

International Gay and Lesbian Rights

Concept: International Gay and Lesbian Rights

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Description International gay and lesbian rights reflect a social movement seeking tolerance, equality, and acceptance of non-heterosexual persons. The term usually refers to homosexuals, but the movement has evolved to include bisexuals, the transgendered, and other sexual minorities. The term sexual orientation is commonly used in anti-discrimination legislation to ensure that no individual can be discriminated against based upon their choice of sexual partner.

In the West, most countries have decriminalized sodomy, enacted anti-discrimination legislation, and enacted a form of relationship recognition for same-sex couples. However, gays and lesbians continue to face difficulties having children through adoption or artificial insemination, donating blood, and having their committed relationships recognized as marriage. Many gays and lesbians continue to suffer discrimination, despite progressive legislation.

In the non-Western world, proposals to extend current international human rights law to include gay rights are highly controversial. Homosexuality and sodomy remain illegal as a consequence of culture and religion, and many non-Western states punish homosexual acts by life imprisonment or death. An attempt by Brazil in 2004 to have discrimination based on sexual orientation prohibited by the United Nations Commission on Human Rights was met with resistance from most developing countries in the Middle East, Africa, and Asia. To date, very little significant progress towards gay rights has been made in the United Nations.

The Council of Europe and the European Union are the only jurisdictions that have made significant progress in expanding gay rights. The European Court of Human Rights and the Treaty of Amsterdam have both expanded gay rights in Europe. Most notably, the Treaty requires that all members of the European Union enact anti-discrimination legislation protecting an individual based on sexual orientation.

Globalization has affected the evolution of gay and lesbian rights as well. There is a global network of gay and lesbian rights activists. International non-governmental organizations such as the International Lesbian and Gay Association and the International Gay and Lesbian Human Rights Commission have formed to monitor gay and lesbian rights and aid those countries attempting to update their legislation.

Suggested **Adam, Barry D., Jan Willem Duyvendak, and Andre Krouwel. eds.**

Reading: 1999. *The global emergence of gay and lesbian politics: National imprints of a worldwide movement*. Philadelphia, PA: Temple University Press.
International Lesbian and Gay Association website. www.ilga.org
(accessed 1 March 2005).

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