



Forum: Human Rights Council (HRC)

Issue: The Recognition of Same-Sex Marriage and Gender Identity as Universal Human Rights (LGBTQIA+)

Student Officer: Adrianos Prineas

Position:

Deputy

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PERSONAL INTRODUCTION

Dear delegates,

My name is Adrianos Prineas, I'm 16 years old and I'm a student of Pierce-ACG. In this year's LOGOS MUN conference, I have the honour of serving as a deputy-president in HRC. This will be my 9th conference and also my second time serving as a student officer. I'm really excited to share this experience with you!

First of all, I would like to congratulate you all for deciding to attend this conference and I wish everyone an overall pleasant experience, with long-lasting connections, memories and constructive dialogue. I wholeheartedly encourage you to try and participate as much as possible in all parts of this conference and to learn many new things, while trying to make the most out of this experience.

This study guide contains useful information about one of the four topics we're discussing in this committee that will help you understand the topic in most of its aspects in general. However, individual research is highly encouraged, especially when it comes to things such as understanding your delegation's policies and stances.

For anything you may need, whether it's a question or general feedback, please do not hesitate at all to contact me via email (a.prineas@acg.edu).

Wish you all the best!

INTRODUCTION

The LGBTQ+ community has been marginalized for a long time. In most societies, in the past, they were either persecuted or socially ostracized. The fact that there are people of other sexual orientations and gender identities other than the "traditional" isn't accepted by everyone the same. As a result, for these people, fighting for their civil rights is a matter of existence and visibility. Although many changes have been made, with many countries in the world promoting

and ensuring equality for LGBTQ+ individuals, they are still criminalized in some states , while discrimination against them is still present in various places .

Another alarming event is that nowadays, some of the countries that have been really supportive towards LGBTQ+ movements and rights are becoming less accepting towards them. Such examples are: new anti-trans legislation in the US, prohibition of pride demonstrations in Hungary and other European countries (which is of course a violation of democracy too) and many countries like Italy which are taking back the right to same-sex marriage. This is often seen as a result of the massive rise of conservative administrations and ideologies, especially in the West.

Recognizing the right to same-sex marriage and gender identity is often seen as the first step towards combatting LGBTQ+ persecution and discrimination. Although the Universal Declaration of Human Rights (UDHR) is not binding to its members, it plays an important role in international relations and UN resolutions. Thus, including LGBTQ+ rights in the UDHR will have critical results to the lives of such people around the world.

DEFINITION OF KEY TERMS

LGBTQIA+

This term is used to describe a group of people who are part of minorities defined by sexual orientation and gender identity. The acronym stands for: Lesbian Gay Bisexual Transgender Queer Intersex Asexual, with the plus (+) leaving space for any other identities.¹

Sexual Orientation

“Sexual orientation refers to an enduring pattern of emotional, romantic, and/or sexual attractions to men, women, or both sexes”.² One’s Sexual Orientation is independent of their Gender Identity.

¹ “LGBTQIA+ 101.” *Princeton Gender + Sexuality Resource Center*, Princeton University, <https://www.gsrc.princeton.edu/lgbtqia-101>. Accessed 25 Aug. 2025.

² “Sexual Orientation.” *APA Public Interest Topics*, American Psychological Association, <https://www.apa.org/topics/lgbtq/orientation>. Accessed 25 Aug. 2025.

Gender Identity

Gender Identity is “an individual’s self-conception as a man ,woman,boy,girl or as some combination of man/boy and woman/girl or as someone fluctuating between man/boy and woman/girl or as someone outside those categories altogether.”³ The Gender Identity of a person is considered independent of their sex (biological gender).

Same-Sex Marriage

“Same-sex marriage is marriage between partners of the same sex and/or gender identity. For example, a marriage between two men or two women.”⁴

Cisgender

Cisgender (Cis) is “a person whose gender matches the body they were born with”.⁵

Transgender

Transgender (Trans) is a “person who has a gender identity different to the gender assigned at birth”.⁶ Transgender individuals often seek medical help such as plastic surgeries and hormonal therapies to match their desired gender (such medical procedures are called “gender affirming care”).

