



Modernizing Democracy

## **United Nations Human Rights Council**

*Topic: LGBTQ Rights in Asia*

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## ***Policy Dilemma***

LGBTQ is a widely used initialism that stands for the various sexual orientations and gender identities. This term consists of the words lesbian, gay, bisexual, transgender, queer, and more<sup>1</sup>. The queer community, which has faced historic violence, currently faces stigmatization, lack of attention in the media, discrimination, and brutality all throughout the world. In Asia, compared to the United States and many European countries, there are significantly fewer rights for this community. Throughout the continent, only a minority of countries recognize same-sex marriage as legal, and in many places, homosexuality and same-sex intercourse are illegal and can be punished by fines, caning, prison sentences, or even death<sup>2</sup>. The police and government have broad authority to discriminate against this community in several Asian countries<sup>3</sup>.

However, there are several layers of discrimination that occur in these nations, so it is unhelpful and possibly detrimental to group all the countries in Asia together when talking about this issue. For example, in Palau, same-sex marriage is legal, queer individuals can serve in the military, retain the right to request a change in gender, and are afforded legal protection against discrimination under the law. In contrast, in a country like the Maldives, however, there are virtually no rights granted to the LGBTQ community. Individuals cannot serve in the military, and punishments for same-sex sexual activity include imprisonment and lashings, although these are not commonly enforced<sup>4</sup>. Some countries, such as Saudi Arabia, Iran, Iraq, Brunei, and Yemen, can punish same-sex sexual activity with death<sup>5</sup>. These cases exemplify that although a discrepancy exists in the rights granted in this area of the world when compared to others, the differences between Asian nations' policy on LGBTQ rights must be considered when discussing solutions. These countries abide by an extreme form of Muslim Sharia Law, which has

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<sup>1</sup> Cox, Polly-Gean. "The Story of LGBTQIA: What Do All These Letters Really Mean." SWHELPER, 7 Apr. 2019, [www.socialworkhelper.com/2013/07/25/alphabet-soup-the-story-of-lgbtqia/](http://www.socialworkhelper.com/2013/07/25/alphabet-soup-the-story-of-lgbtqia/).

<sup>2</sup> "Gay Rights, LGBTQ and Same-Sex Marriage in Asia." South China Morning Post, 12 Mar. 2019, [www.scmp.com/week-asia/explained/article/3001296/explained-gay-rights-lgbtq-and-same-sex-marriage-asia](http://www.scmp.com/week-asia/explained/article/3001296/explained-gay-rights-lgbtq-and-same-sex-marriage-asia).

<sup>3</sup> Nqapia. "Fact Sheet: The State of LGBTQ Rights in Asia and the Pacific." NQAPIA, 14 Feb. 2018, [www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/](http://www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/).

<sup>4</sup> Nqapia. "Fact Sheet: The State of LGBTQ Rights in Asia and the Pacific." NQAPIA, 14 Feb. 2018, [www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/](http://www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/).

<sup>5</sup> LGBT Rights in Asia, [ipfs.io/ipfs/QmXoypizjW3WknFiJnKLwHCnL72vedxjQkDDP1mXWo6uco/wiki/LGBT\\_rights\\_in\\_Asia.html](https://ipfs.io/ipfs/QmXoypizjW3WknFiJnKLwHCnL72vedxjQkDDP1mXWo6uco/wiki/LGBT_rights_in_Asia.html).

conservative and outdated punishments, especially for LGBTQ individuals. However, there are many Muslim countries that do not have these laws in place, such as Tunisia<sup>6</sup>.

In many countries, such as Thailand, legal discriminations against the LGBTQ community are few, although the government fails to enforce protection for this community and there is still a widespread social stigma against such individuals as well as discrimination in society, the workplace, and within families<sup>7</sup>. The rape, abuse, and suicide rate against and among members of the LGBTQ community are high<sup>8</sup>. This shows that sometimes a lack of legislation is not the problem, and the issue lies more within the society and social beliefs of the country instead. In many cases, the issue lies in religion. Some of the main religions in Asia, Islam and Buddhism, have extremist groups that use such religions to discriminate against the LGBTQ community.

