

„Skirt? Nope, not for me!“

Sexual and gender self-determination for children and youth in alternative care settings



Gesellschaft für gemeinnütziges
Privatkapital mbH



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Editor's Note

Diversity is important. Not only is that highlighted by the different perspectives taken in the articles but it is also mirrored in the way the authors have used language. In order to have a common basis upon which to further debate, the glossary found in the appendix describes thematically related terms in more detail, including various ways of how to make sex/gender visible in the English language. The appendix references the works quoted and offers additional resources on the topic.

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Preface

The UN Convention on the Rights of the Child will be turning 30 soon. In German speaking countries, where this is written, it is slowly having an impact. Its core value, “the best interest of the child,” is now understood universally: it has been spelled out in laws and regulations, in the media, in society at large. The child care sector is well aware of the Convention. A new monitoring institution has just opened in Berlin; Vienna has had a monitoring board since 2012.

However, what is “the best interest” of children and youth who do not fit the gender and sexuality norms taken so much for granted? The world over, there is little experience in this field. Too often, professionals in care of these children and youth do not have the skills to respond in a way that is truly supportive. The world is full of “the same sad stories” of rejection and exclusion of such children and youth.

If this is true for work in-country, it is to be expected to apply even more when working across cultures: the plethora of child care organizations based in the Global North but working in the Global South and East. Dreilinden, together with SOS Children’s Villages International, decided to take up the theme of “Sexual and gender self-determination – for children and youth” at the 9th annual Rainbow Philanthropy Conference in November of 2015, and invited such organizations.

Though small in attendance, the one-day conference had a real sense of purpose and dynamism! We concluded with a sense of beginning good work, of curiosity and potential. This upbeat spirit was surprising to me as we’re facing major obstacles.

We face political and social work contexts where sexual norms differ tremendously – and in great variation – from Western norms, and where gender norms are even more restrictive. Colonial histories have left a complex and powerful, negative legacy regarding sexuality issues; they have by no means been overcome.

The issue is indeed much larger than numbers would suggest. It goes far beyond the relatively small minority of children and (mostly) youth who are attracted to members of their own sex, and also beyond the even smaller number of children and youth who might be transgender, intersex or gender non-conforming – unfortunately. During our time of ideological “global culture wars” (cf. Gevisser, 2015), gender and homosexuality issues have been completely blown out of proportion to signify threats to core social norms, and to justify social and political repression. Anyone working in the field must not be afraid of these “wars,” but should be able to see how they are used to cover up other, more political issues.

Sexuality and gender norm issues are characterized by ignorance and fear within Western societies also, of course. Child care organizations based in the Global North tend to be rooted in the more conservative world of “charity” they tend to find it difficult to openly address sexuality and gender issues.

Still, child and youth care professionals want to move ahead and improve the quality of their organizations’ work. Dreilinden believes that organizations in “the field” will best learn from each other, and applauds the organizations who want to pave the way forward, such as Light for the World, and most notably our co-publisher for this issue paper, SOS Children’s Villages International. I am also grateful to all the authors, the *Working Group on Children and Youth Funding* for information provided in the “additional resources” section, and to Persson Perry Baumgartinger for his support in putting together this issue paper.

Together with SOS Children’s Villages International, we are planning another Rainbow Philanthropy conference on this issue at the SOS Children’s Village Berlin-Moabit November 18, 2016 – this issue paper is intended to prepare it, and spark similar work elsewhere.

Ise Bosch, Dreilinden gGmbH

INTRODUCTION TO THE TOPIC

LGBTI children: Falling through the safety nets

Coenraad de Beer, SOS Children's Villages International

Real or perceived sexual orientation that is different to the norm is often the basis for discrimination and violence against many people around the world. A group that is particularly vulnerable is children who are lesbian, gay, bisexual, transgender and intersex (LGBTI) who are at risk of losing parental care and who already lost parental care. For a number of LGBTI children under 18 years of age the rejection experienced within their own families is often the first of many rejections. Thereafter they continue to suffer from the effects of rejection, discrimination and violence within their communities and within the child welfare system, falling through all the safety nets that are available for most other children. Some research in the EU and the North America started to put a spotlight on the particular challenges faced by LGBTI children in alternative care. However, data on the status of LGBTI children who are in alternative care in developing countries is lacking.



Prejudice and violence within the family ...

Research and life stories from across the world confirm a link between the sexual orientation and/or gender identity of children and the risk of losing parental care. Many LGBTI children experience prejudice and violence within their own families. In some traditional and religious communities some LGBTI children choose to leave their families in order to protect them from stigmatisation. Those that experience extreme levels of rejection and violence are often forced to leave their families. Due to a lack of family and broader social support LGBTI children are more likely to drop out of school, face a higher risk of living a life of poverty and becoming homeless.

... and in social services

The added mix of discrimination in the social and protection services further deny LGBTI children a safety net. Worldwide 72 countries have laws criminalising homosexuality and most are in Asia and Africa. In many of those countries LGBTI people are openly persecuted. In these contexts LGBTI children face arbitrary arrest and violence; they also experience restricted access to health care, social services, housing and employment opportunities. Due to the rejection and social exclusion faced by LGBTI children from their families and communities, some end up in alternative care or, in a worst case scenario, on the street. Between 20 to 40 percent of youth living on the street in major US cities identify themselves as LGBTI, begging the question whether some are excluded from alternative care based on their sexual orientation. In the US LGBTI children are also over represented in the foster care system. This means that the percentage of LGBTI youth in foster care is larger than the percentage of LGBTI youth in the general youth population. They end up in the foster care system for many of the same reasons as non-LGBTI children. However, they experience the additional trauma of being rejected and mistreated because of their sexual orientation, gender identity and/or gender expression. In the US LGBTI children also face a higher number of foster care placements compared to non-LGBTI children. The fact that more LGBTI children move from one foster care placement to another reflects the high levels of rejection and discrimination within the care system, which in turn contribute to LGBTI children facing a higher likelihood of being placed in a group home setting.

Once in care, LGBTI children often endure discrimination and violence from peers and staff. These rights violations vary from staff denying LGBTI children the same privileges compared to their non-LGBTI peers to emotional and physical abuse. LGBTI children are also often subjected to bullying from their non-LGBTI peers with the tacit approval of staff. This is on top of the bullying they receive from peers at school. LGBTI children are therefore exposed to continued rejections, discrimination and violence until they age out of care.

Ambiguities for alternative care providers

For many alternative care service providers, who work within the frame of the United Nations Convention on the Rights of the Child (UNCRC), discrimination against a child based on their sexual orientation and/or gender identity is not tolerable. Many work in countries where discrimination and prejudice are rooted in laws as well as deeply held cultural and religious beliefs. In those countries employees are confronted with the LGBTI rights-based care issue in the context of their own personal cultural and religious beliefs. In some countries, employees who support LGBTI children might themselves be in contravention of their country's laws and may face harsh punishments. The organisation that they work for may even face closure. LGBTI young people cited the value of having a trusted care professional who can support them going through their identity forming process and ensuring that they are protected in a hostile environment whilst growing up.

