

Written submission in response to the questionnaire of the United Nations' Independent Expert on Sexual Orientation and Gender Identity for the Report on freedom of religion or belief (FoRB) and sexual orientation and gender identity (SOGI)

By Asia Pacific Transgender Network¹

15 January 2023, Bangkok, Thailand

Introduction

Asia Pacific Transgender Network (APTN) has observed the importance of religion as an integral part of the lives of trans people across the region, namely Asia and the Pacific. With referencing the statement of UN human rights experts on 17 May 2021², we agree that the right to freedom of religion or belief of all human beings during their life course, including that of LGBTIQ+ persons, must be recognized. Without fear of exclusion, discrimination, and violence, trans and gender diverse people should be able to practice the religions that they believe in.

The rise of so-called religious fundamentalisms and their collusion with nationalist, authoritarian and military institutions of the state has been observed by many feminist groups including APTN severely impacting the right to religious freedom as well as freedom from violence pertaining to people with diverse SOGIESC. We use the term 'religious fundamentalisms' to refer to the groups or movements that interpret religious teaching as monolithic and rigid narratives, as well as in opposition to plurality, difference, debate or dissent with a view to control people's bodies and sexuality, including that of trans and gender diverse people.

The Special Rapporteur on the rights to freedom of religion and belief has also recognised this trend and reported in 2021 that the rising number of hate crimes based on sexual orientation and gender identity worldwide correlates with a steep rise in faith-based groups using interpretations of religious teachings that promote gender-based violence and discrimination to violate the human rights of LGBT+ persons, including, inter alia, their right to life and freedom from torture.³ The Special Rapporteur confirms that these accounts are emblematic of allegations he has received and that have been raised by UN human

¹ Asia Pacific Transgender Network (APTN) is a regional network based in Thailand. APTN advocates for the human rights of transgender people and have worked with 26 countries across Asia Pacific Regions.

² OHCHR, *Statement by human rights experts on the International Day against Homophobia, Transphobia and Biphobia (to be held on 17 May 2021)*, Geneva/Washington D.C./Strasbourg, 14 May 2021. Accessed 15 January 2023

<https://www.ohchr.org/en/2021/05/right-freedom-religion-or-belief-and-right-live-free-violence-and-discrimination-base-d-sogi>

³ A/73/152, paras 47-48

rights experts with the Asian governments of States including the **Philippines**,⁴ **Georgia**,⁵ **Indonesia**,⁶ **the Republic of Korea**,⁷ and **Egypt**.^{8,9}

Moreover, in the countries where state and religious law are imposed concurrently, governments often justify discrimination and violence against trans and gender diverse communities citing religious precedents. Simultaneously, government practices that criminalise, discriminate, and allow violence on the marginalised communities are normalised and validated through fundamentalist interpretations of religion.

An important point of consideration in this regard is analysing ‘anti-gender movements’. State laws and religious authorities perpetuate a cycle of mutual reinforcement particularly when it comes to discrimination—against trans women in particular, and bodily autonomy and sexual and reproductive health rights in general. This is particularly true of the global north and regions such as Latin America. At APTN our analysis, informed by the realities of grassroots trans and gender diverse peoples movements, reveals that the term anti-gender movement does not have a uniform meaning and is not equally applicable to the diverse region of Asia and the Pacific. However, rising authoritarianism, erosion of civil and political rights, surveillance and arbitrary unlawful detentions are all intrinsically linked to erosion of the right to bodily autonomy, violence and transphobic hate crimes.

This written input contains demystification of the mentioned trends with several case studies across Asia from APTN’s research pieces, our previous submission to the IE SOGI and UN Human Rights Accountability Mechanism Process, as well as secondary sources such as high profile cases from the news articles. Recommendations are also provided at the end of this input.

Fundamentalist religious influence on the judicial systems of countries in Asia.

In Malaysia, Trans people are targeted under Section 377 of the Penal Code which criminalises “carnal intercourse against the order of nature” and “gross indecency”.¹⁰ Muslim transgender people can be arrested, fined or face corporal punishment under Syariah law in several states that punish so-called “cross-dressing”. Many of these offenses are directed at trans women who are subject to arrest and/or fines under laws that criminalises “a man (who wears) a woman’s attire or poses as a woman for immoral purposes”.¹¹

The recent overhaul in criminal code of Indonesia¹² has been made infamous by the ban on premarital sex. A lesser explored aspect is what this might mean for trans and gender diverse people as well as queer

⁴ JAL [PHL 6/2019](#)

⁵ JUA [GEO 1/2019](#)

⁶ JOL [IDN 2/2019](#)

⁷ OL [KOR 1/2018](#).