TIMELINE OF EVENTS

Date	Description of events
1930	The first ever documented gender transition is done.
10 December 1948	The UDHR is adopted by the UN General Assembly.

³ “Gender Identity.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 25 June 2025, www.britannica.com/topic/gender-identity . Accessed 25 Aug. 2025.

⁴ “Same-Sex Marriage.” *Wex*, Legal Information Institute, Cornell Law School, reviewed July 2021, https://www.law.cornell.edu/wex/same-sex_marriage. Accessed 25 Aug. 2025.

⁵ “Cisgender.” *Cambridge Dictionary*, Cambridge University Press, <https://dictionary.cambridge.org/dictionary/english/cisgender>. Accessed 25 Aug. 2025.

⁶ “Transgender.” *Thesaurus*, European Institute for Gender Equality, https://eige.europa.eu/publications-resources/thesaurus/terms/1285?language_content_entity=en. Accessed 25 Aug. 2025.

November 1950	Establishment of the Mattachine Society in Los Angeles.
August 1966	The Compton's Cafeteria Riot takes place in San Francisco.
28 June 1969	The Stonewall Riots take place in New York City.
28 June 1970	First ever pride parade takes place in New York City.
1 July 1971	Homosexuality is decriminalized in Austria, making it the first country to do so in the Modern Era.
1979	The World Professional Association for Transgender Health (WPATH) was founded.
1 April 2001	The Netherlands becomes the first country to recognize same-sex marriages.
November 2006	The Yogyakarta principles are published.
17 June 2011	HRC Resolution A/HRC/RES/17/19 passes.
11 December 2012	Ban Ki-Moon makes a historic speech on LGBTQ+ rights.
30 June 2016	HRC Resolution A/HRC/RES/32/2 passes.

BACKGROUND INFORMATION

Historical Background

Most historians and anthropologists agree that homosexuality and gender identity have been observed in all civilizations and societies from the beginning of mankind. Some societies endorsed it (e.g. Ancient Greece, Native American societies) while others prohibited it (e.g. Ancient Israel). Later on, exiting antiquity and entering the European middle ages, most LGBTQ+ friendly societies went extinct (without meaning that homosexuality as a practice went extinct). The replacement of ethnic (pagan) religions with Abrahamic ones (e.g. Christianity, Islam) is often seen as the primary cause for this, as the latter ones strictly prohibit homosexuality and non-conventional gender identities. From then until the 20th century, with very few exceptions, LGBTQ+ people were left marginalized if not persecuted, forcing them to create “underground” communities.

The first scientific researches on homosexuality appeared in the early 20th-century, these researches also acted as early LGBTQ+ rights movements, as they sought to educate society and start accepting homosexuality and different gender identities (e.g. German Magnus Hirschfeld conducted such research and also fought to decriminalize homosexuality in Germany). The first official homosexual union was the “Mattachine Society”, founded in 1950 in Los Angeles for gay men. Then, in 1955 the first lesbian union named “Daughters of Bilitis” was founded in San Francisco. The 50s and 60s were then filled with a series of protests and fights for LGBTQ+ rights which was then named “homophile movement”. Two critical and very important events later on were the “Compton’s cafeteria riot” in San Francisco in 1966 and the “Stonewall riots” in New York in 1969, which both occurred as reactions to systemic harassment of LGBTQ+ by police forces. Following that, the first pride march was done in New York in 1970. After that, homosexuality and gender diversity started being decriminalized in Europe and the US. During the 80s and 90s openly LGBTQ+ people started getting political positions. In 2001, same-sex marriage was legalized in the Netherlands, making it the first country to do so. Many countries followed and LGBTQ+ individuals started getting more visibility in the media and in life, resulting in the current situation of LGBTQ+ rights.