What now?

Eliminating discrimination for LGBTI children at risk of losing parental care or who already lost parental care requires a broad-based response including civil society, governments and international bodies. For alternative care providers this means, amongst other aspects, the need to focus on:

Supporting LGBTI children and their families to develop stronger and healthier relationships to prevent family break-up and to work towards reunification where it already occurred.

Building the capacity of the social workforce and care professionals, particularly those that work directly with children and families e.g. social workers, youth workers, foster parents, community workers etc. For example, the LGBTI topic must be included in care modules and trainings.

Ensuring clear and safe child safeguarding reporting and responding procedures in programmes of alternative care service providers where rights violations can be reported.

Implementing age appropriate interventions for all children in care on sexuality, sexual orientation, and gender diversity.

Educating children, young people and their parents on their rights.

Partnering with organisations on a local level that have experience in working with children and/or the LGBTI community.

Raising the awareness on topics impacting on LGBTI children by means of sharing experiences through articles, online webinars and relevant care networks for alternative care providers.

Are sexual and gender self-determination children's rights?

Muhamed Mešić, MiGaY

In order to understand the issue, we have to look at two fundamental legal topics: the system of children's rights and child welfare on the one hand, and the question as to whether or not a given legal order ensures free self-determination of sexuality and gender identity on the other hand.

For the first, this is – at least in theory – accepted all over the world. The UN Convention on the Rights of the Child (UNCRC) was adopted in 1989 and contains regulations on the right to life, survival, and development of children. It is based on the principles of non-discrimination and child welfare as well as the right that the child's view must be considered, and it aims to determine a basis for children's rights being identical everywhere in the world. The Convention on the Rights of the Child obliges every country in the world to take legislative measures for child welfare. According to the CRC, a child is any human being under the age of eighteen.

Today the Convention on the Rights of the Child has become the instrument of international law with the highest number of ratifications. In statements complying with international law all members of the UN, except one, have expressed that the convention is legally binding, that it will be implemented in their jurisdictions, and will be observed. After Somalia recently ratified the Convention it is now the U.S. is the only country not to have signed the CRC. This is a paradox inasmuch as the U.S. played a leading role in drafting the convention.

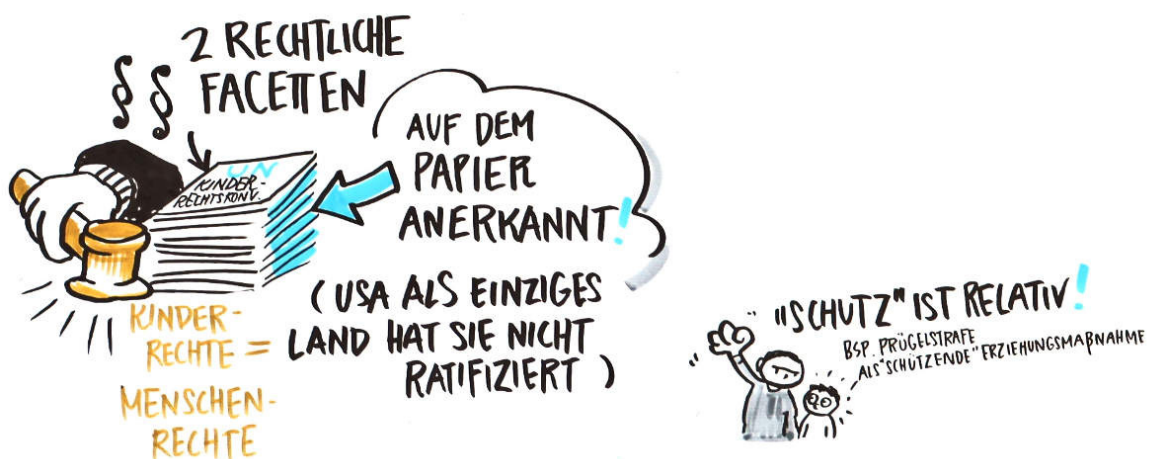
Children's rights are human rights. It might sound strange yet, actually, this is forgotten much too often even here in Central Europe. Human rights are always based on the principle, the core concept, that every human being is unique and should be able to decide freely on their uniqueness. This also includes sexuality and the gender of every human being.

Article two of the Convention determines that all the rights must be available to all children without discrimination of any kind: "States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status." Article twelve of the CRC expresses self-determination for the child, albeit in a limited way, as follows: "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

There are numerous reservations regarding the CRC limiting its application, i.e., designed to limit its application, in a given country. This is common practice in international law and legally admissible insofar as it does not contradict the spirit of the Convention. Bangladesh, for example, has stated compliance with the Convention with the exception of article 14.1 in which every child is guaranteed “the right of the child to freedom of thought, conscience, and religion.” Many countries like Somalia or Brunei Darussalam only apply the Convention where it does not contradict the Sharia. To give you an example concerning a different issue, Singapore still insists on executing corporal punishment ordered by court as “in the best interest of the child.”

Along with the CRC as an international legal instrument, every legal system has its own instruments to effectively and comprehensively ensure the safety of children, their physical integrity, and their mental welfare. These are as numerous as the rights established in the CRC and are characterized by social and political input. It is the responsibility of a given legislator to implement a legal system in their country protecting but also promoting children.

Sexual self-determination thereby includes the right to live one’s desired sexuality freely and stay free and safe of unwanted sexuality. Protection of human dignity also means that due weight has to be given to both elements of this sexual dignity as defined by human rights. Naturally, this includes the right to gender self-determination i.e. to be in command of one’s own sex/gender as in the case of transgender or intersex people.



The “most powerful weapon” for any country to protect children from unwanted sexuality, violence, and abuse is the criminal law. Here we could cite respective measures for any legal system in the world, yet, if and how these effectively ensure safety would be up for debate as well as the fact that, as with any weapon, there fundamentally is ample potential for abuse depending on the aforementioned social and political views of the legislator.

In regards to promoting wanted sexuality – the other aspect of sexual self-determination – things are getting tight fast, especially when looking at countries of the Global South and East. There are several reasons for this. On the one hand distinctions of a “less mature” and a “more mature” child being able to decide on their own sexual and gender identity is discarded as a rather western and foreign concept. In many countries the keyword “western, foreign concept” is used to – in the best case – deny any form of non-heteronormative sexuality and non-cisgender identity; in the worst case it is subject to capital punishment.

This brings us to our second main topic, the legal treatment of LGBTTIQ issues. Here, the following questions bear special relevance:

(a) Does a given legal system allow to freely exercise non-heteronormative sexuality or does it make this punishable?

(b) If a given legal system does allow for this, will it also allow talking about it and thereby promote self-determination of minors?