However, in recent years there has been more visibility and activism surrounding the rights of this community. Certain countries, such as India, have recently decriminalized gay sex or have allowed gay marriage, and this has spurred other places and groups to push for equal rights as well. However, there is still a very long way to go before these people are safe and are treated equally. This committee should be prepared to navigate the cultural norms, traditions, and beliefs that are ingrained in Asian societies, but to find ways and come up with solutions that will promote LGBTQ rights in these countries and combat the human rights violations occurring in the region.

## ***Chronology***

**January 13th, 1898:** August Bebel, the leader of the German Social Democracy, gave the first public speech fighting for LGBTQ rights in the world's history. In Reichstag, he called upon the German government to repeal Paragraph 175, legislation against sodomy. Although met with brutal opposition, this first act is what led to the eventual revocation of this law and propelled several LGBTQ rights movements throughout the globe<sup>9</sup>.

**June 28th, 1969:** Nine police officers raided the gay club, Stone Wall Inn, in New York City, USA. Previous raids that resulted in the arrests of several LGBTQ individuals for "not wearing clothing of the proper gender" or "participating in homosexual acts" had been a common phenomenon. However, the

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<sup>6</sup> Islam and Freedom: The Challenge and the Hope, [www.bushcenter.org/catalyst/freedom/akyol-islam-and-freedom.html](http://www.bushcenter.org/catalyst/freedom/akyol-islam-and-freedom.html).

<sup>7</sup> U.S. Agency for International Development, [www.usaid.gov/](http://www.usaid.gov/).

<sup>8</sup> "An Overview of LGBT Rights in Asia: Focus on Taiwan." THEAsiaN, 14 Nov. 2017, [www.theasian.asia/archives/100058](http://www.theasian.asia/archives/100058).

<sup>9</sup> Lauritsen, John. "The Man Who Spoke Out: 80th Anniversary of a Landmark in Gay Rights." Gay News, no. 136, 1978, [www.marxists.org/archive/bebel/1898/01/13.htm](http://www.marxists.org/archive/bebel/1898/01/13.htm).

customers were tired of constantly feeling threatened in one of their only safe spaces. They fought back and eventually the officers locked themselves in the club to which the people set fire to. Soon, thousands of protesters began to flood the streets during what soon turned to be a six-day protest fighting for LGBTQ rights. This was one of the first public pro-LGBTQ demonstrations in the world of the time and what launched some of the first LGBTQ activist groups such as the Gay Liberation Front and Human Rights Campaign. The area in which the protests occurred is now an American national monument<sup>10</sup>.

**June 28th, 1970:** the very first LGBTQ pride march was held in New York City, called the Christopher Street Liberation Day. Soon following, other cities in the United States of America such as Chicago and San Francisco, as well as other nations such as the United Kingdom, Canada, and New Zealand began their own pride marches. This continues to be a very large staple of the LGBTQ community and empowers its youth and fills them with a sense of pride and belonging<sup>11</sup>.

**September 6, 2018:** The Indian Supreme Court overturned Section 377 of their Penal Code which had criminalized gay sex<sup>12</sup>. This was a landmark decision because as India is such a large and influential country, this has contributed greatly to the LGBTQ movement gaining momentum in Southeast Asia. Many activists are calling on other countries such as Myanmar to repeal their Section 377, a colonial-era law, as well<sup>13</sup>.

**27 October 2018:** The first Pride Parade was held in Taiwan. Taiwan's pride parade has become the largest Pride Parade in Asia to date. An estimated 130,000 people marched in front of the President's Office<sup>14</sup>. This is significant because it shows that the LGBTQ rights movement is gaining momentum in Asia and has inspired other countries and groups to hold Pride Parades, becoming activists for the community.

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<sup>10</sup> "Stonewall Riots." History.com, A&E Television Networks, 2017, [www.history.com/topics/the-stonewall-riots](http://www.history.com/topics/the-stonewall-riots).

<sup>11</sup> Arnett, George. "How Pride Marches Spread around the World." The Guardian, Guardian News and Media, 25 June 2016, [www.theguardian.com/world/datablog/2016/jun/25/how-pride-marches-spread-around-the-world-lgbt](http://www.theguardian.com/world/datablog/2016/jun/25/how-pride-marches-spread-around-the-world-lgbt).

