



PRIDE ABROAD — CANADA'S SUPPORT OF LGBTQ ACTIVISM IN ASIA

A Study of Canadian Mission
Support for LGBTQ Rights in
Taiwan, Myanmar, and South Korea



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EXECUTIVE SUMMARY

LGBTQ movements are gaining strength and prominence across Asia. With the current global political situation, there is desire and an opening for Canada to become a partner for change within the region. The Canadian government has already taken steps on this front, announcing in June 2017 that Canada would co-chair the Equal Rights Coalition, the first intergovernmental coalition advancing LGBTQ rights. Canada is also one of a number of countries that supports LGBTQ-related initiatives through their embassies and missions abroad.

With the Canadian government currently spending time and resources on supporting LGBTQ initiatives in Asia, this study is a first look at how exactly these resources are being focused. It has three main goals: 1) to increase Canadians' cultural understanding of LGBTQ issues within Asia; 2) to identify strengths and challenges in Canada's current LGBTQ support efforts; and 3) to provide recommendations on ways to improve Canada's governance and best practices on this issue.

ASIA IN THE GLOBAL LANDSCAPE OF LGBTQ RIGHTS

When compared to other regions in the world, Asia is less tolerant of LGBTQ rights movements than North America, Europe, and Latin America, but more tolerant than the Middle East and Africa. In Asia, same-sex sexual activity is legal in 14 out of 24 countries. Many countries do not let openly gay, lesbian, or bisexual people serve in the military, and very few provide any legal protection against discrimination based on sexual orientation or gender identity. In Asian countries where same-sex activity is legal, LGBTQ people often face discrimination and violence from the government, their communities, and their families. Across Asia, however, there is a vibrant network of individuals and civil society organizations working to change this. In addition, there are members of the international community such as INGOs, the United Nations, and numerous governments working through their foreign affairs ministries to support LGBTQ initiatives.

LGBTQ RIGHTS IN CANADA'S FOREIGN POLICY

Canada's history and current policy efforts for supporting LGBTQ rights internationally began under the Conservative government in 2008. When elected in 2015, the Liberal government reaffirmed that they would continue promotion of LGBTQ rights as a central pillar of Canada's foreign policy. LGBTQ rights fall under the broader foreign policy objective promoting international human rights and occurs through the following activities: engaging bilaterally and multilaterally to promote LGBTQ human rights; sharing information regarding the positive impact that protecting the rights of LGBTQ people has had on communities; and consulting and working with civil society organizations in Canada and abroad. In June 2017, Canada, along with Chile, became co-chair of the Equal Rights Coalition, the first

intergovernmental coalition for advancing LGBTQ rights. In July 2017, Global Affairs Canada launched the Feminist International Assistance Policy. The policy specifically states that international assistance will be human rights-based and inclusive regarding sexual orientation and gender identity. To date, the main avenue for the Canadian government's international efforts has been through its missions abroad.

HOW CANADA'S TALK IS TRANSLATING INTO PRACTICE

In assessing Canada's support and collaboration with local civil society, Taiwan, Myanmar, and South Korea present different key issues facing local LGBTQ communities and varying Canadian support of local LGBTQ initiatives. Through interviewing local stakeholders, the opportunities and challenges related to Canada's engagement became more apparent.

TAIWAN

In Taiwan, the key issue is creating a legal framework for same-sex marriage, after the 2017 Supreme Court ruling found that laws preventing same-sex couples from marrying were unconstitutional. While Taiwan may be the most progressive on LGBTQ rights in the region, many LGBTQ people still face significant discrimination and lack of support, in particular the transgender community, as well as LGBTQ aboriginals. Taiwanese activists also face difficulty accessing and engaging with the international LGBTQ movement and in securing international funding, due to their political situation.

The Canadian Trade Office in Taipei (CTOT) has been very active in supporting LGBTQ civil society in Taiwan, and feedback was very positive. The CTOT has supported a number of workshops, participated in multiple Pride parades and been outspoken in the media on LGBTQ rights. There have also been a number of non-government-related collaborations between Canadian and Taiwanese organizations. Activists found Canada has valuable and relatable experiences, especially on issues such as First Nations' understanding of LGBTQ people, family legal rights, and educating youth, and that Canada took a consultative approach that integrated local needs and priorities. They also highlighted Prime Minister Trudeau's outspoken support of LGBTQ rights. That said, there are many opportunities for expanding Canadian governmental support, such as collaborating with non-governmental Asian-Canadian LGBTQ organizations and Taiwanese diaspora communities, increasing specific support for the transgender community, and incorporating LGBTQ rights into trade and business relations.

