

**NEW YORK PRE-CONFERENCE INSTITUTE
JULY 14, 2014**

**Diving Deeper: Key Issues in Funding Global LGBTQ Rights
Topic 3: Engaging the State in Combating Violence and Discrimination**

July 14, 2014
2:15 pm-3:45 pm

Facilitator:

- Addison Smith, Program Officer, Wellspring Advisors

Panelists:

- Haneen Maikey, Director, Al-Qaws for Sexual and Gender Diversity in Palestinian
- Andrea Ritchie, Coordinator, Streetwise and Safe
- Andres Rivera Duarte, Director, Organización de Transexuales por la Dignidad de la Diversidad

Addison Smith, Program Officer for Wellspring Advisors, began the session by first asking each panelist to describe how they interface with violence and discrimination in their work.

Andres Rivera Duarte, Director of Organización de Transexuales por la Dignidad de la Diversidad described the many types of discrimination, including the absence of public policy for LGBTQ rights, the lack of laws that protect gender identity, the absence of same sex marriage, and the recently passed anti-discrimination law in Chile which forces survivors to prove violence against themselves. It's important to identify international standards to be able to more effectively advocate to the state. In Chile, education system is separated by gender; because trans* people don't fit within this system, they experience discrimination, violence, and social pressure. Moreover, incarcerated trans* people are held in inhumane conditions; for example, transwomen are held in men's prisons. State discrimination of LGBTQ people is interconnected with student and feminist movements, and they see their movement as part of a greater national struggle.

In order for change to be possible, the state first needs to understand the movement's priorities. This usually happens by first passing legislation. An issue in Latin America is that the church is often involved in this process. However, legislation is not effective without monitoring the laws, ensuring their implementation, or cultivating support from the community. How do you convince the state to talk about sexual diversity when the population is not seen as a large and/or significant enough voter population? This is why it is important for the trans* movement to work with the student movements. They are also capitalizing on the new administration of Michelle's Bachelet's focus on and prioritization of human rights language.

Haneen Maikey is the Director of Al-Qaws for Sexual and Gender Diversity in Palestine, an activist-led organization that promotes discussion around LGBTQ rights in Palestine. It is the only organization that works on both sides of the green line borders. As a political organization in a community rooted in

Palestinian society, there are clear interconnected values with other Palestinian struggles, such as the liberation struggle. She posed the question: what does violence mean in a context when community members are already facing significant violence by being Palestinian? LGBTQ violence is not the first violence experienced within this context. There is a dynamic between homophobia and colonialism, in which Palestinian society is portrayed as homophobic and violent in order to diminish respect for Palestinian society; this is called pink washing. There is a deep misconception that LGBTQ issues are a Western issue, which can be a problem for Haneen when traveling to either the US and Israel, as she is seen as a collaborator. How does this campaign impact queer Palestinians? This causes an internalization that the only way to express your identity is by traveling to and seeking refuge from the colonizer, which is a problematic power dynamic.

Andrea Ritchie is the Coordinator for Streetwise and Safe, where she works with LGBTQ people of color in New York City around violence by the state and the police. One of the most significant forms of violence experienced by poor or homeless LGBTQ people of color is police violence, where every day acts of violence are enforced by apparently neutral laws. There is also ongoing profiling and harassment related to sex work or perceived involvement in sex work, especially when condoms were admitted as evidence of intent to engage in sex work. Moreover, trans* people of color also experience violence by police when their identity documents don't match their gender; they often are subjected to sexual harassment and arbitrary gender searches. Often, the violence experienced by LGBTQ people of color is not that different than what is experienced in their wider community. For example, Stop and Frisk can take on specific forms based on SOGI.

Question and Answer

A participant asked the question: To what degree does religion or media do harm or good to the movements? Haneen responded that her organization has a policy to not cooperate with any international media. Instead, they are producing their own media with local journalists from the community in order to use their own language, promote their own perspective, and to prevent victimization and exoticizing. In terms of religion, Palestinian society is very secular, so she finds it more useful to engage with other human rights groups as opposed to religious groups. Andrea responded that her "I'm not a Profile" campaign was effective in raising the visibility of LGBTQ people through the conversation of Stop and Frisk. This campaign showed the importance in funding relationship building and the negotiation of creating collective agendas, which only helped to make the group stronger.

Another participant asked how the trans* movement and student movement in Chile formed their relationship. Andres responded that when the student movement began taking over educational establishments, trans* movements joined them, which created the opportunity for dialogue. The leadership of the student movement asked them for a meeting, and it developed from there.

Another participant asked how these movements have been able to effectively engage with state actors. In Chile, Andres has been educating state actors by consistently cultivating relationships with congress members. For example, they would go to the congress building every week and follow them to the bathroom or cafeteria. In New York, legislation has been somewhat helpful, although they have not been able to prevent more invisible applications of discrimination. However, they have had some success in using international law in application at the national level. The consensus is that even though the laws are on the books, it does not mean they are being implemented. Finally, someone asked how to effectively use human rights language when engaging with the state. In Chile, because of the previous dictatorship, human rights are a sensitive issue. They have shifted the conversation to portray LGBTQ people as humans who deserve human rights.