(c) Especially important: can non-heteronormative sexuality be practiced at the same age as heteronormative sexuality?

(d) Does a given legal system explicitly protect people in danger of falling victim to violence due to their sexuality or gender identity?

(e) Does it permit forcing minors to undergo conversion therapy?

(f) Does it allow for transgender and intersex people to express their gender identity fully and legally, in other words, what is the „catalog of options?“

Instead of a simple answer I would like to give a few real life examples:

- There are approximately 77 countries, most of which in the Global South and East, where exercising non-heteronormative sexuality is more or less explicitly punishable by law. In addition, there are numerous countries without legally banning non-heteronormative sexuality; instead we find widespread social suppression (and no effective protection against it.)

- Along with this, restrictions on the freedom of expression and assembly can be found often. Here, sadly, Russia’s “gay propaganda law” has gained worldwide notoriety. Algeria and Nigeria already passed similar acts; and several countries have this on their agenda.

- Often the age of consent is defined differently not only for the gender binary of men and women but also for sexuality, even for sexual conduct: Sao Tome sets 16 years as the age of consent for homosexuals (otherwise 14 ys.), Madagascar sets 21 years as the age of consent for “homosexuals and relatives,” otherwise it is 14 years, etc. Similar laws are in place in Benin, Gabon, Indonesia and Paraguay.

- Few countries of the Global South and East deal with hate crimes against individuals of a certain sexual orientation at all and even less so with hate crimes against individuals of certain gender identities as is done, for example, in El Salvador and Honduras.

From the above it is clear that legally there are several elements to be considered if one intends to work with LGBTTIQ children and youth in countries of the Global South and East. Legislators' relations to this group and their self-determined human dignity will be lukewarm at best. This shows the need for special support of these young people and it equally shows the need for creating heightened awareness on national and international levels. This will not be an easy task. Yet, the inviolable and free human dignity in all its diversity belongs to everyone on this planet and until this goal is reached it must be strived for tirelessly.

Translated by Martje Belka



POSITIONS, VOICES, INSIGHTS

Why was I “different”?

Shadi Amin, 6Rang

I still remember how awkward I felt putting on a skirt for school and then to look like a girl on my way there. Every day it took just so much energy to either hide on my way to school so as not to be seen, or else put on pants, which, in the hallway of my school, I would then switch for a skirt to be able to attend class – just to switch back to pants, to be free to play in the schoolyard. It was a daily struggle with the school’s principal and supervisors. No one was interested in my reasons; no one saw me or my fears. At least, I was lucky enough to have a family that would support my choice of clothes in my free time.

LGBTIQ children and youth

Many transgender students who don’t identify as girl or boy share this experience. Their self-image is different than what their sex seems to indicate – or, put simply: they want to be different to what the world expects them to be.

Well, school uniforms are quite popular and favoured by many parents and teachers. Uniforms that are made to match the sex of the child and thus replicate and preserve heteronormative stereotypes. Why? And, why was I “different”? Who are these children that are “different”? Who are LGBTIQ children and youth?

These days a modern and educated public is widely familiar with lesbian, gay, bisexual, transgender or transsexual, intersex, queer or questioning people; yet, to acknowledge children could be all that, still is not easy. LGBTIQ people are commonly defined by their sexual orientation and so it seems obvious that only adult or at least post puberty individuals could be LGBTIQ.

Heteronormativity and sex/gender binary

Dividing and categorizing people based on their sex seems normal. Girl or boy, for many that is the basic form of identity telling us how to behave around a given person.

Many educationists are busy researching the social behaviour of young adults, yet society gives little attention to the fact that the dualistic system of dividing people into female and male holds specific dangers for LGBTIQ children. The society we live in is founded on a sex/gender binary (male and female, girls and boys, women and men.) The definition of the sexes and genders is based on a heteronormative sex/gender system with heterosexuality set as the default. Any deviation from this order is, first of all, seen as abnormal, and often detested.

Despite many positive developments over the past years in the area of legislation as well as the discourse on sex/gender order, this can still be witnessed even in our present day and age. A just and freely chosen gender identity is something we are

rather far from. Debates on education are still centred on differences between boys and girls. Our children attend girls' schools, boys' schools, or coeducational schools aiming for a collective education of boys and girls, which not only means the actual premises but also curricula offer plenty of examples. The subject "sex education," for instance, is jam-packed with heterosexual norms. Thus, it comes to no surprise that the words "faggot," or even "lesbian" and "gay" are used as swearwords. Homosexual desires and fantasies are non-existent within this norm; their needs are ignored or not noticed at all.

To such a mind intersex people, transsexual, or transgender children simply don't exist. That is how we marginalize them in our education systems if not ostracize them altogether.

LGBTIQ children and youth in Iran

Over the past three and a half years our association, 6Rang, has been researching transsexuality and gender reassignment surgery in Iran. During our research again and again we came across cases that did not leave any doubt about the immense influence of this kind of gender definition and its ensuing severe consequences for LGBTIQ children and youth. Consequences that, for the people concerned, are often times brutal, with an enormous impact on their later development.



Ten years ago Uli Streib and Stephanie Gerlach published their book *Und was sagen die Kinder dazu?* (*And What Do the Children Say?*) All of the interviewees were children from rainbow families. They were asked as girls and boys of lesbian, gay, or transsexual or transgender parents. Even here, LGBTIQ children were not a topic. Nonetheless, it was a big step to write about children and their feelings in order to inform society and raise awareness.

When last year we were preparing our shadow report *The Situation of LGBTI Children in Iran* for the UN Committee on the Rights of the Child (UNCRC), we came to the realization that children's rights are overlooked not only in Iranian legislation but they are also not mentioned in Iranian literature on human rights.

Pajareh was one of the interviewees for our study *Diagnosing Identities, Wounding Bodies*. Of her experience as a transgender person she says: “I was 16, and no one understood me, I would just cry all the time. The psychiatrist had prescribed several pills. I was drugged up to the eyeballs and slept all day, not noticing anything going on around me. Then, my parents took me to this psychiatrist who concluded that I still loved my girlfriend and hadn’t let her go. He prescribed twelve sessions of ECT [electroconvulsive therapy] of which I took six. There were other youth in the room getting the same ECT. Before I lost consciousness I could see how much they were suffering, moving uncontrollably from the electric shocks. Up to three days after that I would be in a very bad state and my eyes were red. Slowly I lost my short term memory, everything was just a blur; I didn’t notice anything. The doctor would ask me how I felt and I’d say “very good” because I couldn’t feel anything; I wasn’t able to speak or finish a whole sentence. My parents didn’t mean to torture me, they were convinced homosexuality is an illness requiring treatment.”

Or take Akan, another interviewee, talking about how she was beaten by her father just for being close with another girl at school. The school’s principal had warned her father about that.