<sup>12</sup> Human Rights Campaign. "India Court Overturns Law Criminalizing Same-Sex Relationships." Human Rights Campaign, [www.hrc.org/blog/india-supreme-court-overturns-law-criminalizing-same-sex-relationships](http://www.hrc.org/blog/india-supreme-court-overturns-law-criminalizing-same-sex-relationships).

<sup>13</sup> "LGBTQ Rights Gain Energy in SE Asia." U.S. News & World Report, U.S. News & World Report, [www.usnews.com/news/best-countries/articles/2018-11-26/lgbtq-movements-slowly-gain-momentum-across-southeast-asia](http://www.usnews.com/news/best-countries/articles/2018-11-26/lgbtq-movements-slowly-gain-momentum-across-southeast-asia).

<sup>14</sup> "Taiwan: Asia's Largest Pride Parade Held in Support of LGBT Rights Before Landmark Vote Next Month." UNPO, [unpo.org/article/21196](http://unpo.org/article/21196).

**April 3, 2019:** Brunei has issued a new set of laws that will make homosexual activity punishable by stoning to death, and lesbian sex punishable by lashings<sup>15</sup>. This is a significant step back for the LGBTQ rights movement in Asia, as these very conservative, harmful, and intensely discriminatory laws have so recently been put in place. This highlights the sad truth that life for LGBTQ individuals is not necessarily getting better in some places, even though activism has been going on for so long around the world. This is important to understand because it proves that this committee must not be misled by the idea that human rights around the world are improving on their own and over time, as extreme laws such as these are still being put in place. In order to fully grasp this issue, it is necessary to address and take steps to counter new detrimental events stemming from conservative beliefs in some nations in the region.

## ***Actors and Interests***

### **The Youth**

Young individuals in the growing LGBTQ community of Asia play a huge role in this issue today as they are the ones who will inherit the movement and fight for equality, and hopefully see the world around them get better in the future. When thinking about this issue, it is important to consider that any solution will take time to be implemented, especially if it is a drastic one, meaning that the younger generations and the youth will be the most affected. Additionally, this does not only apply to those in the LGBTQ community, but to any member of the younger generation in these countries, as they will shape the way their country treats LGBTQ individuals. It must be understood that the rights of the LGBTQ community are human rights, and everybody, regardless of their personal sexuality or gender must discuss how this issue should be addressed and work towards positive change.

### **Activist Organizations**

Activist organizations are a crucial component to the campaign for LGBTQ rights as the driving force behind legislative reform,, the organization of Pride events, and the protection of LGBTQ individuals from the intense discrimination that they face. In many countries identifying with the community can be very dangerous, and these organizations provide some relief and safety to these individuals. One important figure in this is the NQAPIA (National Queer Asian Pacific Islander Alliance), \which is an alliance of LGBTQ activist organizations representing South Asian, Southeast Asian, and Pacific Island

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<sup>15</sup> Westcott, Ben. "Will Brunei's Anti-LGBT Sharia Law Spread across Southeast Asia?" CNN, Cable News Network, 8 Apr. 2019, [www.cnn.com/2019/04/08/asia/brunei-indonesia-malaysia-islam-intl/index.html](http://www.cnn.com/2019/04/08/asia/brunei-indonesia-malaysia-islam-intl/index.html).

communities<sup>16</sup>. NQAPIA has aided the queer community, by campaigning and pushing for policy reform, such as the “Family Is Still Family” program that aims to promote acceptance of Asian LGBTQ youth within their families. It is important to understand that these organizations have influence in their countries, but there are many places around the world where they sadly do not exist.

### **Conservative Society**

The mentality of society in many Asian countries is one that believes in the preservation of the ever deteriorating family unit<sup>17</sup>. Conservative society perceives the LGBTQ community as harmful to the family unit, traditional values, and cultural norms. Here, the community is seen as “unnatural” and is not accepted into society, which causes a lot of the discrimination that is happening. Conservative society is a very important factor in this dilemma, especially considering the religious implications associated with such a community. These societies are characterized by the government and most of the population prescribing to traditional beliefs and ways of running the society that can infringe on LGBTQ rights. Though usually harmless, some conservative beliefs can be detrimental to the queer rights movement and even dangerous for queer individuals. For example, several Asian countries uphold the belief that marriage is only between a man and a woman<sup>18</sup>, and that the traditional family is not something that should be disrupted. This has gone hand in hand, as in many places around the world, with discrimination against the LGBTQ community. However, in many other places around the world, there is a more progressive view of the queer community, whereas in many parts of Asia this mentality persists.