⁸ JUA [EGY 17/2017](#).

⁹ A/HRC/43/48, para 43

¹⁰ ILGA World: Zhan Chiam, Sandra Duffy, Matilda González Gil, Lara Goodwin, and Nigel Timothy Mpemba Patel, [Trans Legal Mapping Report 2019: Recognition before the law](#) (Geneva: ILGA World, 2020), accessed January 15, 2023,

¹¹ Some states also have equivalent “female posing as a man” offences, or because the law treats trans men as women, they may be charged with musahaqah (sexual activity between women), attracting fines of up to RM 5,000 (USD\$1,200), imprisonment of not more than three years, or judicial corporal punishment of up to six strokes of a cane or a combination of the three punishments.

¹² “Indonesia passes legislation banning sex outside marriage”, the guardian, 2022, accessed 15 January 2023, <https://www.theguardian.com/world/2022/dec/06/indonesia-passes-legislation-banning-sex-outside-marriage>.

people in consensual relationships who currently have no right to cohabit and have a consensual legal partnership or cohabitation.¹³ Indonesia has sparked concerns with a growing shift towards the state aligning itself with rightwing religious institutions. The overhaul of the criminal code also criminalises dissent, revealing the close connection, even collusion, between authoritarianism and the so-called religious fundamentalism aiding and abetting each other.

In Pakistan, the Transgender Persons (Protection of Rights) bill 2018 which is considered as the achievement of the trans community has been at stake. The amendment Bill was introduced in October 2021 to the Senate in October 2021 proposing the establish medical boards for determining the gender of transgender persons (instead of self-perceived gender identity) and prohibit “sex reassignment surgery or any other treatment to change the genital features... on the basis of any psychological disorder or gender dysphoria”. The approach contradicts the fundamental rights of dignity, privacy and bodily autonomy of citizens enshrined in the different international human rights conventions and treaties. In the meantime, Sections 2 and 3 of Transgender Protection Act, 2018 have been challenged in the Federal Shariat Court for being ‘contrary to injunctions of Islam’¹⁴. Although the case is subjudice, it is concerning that the Government has expressed reluctance toward adopting international standards on legal gender recognition¹⁵

Moreover, in the hearing on March 03, 2022 the Chief Justice Federal Shariat Court criticized the Ministry of Human Rights reply to the court which referenced Yogyakarta Principles. Consequently, the Ministry of Human Rights decided to amend its response to exclude all such references to LGBTI rights. For further information see: “Ministry to amend ‘response’ on law for eunuchs.”¹⁶

On a positive note, in its response to the call for input of IE SOGI, National Human Rights Commission (NHRC) of India emphasises the role the Constitution of India plays in protecting every person’s right to equal protection under the law and how recent Supreme court decisions and legislative changes have addressed discrimination against gender and sexual minorities. Following is discussed in a section of this report.

¹³ It may be an added layer of discrimination to an already marginalised and vulnerable group facing violence and persecution. Trans and gender diverse people form a disproportionately large portion of young homeless youth the world over and have separation from their natal families. To deprive them of consensual companionship is to attack their existence with dignity.

¹⁴ An openly disinformation, and anti-LGBTI campaign launched by the proponents of the petitions and amendment Bill, associated with the Jamaat-e-Islami, particularly on social media, has created a sense of fear and distress among the LGBTI community. Social critic and TV personality, Orya Maqbool Jan, is among those who have directly targeted transgender activists on their platforms, in a broader attack on the rights of transgender people in Pakistan claiming it as a ‘Western conspiracy’ to threaten family values. The campaign resulted in the virtual attacks against several trans activists, and exposing them to the risk of physical harm. See more in APTN, GATE, *Joint Submission on the Situation of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) People in The Islamic Republic of Pakistan For the Fourth Cycle of Universal Periodic Review (UPR) of The Islamic Republic of Pakistan* (January – February 2023), 2022. Accessed January 15, 2023.

¹⁵ Ibid 14.

¹⁶ “Ministry to amend ‘response’ on law for eunuchs”, Tribune, 2022, accessed 15 January 2023, <https://tribune.com.pk/story/2346329/hr-ministry-to-submit-amended-response-over-transgender-act> (accessed May 22, 2022). Cited in APTN, GATE, *Joint Submission on the Situation of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) People in The Islamic Republic of Pakistan For the Fourth Cycle of Universal Periodic Review (UPR) of The Islamic Republic of Pakistan* (January – February 2023), 2022. Accessed January 15, 2023.