With these examples I would like to show how much LGBTIQ children and youth all over the world are suffering from homophobia, transphobia, or, more precisely, they are suffering from a heteronormative order and norm.

Daily forms of the heteronormative order

It isn’t necessarily openly violent behaviour, rejection, and restrictions that are hurtful and put pressure on the children and youth concerned; more often it is the “simple” gestures and signals that prevent these children and youth to decide freely and openly express themselves. “Openly express themselves” here means the free expression of gender, which includes free decisions on outer appearances, the way to dress, which sport to play, which subject to study, which hobby to pursue, and so much more. It also includes the free decision on sexual orientation, on one’s own body and one’s own gender.

It is the simple messages running our lives along given “norms” like the colour of the clothes we pick for our children, whereby we bind them to a pre-defined gender role. Messages like dividing classes by sex into girls’ and boys’ classes, or just simply the separation of bathrooms and locker rooms for male and female, again, overlooking transgender and intersex children.

We do things differently

Last year the U.S. started protecting the rights of transgender and gender non-conforming children and youth with a new law (IX Law). Rules and regulations to ban discriminating acts and statements on LGBTIQ people is something we need everywhere but first and foremost in our heads; yet, that will not be enough. We need an open discussion on how to change the situation in schools and care facilities to prevent LGBTIQ children of falling victims to sexist attacks on a daily basis.

Children are our future; they are the future of the world. This world should not only be male or female. No one at my school saw me as a LGBTIQ child, no one ever asked me why I was playing only with boys and why I loved football so much; no one was there for me during puberty to listen to my love stories; many would call me a "hermaphrodite." Even as an adult I was frequently asked why I looked so male, why I did not dress more female... I do hope that the children in your schools and institutions are living in a different world.

Translated by Martje Belka



The same sad stories

Jelena Čelebić, peachwise

I hated being a girl. It took me years of learning, understanding, being at the right place with right people, being passed the right book at the right moment - to understand that I did not hate being a girl but that I should resent society for trying to push me in a box, trying to erase all my personal traits, molding me to fit what society sees as the desirable gender role. So, I hated being a girl, being told at least several times a day: it's not what a girl should do/wear/say/play with, it's not how a girl should walk/talk, these toys are not for girls, football is not for girls! I was called names, bullied, humiliated, always told what I 'must not do', heard an endless inventory of snide remarks, constantly reminding me what my place in society is. At some point in time it wears you off - you forget exact words, words become redundant but messages and emotion(s) they've carried – stay deeply engraved in our minds and bodies.

Society 101 lesson – not only that it discourages women from playing football and makes us leave that sacred man's ground intact it teaches us, by perpetuating stereotypes and reinforcing gender-based prejudices, how to navigate our ways around other gender-based 'conflicting' situations in life – by giving up and giving in to agreeable arrangements society sets up for us.



It would take me years to start meeting women through football, women with whom talking and sharing experiences finally made sense, so many things I identified with, we understood one another beyond language and anything else that made us different. Their story, each individually, is a story of growing up being discouraged and

marginalized, of fast-forward learning on how society works, developing oneself in resistance to one's own environment (and on a wider scale with a strong societal grasp), being forced to give up one's passion for football, being forced to protect one's own dreams. And much more than this – almost all of us underwent it on our own. One may think that at the end we would come out tougher, more resilient, which can be true to an extent, but the ways we learnt these lessons were profoundly wrong. I rarely ever met girls who had given up their passion for football – these stories are still unaccounted for, unfortunately.

At the Discover Football festival *Beyond (B)orders* in Berlin, I attended the workshop facilitated by Juliana Roman Lozano, fellow activist, player and coach from Argentina (La Nuestra Fútbol Femenino). Part of the workshop was to write words/phrases pointed our way on ribbons that later on we tied to one another's arms, legs, heads and even though there were only words, some of them written in languages I am not familiar with, I felt their weight - just that this time I was not alone somewhere out there and exposed to their original forms. It felt liberating even though it brought to surface so many unpleasant memories and it left me speechless – toponyms may vary, languages may vary, circumstance and backgrounds may vary but the messages 'restoring the order' endangered by our appearances, clothes, ways we express ourselves, sport we play - remain dully identical. It's curious how these phenomena crossed oceans and mountains to sum up to much alike effect, I am talking solely about girls who play football, not about ways diverse societies norm genders immanent to their cultures and needs.

Furthermore, there are girls who came out as lesbians early enough to add yet another parameter for discrimination to tissues of their experiences, as if it was not already bad enough being a girl on a football pitch. The same rigid treatment applies but it does not end there – it often gets even more violent, even more physical. Usually, there is a correlation drawn between football and being a lesbian, football not being 'feminine' enough can turn one into a lesbian, you assume man's role, growing up playing such an aggressive (seen as positive if you are male) sport can make amends to one's desires and sexual preference and it goes on and on. So the load society puts on non-heterosexual girls is often even heavier.

I also remember asking my parents what did these remarks and name calling mean, because I had not been able to understand all of them fully at the time (some of them were clear enough though) and they sat patiently with me to offer explanations. On days I'd felt hurt by these words, I would go home and cry and they were always there to hear me and support me to stay dedicated to what I loved. Again, much later, I would find out that what I took for granted many of us did not have - a safe place, a shoulder to cry on, someone to explain, support and motivate us to go on, to strive. There are/were/and always had been so many of us discouraged by our parents, families – who felt ashamed of what others might think, who were concerned for our futures in which we would never get married, that our bodies and femininity would not meet required criteria; friends, teachers, coaches who were, for various reasons, threatened, ashamed, alarmed by girls who play football. Being so often targeted with so many messages with negative connotations builds up a

sense of shame, feeling that we are in fact doing something wrong, entails many more feelings and consequences that unravel over the course of our lives in numerous shapes and forms, they scare us so deeply and invisibly. Needless to say, it's constitutive of who we are and interwoven with everything else that has come up along our way.

What entitles us to harshly judge others, intervene in their lives, remind them of right and wrong I see as a situational privilege we feel we have, an upper hand earned by walking the well-trodden path without questioning it. I wish we were all more aware of ways society constructs genders and more observant to try and understand motives and/or reasons behind how other people are and just let them be. It is not all that much to ask for and in retrospective, it would have made a world of difference for me.



GOOD BEGINNING PRACTICES

SOS Children's Villages International

Angelika Schwaiger, SOS Children's Villages International

At the SOS Children's Villages children without parental care can find a loving home. They grow up in a SOS family, cared for by their Children's Village's mother and surrounded by siblings. We also support and provide self-help, education, and hospital wards for people and families in need around our SOS Children's Villages' neighborhoods and such are contributing to a sustainable development of communities in poor countries. Furthermore, our SOS Children's Villages are the starting point for emergency reliefs that we offer to children and their relatives in troubled areas and disaster zones. As a pioneer in the field of educating and strengthening families we fight for the rights of girls and boys in need of protection since 1949. Today we are active in 134 countries. Our work reaches about 1.5 million children, youth, and families.

