THE RIGHTS OF LGBTIQ+ PERSONS IN PRISONS AND BEYOND

How can we ensure legal and social equality for LGBTIQ+ people, from prisons to everyday life?

SEPTEMBER 21, 2024 08:00 AM - 05:45 PM UNIVERSITY OF GENEVA UNIMAIL ROOM M R080

Simultaneous translation available in French, English, and Turkish

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PRISMI

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PROGRAM

Welcome and Introduction Time: 08:00 – 09:00

Opening Remarks Hüsnü YILMAZ President of the Mojust Foundation

SESSION I LEGAL PROTECTION OF LGBTIQ+ RIGHTS AND THE SITUATION IN PRISONS Time: 09:00 - 11:00

> Moderator: **Muhamed UNSAL** Lawyer, Human Rights Defender

> > Speakers: **Raphaël BAGI**

Protection of LGBTIQ+ Rights in the International Legal Order (Center for Comparative, European, and International Law, University of Lausanne)

Jerome MANGELINCKX

International Standards and Reforms for LGBTIQ+ Individuals in Prison (Penal Reform International)

Yağmur BIRDAL

Lawyer, Presentation of the Report on Transgender Inmates and Legal Challenges prepared by Hêvî LGBT and Mojust Foundation

Quantin MARKARIAN

Sex segregation and the placement of trans people in prison (Department of public law, University of Geneva)

11:00 - 11:15 | Break

SESSION II VULNERABILITIES, ACCESS TO RIGHTS, AND SERVICES FOR LGBTIQ+ PERSONS Time: 11:15 - 12:45

Veronica FILIPPESCHI

Prevention of Torture and Protection of LGBTIQ+ Individuals in Prisons (Association for the Prevention of Torture, APT)

Gergely FLIEGAUF

Detention Conditions of LGBTIQ+ Persons and core principles to ensure their respectful and decent treatment in prison (European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, CPT)

Patrick BERGUER

Living Conditions of LGBTIQ+ Persons in Detention Centers and Migrant Shelters (Amnesty International Geneva)

12:45 - 13:45 | Lunch Break

SESSION III LGBTIQ+ RIGHTS AT THE REGIONAL AND GLOBAL LEVELS Time: 13:45 - 16:00

Moderator: **Sophie HELLE** Human rights expert

Speakers:

Rasha YOUNES

Expertise on LGBTIQ+ Rights in North Africa and the Middle East (HRW)

Bertho MAKSO

LGBTIQ+ Rights in Lebanon and the Role of ProudLebanon

Gaspard NORDMANN

Situation of LGBTIQ+ Rights in Bolivia and Local Advocacy (PRISMI)

Jean Jacques DISSOKE

Overview of the Situation of LGBTIQ+ Detainees in Cameroon and Human Rights Violations (Collectif One Advocacy Africa / World)

Shadi AMIN

The Islamic Republic of Pain: An Overview of the Situation in Iran (6 Rang)

16:00 - 16:15 | Break

SESSION IV SOCIAL CHANGE AND AWARENESS: THE ROLE OF CIVIL SOCIETY AND PUBLIC INSTITUTIONS Time: 16:15 - 17:45

Moderator: **Deniz GEDIK** Lawyer, PhD Candidate at Humboldt University, Berlin

Speakers:

Eren KESKIN

The Role of Civil Society in Defending Human Rights, Especially LGBTIQ+ Persons (Human Rights Association, Turkey)

Guillaume MANDICOURT

Local Public Policies Towards LGBTIQ+ Persons: The Case of City of Geneva

Caio KLEIN

Visibility and Awareness of LGBTIQ+ Persons in Society (SOMOS, Brazil)

Gurchaten SANDHU

Advocacy for LGBTIQ+ Rights on a Global Scale (ILGA World)

16:00 - 16:15 | Break

HÜSNÜ YILMAZ, President of Mojust International Foundation



Law graduate from the University of Lausanne in 2006, Hüsnü Yilmaz worked for a Swiss trade-union in Geneva as well as for the service of legal affairs for Inclusion Handicap in the Swiss Romandie in Lausanne. Following his articling in Lausanne, he became licensed attorney in 2012. Since then, he has opened his office and practices as an independent barrister. Hüsnü Yilmaz was co-chairman of Progressive Lawyers in Vaud canton, he was member of the committee for Democratic Lawyers of Switzerland for several years. He is currently an individual member of the committee of the European Association of Lawyers for Democracy and World Human Rights. In addition to his activity as a lawyer, Hüsnü Yilmaz is co-writer of two books in the field of social insurance law and labor law.