“The Supreme court upheld the pre-eminence of constitutional morality by observing that equality before the constitutional law (as promised under the Article 14 of the Indian Constitution) cannot be denied by giving priority to public-ethnic or even religious morality. . . . there is a need for a multi-pronged approach to deal with issues of prejudice and discrimination prevalent in society against [transgender persons]. (NHRC, India)

Moreover, the Indian’s Mental Healthcare Act (MHA) 2017 explicitly states that a person’s mental illness of a person shall not be determined based on their social status or because they do not conform to majority, prevailing beliefs within their community.¹⁷

Fundamentalist Religion, Erosion of Civil and Political Rights: Trans Rights and the Myth of a liberal Hindu nation

Since the decriminalisation of same-sex sexuality through a Supreme Court judgment in 2018, the government of India, led by a right wing fundamentalist political party, has often claimed itself to be an ally of LGBTIQ+ community. In the backdrop of rising Islamophobia, often codified in the law as in the Citizenship Amendment Act¹⁸ this has widely been analysed as pinkwashing and homonationalism¹⁹. Similarly, given that the Transgender Persons (Protection of Rights) Act was passed in 2019, the present government has taken credit for it even though it was the culmination of decades long movement. The Act itself has met with criticism, both in its present form and its earlier iterations²⁰.

The tactical and tokenistic support for trans and queer people by the present government is a hollow shell to hide its atrocities²¹ against human rights defenders and minorities, particularly dalit and Muslim citizens. In fact, provisions under the Transgender Persons Act 2019, such as shelter homes have been plagued by a lack of funding²². The Act remains unenforced as numerous reports and testimonies reveal

¹⁷ MHA, 2017, Chapter II, Section 3, sub section 3 contains that “Mental illness of a person shall not be determined on the basis of,

(a) political, economic or social status or membership of a cultural, racial or religious group, or for any other reason not directly relevant to mental health status of the person;

(b) non-conformity with moral, social, cultural, work or political values or religious beliefs prevailing in a person’s community.” Also, MHA, 2017, Chapter XIV, Section 106 specifically states that “No mental health professional or medical practitioner shall discharge any duty or perform any function not authorised by this Act or specify or recommend any medicine or treatment not authorised by the field of his profession.” See more at Asia Pacific Transgender Network, Regional conversion therapy practices report, (Forthcoming) (Bangkok: Asia Pacific Transgender Network, 2023)

¹⁸ “CAA-NPR-NRC: The Law Is Being Weaponised Against the Constitution”, The Wire, <https://thewire.in/government/caa-npr-nrc-the-law-is-being-weaponised-against-the-constitution>. Accessed 15 January 2023

¹⁹ “Hindu Right deploys queerness to propagate its Islamophobic, casteist, and homohindunationalist agendas” whereby support for queerness is weaponised against an “Other” religion which is portrayed as illiberal. Nishant Upadhyay (2020) Hindu Nation and its Queers: Caste, Islamophobia, and De/coloniality in India, *Interventions*, 22:4, 464-480

²⁰ See for instance “India’s Transgender Rights Law Isn’t Worth Celebrating”, Human Rights Watch, 2019. Accessed 15 January 2023 <https://www.hrw.org/news/2019/12/05/indias-transgender-rights-law-isnt-worth-celebrating>

²¹ See for instance: [Genocide Watch](#) and [Human Rights Watch](#)

²² “No Funds for 11 Months’: How Govt-Run Shelters for Trans Persons Are Struggling”, The Quint World, 2022. Accessed 15 January 2023,

<https://www.thequint.com/neon/gender/garima-greh-transgender-persons-shelter-home-delhi-no-funds#read-more>

that getting recognised in welfare schemes²³ remain an uphill battle for most trans and gender communities, especially those who are working class and belong to marginalised identities. In fact, given that inter-faith relationships and marriages are increasingly under attack²⁴, it is clear that trans and gender diverse citizens from marginalised communities, particularly, Muslims are particularly vulnerable. To profess one's religious beliefs as a practising Muslim in present day India is itself dangerous²⁵. To add the vulnerability of being a person with diverse SOGIESC only compounds the vulnerability.