When in 2013 Ise Bosch proposed that our organization join Dreilinden to co-host the Rainbow Philanthropy conference 2015 I was first stunned, then happy, and finally I took a deep breath.

How would the issue resonate with our managers, board members, supporters, donors, colleagues, and in our facilities all over the world?

I immediately pointed out to Ise Bosch that, according to my knowledge, the issue was not discussed within our organization, at least not on the level of strategy and program. Our colleagues in the field, of course, are dealing with children and youth of sexual orientation and gender identity (SOGI) not matching society's norm, on a daily basis, and within their possibilities they more or less support them in their needs – and sometimes they don't. As a global organization we cannot ignore the respective cultural environment within which we operate. In some parts of the world LGBTI rights are a delicate issue, in other places homosexuality is even pursued by law.

According to a study from the U.S., LGBTI children and youth in foster families in the United States are overrepresented. As the worldwide biggest organization in alternative care, what does that tell us? We provide long term care for 79.000 children and youth in the international SOS Children's Villages, and more than 360.000 children and parents participate in our prevention programs. Shortly before the conference in November 2015, I was in Ethiopia asking my SOS colleague about LGBTI rights of young people. You might have already guessed the answer – neither at SOS nor in society is this spoken of.

The conference on Rainbow Philanthropy came at just the right time for our organization. Within a circle of experts my initial research on the topic was met with enthusiasm.

As an organization we are presently approaching the issue in a searching way, exploring it very carefully. On a personal level every SOS employee finds themselves having to question their own understanding of normalcy. We have to learn a language of ease and make room for a culture of awareness, a piece of "Ubuntu." Ubuntu is a word from the Zulu language pointing to attentive cooperation, mutual respect and human dignity, regardless of one's skin color, one's ethnic group, or religion. Ubuntu is a core value of SOS Children's Villages International and when it comes to LGBTI rights we do need more Ubuntu in our organization. We also need the courage to go public on this issue, even if it may make us more vulnerable.

SOS Children's Villages International is based on human and children's rights. We respect the selfhood of every single child; we protect children from discrimination, respect their privacy and care for their needs. By conveying fundamental values like tolerance and mutual respect we want to enable them to lead autonomous lives. Naturally, human rights and children's rights apply to LGBTI issues just the same. The Yogyakarta Principles don't contain new rights but rather are the application of existing human rights in relation to sexual orientation and gender identity. SOS Children's Villages International protects children from discrimination, respects their privacy and cares for their needs. Sexual orientation and gender identity are an integral part of children's identities and can never be grounds for discrimination, no matter where.



Our work also aims to bring children and youth who are ostracized due to social origins, economic backgrounds or sexual and gender identities into the middle of society. Children and youth should be able to develop their potential apart from discriminating factors.

In conclusion, for the SOS Children's Villages at this point there are three main areas:

1. How do we protect children and youth and how can we support them in finding their own gender identity and orientation? Are we as an organization protecting them sufficiently? Do they feel safe in our care?

2. How do we train staff? Here, it must be borne in mind that SOS workers in our facilities function as important role models. If workers accept and foster children and youth no matter what their sexual and gender identity might be, this will have a positive effect on developing their psychological resilience, which is crucial not only for developing their personality but also for their professional success later on in life.

3. How do we raise consciousness and create awareness especially in countries with discriminating legislation? How do we deal with our own prejudice? How do we deal with the fact that approaching LGBTI rights openly may also put one's personal safety in danger? And how do we approach conditions in countries insisting on their discriminating policies?

Translated by Martje Belka



Light for the World

Light for the World

Light for the World is an international disability and development organization. We strive for accessible eye care services and support inclusive education, empowering persons with disabilities to participate equally in society. We work on four continents in 164 projects; our help reached 1.2 mio. people in 2015. Our vision is an inclusive society where no one is left behind, therefore we now start to reflect on how to include gender and sexual diversity into our work.

Child protection and LGBTIQ

In the program countries of Light for the World in Africa, South America and Asia very often there is a huge taboo around LGBTIQ and it often is illegal. To link child protection explicitly to the topic of LGBTIQ will be difficult. What Light for the World does in its work is to say that all human beings are different and that we should appreciate differences in society. Working with this message not only gives room for differences in abilities but also for differences of what we look like and what we feel. We are talking about diversity – including sexual and gender diversity - which gives room not only for kids with disabilities but also for seeing many ways of being different.

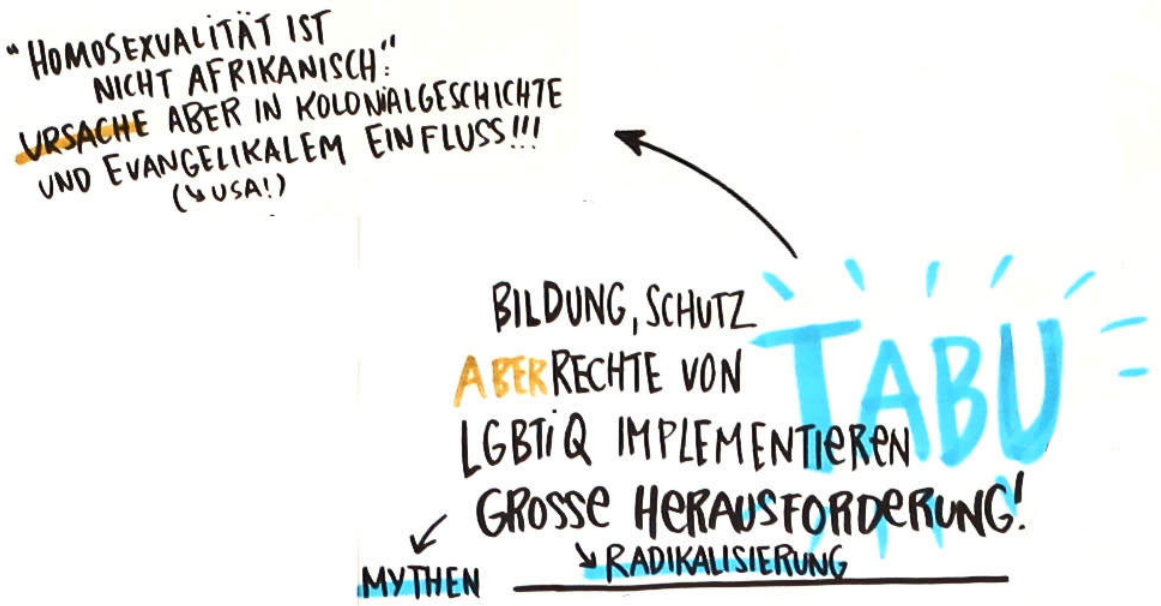
LGBTIQ in Ethiopia – an example

We asked Ephrem Taye, Communication Officer of Light for the World Ethiopia for his evaluation of the situation of LGBTIQ people in Ethiopia and the options.

