



# HUMAN RIGHTS AT SEA

## **LGBT Briefing Note**

### **LGBT in the Maritime Environment**

**“There are 17 sustainable development goals all based on a single, guiding principle: to leave no one behind. We will only realize this vision if we reach all people regardless of their sexual orientation or gender identity”**

**Secretary-General of the United Nations Ban Ki-moon**

**First Edition**

**November 2015**

**[www.humanrightsatsea.org](http://www.humanrightsatsea.org)**



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## LGBT at Sea

*“Human Rights apply at sea, as equally as they do on land”.*

### 1. Introduction

In at least 76 countries globally, same-sex relations (let alone relationship recognition) between consenting adults **remains illegal**; penalties range from corporal punishment, to jail terms, life imprisonment and the death penalty. Discriminatory laws are found in both explicit terms, and in vague language related to morality, the policing of gender, and offences against the ‘order of nature’.

Today, Human Rights at Sea is tackling the LGBT issue as part of its Maritime Human Rights Campaign ‘Unlocking the issue, leading the discussion’.

### 2. What Is LGBT?

LGBT stands for lesbian, gay, bisexual and transgender and along with heterosexual. It describes people’s sexual orientation or gender identity. Understanding Sexual Orientation and Gender Identity is essential to be both fully aware and educated of issues that LGBT people might face in the maritime community.

### 3. Definitions

The following definitions will assist in understanding:

**Discrimination.** The unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, or sex<sup>1</sup>

**Gender expression.** External appearance of one’s gender identity, usually expressed through behaviour, clothing, haircut or voice, and which may or may not conform to socially defined behaviours and characteristics typically associated with being either masculine or feminine.<sup>2</sup>

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<sup>1</sup> <http://www.oxforddictionaries.com/definition/english/discrimination>

<sup>2</sup> <http://www.hrc.org/resources/entry/sexual-orientation-and-gender-identity-terminology-and-definitions>



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**Gender dysphoria.** Clinically significant distress caused when a person's assigned birth gender is not the same as the one with which they identify.<sup>3</sup>

**Gender identity.** One's innermost concept of self as a man, woman, a blend of both or neither. How individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth. The gender that your brain considers yourself to be.<sup>4</sup>

**Gender transition.** The process by which some people strive to more closely align their internal knowledge of gender with its outward appearance. Some people socially transition, whereby they might begin dressing, using names and pronouns and/or be socially recognised as another gender. Others undergo physical transitions in which they align their bodies with their gender through medical interventions.<sup>5</sup>

**Relationship Recognition.** Since 26 June 2014, the UN honours the marriage of any same-sex couple wed in a country where same-sex marriages are legal. Previously, a staff member's personal status was determined by the laws of the country whose passport he or she carried.<sup>6</sup>

**Sexual orientation.** An inherent or immutable enduring emotional, romantic or sexual attraction to other people. This could mean you are lesbian, gay, bisexual or straight.<sup>7</sup>

**Transgender.** An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian or bisexual.<sup>8</sup>

### 4. Why is awareness important in the maritime community?

In a bid to combat discrimination it is vital to understand what LGBT means, what it represents and that related LGBT-based violence (affecting both men and women) violates equality as a basic human right. Further, there is a Corporate Social Responsibility (CSR) requirement for the maritime community to actively support individuals who may be affected.

From a CSR perspective this means that the maritime community must, without bias, ensure a safe working environment for all employees and related persons.

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<sup>3</sup> <http://www.hrc.org/resources/entry/sexual-orientation-and-gender-identity-terminology-and-definitions>

<sup>4</sup> <http://www.hrc.org/resources/entry/sexual-orientation-and-gender-identity-terminology-and-definitions>

<sup>5</sup> <http://www.hrc.org/resources/entry/sexual-orientation-and-gender-identity-terminology-and-definitions>

<sup>6</sup> <http://www.un.org/apps/news/story.asp?NewsID=48222>

<sup>7</sup> <http://www.hrc.org/resources/entry/sexual-orientation-and-gender-identity-terminology-and-definitions>

<sup>8</sup> [www.hrc.org](http://www.hrc.org) Transgender definition



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This must be irrespective of industry, or context where LGBT applies in the commercial, civil or military environments. This includes, but is not limited to seafarers, fishermen, employees throughout the maritime supply chain and those persons working with refugees, suspected pirates and criminals.

