**Submission by -**

**Mir Abu Reyad, Representative of the LGBTI community in Bangladesh, to the UN Human Rights Committee**

Over the last three years, Bangladesh has become increasingly torn by violent extremists and the tempo of attacks on civilian targets has drastically increased. Prolific anecdotal evidence points to growing threads of extremist sermons in mosques throughout Bangladesh that routinely condemn homosexuals as heretics that are to be punished or killed. This is echoed in local social media posts condemning homosexuality and justifying these attacks. The fears of the LGBTI community were realized last year when two activists were brutally murdered by attackers associated with Al-Qaeda. The government was slow to condemn their murder and the Prime Minister even suggested that those challenging societal norms of religion and sexuality should consider leaving the country.

In Bangladesh, homosexual relations are a punishable crime based on an 1860 colonial era law. The government and security services have shown contempt and indifference towards the LGBTI community and has not provided protection or voiced support for them at a time of fear. Prior to the April 2016 murder of LGBT activist Mahbub Rabbi Tonoy and USAID employee Xulhaz Mannan, there was a relatively open community of LGBT activists. Following this incident, most activists have left the country or are now in hiding. Only one NGO that supports the community remains fully fully active, and it serves primarily the transgendered community. This lack of support has increased the realization of the homosexual community in Bangladesh that there is no protection or support within government circles.  The situation for homosexual persons is frightening as they are openly threatened by terrorists, denied protection and socially ostracized.

**Rainbow Rally, Questionable Freedom & Political Intolerance (Articles 7, 9, 10 & 20)**

* In 2014, the LGBT publication *Roopbaan* organized the first ever Rainbow Rally to raise awareness and let the world know that “we, the LGBT community, exist in Bangladesh.” The organizers planned the Rainbow Rally in April as a part of the traditional “Mongol Shovajatra” festivities celebrating Bengali New Year.
* In 2015, the second Rainbow Rally, again held in conjunction with the “Mongol Shovajatra,” received widespread coverage in the print and electronic media. This coverage created considerable awareness of the country’s LGBT population, but also led to a severe backlash, inspiring numerous hateful comments and scathing denunciations of the rally and the LGBTI communication.
* In 2016, *Roopbaan* planned to again hold the Rainbow Rally as part of the Bengali New Year festivities. Opponents of the rally created several websites and Facebook pages specifically targeting the rally, which included photos of prominent LGBT leaders along with their names, addresses and/or Facebook IDs. This led to a wave of threats against LGBT leaders and activists.
* Responding to these threats, Dhaka Metropolitan Police instructed the organizers to cancel the “Rainbow Rally” the night before the event was scheduled to take place.
* At the Mongol Shovajatra festivities, the polic detained four LGBT individuals and disclosed their identity in the print and electric media and to their family members.

Source: <http://gaysifamily.com/2015/08/03/dhaka-celebrates-its-2nd-lgbtq-pride-march/>

**Recommendations:**

* The government should not restrict peaceful assembly.
* The government should protect the privacy of every individual, in accordance with existing Bangladeshi law.
* The government should be more tolerant of the LGBT community and acknowledge their existence in Bangladesh.

**Needs Assessment Survey of the LGB Community:**

* In 2015, Boys Of Bangladesh (bob) and *Roopbaan* joined with CREA (a feminist human rights organization based in New Delhi) designed and conducted a needs assessment of the country’s LGB community. This survey reached 751 self-identified LGB individuals, seeking to understand what problems the community faces, their demands and how they can be addressed.
* More than 50% of those surveyed said that they live in constant fear of their orientation being discovered.
* Only 25.8% of respondents said faced discrimination.
* More than 90% said they either had no knowledge of or no access to legal support.
* Most of the respondents said that they felt their sexual orientation conflicted with their religious identity, with some even stating that it is a sin and immoral.
* 52% wanted to leave the country.
* 66% of the respondents said they wanted same-sex marriage.
* 33% of the respondents said they would get married to opposite sex if forced to do so.
* The respondents were largely from the middle class due in part to educational and other barriers in reaching the lower echelon of the society.
* The survey was carried out is all eight divisions of country. Roughly one-third of the respondents were from Dhaka. The average age of the respondents, all of whom self-identified as LGB, was 25.