“LGBTIQ is a taboo in most Ethiopian communities and even worse the Ethiopian penal code makes the act of homosexuality an act which can be penalized from a 10-day simple imprisonment to a maximum of 10 years’ prison sentence. The constitution does not mention or put any restriction on LGBTIQ though. From my personal perspective and based on conversation with few people who do have a homosexual orientation during my journalism days, more than the criminalization of the act the societies’ strong dismay towards homosexuals and homosexuality force them to live underground and not to show their sexual preference in public. To avoid social discrimination and coercion people who do have homosexual preference prefer to hide it and try to live underground. This strong resentment against homosexuality stems from deep rooted religious and cultural beliefs and perspectives. In most religions in Ethiopia the LGBTIQ are considered as someone who are possessed by evil spirit and need to be exorcised. If they are from Orthodox Christian families, they may be taken to holy-water places and if they are from protestant families they will be subjects of different prayer sessions. Most Ethiopians think that homosexuality is un-Ethiopian and it is something ‘western’ that should be kept out. The discourse concerning the issue is, that it doesn’t fit into the moral and cultural values of Ethiopian in general. In the development sector, there is hardly any organization that identifies LGBTIQ as its primary or secondary target to benefit from its intervention. I know only two organizations who work on the issue.”

For what Light for the World can do, he further suggests being inclusive within the already existing range of work done.

“I do not think LIGHT FOR THE WORLD as an iNGO can have explicit policy or project on LGBTIQ in Ethiopia either. What we can do is, simply focus on our value of being an inclusive organization which makes sure everyone who needs our services and support gets it regardless of their sexual orientation, ethnicity, religion, etc. We can also encourage our project partners in Ethiopia to be inclusive in providing their services and make sure everybody benefits from their programs. Most of our project partners are located out of Addis Abeba in rural areas and small rural towns where we have more conservative communities on Ethiopian values and cultures. Hence, we cannot make a pre-condition for our partners to have explicit LGBTIQ friendly services rather we can convince them to be inclusive and serve whoever comes to them in seeking of their services regardless.”



Beginning practice: Child protection policy and LGBTIQ

So what can we do? We can start with our child protection policy, where we assume that children with disabilities are significantly more vulnerable to violence (starting with neglect), and are frequently excluded from accessing awareness raising and preventive measures in this area, as well as missing out on counselling and other support services.

Therefore Light for the World has developed a child protection policy which:

- Increases the understanding of staff members on the vulnerability of children;
- States the behaviour expected, and actions to be taken towards staff members of Light for the World violating the rights of and maltreating children including children with disabilities;
- Provides guidelines towards the use of photographs and films of children with disabilities in supported projects that might harm the child.

In order to achieve the above, Light for the World:

- Has developed a code of conduct for all people working in the organisation;
- Has developed a questionnaire to better understand how engaged the partners are with the field of child protection;
- Has started training for Light for the World staff on child protection;
- Has developed a training on child protection for Community Based Rehabilitation (CBR) partners (CBR training manual);
- Would like to have this training implemented with CBR partners and potentially other partners and start working with them on the implementation of child protection activities within their organisations and in the communities where they work.

To give LGBTIQ more attention and relevance in our team and program work the following activities are planned as first steps:

- In spring 2016 we start with the development of a Diversity and Inclusion Policy. Gender diversity will be a component of this policy. In a second step we will discuss and work on how to link this new policy to the existing child protection policy.
- We organize an internal workshop on the topic of sexual and gender diversity to sensitize our team and promote a larger understanding of inclusion.
- We are open for collaboration and exchange with LGBTIQ organizations to promote a know-how exchange about inclusion and a knowledge transfer about successful activities in lobbying, empowerment and networking.



APPENDIX

References and additional resources

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Additional resources

UN Convention on the Rights of the Child:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

UNICEF Fact Sheets; additional information on topics covered in The Convention of the rights of the Child, specific aspects of the Rights of the Child:

http://www.unicef.org/crc/index_30228.html

The UN Secretary-General's Study on the Rights of the Child 2006; child-friendly version with reference to LGBT:

www.unicef.org/violencestudy/childfriendly.html

UN bodies on LGBT rights

The Yogyakarta Principles; an application of International Human Rights Law in relation to Sexual Orientation and Gender Identity, 2006:

<http://yogyakartaprinciples.org>

UN Human Rights Council Resolution of 2011 on Sexual Orientation and Gender Identity; summary by jurist.org at University of Pittsburg School of Law:

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<http://www.consilium.europa.eu/en/documents-publications/publications/2010/promoting-enjoyment-all-human-rights-lesbian-gay-bisexual-transgender-people/>

ILGA Europe, collection of thematic resources including bisexuality, intersex, and trans: <http://www.ilga-europe.org/resources/thematic>

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Hirschfeld-Eddy-Foundation; report on how foreign policy and developmental cooperation can consistently include human rights of LGBTI people (German): <http://www.hirschfeld-eddy-stiftung.de/schriften/yogyakarta-plus/>

Miscellaneous

The Price of Exclusion: a research guide by Andrew Park, with bibliographical references to research findings on the impact of discrimination against LGBTI people including poverty, lost productivity, homelessness, depression and suicide, 2015: <http://williamsinstitute.law.ucla.edu/wp-content/uploads/The-Price-of-Exclusion-Research-Guide.pdf>

The guide accompanies the United Nation’s video *The Price of Exclusion*, narrated by Zachery Quinto.

Human Rights Watch report 2001, *Hatred in the Hallways: Violence and Discrimination Against Lesbian, Gay, Bisexual and Transgender Students in U.S. Schools* – is currently being updated: <https://www.hrw.org/reports/2001/uslgbt/toc.htm>

Independent Lense, a showcase of independent documentary films, put together an interactive map of gender-diverse cultures worldwide: http://www.pbs.org/independentlens/content/two-spirits_map-html/

International Human Rights Funders Group: the U.S.-based network of human rights funders has a Working Group on Children and Youth funding. At their January 2015 conference, the working group held a panel on “Sexual Orientation and Gender Identity: A Third Rail or a Pillar for Children’s Rights?”

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International Human Rights Funders Group (IHRFG)

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National Center for Transgender Equality, information on the new law for trans and gender non-conforming students 2014 (*federal Title IX law*):

<http://www.transequality.org/know-your-rights/schools>

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<http://www.yalelawjournal.org/comment/homosexual-propaganda-bans-in-human-rights-law>

Glossary

Persson Perry Baumgartinger, diskurserei Vienna|Berlin

* or asterisk is a character used in several languages to denote sex/gender diversity. It's one of many linguistic strategies to make sex/gender diversity in the English language visible.

ALTERNATIVE CARE In this issue paper the term stands for any type of care of children and youth other than within their family of origin (for example, day care centres or foster families.)