A tactical weaponising of trans identities as a way to undermine Muslim citizens and India's rich syncretic Islamic past is unfolding surrounding the same-sex marriage hearing at the Supreme Court which has wide ranging implication on legal adoption and family rights for LGBTQIA+ community. At present Supreme Court's hearing on same-sex marriage is seeing protests by United Hindu Front²⁶. However, the leader of a fundamentalist Hindu group, closely associated with the ruling party and identified as the parent organisation of two groups classified in 2018 as religious militant organisations²⁷, stated that queer and trans people are accepted within tenets of Hinduism²⁸.

Conversion therapy practices committed or validated by the religious leaders and institutions.

APTN's research on Conversion Therapy Practices (CTPs) in South and Southeast Asia²⁹ shows the wide range of practices committed by religious authorities, leaders and institutions in Indonesia, Malaysia, India, and Sri Lanka.

In countries with Sharia / Syariah / Shariah Law, religious leaders' endorsement of CT practices was compounded by government support.³⁰ In Indonesia, there has been a long history of correspondence between state and religious institutions in supporting CT practices against trans and gender diverse people. In February 2016, the Indonesian Psychiatric Association (PDSKJI) publicly stated that it considered lesbian, gay and bisexual people as people with psychiatric problems (Orang Dengan Masalah Kejiwaan - ODMK), while transgender people were categorised as people with a mental disorder or, gender identity disorder which "can be cured through proper treatment".³¹ In doing so, they cited Law

²³ See for instance "Transgenders can't get state benefits as most official data ignores", Business Standard, 2021. Accessed 15 January 2023

r'https://www.business-standard.com/article/economy-policy/denied-visibility-in-official-data-transgenders-can-t-access-benefits-121061100148_1.html

²⁴ "Why interfaith marriage in India is getting dangerous", DW, 2023. Accessed 15 January 2023

<https://www.dw.com/en/why-interfaith-marriage-in-india-is-getting-dangerous/a-64350804>

²⁵ <https://scroll.in/article/1011707/in-gurugram-the-number-of-namaz-sites-has-shrunk-from-over-100-to-20-in-three-years> Accessed 15 January 2023

²⁶ "Delhi: United Hindu Front protests outside SC ahead of same-sex marriage case hearing; Watch video", Free Press Journal, 2023. Accessed 15 January 2023

<https://www.freepressjournal.in/india/delhi-united-hindu-front-protests-outside-sc-ahead-of-same-sex-marriage-case-hearing-watch-video>

²⁷ "CIA's World Factbook calls Bajrang Dal, VHP 'Religious Militant Organisations'", The Wire, 2018. Accessed 15 January 2023 <https://thewire.in/communalism/cia-world-factbook-bajrang-dal-vhp-religious-militant-organisations>

²⁸ "RSS chief bats for rights of transgender, LGBTQ citizens", The Hindu, 2023. Accessed 15 January 2023,

<https://www.thehindu.com/news/national/rss-chief-bats-for-rights-of-transgender-lgbtq-citizens/article66361183.ece>

²⁹ Asia Pacific Transgender Network, Regional conversion therapy practices report, (Forthcoming) (Bangkok: Asia Pacific Transgender Network, 2023)

³⁰ Ibid 29.

³¹ Yosephine, Liza, 24 February 2016, "Indonesian psychiatrists label LGBT as mental disorders", The Jakarta Post. <https://www.thejakartapost.com/news/2016/02/24/indonesian-psychiatrists-label-lgbt-mental-disorders.html> accessed 21 December 2020

No.18/2014 on Mental Health and the Association's Mental Health and Mental Disorder Diagnostic Guidelines. At the same time, a joint statement from the Indonesian Ulema Council (MUI), the Indonesia Catholics Bishops Conference (KWI), the Council of Buddhist Communities (Walubi) and the Confucian Supreme Council of Indonesia (Matakin) rejected all promotion of LGBT legalisation and development in the country, stating that LGBT behaviour was disturbing and against their religious teachings and the Constitution.³²

Further, reinforcement for social stigmatisation and criminalisation of diverse gender identities comes from religious authorities such as the Majelis Ulama Indonesia (MUI) that issued a fatwa in 1997 declaring transgender women haram and suggested that community members and the state make efforts to "put them back" to the right path so they could become men. In 2014, MUI issued another fatwa that declared same-sex relations as sodomy. Such reinforcements and endorsements from prominent religious authorities have paved way for the government and local authorities to introduction "social rehabilitation"³³ programmes, which are formally being implemented under the Ministry of Social Affairs, Directorate of Social Rehabilitation for the Social Problems and Victim of Human Trafficking.³⁴

