



LANGUAGE: INGLÉS
TOPIC A: DISCRIMINATION BIAS IN HEALTH
TOPIC B: RIGHTS OF THE TRANS COMMUNITY
IN DETENTION CENTERS

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I. Opening Letter

Dear delegates,

It is an honor to introduce you to the UN Free & Equal Committee of the eighteenth version of GLCMUN. It is a huge privilege to serve as chair in a committee which will provide you experience as delegates, knowledge of the world, social consciousness and hopefully aid you to grow as human beings in the XXI century.

Throughout the committee sessions we expect that you are well informed and have a high understanding of the topics, great oral and analytical skills for you to be able to communicate your ideas with all delegates, but mostly we expect to find people that are respectful and have ethical values, good attitude during and outside of the sessions and are open minded. This with the purpose of having a nourishing committee with creative solutions.

With this in mind we hope you take advantage of this committee to grow and learn as much as possible, and of course that you enjoy and have the best experience at GLCMUN and make memorable moments.

If you have any questions, inquiries or comments, do not hesitate to reach out;

Sincerely,

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II. Committee Introduction

UN Free And Equal is the United Nations' global campaign against homophobia and transphobia, which was launched in July 2013 by the Office of the United Nations High Commissioner for Human Rights (OHCHR), and works alongside and strictly regarding the International Human Rights Law, which lays down obligations that States are bound to respect. The UN Free & Equal campaign tackles subjects such as equality and non discrimination, criminalization, bullying and violence in school, refuge and asylum among other topics concerning the protection of the rights of the LGBTQ+ community. Taking this into account there have been multiple events which have been organized in at least 30 countries with the purpose of spreading this cause and offering first hand help.

The campaign was started because more than a third of the world's countries criminalize same sex relationships, this resulting in multiple further issues such as blackmail, arrest, imprisonment, not to mention the immensely widespread discrimination against lesbian, gay, bisexual, transgender and intersex people. As for trans individuals, it is also no secret that for them to obtain legal recognition of their identity, they have to and in many cases are forced to undergo medical procedures or meet some unattainable factors in order to simply be recognized.

What was previously mentioned is the reason why this campaign was launched, and in order to fulfill their goals, UN Free & Equal is supported by UN and non UN partners alike, who are able to stand up for equal rights and fair treatment of the LGBTQ+ community.

III. Topic A:

Rights of Trans and Gender Diverse Individuals in Detention Centers

3.1 Concept of gender identity

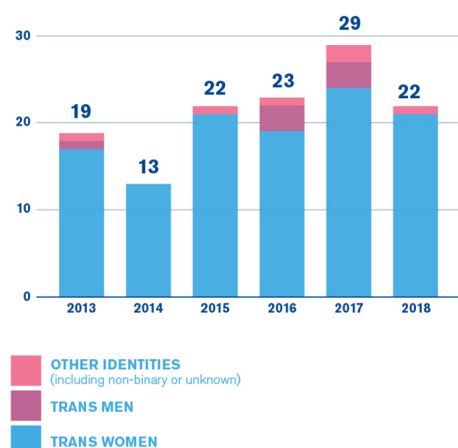
Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth including the personal sense of the body (which may involve, if freely

chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms. The term "gender-diverse" is used to refer to persons whose gender identity, including their gender expression, is at odds with what is perceived as being the gender norm in a particular context at a particular point in time, including those who do not place themselves in the male/female binary; the more specific term "trans" is used to describe persons who identify with a different sex than the one assigned to them at birth.

3.2 Violence and discrimination

Trans and gender diverse individuals are subject to levels of violence and discrimination which deeply offend the human consciousness, examples include marginalisation, bullying, physical, psychological and sexual violence as well as hate motivated crimes including murder. Also, the vast majority of trans and gender-diverse persons in the world do not have access to gender recognition by the State. That context creates a legal vacuum and a climate that tacitly fosters stigma and prejudice against them. The lack of visibility also makes them subject to discrimination and unfair treatment.

Annual Known Cases of Fatal Anti-Transgender Violence by Gender Identity (2013 – 2018*)



Retrieved from, NBC News (On Transgender Day of remembrance, advocates honor lives lost to violence 2018)

3.3 Overview of the current situation

Now, regarding law enforcement and prisons, these are clearly not an exemption for violence against trans people, police frequently harass and profile trans people, not fulfilling their job of protecting people, according to the 2015 US Transgender Survey, 57% of transgender people are afraid to go to the police when they need it, and they are also incarcerated at higher rates than other groups. Struggles of trans people in prison includes, incremented rates of abuse by fellow inmates or by staff, denials of medical care and lengthy periods of solitary confinement. Also, as described before, it is still very hard for trans persons to get legal recognition of their identity by the state, this causes for instance, trans women being incarcerated with men, subjecting them to a much higher risk of assault and violence. A 2007 study from the University of California, Irvine, found that incarcerated transgender people were 13 times more likely to be sexually assaulted than a random sample of incarcerated men. Fifty-nine percent of transgender prisoners reported having been sexually assaulted within a California correctional facility compared to just 4.4% of the incarcerated population as a whole.