Current Situation

Nowadays, people who are part of the LGBTQ+ community are more or less equal in progressive countries. However, they have not won many of their rights such as same-sex marriage in other (mostly African and Middle Eastern) countries and they are still legally persecuted in 67 more⁷.

In the most “progressive” countries, such as (but of course not exclusively) the US and many European countries (e.g. Netherlands) not only LGBTQ+ individuals enjoy the rights to gender affirming care and marriage, but there are also many anti-discrimination laws to protect them from a new wave of persecution and marginalization. There are also some (somewhat controversial) policies in both the government and the public sector, that urge for things such as a company being obliged to hire a certain number of LGBTQ+ employees. Such policies (that are seen as unfair and anti-meritocratic by many, supporting that a part of your identity should not play a role in the employee selection process, but only one’s skill) were then weaponized by conservative parties and administrations, who support the narrative that the LGBTQ+ community is trying to “impose their lifestyles on others” and accuse society and progressive administrations

⁷ “#OUTLAWED: ‘The Love That Dare Not Speak Its Name.’” *Human Rights Watch*, Maps of anti-LGBT Laws Country by Country, https://features.hrw.org/features/features/lgbt_laws/. Accessed 26 Aug. 2025.

of favoritism. As a result, with the rise of conservative parties all across Europe and the US, a new wave of limitations of LGBTQ+ rights has begun, such as many states taking back the rights to same-sex marriage and gender identity.

Moreover, there are countries in which, although LGBTQ+ individuals are not directly persecuted, there are still more rights to “conquer”. For instance, in these countries, same-sex marriages (and with that adoptions by same-sex couples), and/or gender affirming care are not legalized yet. Other than that, such individuals may experience discrimination or marginalization directly or indirectly. For example, there have been cases where trans people are not being hired in jobs they are suitable for and thus being forced to work in the sex industry, same-sex couples not feeling safe to express themselves in public.

Finally, there are countries that strictly prohibit homosexuality and different gender identities, with punishes ranging from imprisonment to the death penalty. Although there are a few examples of countries who slowly get in the process of decriminalizing homosexuality and homosexual unions (e.g. Singapore, Barbados and Angola striking out laws that criminalize homosexual activities in 2022 and 2021 accordingly), there are still governments who firmly support their anti-LGBTQ+ stances. Most of these countries are either developing countries, theocratic states and/or muslim-majority countries. It is estimated that more than 71 million LGBTQ+ people live in such countries⁸.

⁸ Braun, Téa (2020). "Dignity in Diversity: Dismantling the Criminalisation of Sexual Orientation and Gender Identity Using the Right to Dignity". *Human Dignity and International Law*. Brill. pp. 138–153.

LGBT+ legal equality index, 2025



The index captures to which extent LGBT+ people have the same rights as straight and cisgender people. It combines 15 individual policies, such as the legality of same-sex relationships, marriage, and gender marker changes. It ranges from 0 to 100 (most equal).