In **Malaysia**, the *Mukhayyam* rehabilitation programme is organised by the Department for Islamic Development Malaysia (known by its Malay acronym JAKIM), a federal government agency that falls under the portfolio of the Minister for Religious Affairs, established in 2011.³⁵ Apart from suggesting four-hour long physical activities for a Mukhayyam camp³⁶ The manual for conducting the programmes also provided the fundamentalist and religious narratives against trans and gender diverse people, such as referring to gender affirmation surgery as haram, or forbidden, based on a national fatwa. It also includes Hadith³⁷ including one from Riwayat al-Bukhari, where the Prophet surmises: "There is no disease that Allah has created without having also created its cure."³⁸

³² Yosephine, Liza, 18 February 2016 "Must not support LGBT to heal them: Religious leaders". The Jakarta Post: <https://www.thejakartapost.com/news/2016/02/18/must-not-support-lgbt-heal-them-religious-leaders.html> accessed 21 December 2020

³³ The regulation defines social rehabilitation as an intervention that "is intended to restore and develop the ability of a person experiencing social dysfunction so that he can carry out his social function properly" (Law No.11 of 2009 Article 7 paragraph 1-(Ministry of Social Affair, 2020). Cited in ibid 29.

³⁴ Under this programme, the Ministry through its civil service police could conduct social raid (in Indonesian it commonly called "razia") to arrest transgender women. Upon the arrest, the captured transgender women are given food, necessary access to healthcare, daily necessities, psychosocial guidance, mental, spiritual, and Information and Education Communication with the aim for financial independence and to prevent transgender women to have the "immoral way of lifestyle" and to "return to the right path." Examples of similar raids have been reported in Padang where the city administrative conducted an anti-LGBT raid and those who were arrested from such raids needed to undergo the ruqyah or Islamic exorcism or the state-run "social rehabilitation" programmes. The similar phenomenon could also be seen in the event of a raid in the Aceh province where several transgender women were arrested in their private property and their hair was shaved. The hair shaving phenomenon for transgender women also happened in Jambi. See further Fadly, F. (2019) "Waria di Kawasan Pasar Jambi Diamankan, Petugas Temukan Puluhan Kondom yang Disimpan di Dalam Tas" *Tribun Jambi*. 15 July 2019. Available at: <https://jambi.tribunnews.com/2019/07/15/waria-di-kawasan-pasar-jambi-diamankan-petugas-temukan-puluhan-kondom-yang-disimpan-di-dalam-tas> (Accessed: November, 2020)

³⁵ Zurairi AR, 'Jakim's 'Spiritual Camp' Tried to 'Change' Us, Lament Muslim Transgenders' Malay Mail (23 November 2014) <<https://www.malaymail.com/news/malaysia/2014/11/23/jakims-spiritual-camp-tried-to-change-us-lament-muslim-transgenders/788375>> accessed 5 October 2020

³⁶ The activities included jungle walks, navigating hanging bridges and dark caves, rafting or kayaking, as part of an intensive programme that runs from early in the morning until 11pm at night. "On the Friday morning, it recommends the showing of a film about death", A 46-year old trans woman interviewed for the Malaysia country report described her experience in the Mukhayyam program.

³⁷ Hadith are the collected traditions of the Prophet Muhammad, based on his sayings and actions

³⁸ Ibid 51; Sahih al-Bukhari 5678 <<https://sunnah.com/bukhari/76>> accessed 5 October 2020

Hijrah diri (self-pilgrimage) can also be a form of CT practice in Malaysia³⁹ that relies on showing videos about death and dying, and physical activity such as obstacle courses that are intended to make trans women more ‘masculine’. There are also several private Islamic healing clinics which ‘treat’ LGBTQI people through citing Quranic verses and spraying black pepper seeds over a person’s eyes, to expel Satan.⁴⁰ In 2016, JAKIM launched an app named “Hijrah Diri ” as the conversion therapy platform for LGBTIQ+ people. The app just caught the attention of LGBTQIA+ communities in 2022, and received backlash from human rights groups and LGBTQIA+ activists. The app has been taken off the Google Play Store after complaints received by Play Store. The Play Store’s guidelines state that apps that attempt “to deceive users” or “enable dishonest behaviour”, including apps that are found “to be functionally impossible” are not allowed on the platform.⁴¹

For the further details of the situation in Malaysia, APTN, SEED Malaysia, and Jaringan Transgender Indonesia (JTID) made a Joint Civil Society Written Submission to the UN Independent Expert on SOGI for Thematic Report on Gender, Sexual Orientation and Gender Identity in March 2021. Many parts of the submission are dedicated to the situation of CT practices in Malaysia, please see the further details there apart from what is highlighted in this submission.

