

FRANCE & THE HUMAN RIGHTS,

SEXUAL ORIENTATION AND GENDER IDENTITY SUPPORT FUND



International Day
against
HOMOPHOBIA
& TRANSPHOBIA

The aim of the Human Rights, Sexual Orientation and Gender Identity Support Fund is to offer a **structure** for all public and private-sector partners (central and local government, businesses, NGOs, foundations, private individuals) wishing to support the fight against homophobia and transphobia wherever the needs are greatest.

Hosted by France Coopération Internationale (FCI), an agency of the Ministry of Foreign and European Affairs, the Fund is managed by a 9-member steering committee comprising:

- a representative of the Ministry of Foreign and European Affairs who chairs the committee,
- four representatives of civil society with an international dimension, comprising two NGOs specialising in LGBTI (lesbian, gay, bisexual, transgender, intersex) issues and two NGOs working to promote and protect human rights,
- four representatives of contributors, elected at a General Assembly of all donors that contributed to the Fund during the previous year.



Since 2005, the International Day Against Homophobia and Transphobia (IDAHO) has focused public opinion on homophobia and transphobia issues through conferences, demonstrations and artistic events. The date of May 17 was chosen to commemorate the World Health Organisation's decision in 1990 to remove homosexuality from the list of mental disorders. Launched in 2005 and coordinated internationally by the IDAHO Committee, IDAHO day is now celebrated in over 60 countries around the world.



- **Over 80 countries prohibit sexual relations between people of the same sex.** The offence can be punishable by death in seven countries: Mauritania, Sudan, Saudi Arabia, Iran, Yemen and certain parts of Nigeria and Somalia.
- **Discriminatory laws,** restrictions on freedom of expression and the right to health, cruel or degrading treatment, arbitrary detention and extrajudicial executions exist in many countries, including countries where homosexuality or transidentity is not a criminal offence, and the victims may include defenders of such causes.
- The creation of an international support fund to finance practical action is a response to this situation. It is essential to **join forces** in defending the rights of LGBTI people, generating synergies between contributors from various backgrounds that will foster a dynamic of **public-private partnership** and practical action to defend and promote human rights.
- **The Support Fund is unique,** providing an **innovative framework** for channeling the efforts of those involved in the fight against homophobia and transphobia through initiatives in countries where such issues are deemed too sensitive to be aired publicly. **It is a vehicle for advocacy to sway public opinion, which is the vector of any long-term change.**
- Inspired by the **1948 Universal Declaration of Human Rights,** the Support Fund is intended to mark another step forward in the **assertion of universal and indivisible human rights.** As such, its action can focus as much on the civil and political rights of LGBTI people as on their economic, social and cultural rights.
- The situation of **defenders** of LGBTI people's rights is another cause of great concern. Their protection was the subject of a declaration (the 1998 Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms) which encourages states to respect and protect those who defend human rights. The same applies to the EU Guidelines on Human Rights Defenders adopted in 2004. Through calls for projects, the Fund encourages actions **to assist defenders of LGBTI rights by providing material, financial or moral support and extracting them from their country when the situation requires.**

➤ USEFUL LINKS

- Declaration of 18 December 2008
<http://www.franceonu.org/spip.php?article4092>
- Yogyakarta Principles
<http://www.yogyakartaprinciples.org/>
- Office of the High Commissioner for Human Rights
<http://www.ohchr.org/EN/>
- IDAHO Committee
<http://www.idahomophobia.org/>
- ILGA
<http://ilga.org/>
- Inter-LGBT
<http://www.inter-lgbt.org/>
- International Gay and Lesbian Human Rights Committee
<http://www.iglhrc.org/>

- In December 2008, France and the Netherlands jointly presented the text of a **Declaration on Human Rights and Sexual Orientation and Gender Identity** to the UN General Assembly. Delivered by Argentina, which helped to draft the declaration along with Brazil, Croatia, Gabon, Japan and Norway as well as France and the Netherlands, the Declaration, **signed by 67 countries to date**, represents a historic step forward in recognising the fight against breaches of human rights based on sexual orientation and gender identity.

- **The UN High Commissioner for Human Rights**, Navanethem Pillay, personally and forcefully endorsed the text, stating that «the task and challenge is to move beyond a debate on whether all human beings have rights, to secure the climate for implementation». Other international initiatives have also been taken, by the Council of Europe, the European Union and the Organisation of American States among others, to oppose violence and discrimination based on sexual orientation.

- **Although the Declaration represents definite progress, more now needs to be done to implement it.** The Fund's main aim is to encourage effective compliance with the principles set forth in the Declaration and to extend support for them with the aim of giving greater legitimacy to the actions of civil society.

- That is why, to mark IDAHO day in 2009, a **World Congress for Human Rights, Sexual Orientation and Gender Identity** was organised in Paris on 15 May 2009 by France, the Netherlands and Norway together with NGOs involved in the issue. Governments, international organisations and representatives of civil society engaged in dialogue on the prospects for cooperation in this sphere, on respect for LGBTI people's right to health and on transphobia around the world. Amongst other initiatives, the Congress recommended drawing up action plans and encouraging regional initiatives and the creation of networks.



- **The Support Fund also draws on the Yogyakarta Principles.** The principles were adopted in November 2006 at an international seminar at Gadjah Mada University in Yogyakarta (Indonesia) attended by experts in different fields from around the world. They concern the application of international human rights law in relation to sexual orientation and gender identity and **call for respect of the rights already recognised in existing instruments without creating specific rights for LGBTI people.** The many issues covered by the principles include access to justice, non-discrimination and the rights to freedom of expression and association, employment, health, education and involvement in public life. Although the principles are primarily directed at governments, they also emphasise that all players have a responsibility to promote and protect human rights.

- Through **calls for projects**, the Support Fund plays a full part in these initiatives. Many different kinds of action may be funded, the aim being to strengthen the necessary structures to defend rights and fight discrimination based on sexual orientation and gender identity or expression, or even in some cases to help to create them. This may be expressed in the construction of eligible projects or directly in their purpose, since in many places the LGBTI movement is fragmented and fragile or even clandestine, factors which greatly limit the means of action available to civil society.

➤ USEFUL LINKS

Documents and useful links may be found on the France Coopération Internationale website

www.fci.fr