### **Hijra Community**

When talking about the LGBTQ community, many times the activism surrounding transgender rights is overlooked or pushed aside. However, one important actor in this dilemma is the Hijra community in the Indian subcontinent. These people are genderqueer or transgender individuals, who are often sex workers or beggars. In Hindu mythology, Hijras have a special spot as being able to curse or to bless others around them<sup>19</sup>. These women face a lot of discrimination, regardless of the position they seem to have in religion and are subject to harassment and violence. India and Pakistan recently officially recognized being

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<sup>16</sup> Nqapia. “Fact Sheet: The State of LGBTQ Rights in Asia and the Pacific.” NQAPIA, 14 Feb. 2018, [www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/](http://www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/).

<sup>17</sup> Sombatpoonsiri, Janjira. “Conservative Civil Society in Thailand.” Carnegie Europe, [carnegieeurope.eu/2018/10/04/conservative-civil-society-in-thailand-pub-77373](http://carnegieeurope.eu/2018/10/04/conservative-civil-society-in-thailand-pub-77373).

<sup>18</sup> “Taiwan: Asia's Largest Pride Parade Held in Support of LGBT Rights Before Landmark Vote Next Month.” UNPO, [unpo.org/article/21196](http://unpo.org/article/21196).

<sup>19</sup> Hylton, Sara, et al. “The Peculiar Position of India's Third Gender.” The New York Times, The New York Times, 17 Feb. 2018, [www.nytimes.com/2018/02/17/style/india-third-gender-hijras-transgender.html](http://www.nytimes.com/2018/02/17/style/india-third-gender-hijras-transgender.html).



transgender as a third gender, which provided such individuals with welfare and government benefits that they previously lacked<sup>20</sup>. Although not all transgender people are Hijras, the two labels overlap. It is the goal of committee to draft solutions that encompass all identities in the queer community, including transgender and genderqueer individuals.

## ***Possible Causes***

### **Religion**

The most widespread religion in Asia is Islam, with more than 1.1 billion followers<sup>21</sup>. Along with other religions such as Buddhism and Hinduism, the teachings of such groups have an extremely prominent effect on society in Asia. However, like most religions around the world, these teachings have the possibility of harboring homophobic aspects. Like all religions, Islam and Buddhism contain some sentiments that cannot be applied to life today. Due to the development and growth of society, the basis and perspective that forms these religious beliefs are only fit for ancient societies, rather than the modern world Asia seeks to develop into. With this context, many queer rights activists argue that some traditional teachings are outdated and based on how life was like hundreds of years ago. In order to conform with the progressive and changing views of the world, it is important for religion - of all kinds - to reform and keep up with the changes occurring. However, many countries have implemented the Sharia Law- the “way of life” that extreme followers of Islam adhere to<sup>22</sup>. This religious code is very harmful to women LGBTQ community, with strict and violent punishments that can include death. Many people also interpret Buddhist teachings as homophobic, stemming from one of the guidelines for life that warns against sexual misconduct. This is used as an argument against the queer community<sup>23</sup>. It is important to understand that the religion of Islam, or any religion in this area, is not the problem, but it is rather the interpretation and implementation of outdated religious law that causes so much harm.

### **Lack of Government Help/Government Discrimination**

In many countries in this area of the world, the government does not take an active role in helping the LGBTQ community or are actively opposing it. For example, in Cambodia, the police have broad

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<sup>20</sup> Hylton, Sara, et al. “The Peculiar Position of India's Third Gender.” The New York Times, The New York Times, 17 Feb. 2018, [www.nytimes.com/2018/02/17/style/india-third-gender-hijras-transgender.html](http://www.nytimes.com/2018/02/17/style/india-third-gender-hijras-transgender.html).

<sup>21</sup> Migiros, Geoffrey. “The Major Religions of Asia.” WorldAtlas, 18 July 2018, [www.worldatlas.com/articles/the-major-religions-of-asia.html](http://www.worldatlas.com/articles/the-major-religions-of-asia.html).

<sup>22</sup> “Sharia Law.” Muslims for Progressive Values, [www.mpvusa.org/sharia-law](http://www.mpvusa.org/sharia-law).