VERONICA FILIPPESCHI, Senior Adviser, Association for the Prevention of Torture (APT)



Veronica FILIPPESCHI is the Senior Adviser on Vulnerabilities and Policy at the Association for the Prevention of Torture (APT). Her work to prevent torture and ill-treatment focuses on addressing the situations of heightened risks faced by women, LGBTIQ+ people and other persons deprived of liberty in situations of vulnerability. In her work, she regularly engages with national oversight bodies, national authorities, civil society organizations, UN and regional human rights bodies and she is the author of several public reports and other documents. Prior to joining the APT in 2013, she worked for several UN agencies in Latin America and Italy.

GERGELY FLIEGAUF, Member of European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)



Gergely FLIEGAUF is a member of European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). He is criminologist and psychologist. He is a former Head of OPCAT NPM Department, Office of the Commissioner for Fundamental Rights. Previously, Gergely Fliegauf also used to work as a senior officer at the Hungarian Prison Service (a prison social worker (educator) and psychologist at Budapest Medium and High Security Prison).



YAĞMUR BIRDAL, Lawyer

Yağmur Birdal is a lawyer. She was born in Ankara in 1994. After graduating from Ankara University Faculty of Law, she completed her master's degree in criminology and criminal justice at Istanbul University. She advocates for women's rights, refugee rights, and LGBTI+ rights, and writes on these topics in various platforms.

BERTHO MAKSO, Executive director of ProudLebanon (Liban)



Bertho MAKSO is a human rights defender, co-founder and executive director of Proud Lebanon, an organization that was created in 2014 to provide support for the LGBT+ community. When it was first created, the organization focused on refugee then it soon spread its human rights work to the whole LGBT+ community in Lebanon. Proud Lebanon also works for the marginalized and vulnerable, including prisoners. The organization works with over 13 political parties in order to pressure lawmakers to change laws that penalize LGBT+ people in Lebanon. Additionally, it works on achieving change in society, including by leading several campaigns with influencers.

EREN KESKIN, Co-Chair of the Turkey Human Rights Association (IHD)



Eren KESKIN is a prominent human rights defender and lawyer in Turkey. She is the Co-Chair of the Human Rights Association (IHD). She is also the founder of the Legal Aid Bureau against Sexual Harassment and Rape in Custody. For more than thirty years, Keskin has struggled for fundamental rights and freedoms in Turkey, especially for the Kurds, women and the LGBTI+ community. Keskin has played a significant role in the establishment, activation, and strengthening of civil society structures in Turkey. In the early days of her career as a lawyer, she got involved with the Human Rights Association (IHD). For years, Keskin served as the president of the Association's Istanbul branch, before becoming IHD's vice-president and now the Co-Chair. Keskin is also founding member of the Human Rights Foundation of Turkey (TİHV), the most prominent human rights organisation in Turkey on rehabilitation and treatment of torture survivors. She is also one of founders of TOHAV (Foundation for Society and Legal Studies) which was created in 1994 to investigate human rights violations in the country.