■ MYANMAR

Out of the three territories, Myanmar is the only one where same-sex sexual activity is illegal. The key issues facing the Myanmar LGBTQ community are repealing Section 377, the colonial-era law that prohibits sodomy and same-sex sexual activity, and creating a framework for anti-discrimination legislation. As well, societal attitudes on gender and sexuality lead to discrimination against LGBTQ people, in particular gay and transgender women. Currently, organizations are working to increase understanding and awareness of LGBTQ rights and issues amongst the broader community, including: political and business leaders, the legal community, and especially youth.

The Canadian Embassy in Myanmar was initially very active in supporting LGBTQ organizations through participating in events such as the inaugural International Day against Homophobia, Transphobia, and Biphobia, and Myanmar's first two queer film festivals. Local activists spoke highly of the former ambassador's visible support, and of the technical and financial assistance provided by the embassy. However, current Canadian Embassy representatives for the LGBTQ file have been less proactive. There are many opportunities for the embassy to increase its support, and LGBTQ rights intersect well with Canadian priorities of youth engagement and feminist international assistance.

■ SOUTH KOREA

While same-sex sexual activity is legal in Korea, anti-LGBTQ sentiments within religious and conservative groups have created a difficult environment for the Korean LGBTQ community. Key issues are creating anti-discrimination legislation, promoting equal legal rights including same-sex marriage, ending the criminalization of homosexuality in the military, removing highly restrictive requirements for legal gender change, increasing education on LGBTQ issues, and improving mental health awareness and support for youth.

The Canadian Embassy in Korea is relatively new to supporting LGBTQ initiatives in the country; however, the embassy is making strides in networking with LGBTQ organizations and increasing its involvement. The embassy has supported the past few Korean Queer Culture Festivals, including participating in the Pride parade. It has hosted an LGBTQ book talk featuring prominent Canadian activists, and, in the lead-up to the Pyeongchang Olympic Games in 2018, partnered with a local LGBTQ organization to host a Canadian sports writer and activist to speak on

homophobia in sport. There are many opportunities for the embassy to further support LGBTQ rights, such as providing visible high-level support from LGBTQ or pro-LGBTQ Canadian diplomats and political officials, collaborating with Korean diaspora communities and Canadian LGBTQ organizations already working with Korean organizations, and drawing upon Canada's strengths, such as education and legal rights.

MOVING FORWARD

There are five recommendations the Canadian Government can adopt to improve its support of LGBTQ initiatives in Asia:

- Provide more training on LGBTQ issues for Canadian missions in Asia,
- Improve cross-sectoral outreach and cooperation within Global Affairs Canada and Canadian missions abroad,
- Continue sustained vocal public support of LGBTQ issues by high-level Canadian officials,
- Mainstream LGBTQ Initiatives into Canada's new Feminist International Assistance Policy, and
- Solidify consistency of funding over the long term and expand support beyond the Post Initiative Fund, a limited fund Canadian missions abroad usually put toward promoting cultural activities.

With strong partnerships, sustained focus, and awareness, there is significant opportunity for Canada to become a global leader on LGBTQ rights.

INTRODUCTION

The Canadian government has been a proponent for international lesbian, gay, bisexual, transgender and queer (LGBTQ¹) rights since 2008,² and has recently taken further concrete steps to reaffirm Canada's position on a global stage. Firstly, in June 2017, Global Affairs Canada announced Canada would co-chair the Equal Rights Coalition, the first intergovernmental coalition advancing LGBTQ rights. Secondly, in July, Global Affairs Canada released its first Feminist International Assistance Policy, which focuses on gender equality and specifically states that Canada will work to empower those who face discrimination on the basis of sexual orientation and gender identity.