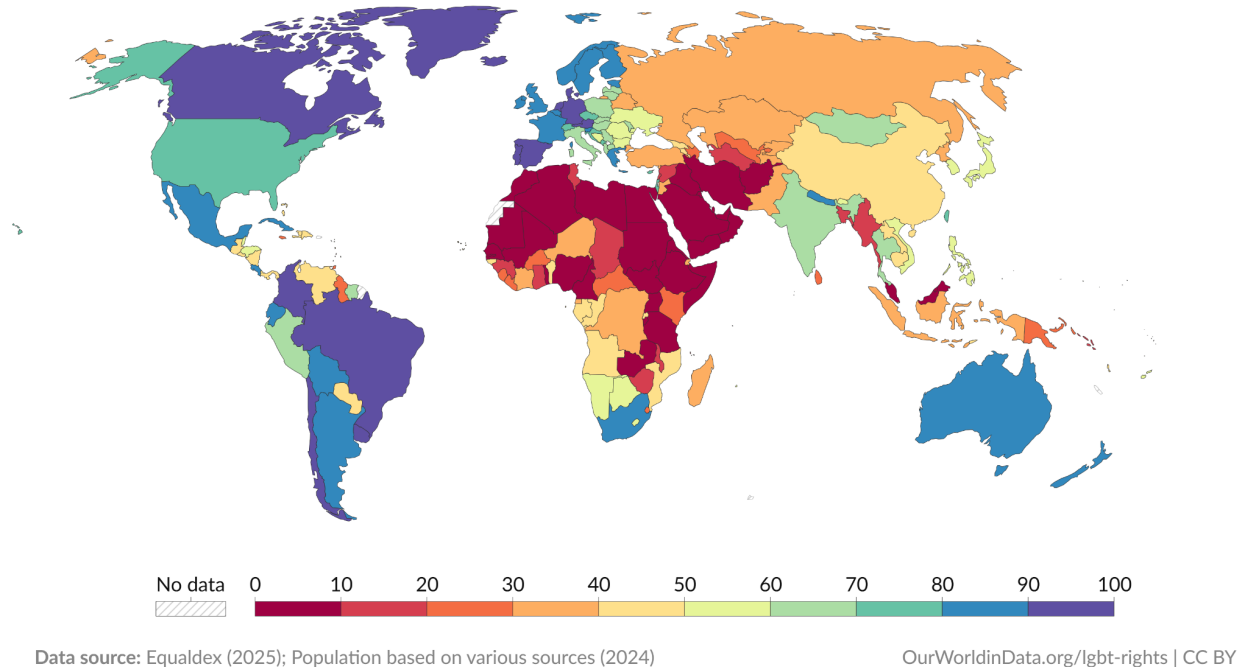


Figure 1: Map of legal equality of LGBTQ+ people in the world⁹

Challenges LGBTQ+ Individuals Face

Cultural and religious opposition

The cultural and religious topics individuals are familiarized with can really affect their view on society and its changes. As a result, when there are still cultures and religions that disapprove of LGBTQ+ identities and lifestyles, many people are swept away and are less tolerant to them. For instance, in the US, 55% of Christian adults approve of same-sex marriage, while when it comes to religiously unaffiliated adults, the number is 88%¹⁰. This shows that in

⁹ Bastian Herre and Pablo Arriagada. "LGBT+ Rights." *Our World in Data*, Our World in Data, 2023, <https://ourworldindata.org/lgbt-rights>. Accessed 27 Aug. 2025.

¹⁰ Smith, Gregory A., et al. "Religion and Views on LGBTQ Issues and Abortion." *Religious Landscape Study*, Pew Research Center, 26 Feb. 2025, <https://www.pewresearch.org/religion/2025/02/26/religion-and-views-on-lgbtq-issues-and-abortion/>. Accessed 27 Aug. 2025.

the US , religion makes people less tolerant to the LGBTQ+ community than non-religious communities .

Legal Persecution in many countries

As stated earlier in this guide, LGBTQ+ communities are legally persecuted in many countries. The people in such countries are forced to keep their identities a secret, in order to avoid penalties, and their rights are inexistent. As a result, for these people, standing up for their rights publicly is almost impossible, so in order for changes to be made and for and for them to be given equal rights as everyone this has to be done from the international community.

Discrimination

Although many states claim that they are pro-LGBTQ+, in reality, many parts of the public sector in various countries marginalize them. An example of that is the claim that LGBTQ+ people have way more difficult access to public assistance, such as public health, educational programs, insurance and more¹¹. Moreover, they are frequently seen with suspicion by public services, shown by the fact that 66% of trans individuals have found it difficult to acquire accurate identification documents, while 23% of cisgender citizens are able to get identification a lot easier. ¹².

Censorship and Lack of Representation

The LGBTQ+ community, being for a long time marginalized, as natural, is a really underrepresented community in the media. Although it is true that censorship is mostly present in countries that criminalize homosexuality, as these states try to erase their images, they are not the only ones who exclude LGBTQ+ topics from the media. Even states labeled as “progressive”, such as the US impose book bans and other “media control” policies that many people accuse as being anti-LGBTQ+ and aiming at their erasure. Censorship and lack of representation of the LGBTQ+ community is harmful, as this way society is not familiarized with LGBTQ+ people, which can lead to a new wave of discrimination and hate.

