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UN Side Event Panel Discussion: Ending Violence and Criminal Sanctions on the Basis of Sexual Orientation and Gender Identity

Let me begin by thanking the collaborative cooperation of missions and non-governmental organisations in creating a space for our voices and issues to be raised on sexual orientation and gender identity. I would also like to share the extreme hope of a better future and a place of safety for the lesbian, gay, bisexual, transgender and intersex communities in our member states and the African continent as a whole.

The twists and further spear of state sponsored homophobia and trans phobia in Africa has made our countries a place of no safety and belonging. We, as Africans totally respect the importance of African history and the role that religion and culture play as an effort to explain where we are coming from, but yet we question its impact on our well-being. The current leadership does not understand the evolution of culture and its impact on the principles of human rights. Instead of a positive interaction between the above, the impact of culture, including religion and traditional practices, often defers human rights.

The criminalization and discrimination in legislation and policies perpetuates the increase of acts of violence such as hate crimes, curative or corrective rape, torture, murder and the list goes on. This year marks the 20th anniversary of the 16 Days of Activism Against Gender Violence campaign. The increased cases of sexual violence towards lesbians and trans people who are being raped to “cure” them from being who they are, is a great danger to our citizens.

Just in the short time that Out-Right Namibia has been operating, we have worked with seven survivors of this kind of gender-based violence, including a member of our board, who was also infected with HIV as a result of that violent experience. Southern Africa has a strong campaign known as the 07-07-07 Campaign, which has been highlighting these increasing patterns of violence. These rape cases raise huge issues around access to the justice system and health care, as survivors cannot receive treatment until filing a case.

In 2011, we will also mark the 15th anniversary of South Africa’s new constitution, the first in the world to explicitly enshrine sexual orientation as a basis of protection from violations. At the inception of that constitution, the leadership recognized the participation of sexually diverse persons within the liberation struggle for independence.

Yet South Africa’s recent vote in the Third Committee to remove this very protection with regard to extrajudicial, summary and arbitrary executions and other killings, causes deep pain to our communities. This kind of action, supported by many African states, clearly manifests

the non- acceptance, lack of respect for human dignity and human rights, and increased levels of defamatory insults towards our community.

I sit here in front of you representing a movement of sexually and gender diverse people from my continent, “Africa,” whose lives are in danger. We are people who live in fear, people who are denounced from our families, who have school fees and support withdrawn, people who cannot freely express themselves and feel good about themselves, all due to the prejudice, stigma and discrimination that we face because of the people we love or the way we express our gender.

What harm do we cause to our immediate families, communities and our nations at-large? What harm am I causing to you all sitting here that could defer the developments of our national states?

It hurts to know that in my continent, the mere mention of my identity will mean that my right to privacy is infringed and that my private life will be questioned by the government. The dominance of heteronormativity, sanctions me to limited rights just because I do not conform.

The future of lives is dependent on the current leadership, but with recent developments it's clear that the loss of lives will increase in the years to come.

I call upon all member states to respect the universality of human rights and passionately work to protect all of their diverse citizens.

I thank you.