GURCHATEN (NANOO) SANDHU, Director of Programmes at ILGA World



Gurchaten (Nanoo) SANDHU (he/they) is the Director of Programmes at ILGA World, where they lead the organization's programmatic work and manage its growing team. Born to Panjabi Sikh migrant parents in the UK, Gurchaten is a recognized LGBTI changemaker and leader. Before joining ILGA World, they worked at the International Labour Organization (ILO) as the Non-Discrimination Programme Officer, focusing on promoting LGBTIQ+ rights and economic inclusion. Gurchaten has held leadership roles, including serving as the President of UN-GLOBE, which represents LGBTIQ+ personnel within the United Nations system. They are actively involved in various organizations and initiatives, such as the International Family Equality Day NGO, the Salzburg Global LGBT forum, and Sarbat LGBT Sikhs. Additionally, Gurchaten has been honored as an OUTStanding LGBT Role Model and received the British LGBT Award for Exceptional Inclusion in 2021.

SHADI AMIN, Coordinator of Iranian Lesbian and Transgender Network (6RING)



QUENTIN MARKARIAN, PhD candidate, University of Geneva



Quentin Markarian is a PhD candidate at the Department of Public Law at the University of Geneva and at the Criminal Law Research Center at the Free University of Brussels since 2021. At the University of Geneva, he also co-directs the Law Clinic on the rights of vulnerable people and coordinates the Certificate of advanced studies in human rights. His doctoral thesis focuses on sex segregation and the placement of trans people in prison. This comparative law research, covering French, Swiss and international law, examines the compatibility between the binary categorization of sex as established by prison law and the respect of human rights of trans detainees.



DENIZ GEDIK, Lawyer and Scholar



Deniz Gedik received her BA and LLM from Galatasaray University, Istanbul and MA from Panteion University, Athens. She is a PhD student at Humboldt University, Berlin and research assistant at Dresden University of Technology, Institute of International Law, Intellectual Property and Technology Law. Both as a lawyer registered to the Istanbul Bar Association since 2012, and a scholar, her work stands at the intersection point of social movements and law. Moving from comparative constitutional law and international human rights law, her PhD focuses on authoritarian legalism and the appointment of trustees in Turkey.

MUHAMMED UNSAL, Lawyer



Muhammed UNSAL is a human rights lawyer, holding an LLB and LLM from Marmara University, along with an additional LLM in Human Rights Law from Istanbul Bilgi University. Registered with the Istanbul Bar Association since 2016, he has been actively focused on the protection and promotion of human rights since 2020.

GASPARD NORDMANN, Activist, Founder of PRISMI



Gaspard is committed to the field of international solidarity and has worked for NGOs both in Switzerland and internationally. An LGBTIQ+ rights activist, he founded the PRISMI association in Geneva in 2021, which directly supports queer organizations worldwide. Currently, the NGO supports various projects in Bolivia, Cameroon, and Ecuador, aiming to combat discrimination, violence, and the criminalization of LGBTIQ+ people in these countries (www.prismi.lgbt).

CAIO CESAR KLEIN, Executive Director of SOMOS



Caio Cesar KLEIN is Executive Director of SOMOS, a NGO focused on affirming the sexual and reproductive rights of people living with HIV/AIDS and LGBTI+ people. Caio led the project Passagens, through which thirteen institutions of deprivation of liberty in Brazil were visited and resulted in one of the first mappings of LGBT+ incarceration in the country. He is also one of the editors and organisers of the book "Sexuality and Gender in Prison, LGBTI+ and their passages through criminal justice". Since 2019, Caio is a member of the National Committee to Prevent Torture.

GUILLAUME MANDICOURT, Project Officer for LGBTIQ+ issues at City of Geneva



Guillaume MANDICOURT is a dedicated professional with extensive experience in public management, human rights advocacy, and LGBTIQ+ issues. He has been a key figure at the City of Geneva for over 12 years, where he manages LGBTIQ+ issues within the Equality and Diversity Team. Guillaume holds a PhD in Medical Biology from the University of Geneva and has pursued additional certifications in project management and public sector communication. His volunteer work includes roles as Secretary of Rainbow Ville and former Treasurer of STOP SUICIDE, highlighting his commitment to social causes and human rights.