¹¹ Henris, Shannon. “Anti-LGBTQ+ Discrimination and Barriers to Accessing Public Benefits.” *Georgetown Journal on Poverty Law & Policy*, Georgetown Law, 6 Feb. 2023, <https://www.law.georgetown.edu/poverty-journal/blog/anti-lgbtq-discrimination-and-barriers-to-accessing-public-benefits/>. Accessed 27 Aug. 2025.

¹² Henris, Shannon. “Anti-LGBTQ+ Discrimination and Barriers to Accessing Public Benefits.” *Georgetown Journal on Poverty Law & Policy*, Georgetown Law, 6 Feb. 2023, <https://www.law.georgetown.edu/poverty-journal/blog/anti-lgbtq-discrimination-and-barriers-to-accessing-public-benefits/>. Accessed 27 Aug. 2025.

Factors that may affect LGBTQ+ Rights

Political Scene

A country's political scene, whether it comes to the type of government (e.g. democracy, monarchy, dictatorship) or the ruling party's policies (liberal, conservative), can affect all aspects of life. For instance, an absolute government is authoritarian to all people and their rights, let alone LGBTQ+ ones. However, even democratic governments, who seem respectful to human rights in general, can be against some minorities, because of a certain party in power. A very recent example of this is the Trump administration in the US. Although the US as a state and society has been really accepting of the LGBTQ+ community, the Trump administration in its second term seems to target and take away LGBTQ+ rights, especially trans rights.

Development Level

The close link between the (economic) development level of a society and its acceptance to minorities is highlighted by many anthropologists and social analysts. To begin with, an underdeveloped and economically suffering society is more likely to be manipulated by political parties. Such political parties in suffering countries usually choose a scapegoat to blame for all their problems. In contrast, the most inclusive societies are characterized by economic prosperity and a high development level. As a result, the development level of a country directly affects society's view on minorities such as the LGBTQ+ community.

Activism

Activism, especially pro-LGBTQ+, has played a critical role in the "Gay Rights" movement and LGBTQ+ rights across the globe. As history has shown, major steps towards LGBTQ+ rights happen as results of major protests and events of activism. For instance, the social inclusion of LGBTQ+ people in the US came after the infamous "Compton's cafeteria" and "Stonewall" riots. Following these events, came the legalization of same-sex marriage and different gender identities.

Religious Influence

Religion (and even more organized religion) controls major sects of most societies and as an extension, governments. Of course, religious influence and power differs in societies. Ranging from total theocratic states (e.g. Saudi Arabia, Iran) which are almost totally controlled by religion and religious law, to religiously non-affiliated majority countries whose religious influence is negligible. In the majority of times, the more the religious influence in a country, the less tolerant to LGBTQ+ is a society, as most faiths (especially Abrahamic ones) are anti-

LGBTQ+. However, there are of course some religious groups who endorse acceptance and inclusion.

Media Representation and Education

The media greatly shape society's views and ideas. Consequently, adequate and rational LGBTQ+ representation can educate people and familiarize them with the LGBTQ+ community, replacing fear with knowledge and acceptance. In fact, a 2020 survey showed that LGBTQ+ media representation has increased acceptance towards them by 45%¹³. However, when the representation of LGBTQ+ people in media is not accurate, repeating negative stereotypes can damage society's view of them.

STAKEHOLDERS

United States of America

The US is seen as a world-leading power when it comes to LGBTQ+ rights, as one of the first major LGBTQ+ protests took place there, as well as the world's first pride parade. American society is one of the most accepting of this community, with these people being equal parts of society. In the US, same-sex marriage and gender identity are indisputable rights, while there are also many anti-discrimination laws. Another fact worth mentioning is that after all those years, a rich gay culture has been developed. However, not all of the 50 states are as LGBTQ+ friendly, and the rise of Trump to power has caused a wave of skepticism to LGBTQ+ rights.