### 5. What issues are the LGBT community currently experiencing?

In the maritime community, globally, it is believed that LGBT personnel experience harassment, bullying, sexual violence and rape. There are also suggestions that some suicides at sea are directly related to sexual orientation and abuses suffered by LGBT people in the maritime community. In some countries, LGBT people are subject to arrest, blackmail, and harassment on frivolous charges such as 'loitering,' 'vagabondry,' and 'cross-dressing.' Violence against those who are gender non-conforming is particularly frequent and widespread and this applies at sea, as equally as it does on land.

### 6. How should this be achieved?

In order to break down barriers and address prejudices the maritime community, including the shipping, fishing and supporting industries should, at the very least **engage** with the LGBT communities and support a robust education package within all sectors. They should make a concerted effort in **challenging** both conscious and unconscious bias within their own sectors and **act proactively** to address this issue that appears hidden and is often under-reported.

This should take the form of **Strategic Inclusive Leadership** embedding **Inclusive Leadership Strategy management** that will engender a non-discrimination environment throughout the maritime community and which will include not only the LGBT community, but every single person, no matter what their protected characteristic<sup>9</sup> or category that they may fall into.

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<sup>9</sup> [www.equalityhumanrights.com](http://www.equalityhumanrights.com) Age- Disability- Gender- Race- Sexual Orientation - gender reassignment - maternity pregnancy - marriage civil partnership - religion or belief



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### 7. What Organisations can assist?

**UN Free and Equal** is a United Nations campaign for lesbian, gay, bisexual, and transgender equality<sup>10</sup>.

**Outright (formerly GLHRC)** Gay, Lesbian Human Rights Commission<sup>11</sup>.

**International Gay and Lesbian Human Rights Commission** is an international advocacy organisation that offers country-specific information<sup>12</sup>.

**International Lesbian, Gay, Bisexual, Trans and Intersex Association (IGLA)** is an international advocacy organisation with regional chapters: **Asia, Africa, Europe, the Americas and the Caribbean**. Look at the member listings of each regional chapter to find LGBT organisations in specific countries<sup>13</sup>.

**Amnesty International** is an international human rights organisation. Their **country listings** can help to find information about human rights violations against LGBT individuals in specific countries<sup>14</sup>.

**International Lesbian, Gay, Bisexual, Transgender and Queer Youth and Student Organisation** is an international organisation uniting LGBT organisations serving youth and students<sup>15</sup>.

The Hague Centre for Strategic Studies (HCSS) has launched the **LGBT Military Index** the first ever global ranking of countries by inclusion of lesbian, gay, bisexual, and transgender (LGBT) service members in the armed forces<sup>16</sup>.

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<sup>10</sup> <https://www.unfe.org>

<sup>11</sup> <https://www.outrightinternational.org/content/un-human-rights-council-votes-support-lgbt-rights>

<sup>12</sup> <https://www.outrightinternational.org>

<sup>13</sup> <http://ilga.org>

<sup>14</sup> <http://www.amnesty.org.uk>

<sup>15</sup> <http://www.iglyo.com>

<sup>16</sup> <http://www.hcss.nl/dossiers/lgbt-inclusion/23/>



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## LGBT AND HUMAN RIGHTS AT SEA

**Human Rights at Sea fully supports the human rights of all individuals globally without bias or prejudice, including those working and engaged in the maritime environment.**

**Human Rights at Sea** is a Registered Charity in England and Wales No.1161673 which has been established for the benefit of the international community for matters concerning explicit engagement with human rights issues in the maritime environment. Its aim is to explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.

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