<sup>23</sup> Human Rights Campaign. “Stances of Faiths on LGBTQ Issues: Hinduism.” Human Rights Campaign, [www.hrc.org/resources/stances-of-faiths-on-lgbt-issues-hinduism](http://www.hrc.org/resources/stances-of-faiths-on-lgbt-issues-hinduism).

authority to discriminate and harm those in the LGBTQ community,<sup>24</sup>. The lack of government and police protection of an already vulnerable community increases the severity of discrimination LGBTQ people in Cambodia face. It is important to note that state sovereignty remains relevant here, meaning that this UN committee cannot force any government to change its rules. However, many times the government and the laws instituted are the problems in that country, so an important thing to consider is under what circumstances such governments would change their laws and actions.

### **Lack of Visibility**

In many countries in Asia there is no established LGBTQ community, especially in countries with a lot of discrimination present. There is no representation of the queer community in the media, which furthers the belief that this community is not relevant or a group that should be helped. In many places, they are ostracized from society as an “other” or as a group that is less than the “normal” people. An important point to consider is that without visibility and representation it will be hard for LGBTQ individuals to be accepted into society and to gain equal rights.

## ***Projections and Implications***

### **Health Risks**

Queer people, especially the youth because the younger one is usually the more vulnerable they are, have much higher rates of psychiatric illnesses, mental health disorders, substance abuse, and suicide<sup>25</sup>. This happens because of the intense discrimination and even violence that these individuals endure. It is important to note that the violations of human rights with respect to the queer community do not only hurt the individual at the moment but have lasting effects on all members of the community for years. Many of the health issues that the LGBTQ community faces can lead to chronic illnesses and health issues in old age, such as heart attacks, strokes, or cancer<sup>26</sup>. Additionally, the AIDS epidemic is very prevalent in many Asian countries, with 5.2 million people infected<sup>27</sup>, and due to the discrimination that members of the

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<sup>24</sup> Nqapia. “Fact Sheet: The State of LGBTQ Rights in Asia and the Pacific.” NQAPIA, 14 Feb. 2018, [www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/](http://www.nqapia.org/wpp/state-of-lgbtq-rights-in-asia-and-the-pacific/).

<sup>25</sup> “Lesbian, Gay, Bisexual, and Transgender Health.” Lesbian, Gay, Bisexual, and Transgender Health | Healthy People 2020, [www.healthypeople.gov/2020/topics-objectives/topic/lesbian-gay-bisexual-and-transgender-health](http://www.healthypeople.gov/2020/topics-objectives/topic/lesbian-gay-bisexual-and-transgender-health).

<sup>26</sup> “Medical Information and Health Advice You Can Trust.” Healthline, Healthline Media, [www.healthline.com/](http://www.healthline.com/).

<sup>27</sup> “HIV and AIDS in Asia & the Pacific Regional Overview.” AVERT, 10 Dec. 2018, [www.avert.org/professionals/hiv-around-world/asia-pacific/overview](http://www.avert.org/professionals/hiv-around-world/asia-pacific/overview).

LGBTQ community face they are many times denied treatment and health services. The health and treatment of the LGBTQ community should be kept in mind when figuring out a solution.

### **Asia's Position in the World**

There are many countries right now in Asia that are developing and pushing to become world leaders as we move into the future. However, if there are still human rights violations against the LGBTQ community in those countries, then it will be a lot harder for them to be respected on the global scale as a progressive country or as a country of the future. The countries in this committee should reflect on how they want to be thought of by other countries, and what position they want to have on the global theatre in the future. It is important to have a clear vision of themselves for the future and to understand the connection between that and between the human rights violations that are being committed against the LGBTQ community.

## ***Committee Goals***

Delegates will be able to:

1. Ignore personal bias and create solutions within the interests of their own country.
2. Create solutions that can be well applied on a global scale, while keeping in mind other countries' stances.
3. Introduce new subject matters to debate in case of an excess lingering on a certain aspect of the issue.
4. Balance cultural norms and traditions with progress and help for the LGBTQ community.
5. Consider what Asia's role in the world will be in terms of human rights and LGBTQ rights moving forward.