Netherlands

The Netherlands have played a critical role in the course of LGBTQ+ rights, being the first ever country to legalize same-sex marriages. There, national legislation is completely protective and in favor of these individuals, while public opinion is even more accepting. In a survey conducted in 2018, it was found that 11.4% of LGBTQ+ youth has experienced bullying¹⁴, which is extremely low compared to other countries. This statistic is a sample of how

¹³ Kaur, Tessa. "Queer Representation in Media: The Good, the Bad, and the Ugly." *Heckin' Unicorn Blog*, Heckin' Unicorn, 14 Oct. 2023, <https://heckinunicorn.xyz/blogs/heckin-unicorn-blog/queer-representation-in-media-comprehensive-list-breakdown-lgbt> . Accessed 28 Aug. 2025.

¹⁴ *LGBT Rights in Netherlands*. Equaldex, <https://www.equaldex.com/region/netherlands>. Accessed 29 Aug. 2025.

friendly the Netherlands are, while Dutch cities are considered ideal for LGBTQ+ residents and visitors.

Russia

Russia, as a global superpower, is really influential in the international community. As a result, its hostile stance towards the LGBTQ+ community conserves that side of world politics. In fact, according to ILGA-Europe, Russia is the least LGBTQ+ friendly country in Europe. In Russia, not only is homosexuality punishable by imprisonment, but there are also many laws whose goals are to block any mentions or depictions of the LGBTQ+ community from Russian media. Thus, not only are they criminalized and legally persecuted, but also erased and censored.

Saudi Arabia

Saudi Arabia, one of the most bold examples of theocratic states, is of course hostile to homosexuality and different gender identities. Specifically, these actions are firmly persecuted, with many recent examples of the death penalty being imposed. In Saudi Arabia, it is mostly prohibited because of Sharia (Islamic) Law, which also signifies how religion can shape the reality for the LGBTQ+ community. Moreover, Saudi Arabia is a really influential member of the Arab League, pressuring many other member states to adopt similar measures.

Human Rights Watch

The Human Rights Watch (HRW) is an NGO whose goal is observing, reporting human rights violations and bringing perpetrators to justice. It is active in over 100 countries and has played a critical role in human rights advocacy, including LGBTQ+ rights. Some past actions of the HRW in this field are: cooperation with the ICC, pressure on many governments to decriminalize homosexuality (e.g. Uganda, Nigeria), help to create anti-discrimination laws in Japan, urged the criminalization of conversion therapy in the US, while exposing many LGBTQ+ rights violations in Egypt, China and many other countries.

Alliance Defending Freedom

The Alliance Defending Freedom (ADF) is a major organization formed in 1993, active in over 100 countries. In contrast to its name, it stands for upholding Christian and conservative views in legislation. In the past, it has fought for things such as Christianity being the official religion in the US and banning abortions, birth-control and euthanasia, as well as same-sex marriage, adoption and gender affirming care. Having many resources, with a budget of over 100 million \$, it has greatly influenced the political scene and laws all around the globe. For instance,

in 2003, the ADF tried (unsuccessfully) to re-criminalize homosexuality in the US, while it has objected to many pro-LGBTQ+ measures across the globe.

RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

Universal Declaration of Human Rights (1948)

The Universal Declaration of Human Rights (UDHR), published by the UN General Assembly in 1948, is the most important document ever written. Although it is non-binding, it has played a critical role in international relations and any violations of it are condemned by the public and the international community. This document supports (among others) that all humans have the rights to: equality (Article 1), non-discrimination (Article 2), life (Article 3), privacy (Article 12), marriage and family (Article 16), free expression (Article 19) and assembly (Article 20)¹⁵. All of the above rights of all people (including LGBTQ+) are more or less violated. However, the UDHR can act as a legal ground for the protection of LGBTQ+ rights.