RASHA YOUNES, Senior Researcher, Human Rights Watch (HRW)



Rasha YOUNES is a senior researcher with the LGBT Rights Program at Human Rights Watch, investigating abuses against LGBT people in the Middle East and North Africa region. Prior to joining Human Rights Watch, Rasha was a Thomas J. Watson fellow, where she researched oral tradition as a form of activism in South Africa, Ireland, India, Germany, and the Czech Republic. She has previously worked on women's rights issues for the Clinton Center for Women's Empowerment in Morocco, the Women's Center of Montgomery County, and the Norristown Courthouse in Philadelphia. Rasha was also a Caux Initiatives of Change Scholar in Switzerland, a fellow for the Center of Peace and Global Citizenship in Philadelphia, and a researcher for the Arab Council for Social Sciences in Beirut. Rasha holds a master's degree in social Anthropology from Central European University in Budapest, and a bachelor's degree in Cultural Anthropology from Bryn Mawr College. She is fluent in English, Arabic, and knows some French.

RAPHAËL BAGI, Research Assistant, University of Lausanne (UNIL)



Raphaël BAGI is a PhD candidate in Law and a Faculty Research Assistant at the University of Lausanne, specializing in the protection of LGBTIQ rights within international law. Bagi serves as the Head of Legal Services at Association 360 in Geneva and has extensive experience in human rights, migration law, labor law, and LGBTIQ legal defense. Bagi has also held legal advisory roles at VOGAY and Espace Artistes Femmes, and has a background in legal research, intellectual property law, and contract law.

JEROME MANGELINCKX, Global Policy Manager, Penal Reform International (PRI)



Jérôme MANGELINCKX is Global Policy Manager at PRI. He draws on extensive experience in drug policy reform, penal and penitentiary reform, and human rights, having played a key role as a co-founder of the Research Centre on Drugs and Human Rights (CIDDH), a Peruvian NGO dedicated to safeguarding the human rights of those most vulnerable to the impacts of the war on drugs in Latin America and the Caribbean. Among other responsibilities, he coordinated CIDDH's Legal Clinic and developed a training guide for public defenders to improve legal aid to women imprisoned for drug offences in Peru. Jérôme holds a Master's Degree in International Relations from the Catholic University of Murcia in Spain, and a Graduate Certificate in Community Health and HIV from the Latin American Council of Social Sciences (CLACSO).

JEAN JACQUES DISSOKE, Lawyer, Collectif One Advocacy Africa / World



Jean Jacques Dissoke is a prominent lawyer and human rights advocate leading the efforts of Collectif One Advocacy Africa. Based in Cameroon, he focuses on fighting anti-LGBTI bias and advocating for the rights and well-being of LGBTI individuals. His work involves reducing homophobic violence, advocating for policy changes, and improving the socio-economic conditions for LGBTI people. Dissoke has also been instrumental in organizing initiatives like "Welcome to Dissoke's Place," which brings together civil society organizations and technical experts to enhance advocacy efforts and build capacity within the community.



PATRICK BERGUER, Activist, Amnesty International Genève

Patrick Berguer is an LGBTIQ+ rights activist and has been volunteering with the AI LGBT group at Amnesty International Geneva since 1999. He gained recognition as one of the first people in Switzerland to enter into a PACS (civil solidarity pact) in May 2001. Additionally, he participated in the "(IN) Visible" campaign by the City of Geneva in October 2020, aimed at raising awareness and acceptance of LGBTIQ+ people.

SOPHIE HELLE, Human rights expert



Sophie Helle is a human rights expert with extensive experience in international organizations and NGOs. She previously served as an Associate Human Rights Officer at the United Nations Office of the High Commissioner for Human Rights, focusing on human rights defenders. Sophie has also worked at Peace Brigades International, ICVA, and CODAP. She holds a Master's degree in Conflict, Governance, and International Development from the University of East Anglia and a Bachelor's in Political Science from the University of Geneva.