DEVELOPMENT COOPERATION is the cooperation as partners of so called industrialized countries and developing countries to eliminate global social and economic inequalities.

HETERONORMATIVITY denotes a system of norms, attitudes, and prejudices in which heterosexuality and the two sexes of man/woman are defined as the social standard; all other SOGIE are depreciated.

INTER* or **INTERSEXUAL** is not an illness, as often assumed, but a description of people whose bodies don't fit any of the common sex/gender categories of man or woman. In addition to the physical condition of intersexuality there also is inter* as a gender identity.

CHILDREN are all human beings under the age of eighteen years, according to the UNCRC. The definition of a child varies nationally and regionally according to legislation. With German legislation, for example, human beings up to the age of fourteen years are children, from the age of fourteen to the age of eighteen they are youth.

CONVERSION THERAPY is a psychiatric treatment attempting to "cure" homosexuality (and, in a broader sense, SOGIE.) Internationally the approach is not accepted, since the U.S. stopped considering homosexuality an illness in 1974 and the WHO in 1992. Still, it is applied to this day in various forms. One of which is **electroconvulsive therapy** (ECT), aiming to heal the psyche by electrically induced seizures. LGBTIQ is an acronym for lesbian, gay, trans*, transsexual, transgender, inter*, intersexual and queer. The acronym often includes all forms of SOGIE.

LGBTI, **LGBTTIQ**, **LGBTTIQQA** etc. emphasize different forms of the above. For example, the latter two make transsexuals, persons questioning their sex/gender, and their allies visible.

NGO, INGO is an acronym for non-governmental organisation resp. international non-governmental organisation. A non-governmental organisation is an interest group set up by ordinary citizens, often times engaged in social and welfare policy and environmental policy.

QUEER in this context is used for everyone whose SOGIE is not included within the commonly used categories based on the binary sex/gender order.

SEXUAL ORIENTATION denotes the ability of a person to relate to one or more persons emotionally and/or sexually.

SOGI or **SOGIE** is an acronym for sexual orientation, gender identity and expression.

TRANS* is an umbrella term for transgendered ways of life as well as the identity of people going beyond the sex assigned to them at birth (transsexuals, transgender, transvestites, and gender nonconforming persons amongst others.)

CISGENDER is a term for those who stay with the sex/gender assigned to them at birth for life.

This glossary has been compiled using 6Rang/Justice for Iran, *Diagnosing Identities, Wounding Bodies*, 2014; Baumgartinger, *Lieb* Les**, ** du das gerade liest*, *liminalis 2_2008*; Baumgartinger/Knoke, *Regenbogen-Philanthropie 3*, 2013; Chebout/Sauer, *Regenbogen-Philanthropie 2*, 2011.

Translated by Martje Belka



Contributors for this issue paper

Ise Bosch is the founder and CEO of the Association for charitable private capital Dreilinden. As initiator of the annual Rainbow Philanthropy conference in Germany, she works to promote the issue of sexual orientation, gender identity and expression (SOGIE) in development cooperation and has done so for many years.

Coenraad de Beer started with SOS Children's Villages in 2002 where he was responsible for establishing new programmes. Today he is the team leader of the care and protection unit. His team works on child safeguarding and support learning and exchange on key care topics relevant for child and youth development.

Muhamed Mešić, born 1984 in Tuzla/Bosnia-Herzegovina is a structural engineer, lawyer, and human rights activist; studies in Vienna with fellowships of Kennedy School and McGill University; co-founder of MiGaY; 2004 youngest elected council member in Bosnia; project experience in four continents in the area of youth and sustainable development.

Shadi Amin is an Iranian LGBTIQ activist. She* has researched gender discrimination, the state of lesbian and transgender people in the Islamic Republic of Iran. Shadi is currently the coordinator of Iranian Lesbian & Transgender Network (6Rang). She* recently published a book in Farsi, entitled *Gender X* which is available in English entitled *Diagnosing Identities, Wounding Bodies*.

Jelena Čelebić, formative items: anthropology, tool to think society; photography, reminder that perception is indivisible from observer; hitchhiking and cycling; football, lesson to stand up for myself; LGBTIQ activism, space for change. Playing football with Peachwise (Novi Sad) with amazing women, rediscovering and reimagining spaces for ourselves.

Angelika Schwaiger is divisional head of philanthropy, public sponsors, and children's rights at the SOS Children's Villages. In her work she emphasizes issues like evaluation and LGBTIQ rights.

Light for the World is an international disability and development organization whose vision is an inclusive society where no one is left behind. We strive for accessible eye care services and support inclusive education, empowering persons with disabilities to participate equally in society.

Persson Perry Baumgartinger is a researcher, trainer, editor, and coach. Subject areas of his work include trans*inter*queer, Critical Diversity, Social Justice and language-power-society; he is co-author of the study *Regenbogen-Philanthropie 3*, did the co-conception of the 7th conference on rainbow philanthropy, and is the founder of the dictionary project *queeropedia*, amongst other projects.

Martje Belka, certified and sworn translator and interpreter.

Kai Noah Schirmer, non-binary / trans* / inter* / radical queer activism through arts, programming, community media and daily living. Web programming and layout.

Imke Schmidt-Sàri studied Applied Cultural Studies at the University of Hildesheim. As a member of 123comics, a collective that was founded in 2007, she contributes graphically to conferences, and develops comics, animation cartoons, and illustrations with a focus on education, social issues, politics, gender and the environment.

Caro Kadatz is a photographer and filmmaker. She lives in Berlin.

Daniela Beuren is a multilingual writer, performer, team worker, translator, lecturer and crossword compiler who lives in Vienna.

7. FACHTAG REGENE

BEGRÜßUNG:

ISE BOSCH
(DREILINDEN):
DEUTSCHSPRACHIGE
AKTEURE MIT INT.
LGBTIQ-FUNDING-
COMMUNITY VERNETZEN

BEGRÜßUNG:

ANGELIKA SCHWAIGER
(SOS KINDERDÖRFER WELTWEIT):

PIONIERARBEIT: WIR
BRAUCHEN MEHR
VBUNTU!
= GEGENSEITIGER RESPEKT



PROBLEM:
GESELLSCHAFTLICHE
UNTERDRÜCKUNG

TROTZ:
DEKLARIERTEN
RECHTEN
DEN JEWEILIGEN
LÄNDERN

"SCHUTZ" IST RELATIV!



BSP. PRÜGELSTRAFE
ALS "SCHÜTZENDE" ERZIEHUNGSMAßNAHME

2 RECHTLICHE
FACETTEN



AUF DEM
PAPIER
ANERKANNT!

