

Protecting the Rights of the LGBTI Community

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I would like to begin my column this week by first expressing gratitude to everyone for your support and continued comments, especially in response to my most recent columns. As I have said many times before, this column is an effective means for communicating with the Cambodian people and receiving your thoughts about the issues that you consider important. This week, there were a number of these key items in the media, including the Nauru refugees, Montagnards, and the Law on Associations and Non-Governmental Organizations (LANGO). In his meetings with key members of the Cambodian government, Scott Busby – Deputy Assistant Secretary for the U.S. Department of State’s Bureau of Democracy, Human Rights and Labor – discussed a number of issues including the LANGO. He noted that the United States and 26 other nations which lead the Community of Democracies has urged the Cambodian government to release a copy of the LANGO to the public for review and meaningful consultations. In support of President Obama’s Stand with Civil Society initiative, I encourage everyone to include civil society in the ongoing LANGO process, ensuring that there is more transparency, public debate, and time for the law to be discussed openly in the Parliament.

Last month, there were many important discussions in Cambodia and around the world regarding the advancement of human rights for lesbian, gay, bisexual, transgender, and intersex (LGBTI) people. Many of these conversations occurred on May 17, recognized globally as the International Day against Homophobia and Transphobia (IDAHOT). Here in Cambodia, IDAHOT was part of the 12th annual celebration of “Pride Week,” organized each year to raise

awareness about the rights of the LGBTI community. However, with LGBTI people still facing various forms of discrimination and abuse, continued dialogue – as well as significant actions – will help Cambodia move closer to the day when all of its people can live without fear, regardless of whom they are or whom they love.

In his recent proclamation of June 2015 as LGBTI Pride Month, President Obama stated: “We are reminded that we are not truly equal until every person is afforded the same rights and opportunities – that when one of us experiences discrimination, it affects all of us – and that our journey is not complete until our LGBTI brothers and sisters are treated like anyone else under the law.” Like in other countries, eliminating intolerance and injustice is a work in progress and the subject of debate in the United States, challenging many communities to reflect on their attitudes and beliefs regarding LGBTI people. I strongly support efforts to advance LGBTI rights, as it is an indispensable part of promoting human rights around the world. Recognizing the need to do more for Cambodia’s LGBTI community is also an important step toward guaranteeing the full participation of all citizens in creating a more prosperous and just society.

It is clear that more is required to support and protect the LGBTI community. Today, 73 countries still criminalize LGBTI behavior, and seven countries have a death penalty for same-sex relations. Furthermore, fewer than 50 countries punish anti-gay discrimination in full or in part, and only 19 countries have enacted laws to ban discrimination based on gender identity. Without protection under the law, LGBTI people all over the world continue to face challenges, including a lack of employment opportunities and prejudice when accessing health care, housing, and education. In addition to these issues, gender-based violence remains a critical problem in many countries, despite increasing calls for equality and freedom from all forms of discriminations and oppression.

Fortunately, Cambodia is not a country that criminalizes LGBTI behavior. In fact, His Majesty the late King Father Norodom Sihanouk expressed his support for same-sex marriage in Cambodia as early as 2004. I commend the Prime Minister for urging Cambodians not to discriminate against LGBTI persons. In the 2014 report entitled “Being LGBT in Asia,” author Dr. Vincente Salas referred to Cambodia as “a neutral country for LGBT persons: neither punitive nor positively affirming.” Events like the annual Pride Week helps demonstrate how the LGBTI movement in Cambodia continues to expand and grow in strength. Film festivals, social groups, online networks, businesses – all of these and more can now be found featuring members of Cambodia’s LGBTI community. The courage and hard work of government leaders, activists, and civil society organizations have helped create and maintain a space for the LGBTI community and their supporters to advocate for their rights.

Despite these advances, some LGBTI people in Cambodia still face discrimination and abuse at home, at school, at work, in their communities, and in the media. I read an article recently that featured SrornSrun, founder of the human rights NGO CamASEAN, saying that discrimination is a “fact of LGBTI life” in Cambodia, and that it is common for parents to abuse their LGBTI child. An alarming number of LGBTI persons have talked about being criticized and rejected by their families and neighbors, or suffering forced marriages, attempts to “cure” them for being LGBTI, and other forms of mental and physical abuse. This type of treatment has forced many LGBTI people to run away from their homes, caused depression and other severe psychological issues, and even led to thoughts and attempts of suicide.

As with other areas of human rights, protection under the law is required in order to adequately respond to the problems that LGBTI people face in Cambodia. I commend the Cambodian government for the significant advances that have been made in the legal and policy arena to further the rights of the LGBTI community. Some of the country’s leaders have spoken out – here in Cambodia as well as in international forums –against LGBTI discrimination. The issue of LGBTI rights was raised by Cambodian delegations at both the 2014 Regional Conference on Gender Equality and Women’s Empowerment as well as at the 2014 session of the United Nations (UN) Commission on Population and Development. Furthermore, Cambodia’s National Action Plan to Prevent Violence against Women addresses some of the needs and concerns of LGBTI people.

However, while same-sex activities are not criminalized in Cambodia, there are multiple reports of local authorities and police infringing on the rights of LGBTI people, including the forced separation of same-sex couples and the discriminatory linking of LGBTI people with illegal drug use or sex work. Additionally, there is an absence of anti-discrimination legislation, penalties for those who violate the rights of LGBTI people, or reference to inheritance, family rights, or tax issues.

The United States considers LGBTI rights to be human rights, and promoting human rights is our top foreign policy goal in Cambodia. We are committed to working with the Cambodian government, LGBTI groups, and civil society to develop and implement immediate and effective responses to violence and discrimination against LGBTI persons in Cambodia. Collaboration between the U.S. Agency for International Development (USAID) and the UN Development Programme led to the groundbreaking “Being LGBT in Asia” report, the first-ever comprehensive analysis on LGBTI issues in Cambodia and other countries in the region. In addition to quality research, the U.S. provides training, technical support, and other forms of assistance to Cambodia on LGBTI matters through USAID, its Regional Development Mission for Asia, and the U.S.

Department of State's Bureau of Population, Refugees, and Migration. President Obama also recently established the first Special Envoy for the Human Rights of LGBTI Persons, demonstrating our strong commitment to eliminating violence and discrimination against LGBTI people in Cambodia and around the world.

Through legal reform, open dialogue, and sustained partnerships, we can expect to bring an end to violence and discrimination against LGBTI people in Cambodia. Along with the Cambodian government, NGOs and civil society play a valuable role by partnering with us to improve conditions and promote the advancement of LGBTI rights. The Cambodian Center for Human Rights, the Khmer HIV/AIDS NGO Alliance (KHANA), Rainbow Community Kampuchea, and several other groups are strengthening the voices of LGBTI persons in Cambodia and positively changing the public's attitudes and actions towards their fellow citizens. We encourage Cambodia to continue on the path towards guaranteeing a safe and healthy environment for LGBTI people by reducing the negative social, economic, and cultural stigmas that impede their ability to exercise their basic human rights. I look forward to the day when each and every Cambodian can live in a society free of fear and discrimination.

I would like to again thank you for reading my column this and every week. Feel free to send me questions in English or Khmer at AskAMBToddPP@state.gov and follow my blog at <http://blogs.usembassy.gov/todd/>.

- See more at: <http://thecambodiaherald.com/cambodia/protecting-the-rights-of-the-lgbti-community-8653#sthash.gnDFoEWU.dpuf>

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