**Recommendation:**

* The government should arrange such a survey every year.
* The government should take proper step to educate people about sexual and reproductive health rights.
* The government should implement comprehensive sexuality education in the public school system and national curriculum.
* The government should be tolent and protect the rights to express sexuality identity.

**Bullying and Harassment in Schools, Colleges** and Universities (Articles 24 & 25)

* In schools, colleges and universities, LGBT students are frequently bullied by students and teachers.
* When an LGBT student goes to the teacher to complain of bullying and harassment, teachers often harass the student themselves.
* There is no survey about this issue in Bangladesh as the very existence of LGBT students is not acknowledged.
* Textbooks do not address bullying or issues of tolerance and social inclusion.
* Social isolation and depression and common problems among LGBT students, and many contemplate or attempt suicide.
* Lack of knowledge about these important issues is endemic among students, teachers and family members.

**Recommendation:**

* The government should arrange a national survey regarding bullying and harassment of LGBT students in schools and colleges.
* The government should implement age-appropriate comprehensive sexuality education on a priority basis.
* The government should take initiative to include comprehensive sexuality education in textbooks at the primary level.
* The government should sensitize teachers and school officials to the problem of bullying.

**Discrimination and Suffering of Transgendered People (Articles 2, 16, 17 & 26)**

* Transgender is a tradition of South Asian sub-continent and for this; this community lives in a group and belongs to a leader/guru ma.
* They have been recognized as Third gender, but no implementation of this in Govt. offices and no proper steps have been taken to protect this community. Even if they want to change their name and went to NID office/Passport office, they have to face untold sufferings.
* Sexually harassed during sex work by law enforcement agencies.
* No social dignity and involvement in social activities.
* In our country Sex change is illegal and if anyone wants to do so there is less or no option.
* Govt. formed a medical team to check up transgender person to identify them if they are biological male/female. If they can prove themselves “True Transgender” then they will get job opportunity.
* Thrown out from family; they have to live a life with untold sufferings.
* Left behind from education.
* Health knowledge and services and lack of treatment facilities.
* Social securities and unsafe livelihood.
* No opportunity for job and earnings and so they need to lead a life with begging and sex work.

**Recommendation:**

* Govt. must pass the Third gender recognition amendment in parliament immediately.
* Government should provide Social safety and security for them and inclusion in social activities by creating proper awareness and movement.
* Inclusion in education institution and positive environment at there.
* Must ensure proper implication of DMP 54.
* Government must introduce vocational training, livelihood training and workshop for them to change the flow of their life.

**Wider Context of Discrimination against LGBT Persons:**

Bangladesh’s gender and sexual minorities often feel insecure about their gender identity and sexual orientation for a number of reasons, including the persistent stigmatization due to religion and cultural norms, general societal and institutional denial about the existence and validity of such diversity and the criminalization of same-sex relations.

1. **Forced Marriage:**
* Within the society, there is a common tendency to view homosexuality as a purely moral issue, with the concurrent belief that homosexuality is a sin and homosexuals are sinners.
* Most LGBT persons can’t express their identify and preferences with the family, even those few who are out to their families still face strong family pressure to get married. Many LGBT persons ultimately succumb to this family pressure and enter into loveless marriages
* This scenario is even more common in rural areas.
* The phenomenon of forced marriage leads to a wide range of negative impacts for the LGBT individual, the spouse and the entire family.
1. **In the Workplace:**
* LGBT persons face also high levels of discrimination in the work place.
* The visibility of a person in society depends on gender expression, not gender identity or sexual orientation.
* LGBT persons often face discrimination or outright dismissal if their sexual orientation is disclosed in the workplace.
* Social stigma and discrimination often negatively impact the earning power of LGBT persons.
* Transgender people face extreme ostracization and difficulty in securing employment of any sort.
1. **Homelessness:**
* Many LGBTI youth are ostracized by their families and expelled from their homes if their sexual identity becomes known.
* Transgenered people also face family ostracization.
* Family ostracization can severely impact property rights and inheritance for sexual minorites.
1. **Isolation from Family, Friends and Society:**
* Bangladeshi law recognizes no specific rights for LGBT individuals, and same-sex marriage is only a dream at this point.
* Public disclosure of a person’s sexual orientation often leads to severe social isolation, leaving LGBT persons with few or no sources of emotional support.
* This in turns exacerbates problems of depression.
1. **Suicide:**
* LGBTI youth in Bangladesh are more likely to attempt suicide due to the prevalence of depression, social isolation, bullying and harassment.
* Forced marriage also gives rise to suicide attempts among LGBT individuals forced into marriages against their will.