(USA ALS EINZIGES
LAND HAT SIE NICHT
RATIFIZIERT)

KINDER-
RECHTE =
MENSCHEN-
RECHTE

SEXUELLE
SELBSTBESTIMMUNG
UND SCHUTZ VOR
GEWALT

MEINE MENSCHEN-
WÜRDE MUSS
GESCHÜTZT WERDEN

QUEER SNACK

mit SHADI AMIN ^{IRAN} / IRAN
und MUHAMED MEŠIĆ
^{ÖSTERREICH}

PARADOX IRAN?
TRANSSEXUALITÄT
STRAFFREI ABER
TODESSTRAFE FÜR
HOMOSEXUALITÄT!



VÖLKER-
RECHT IST NUR
EINE TOLLE
THEORIE

!?

SEXUELLE
SELBSTBESTIMMUNG
UND SCHUTZ VOR
GEWALT



TRANS-UND
INTERSEXUELLE
MENSCHEN:

EXISTIEREN
NICHT IN DEN
GESELLSCHAFTLICHEN
DEFINITIONEN

HETEROSEXUELLE
MATRIX



LGBTIQ-KINDER
LEIDEN DARUNTER
BESONDERS

AUS-
SCHLUSS



WIR LEIDEN
DARUNTER,
UNS NICHT
FREIHEITLICH
AUSDRÜCKEN
ZU KÖNNEN

GEWALT

WIE SIEHT ES MIT
DEN ALTERSGRENZEN
AUS?



WIE SCHÜTZEN, WENN
ICH NICHT ÖFFENTLICH
DRÜBER REDEN DARF

?

PSSST=



BOGENPHILANTHROPIE

Quelle und Geschlechtliche Selbstbestimmung von **LGBTIQ-KINDERN UND JUGENDLICHEN**

VIEL ZU TUN!

(MEHRFACH-) DISKRIMINIERUNGS-ERFAHRUNGEN SENSIBILISIEREN FÜR ANDERE DISKRIMINIERUNGEN!
CHANCE!

"HOMOSEXUALITÄT IST NICHT AFRIKANISCH!"
URSACHE ABER IN KOLONIALGESCHICHTE UND EVANGELIKALEM EINFLUSS!!!
(USA!)

"RAINBOW-COUNTRY":
BILDUNG, SCHUTZ ABER RECHTE VON LGBTIQ IMPLEMENTIEREN GROSSE HERAUSFORDERUNG!
MYTHEN → RADIKALISIERUNG

COENRAAD DE BEER
SOS KINDERDORF SÜDAFRIKA

PODIUM
ALFRED B.
JUGENDAKTIVIST MAZEDONIEN

JELENA ČELEBIĆ
PEACHWISE SERBIEN

RECHTLICHE DISBALANCE
MÄNNL. HOMOSEXUALITÄT GESCHÜTZT, LESBEN KOMMEN NICHT VOR!

UNSERE SEXUALITÄT SCHEINT NICHT WICHTIG GENUG!

TABU
RISIKO: DISKRIMINIERUNG AM ARBEITSPLATZ: OBdachLOSIGKEIT DROHT



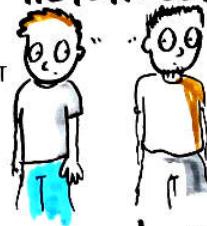
IN MEINEM LAND MÜSSEN WIR AUSSEHEN WIE HETEROSEXUELLE



GENDER-DIMENSION: IN VIELEN LÄNDERN!

INSBESONDERE LGBTIQ-KINDER VERLIEREN HÄUFIGER IHRE FAMILIE*
KÖNNTEN KINDER IN SOS-KINDERDÖRFERN SOGAR BESSER AUFGEHOBBEN SEIN?

LGBTIQ-KINDER ERFAHREN MEHR GEWALT



RECHTL. SITUATION ERSCHWERT DIE ARBEIT MIT MINDERJÄHRIGEN LGBTIQ'S

WAS KÖNNEN STIFTUNGEN ZUR UNTERSTÜTZUNG BEITRAGEN?

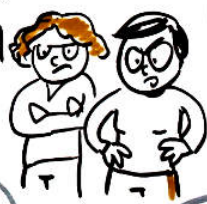
WIR BRAUCHEN HORIZONTALS, LOKAL RELEVANTES

ANGST, IN LGBTIQ ZENTREN ZUGEHEN
DAS KANN ICH DOCH MEINEN ELTERN NICHT ZEIGEN!

REGIERUNGEN IN DIE PFLICHT NEHMEN!

DIE MITARBEITER DER ORGANISATIONEN AUCH SCHÜTZEN

OFFENER AUSTAUSCH IST GEFÄHRlich



WIR MÜSSEN IMMER UM RÄUME KÄMPFE!

INTERN: THEMATISIEREN



IRAN: BEWEISDRUCK, DASS VOR ORT GEHANDELT WIRD FÜR GELDGEBER
↳ GEFÄHR: GRUPPEN HANDELN IM VERBORGENEN

IST SEXUELLE ORIENTIERUNG EINE WAHL ODER EINE ENTSCHEIDUNG

BERATER:INNEN: WER IST QUALIFIZIERT?
GRUPPEN ZUSAMMENBRINGEN HILFT!

SENSIBILISIEREN!

ÜBER RECHTE AUFKLÄREN

VERTRAUENS PERSONEN!

LÖSUNG: ONLINE-COUNSELLING

GUTES WERKZEUG AUCH FÜR ELTERN (VON LGBTIQ UND ELTERN, DIE SELBER LGBTIQ SIND)

VIELE DIMENSIONEN



FÜR **INKLUSIVE GESELLSCHAFT**

SO WIE ICH GEBOREN WERDE, MUSS ICH GESCHÜTZT WERDEN



SCHULTERSCHLUSS VON VERSCHIEDENEN INSTITUTIONEN IRGENDWANN DIVERSIFIZIERT ES SICH ABER WIEDER

Dreilinden gGmbH

Dreilinden is a non-profit organisation for private funding. Dreilinden believes that human societies are more liveable and stronger if gender roles are less binary and less hierarchic. Dreilinden supports social acceptance of gender and sexual diversity by means of grants to existing organizations and project grants, as well as by social investments, and networking. Besides funding feminist and SOGI organizations in the so-called “Global South,” Dreilinden supports selected mainstream human rights organizations in Europe in their efforts to acquire gender and SOGI expertise.

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SOS Children’s Villages International

At the SOS Children’s Villages children without parental care can find a loving home. They grow up in an SOS family cared for by their Children’s Village’s mother and surrounded by siblings. We also support and provide self-help, education, and hospital wards for people and families in need around our SOS Children’s Villages neighborhoods and thus are contributing to a sustainable development of communities in poor countries. Furthermore, our SOS Children’s Villages are the starting point for emergency reliefs that we offer to children and their relatives in troubled areas and disaster zones. As a pioneer in the field of educating and strengthening families we fight for the rights of girls and boys in need of protection since 1949. Today we are active in 134 countries. Our work reaches about 1.5 million children, youth, and families.

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