights. A person's sexual orientation and gender identity is a status, like race, sex, colour or religion. United Nations human rights experts have confirmed that international law prohibits discrimination based on sexual orientation or gender identity.

### **Can depriving LGBT people of their human rights be justified on grounds of religion, culture or tradition?**

No. Human rights are universal: every human being is entitled to the same rights, no matter who they are or where they live. While history, culture and religion are contextually important, all States, regardless of their political, economic and cultural systems, have a legal duty to promote and protect the human rights of all.