The APTN’s Snapshot on Conversion Therapy Practices in India includes many interview quotes from trans people who had been taken by their families to astrologers, local god-men, spiritual guides and places of worship, where they were told they were possessed by demons and required exorcism or other religious rituals. Often, they were forced to consume various substances and given talismans to wear.

In rural Sinhala Buddhist communities in Sri Lanka, some parents forced their gender non-conforming AMAB child into strict male behaviour by handing over the child’s custody and guardianship to Buddhist monks, to be raised in a male-only environment.⁴² The Sri Lanka country report also included an example of how the intervention of a Buddhist monk provided some degree of protection to a trans man there.

“I grew up in a village in central Sri Lanka. My father used to be very irate with me during my adolescent years, as I would always wear men’s clothes, and cut my hair short. In his eyes, I was seen as an unruly [cis] girl, who brings shame to the family. My father used to severely beat me, and at times throw me out of the house at night-time, as a punishment. I would sit under a tree in the backyard, chanting Buddhist prayers. At one point, my parents took me to a [Buddhist] temple near where we lived. The chief monk there was known to be an astrologer and horoscope reader. The monk read my horoscope, and told my parents, “this young person has been born at a ‘male auspicious time’. There’s no point in forcing this person to be a girl [Sinhalese: “මේ ළමයා ඉහලින් ඉපදිලා තියනේ නේ. පිරිමි නැකතකිනි. මේ ළමයාට ගැණු දරුවෙක් වගේ ඉන්න කියල වැඩක් වෙන්නේ නෑ]. After this day, the beating reduced, but my parents would keep on telling me that I am a burden and a disgrace”. (Transgender man, Sri Lanka)

Recommendation

³⁹ Hijrah Diri – Homoseksualiti (e-book) https://play.google.com/store/apps/details?id=com.app_hijrahhaqq.layout&hl=en_GB&gl=US&showAllReviews=true accessed 22 December 2020

⁴⁰ Jia Vern Tham, ‘Here’s How Malaysia “Cures” LGBTs With Conversion Therapy’ SAYS (20 December 2018) < <https://says.com/my/news/here-s-how-malaysia-cures-lgbts-with-conversion-therapy> accessed 22 December 2020

⁴¹ <https://weareaptn.org/2022/03/24/google-removes-jakims-gay-conversion-app-from-the-play-store/>

⁴² Ibid 29.

- The Special Rapporteur on freedom of religion or belief states he is “ similarly alarmed by ongoing reports of State authorities’ failure to effectively investigate incidents of such violence or hold perpetrators accountable”. The Special Rapporteur on freedom of religion or belief recommends that States and faith leaders combat “all forms of violence and coercion perpetrated against women, girls and LGBT+ persons justified with reference to religious practice or belief”. Similarly, he recommends that faith leaders “promote holistic and inclusive discussions on how practices ‘justified’ with reference to religion or belief are causing discriminatory treatment, harmful practices and sometimes life-threatening abuses”.⁴³
- In the context of Asia and the Pacific where the ethnolinguistic and religious plurality means that the religion doesn’t lend itself to easy or uniform categorisation, APTN holds that this classification is not applicable in the same sense that it is in Europe or North America. The human rights institutions based in the global north need to use this lens to understand our reality and articulate the needs of trans and gender diverse movements in this region for further actions.
- To understand freedom of religion and belief, no one religion is singled out as an exemplar of actual or perceived contention between the right to manifest one’s freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity.
- Foster dialogue between key stakeholders, including health professionals, human rights bodies and religious leaders, to raise awareness about the human rights violations connected to CT practices.
- The Special Rapporteur on freedom of religion or belief recommends that States and faith leaders combat “all forms of violence and coercion perpetrated against women, girls and LGBT+ persons justified with reference to religious practice or belief”. Similarly, he recommends that faith leaders “promote holistic and inclusive discussions on how practices ‘justified’ with reference to religion or belief are causing discriminatory treatment, harmful practices and sometimes life-threatening abuses”.

⁴³ A/HRC/43/48, para.77.