Police abuse of power

As mentioned before, trans people, especially women are more likely to be incarcerated than other groups, in fact, in some places, even walking in public while being trans can be a cause for arrest. And when that took place, trans women would be forced to get undressed in front of men, and get misgendered multiple times, affecting them psychologically and invisibilizing the situation even more.

Additionally, requests for identification, which may not match a person's gender identity, often lead to police presumptions that transgender people are fraudulent, deceitful, or inherently suspicious. This can in turn lead to verbal abuse, harassment, and physical abuse. Law enforcement officers also regularly

subject trans and gender non-conforming people to invasive and abusive searches to satisfy their curiosity, humiliate, or to involuntarily assign a gender based on genital status.

Violence inside prison

Trans people are at a significantly high risk of suffering different types of violence once they are incarcerated. Trans prisoners are over nine times more likely than the prison average to be assaulted or abused by fellow prisoners, and over five times more likely to be assaulted or abused by facility staff. They are beaten, forced to strip in front of other inmates, sexually assaulted, publicly humiliated and deprived of food and medical attention.

Just as in any other setting, sexual abuse behind bars can lead to post-traumatic stress disorder, depression, substance abuse, and other consequences that can take a heavy toll on survivors of sexual abuse, their families and communities, and the health and criminal justice systems. Also, the constant profiling and degrading of these individuals affect their mental health exponentially, even so, their requests for temporary protective custody are ignored by the staff who also frequently, perpetuate the abuse themselves. If their vulnerability is recognized at all, it may be by placing them in indefinite solitary confinement, with little or no activity or human contact, conditions that can cause serious psychological harm and trauma, and which, as medical and human rights experts have found, can amount to torture.

Delegates are expected to work regarding their country's position to develop a well structured and viable solution for this issue, as well as having a fruitful debate that will aid them to reach this goal.

IV. Topic B:

Discrimination Against the LGBTQ+ Community in Healthcare services

4.1 LGBTQ+ Healthcare

LGBTQ+ individuals have specific needs regarding their health and the services they may need. They have a higher risk of certain cancers, are less likely to attend routine screenings, and more likely to present with more advanced disease. LGBTQ people also have higher rates of mental illness and risk behaviors (drinking, smoking and substance abuse) which are linked to discrimination.

4.2 Current Situation

Nearly a sixth of LGBTQ adults have experienced discrimination at the doctor's office or in another health care setting, while a fifth say they have avoided seeking medical care out of fear of discrimination. This issue, aside from the discrimination that LGBTQ people face, can lead to further complications in the persons' health, this is because previous negative health-care experiences and health disparities for LGBT people impact on their access to care and timely treatment, resulting in worse health-care experiences and poorer general health. The discrimination can be presented in different ways, such as slurs and unwanted comments about their identity, and in more directly dangerous ways such as sexual harassment and threats, as well as denying medical attention as a whole.

Moreover, the lack of understanding of LGBTQ+ issues by healthcare professionals, this is due to the poor visibility LGBTQ+ struggles are given and how most healthcare professionals are not prepared or are uneducated about the specific issues that the community faces in this field, examples include Same-sex couples who decide to have children, may seek out fertility specialists or utilize assisted reproductive technologies as part of the process. While not limited to LGBT people, gay and bisexual men and transgender women may be more in need of HIV-related health care, including treatment for those who are living with HIV and access to preventive care such as pre-exposure prophylaxis (PrEP), a daily pill that significantly lowers the risk of HIV infection. Transgender people who medically

transition may seek access to puberty blockers, hormone replacement therapy (HRT), or gender-affirming surgeries as part of their transition. Panelists agreed that more data is needed on the health care needs of the LGBTQ population. They said questions about sexual orientation and gender identity should be added routinely to surveys to help illuminate those needs.

4.3 More Healthcare Barriers

Another issue lies on the way discrimination takes a huge toll on LGBTQ+ individuals' mental health, a term called "minority stress" which describes the added stressors which individuals feel while being part of a stigmatized group, studies have found that minority stress can be linked to a variety of physical health problems as well, and the discrimination existing overall and regarding health systems, only makes this issue worse.

Delegates will be expected to analyze the situation along with all its existing factors and debate to get to the best possible solution regarding human rights declarations, past actions by each delegation, among other resources.

V. Qarmas

1. What is your delegation's general position regarding both topics?
2. Do trans individuals in your delegation's country receive legal recognition of their gender by the State?
3. Is your delegation a secular or a religious State? How do you think that affects the way the LGBTQ+ community is perceived?
4. What actions has your delegation taken in order to reduce homophobia and transphobia?
5. How could your delegation contribute to the committee to solve both issues?

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