**Brutal murder of LGBT activists (Articles 5, 12, 19)**

* Over the past two to three years, a wave of terrorist violence has targeted communal minorities, secular bloggers, writers, journalists, activists and atheists.
* On April 25, 2016, terrorists affiliated with al-Qaeda killed two prominent LGBT activists from Bangladesh, Xulhaz Mannan and Mahbub Rabbi Tonoy.
* Xulhaz Manna was the founder of *Roopbaan*, the first LGBT publication in South Asia, and organizer of the Rainbow Rally. Mahbub Rabbi Tonoy was the Secretory of the *Roopbaan* editorial committee and a well-known theater artist, famous for his bold drag look.
* Mr. Mannan and the other organizers of the Rainbow Rally received numerous threats of physical hard or death. Although they informed the police about the threats, the only response from police was the last-minute cancellation of Rainbow Rally 2016.
* After the brutal murder of Mr. Mannan and Mr. Tonoy, the Prime Minister and Home Minister directly criticized LGBT activities and blamed the victims of this crime, arguing that they had brought their fate on themselves for deviating from social norms.

Source: <https://queeramnesty.ch/bangladesch-lgbt-aktivist-brutal-ermordet/>

Recommendation:

* The government should take immediate steps to protect the life of every citizen of Bangladesh.
* The government should give protection and security to vulnerable minority populations.
* The government shuld refrain from criticizing the victims of extremist violence.
* The government should modify Article 377 of Bangladesh Penal Code.

**Present Scenario of LGBT activists:**

* After the brutal murder of Xulhaz Mannan and Mahbub Rabbi Tonoy, LGBT activists in Bangladesh remain at risk.
* LGBT activists continue to face they have faced death threats, intimidation and social isolation.
* Many LGBT activists were identified by name and photo on extremist websites. These individuals have been forced to relocate residence several times, quit university studies and change employment.
* All prominent LGBT activists have either left the country or are in hiding. More than two dozen LGBT activists and human rights defenders left the country. Those who remain are isolated, frieghtened and often suffer serious depression.
* LGBT activists who remain in Bangladesh are isolated even from the LGBT community as others fear that they too will be targeted if they associate with activisists whose identities were disclosed.
* Due to these factors, almost all LGBT activities have ceased. Only one NGO continues to operate openly, and that NGO primarily served the *hijra* community.

Source: <https://www.frontlinedefenders.org/en/resource-publication/annual-report-human-rights-defenders-risk-2016>

Recommendation:

* The government should protect activists and ensure their physical security.
* The government should sensitize security forces to the needs of the LGBT community and support victims rather than criticize and harass them.

**Mir Abu Reyad**

**Member of Management Board**

**Boys of Bangladesh (bob)**

**Contact: +8801711086190**

**Email:** **mirreyad@hotmail.com**

Boys of Bangladesh, popularly known as BoB, is the largest network of self-identified Bangladeshi LGBTIQ persons from home and abroad. It is a non-registered, non-funded and non-formal group run by dedicated volunteers who strive to make it a safe space for like-minded people to come together, and share their thoughts, feelings and experiences and ultimately find a place where they can truly belong. In 2002, BoB started as an online group with aims such as bringing together the isolated gay men in Bangladesh under a platform where they can help each other come to terms with their sexuality, helping to find like-minded friends and partners.

Website| [www.boysofbangladesh.org](http://www.boysofbangladesh.org)
Facebook| BoBangladesh.LGBT
Twitter| @info\_bob\_bd
Instagram| boys\_of\_bangladesh
YouTube| [www.youtube.com/c/Boysofbangladesh](http://www.youtube.com/c/Boysofbangladesh)