

# The Rainbow Project

## Bill of Rights Submission

### 1. Introduction

### 2. Context of the Consultation

As part of the CFNI Training and Support Programme, the Rainbow Project ran a week long Pride event to raise awareness about the Bill of Rights in the GLBT community. This included arts based awareness raising such as a mural, poetry readings and a temporary change of colour to the “Free Derry” wall: it was painted bright pink. Rainbow also held a major conference attended by GLBT rights activists from around Ireland. In-house seminars were also conducted. Finally, Rainbow worked with CoSO (Coalition on Sexual Orientation) both directly and through our Mentor to promote and facilitate a four part outreach programme around N. Ireland.

Currently, GLBT rights have benefited from new practical and theoretical frameworks. The Rainbow Project realises that it cannot supersede these very detailed pieces of agreed work. Therefore, in proposing these documents in their entirety to the Forum, we would like to draw attention to some of the more salient issues, from a rights point of view, which we feel would benefit the GLBT community in Northern Ireland and elsewhere. It is important that the momentum that has build up around GLBT rights be maintained and that the guiding principles be underpinned in the Bill of Rights for Northern Ireland.

### 3. Proposals

- ü The Rainbow Project fully endorse and recommend to the Forum that the incorporate the *Yoyacarta Principles* within the Bill of Rights for Northern Ireland.
- ü The Rainbow Project fully endorse and recommend to the Forum that the incorporate the Charter for People with HIV within the Bill of Rights for Northern Ireland.
- ü The Rainbow Project endorse the *Position Paper* submitted by CoSO to the Forum.

## **The Rainbow Project**

The Rainbow Project is a volunteer led organisation, established in 1994 with the aim of improving the physical, mental and emotional health of gay and bisexual men living in, working in or visiting Northern Ireland. The organisation currently operates centres in two cities, Belfast and L'Derry, providing a range of support and advocacy services to the gay and bisexual male community. Within our remit we actively promote social and policy change that support our aims and objectives. The Rainbow Project is a member of the Coalition on Sexual Orientation (COSO) and the Gay Health Network.

## **Sexual Orientation and Human Rights**

The Rainbow Project supports in their entirety the Yogyakarta Principles. These principles on the application of international human rights law in relation to sexual orientation and gender identity clarify State obligations under existing international human rights law. The principles address human rights standards and their application in relation to sexual orientation and gender identity. Our organisation submits that these principles must inform the production of the New Bill of Rights for Northern Ireland. The Rainbow Project fully supports the submission of our umbrella group, COSO.

In agreement with COSO we want to see;

- § Strong harassment provisions covering a wide range of situations in which harassment occurs, including; workplaces, prisons, educational establishments and home environments, with harassment defined as being 'degrading, threatening or intimidating behaviour'.
- § An equality clause that includes sexual orientation and gender identity as well as inclusion of sexual orientation and gender identity in the Bill's definition of 'identity'
- § Recognition that everyone has the right to found a family, regardless of sexual orientation or gender identity and that there should be equality under the law between marriage, civil partnerships and other equivalent domestic relationships.
- § That all legislative and administrative measures are taken to ensure the right of persons, regardless of sexual orientation or gender identity to hold and practice religious beliefs and to be free from interference with their beliefs as well as the right to be free from coercion or the imposition of beliefs.

§ That, in the context of rights to independent, impartial, confidential information and representation, government has a duty to provide resources to support access to said information, support, advocacy, and representation.

### **People Living With HIV**

The Rainbow Project's 'Positive Voices' initiative, a support programme for people infected or affected by HIV, ran a series of 12 respite residentials over a three year period. The events, supported by The Elton John AIDS Foundation, attracted over 300 participants from across the entire Island of Ireland and were broadly representative of men and women from many ethnic backgrounds, age groups and sexual orientations. At these events participants shared experiences often based on the discrimination and stigma they had encountered and clearly identified that people with HIV experience levels of stigma that rarely affects other individuals or groups dealing with illness. Many people with HIV are treated like second-class citizens. They suffer serious prejudice at work, at school and in healthcare matters. Whilst HIV status is now recognised as a 'disability' under the DDA, however given the ferocity of the stigma faced by this group we believe specific mention with the Bill of Rights is required.

No one is in a better position to identify and articulate their own rights on the issues around living with HIV than those who know the reality of it in their own lives day by day. With this in mind the participants produced the 'All Ireland Charter of Rights for People Living with HIV'. This charter includes views on privacy, freedom of movement, work, standards of living, treatment, as well as protection from discrimination, recognition of relationships, founding a family, education and criminalisation. We are including this charter as part of this submission for your consideration.

### **Children and Young People**

As a result of our own research carried out over a three year period the Rainbow Project has major concerns with regard to the education system in Northern Ireland in relation to children and young people who identify as LGBT. It is the position of The Rainbow Project that the protection of LGBT children and young people must be one of the crucial components of the Bill of Rights.

It is clear that there is an assumption that all children and young people are heterosexual leaving up to 10% of the school population invisible. This alongside overt homophobia has a major impact on the lives of young LGBT people.



Evidence the Rainbow Project and other research has produced include 86% of young people knew their sexual orientation while at school, 44% had been bullied and 29% had attempted suicide.

The Education System provides little positive teaching on LGBT people and fails to provide these young people with life and relationship skills needed to negotiate perilous situations. These young people grow up in heterosexual families and do not have the support experienced by their heterosexual counterparts. Eventually most of these young people will enter into a Gay Community, this can provide a safe place but it can also open them up to new risks such as alcohol and drug mis-use. LGBT Children should not be exposed to damaging homophobic environments whether at home or in school.

In agreement with COSO we recommend;

- § formal recognition of the UN Convention on the Rights of the Child, including provisions on the 'voice of the child',
- § recognition of the rights children, including LGBT, to grow up in a stable and safe family environment,
- § Protection for all children and young people against abuse, harassment and bullying, and respect for the rights and needs of children and young, including LGBT, in the education system and other environments, such as the home environment.

Please find attached 5 copies of the 'Positive Voices' All Ireland Charter of Rights for People Living with HIV. Should you require additional copies contact [david@rainbow-project.org](mailto:david@rainbow-project.org) or telephone 02871283030.

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