### ***Discussion Questions***

1. Is it acceptable of more progressive countries to push programs and ideas on more conservative countries where the population itself is opposed to giving LGBTQ youth protections and recognition?
2. How can the global community go about ensuring these young people rights while still respecting religion?
3. Is it possible to find a balance between preserving old cultural norms and traditions and still pushing for queer rights?
4. What is the most important agenda item in terms of LGBTQ rights that should be pushed for in Asia, according to your country?

## Terms

Hijra - eunuchs, intersex people, and transgender people who are part of the Hijra community in the Indian subcontinent

### By Area:

- East Asia:
  - **South Korea:** Prohibits discrimination based on sex, race, or social status - applies to LGBTQ community but these laws are not enforced; no right to same sex marriage; people can request change in gender, but there are strict regulations that deprive them of civil liberties
  - **North Korea:** No official view; anything against the “socialist agenda” is illegal, effectively banning same-sex activity
  - **China:** Doesn’t explicitly ban consensual same-sex activity, but no laws protecting LGBTQ people from discrimination, marriage and civil-unions are prohibited; changing one’s gender is legal, but very hard and ridden with caveats
  - **Japan:** Does not recognize same-sex marriage; some local municipalities recognize rights of couples as equivalent to marriage; trans people can request change of gender under certain conditions.
- South Asia:
  - **Bangladesh:** criminalizes same-sex activity, punishments include life in prison, only applicable to sex between two men; can’t serve in military; 2013 - recognized hijra population as “third sex” for purposes of core civil rights
  - **Bhutan:** criminalizes but as petty misdemeanor, no reported charges under this law; lgbt people are unable to marry/enter into civil partnerships, serve in the military, or change their gender
  - **India:** sexual activity criminal as “against the order of nature”; 2018 - supreme court ordered review of this ban, which is pending
  - **Maldives:** no sex or marriage, punishments include imprisonments, lashing, or death, although these are rarely enforced; can’t serve in military
  - **Nepal:** 2008 - LGBT people regarded as “natural persons”, cannot discriminate against “sexual minorities”; can designate themselves as “third gender”
  - **Pakistan:** Sexual activity can be punished by imprisonment, but is rarely enforced; law criminalizes “obscene acts” in public. The law is used to target LGBT sex workers; 2009 - supreme court allowed for individuals to identify as transgender male or female; 2012 - supreme court affirmed Hijras as equal citizens
- Southeast Asia:
  - **Cambodia:** Sexual activity between LGBT people are not outlawed, but marriage is not expressly legal; the 2008 civil code recognizes couples as “spouses”; police

have broad authority to discriminate against the LGBT community under the pretext of security.

- **Indonesia:** There are no laws that criminalize sexual activities, however, some do stigmatize; same-sex marriage is illegal; different age of consent for gay people (18 not 16); limits media portrayal of LGBT community
- **Malaysia:** Criminalizes anal and oral sex (stigmatizes LGBT people), punishable up to 20 years in prison; some states enact Sharia law and use lashings as punishment for sex; can't serve in military.
- **Myanmar:** Gay sex can result in 10 years in prison; Same-sex marriage is illegal; no laws protecting against discrimination of LGBT people.
- **Philippines:** Catholic population has stalled laws that would protect the LGBT community; however, much of the population accepts LGBT people (73% say it should be accepted by society).
- **Singapore:** Criminalizes sexual activity for LGBT people, punishment can be up to 2 years in jail; LGBT people cannot serve in military.
- **Vietnam:** Same-sex marriage decriminalized in 1945; LGBT people can serve in military; 2014 → marriage law that does not prohibit or allow same-sex marriage, making it implicitly legal, as a result of this law, they will no longer be fined, but will have no legal recognition; gender reassignment is illegal.
- Pacific Islands:
  - **Fiji, Marshall Islands, Micronesia and Palau:** Same-sex sexual activity is legal in many countries; same age of consent
  - **Papua New Guinea, the Solomon Islands, Tonga, and Tuvalu:** same-sex sexual activity illegal
  - **Fiji, Kiribati, and the Marshall Islands:** Same sex marriage is illegal and changing one's gender or serving in the military is also not allowed
  - **Palau:** lgbt people can get married, serve in the military, and get equal protection under the law; individuals have the right to change their gender
  - **Fiji and Samoa:** have anti-discrimination laws in place

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