MESOPOTAMIA OBSERVATORY OF JUSTICE (MOJUST)

The Mesopotamia Observatory of Justice (Mojust) is a non-governmental organization based in Geneva, Switzerland, playing a crucial role in promoting human rights and justice in the Middle East. Its primary mission is to raise awareness of war crimes and crimes against humanity in the region and use international legal mechanisms to bring perpetrators to justice. Additionally, Mojust actively works to protect cultural and natural heritage in conflict-affected areas and provides legal assistance to victims of political, ethnic, identity, and religious repression.

Mojust stands out through its ability to mobilize international actors and organize conferences and seminars to raise awareness of human rights violations in difficult contexts. The foundation publishes reports in several languages, shared with international organizations and public institutions, contributing to global awareness on these urgent issues.

One specific example of Mojust's engagement in defending minority rights is its collaboration with organizations like Hêvî LGBT to protect LGBTIQ+ rights. In cooperation with Hêvî, Mojust co-authored a key report on the situation of transgender inmates in prisons. This report, prepared by legal professionals and human rights defenders, sheds light on the challenges faced by incarcerated transgender individuals, including sexual segregation, access to medical care, and sexual abuse in detention. It also addresses the legal obstacles they encounter and proposes recommendations to improve their conditions within judicial and prison systems.

Mesopotamia Observatory of Justice (Mojust) Rue Rothschild 22, 1202 Geneva, Switzerland +41 22 731 03 62 info@mojust.org www.mojust.org

Mojust remains actively involved in post-conflict efforts, encouraging social justice, direct democracy, and solidarity economy initiatives in affected countries. It also works with local and international NGOs to provide legal assistance to victims and bring war criminals and human rights violators to justice.



association for the prevention of torture

ASSOCIATION FOR THE PREVENTION OF TORTURE (APT)

The Association for the Prevention of Torture (APT) is an international nongovernmental organization based in Geneva, Switzerland, with over 45 years of experience in preventing torture and ill-treatment worldwide. The APT has contributed to the adoption and implementation of international treaties and is at the origin of an innovative torture prevention 'architecture' that has been adopted in countries around the world. The APT works in collaboration with national human rights institutions, national preventive mechanisms, national authorities, civil society organisations, international and regional human rights mechanisms in their efforts to prevent torture. APT's preventive work focuses on promoting independent oversight of deprivation of liberty, addressing the risks of torture and ill-treatment and protecting LGBTIQ+ persons, women and other individuals deprived of liberty in situations of heightened vulnerability.

> Association for the Prevention of Torture Centre Jean-Jacques Gautier 10, Route de Ferney CH - 1202 Geneva, Switzerland <u>www.apt.ch</u> +41 22 919 21 70 apt@apt.ch

APT's main resources on LGBTIQ+ persons deprived of liberty:

- Online course: <u>Monitoring LGBTI+ People in Detention</u>
- Monitoring Guide: <u>Towards the Effective Protection of LGBTI Persons</u> <u>Deprived of Liberty</u>
- Online database on human rights in prison: <u>Detention Focus Database</u>
- APT/NPM joint submission: <u>Observations to the Inter-American Court of</u> <u>Human Rights: Differentiated Approaches to Persons Deprived of Liberty</u>

SOMOS - COMMUNICATION, HEALTH, AND SEXUALITY

SOMOS is a non-governmental organization based in Porto Alegre, Brazil. Founded in 2001 by activists from the HIV/AIDS and LGBTI+ rights movements, SOMOS focuses on the promotion of human rights, especially sexual and reproductive rights. Their multidisciplinary approach includes activities in the fields of education, health, justice, social assistance, culture, and communication.

SOMOS

Rua Uruguai, 300 - Centro Histórico, Porto Alegre -RS, Brazil somos@somos.org.br +55 51 3062 0070 www.somos.org.br

INTERNATIONAL LESBIAN, GAY, BISEXUAL, TRANS AND INTERSEX ASSOCIATION (ILGA WORLD)



ILGA World is a global organization dedicated to promoting and defending the human rights of LGBTIQ+ communities worldwide. Based in Geneva, ILGA World brings together member organizations from over 160 countries, working for equality and freedom for all, regardless of sexual orientation, gender identity, or sex characteristics.