Yogyakarta Principles (2006)

The Yogyakarta Principles is a document written in an international meeting in 2006 and it concerns Sexual Orientation and Gender Identity (SOGI) and they were expanded in 2017. These principles basically mention the same rights as the UDHR, but this time highlights them in relation to the LGBTQ+ community. The interesting thing with these principles is that even though they accept and defend the same rights as the UDHR, they have been rejected by the UN General Assembly and the HRC many times. However, many support that even though they are not officially accepted by the UN, they have had an important effect on the UN agenda on SOGI.

Resolution A/HRC/RES/17/19 (2011)

This HRC resolution was submitted by South Africa and 44 other (co-submitting) states in the 17th regular session in May 2011. Briefly, it launches a global evaluation and analysis campaign on LGBTQ+ rights and violations. Such a campaign was really important as it exposed many violations and set the ground for future resolutions and campaigns.

UN Secretary-General Ban Ki-Moon's Speech (2012)

¹⁵ *Universal Declaration of Human Rights*. United Nations, Mar. 2021, www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf . Accessed 29 Aug. 2025.

On December 11 2012, the UN Secretary-General Ban Ki-Moon made a historical speech at a celebration for International Human Rights Day. In this speech, he highlighted that LGBTQ+ rights are a major part of human rights, while condemning homophobia, biphobia and transphobia and calling for decriminalization of homosexuality globally. Such a speech was of major importance as it was one of the first times a UN Secretary General spoke so firmly and boldly about LGBTQ+ rights. Many support that this speech had a huge impact on legislative changes on SOGI at that time.

HRC Resolution 32/2 (2016)

This HRC resolution was submitted by 7 Latin American countries (Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico, and Uruguay) and 32 co-submitters in June 2016. It is basically a resolution against SOGI-based violence, with its most important decision being the establishment of the International Expert (IE) on SOGI, a mandate tasked with evaluating, analyzing and reporting LGBTQ+ rights and violations globally. This is an important mandate, as it has helped transparency on this issue.

POSSIBLE SOLUTIONS

Encouraging Legal Reforms

One of the most firm and effective solutions to the needs of LGBTQ+ people in all those countries seems to be the UN urging its member states to adopt new laws, either through the HRC, or the International Expert on Sexual Orientation and Gender Identity (IE on SOGI). These laws could include de-criminalization of homosexuality (wherever it is still present), anti-discrimination measures and lastly, the legalization of same-sex marriage and gender identity.

Expanding the mandate of the International Expert (IE) on (Sexual orientation gender identity (SOGI)

The International Expert on Sexual Orientation (IE on SOGI) is a mandate created in 2016 under OHCHR for LGBTQ+ rights. It currently plays more of an observatory role, identifying the causes of homophobia and transphobia and analyzing the situation, including the best ways to process, while observing situations of discrimination. Thus, a suitable solution to this issue would be to update it, expanding its role to actually protecting LGBTQ+ individuals and pressuring for change in the international community.

Supporting international and regional NGOs

There are many NGOs about LGBTQ+ rights in the world, who take action either internationally, or at a regional level. These organizations can be a really useful tool for the UN, acting as its extensions. Thus, cooperating with them and supporting them could be critical and bring dramatical changes. Such a cooperation could include among others, financial support, exchanging information and training volunteers.

Raising Awareness

Raising awareness and educating society, even though itself does not directly solve this problem, is an important action. As mentioned earlier, when a society is educated and familiarized with something, its people are less likely to be hateful and they support it. Same goes with LGBTQ+ rights. If more educational campaigns are launched by the UN, people will most likely be more in favor of the LGBTQ+ community and pressure for change.

FURTHER READING

https://www.youtube.com/results?search_query=bbc+same+sex+marriage

[BBC Same-sex marriage referendum: What's changed 10 years on? It is 10 years since people in the Republic of Ireland voted overwhelmingly to legalise same-sex marriage in an historic referendum.. May 22, 2025](#)

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