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SASOD accuses state of sanctioning homophobia

...as UNAIDS calls for end to laws against homosexuality

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The United Nations Joint Programme on HIV/AIDS (UNAIDS) has issued a call for governments around the world to decriminalise homosexuality.

The call comes as International Day against homophobia” is being observed around the world. In Guyana, as is the case in most of the Commonwealth Caribbean, intimacy between men is not allowed. In a statement, Mr. Michel Sidibé, Executive Director of UNAIDS, urged all governments to take steps to eliminate stigma and discrimination faced by men who have sex with men, lesbians and transgender populations.

He said that governments must also create social and legal environments that ensure respect for human rights and enable universal access to hiv prevention, treatment, care and support.

“The failure to respond effectively has allowed hiv to reach crisis levels in many communities of men who have sex with men and transgender people,” Sidibé said. He said efforts to reverse this crisis must be evidence informed, grounded in human rights and underpinned by the decriminalisation of homosexuality.

In the 2006 United Nations Political Declaration on HIV/AIDS, governments committed to removing legal barriers and passing laws to protect vulnerable populations.

However, more than 80 countries still have legislation that prohibits same sex behaviour. “Today, more than ever, we must work together to end homophobia and ensure the barriers that stop access to hiv services are removed,” Sidibé.

According to UNAIDS and the World Health Organisation, 21 percent of men who have sex with men in Guyana are hiv-positive, as compared to 2.5 percent in the general population.

Human rights activists and organisations such as the Society Against Sexual Orientation Discrimination (SASOD) have argued that this out-law of intimate same gender relations, helps to fuel the HIV epidemic.

In Guyana, violence and discrimination against transsexual, transgender and intersex (Trans) people came in for much attention a few months ago when a group of people verbally and physically attacked some ‘cross-dressers’ in the vicinity of Stabroek Market.

The escalated confrontation led to the 'cross-dressers' being detained and charged for an archaic statute related to 'cross-dressing' under section 153 (1) (xlvii) of the Summary Jurisdiction (Offences) Act Chapter 8:02. which makes an offence of "being a man, in any public way or public place, for any improper purpose, appears in female attire, or being a woman, in any public way or public place, for any improper purpose, appears in male attire...."

Days later, SASOD said Police unleashed a series of crackdowns in downtown Georgetown against 'cross-dressers,' detaining them without reading them their rights, informing them of their charges or allowing them to make phone calls or contact a lawyer.

According to SASOD, while in detention, they were mocked and ridiculed for their sexual orientation. Further to the insults by the police, the acting Chief Magistrate also unloaded her own disparaging remarks in making her decision motivated by her own religious views.

"These human rights violations clearly illustrate that the state is complicit and sanctions transphobic discrimination and violence," SASOD stated. The Society said it has repeatedly appealed to the Guyana government even at the highest levels to repeal the country's "colonial-inherited discriminatory laws, which our former colonisers have rid themselves of decades ago, and enact laws and policies to protect sexual and gender minorities from violence and discrimination. "

Meanwhile, men who have sex with men (MSM) in Guyana are among groups classified as "sexual minorities" who will benefit from a special programme launched by the United Nations System to fight hiv.

The United Nations Development Programme (UNDP) and UNAIDS announced that they are teaming up with local organisations working with MSM and against homophobia. The UN system is partnering with SASOD - the main organization committed to eradicating discrimination on the grounds of sexual orientation – and GuyBow.

The 2009-2011 Joint UN Programme of Support is aimed at universal access to hiv prevention, treatment, care and support for sexual minorities, with a special focus on men who have sex with men, health care service providers and the uniformed services.

This year's observance on International Day Against Homophobia also marks the launch of an international appeal to the World Health Organisation (WHO) to remove transsexualism from the list of mental disorders. The Appeal also calls on all states of the world to adopt the Yogyakarta principles on the application of international human rights law in relation to sexual orientation and gender identity and ensure that all Trans people benefit from appropriate health care, including gender reassignment if they so wish; be allowed to adapt their civil status to their preferred gender; live their social, family or professional lives without being exposed to transphobic discrimination or violence and that they are protected by police and justice systems from physical and non-physical

violence. The Appeal has been signed by over 300 organisations, including SASOD, in more than 75 countries across the globe