ILGA World 17 Rue Rothschild, 1202 Geneva, Switzerland info@ilga.org +41 22 731 32 54 www.ilga.org

PRISMI

Collaboration with local organizations. Its mission is to promote dignity, respect, and the rights of LGBTIQ+ communities by combating discrimination based on sexual orientation and gender identity. The organization funds projects in Ecuador, Cameroon, and Bolivia, focusing on access to justice, economic inclusion, and legal aid.

> PRISMI Rue Tolstoï 1, 1203 Geneva info@prismi.lgbt prismi.lgbt

6RANG (IRANIAN LESBIAN AND TRANSGENDER NETWORK)

PRISMI is a Swiss association founded in 2021 that

supports LGBTIQ+ projects worldwide in

6Rang is an organization founded in 2010 following the first gathering of Iranian lesbian and transgender individuals. Based primarily in Iran, 6Rang has over 200 members and is dedicated to defending the human rights of LGBTI+ people in Iran. Its main goal is to raise awareness about LGBTI+ rights while combating homophobia and transphobia, especially against lesbians and transgender people, who are among the most marginalized in Iranian society.

6rang.org info@6rang.org



HÊVÎ LGBTQ+

Hêvî LGBTİ+ is a non-governmental organization (NGO) founded in 2013, formed from the mobilization of LGBTİ+ individuals around shared ideals. As an NGO, Hêvî LGBTİ+ is committed to promoting and defending the rights of lesbian, gay, bisexual, trans, and intersex individuals in Turkey. The organization addresses a wide range of issues, including fighting sexism, ethnic discrimination, and violations of migrants' and refugees' rights.

Hêvî LGBTİ+ hevilgbti.org 0216 759 51 95 info@hevilgbti.org

PROUD LEBANON

Proud Lebanon is a non-governmental organization founded in 2013 and registered in 2014, working to protect, empower, and ensure equality for marginalized groups, primarily the LGBTIQ+ community in Lebanon. Their mission is to promote sustainable social and economic development by offering community support services. The organization provides legal assistance, healthcare, psychosocial support, and awareness activities.

ProudLebanon Beirut, Lebanon +961 76 608 205 info@proudlebanon.org proudlebanon.org



ALADEK

ASSOCIATION DES ÉTUDIANTS KURDES DE L'UNIVERSITÉ DE GENÈVE (ADEK)

ADEK is a student organization based in Switzerland, aimed at promoting Kurdish culture and creating a space of solidarity for Kurdish students at the University of Geneva. ADEK organizes various academic, cultural, and social events to raise awareness of the situation of Kurds worldwide, while helping students integrate into university life in Geneva. It also plays an important role in supporting new students by offering resources and a platform to discuss identity and human rights issues.

adek@unige.ch

CONFÉRENCE UNIVERSITAIRE DES ASSOCIATIONS D'ÉTUDIANT.E.X.S (CUAE)



CUAE is an active structure at the University of Geneva that coordinates and represents various student associations. It acts as a liaison between the associations and the university administration, while defending the rights and interests of students. CUAE supports academic, cultural, and social initiatives, offering training, legal advice, and administrative resources for member associations.

CUAE

102, Boulevard Carl-Vogt, 1205 Geneva, Switzerland cuae@unige.ch +41 22 379 87 97 www.cuae.ch

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LA COMMISSION DE GESTION DES TAXES FIXES (CGTF)

The Commission de gestion des taxes fixes (CGTF) at the University of Geneva is responsible for managing and distributing the fixed fees paid by students. Its role is to ensure fair and transparent use of these funds, supporting initiatives and projects that benefit the student community. CGTF finances various services for students, such as social aid, scholarships, and grants for cultural or academic projects. It acts as a link between students and the university administration to ensure that these funds are used in accordance with the students' needs and interests.

The Commission de gestion des taxes fixes (CGTF) 102 Boulevard Carl-Vogt, CH-1205 Geneva, Switzerland +41 22 379 87 99 taxesfixes@unige.ch agora.unige.ch/cgtf