While there has currently been little research on Canada's work so far supporting LGBTQ rights internationally, there are two important organizations whose research this report builds on. First is the Dignity Initiative, a network of organizations and individuals from across Canada interested in encouraging a stronger Canadian voice on human rights issues facing LGBTQ communities around the world. In 2015, the Dignity Initiative released a series of 22 recommendations to the Canadian government on incorporating LGBTQ rights into Canada's foreign policy and refugee policy.³ Egale Canada is another leading organization working to improve the lives of LGBTQ people in Canada and to enhance the global response to LGBTQ issues. Egale submitted a series of recommendations to Global Affairs Canada during the consultation process prior to Canada's new Feminist International Assistance Policy.⁴

While Dignity Initiative and Egale Canada provide strong research and recommendations, they both have a global focus, and have not yet narrowed in and addressed individual countries or regions. Asia is among the many areas requiring specific analysis, and is a region of significant consequence for Canadians. In the past, Canada has been criticized for being opportunistic in Asia by focusing only on economic and trade priorities and neglecting other areas of collaboration.⁵ Social and cultural relationships are an important part of engaging with Asia and are often a less-understood avenue for cooperation. Support of LGBTQ rights has been one of the major socio-cultural changes in Canada over the past few

1. This report uses the acronym LGBTQ (lesbian, gay, bisexual, transgender and queer), recognizing the limitations of using such a term. There are numerous local terms across Asia that represent the diversity of gender identity and sexual orientation in the region. However, for the Canadian context of this report, LGBTQ is a widely recognized term, and its use aims to be as inclusive as possible. Note: other organizations mentioned in this report use acronyms such as LGBT or LGBTI; however, for the purpose of consistency, most references have been changed to LGBTQ.
2. Signing of the Statement on Human Rights, Sexual Orientation and Gender Identity addressed to the President of the UN General Assembly.
3. The Dignity Initiative. A Call to Action: How Canada Can Defend and Promote Human Rights for LGBTI People around the World: <http://www.dignityinitiative.ca/wp-content/uploads/Dignity-Initiative-English.pdf>
4. Egale Canada Human Rights Trust. Submission to Global Affairs Canada: LGBTQI2S International Development: <https://egale.ca/gac-submission-2016>
5. Policy Options, 2012, Canada Needs a Diversified Portfolio in Asia: <http://policyoptions.irpp.org/fr/magazines/the-polar-ice-cap/mahbubani>

decades, and with the current Trudeau government's vocal public support of LGBTQ rights, it is a strong area for collaboration in the Asia region.

With the Canadian government currently spending time and resources on supporting LGBTQ initiatives in the region, this study was intended to be a first look at how exactly these resources are being focused and whether there are any ways to strengthen these initiatives. This report has three main goals: 1) to increase Canadians' cultural understanding of LGBTQ issues within Asia; 2) to identify strengths and challenges in Canada's current LGBTQ support efforts; and 3) to provide recommendations on ways to improve Canada's governance and best practices on this issue. The report is based on three case studies where Canadian government representatives are actively collaborating with local LGBTQ civil society: Taiwan, Myanmar, and South Korea. The cases are listed in order of most to least Canadian involvement: first Taiwan, where Canada has been most active; then Myanmar, where there has had more of a range in the consistency of the support; and finally South Korea, where the Canadian embassy is in the beginning stages of its activity on this front.

Research for this report was based on semi-structured interviews with a broad group of stakeholders in the region, including the following: staff at Canadian embassies and trade offices, local political and legal LGBTQ rights organizations, film festival and Pride event organizers, journalists, academics, international non-governmental organizations (INGO) officials, religious leaders, and local government offices that have worked with the Canadian government or other foreign governments.⁶ While the interviews were conducted with a range of stakeholders, it is important to note that there is a bias toward organizations based in urban centres. This is due to a larger urban bias within LGBTQ discourse and activism, as well as logistics for field research.⁷ Based on those interviews, this report outlines the current avenues within which the Canadian government has included LGBTQ rights promotion in their foreign policy and discusses feedback from LGBTQ activists who have partnered with Canada.

While Canada is internationally respected for its national LGBTQ rights situation, there are other countries that have also been very active supporting LGBTQ rights as a part of their foreign policy and international assistance work. Countries such as Sweden, Uruguay, Norway, the United Kingdom, and the United States are strong examples to compare with Canada. The study also asked LGBTQ stakeholders how the Canadian government compares to other governments, and it addresses policies other countries have implemented to improve their initiatives.

6. Sample questions can be found in Appendix C.

7. Luke Boso, *The Williams Institute University of California, 2013, Urban Bias, Rural Sexual Minorities, and Courts' Role in Addressing Discrimination*: <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Boso-Urban-Bias-Rural-Sexual-Minorities-05.09.12.pdf>

01.

Background

WHERE IS ASIA IN THE GLOBAL LANDSCAPE OF LGBTQ RIGHTS?

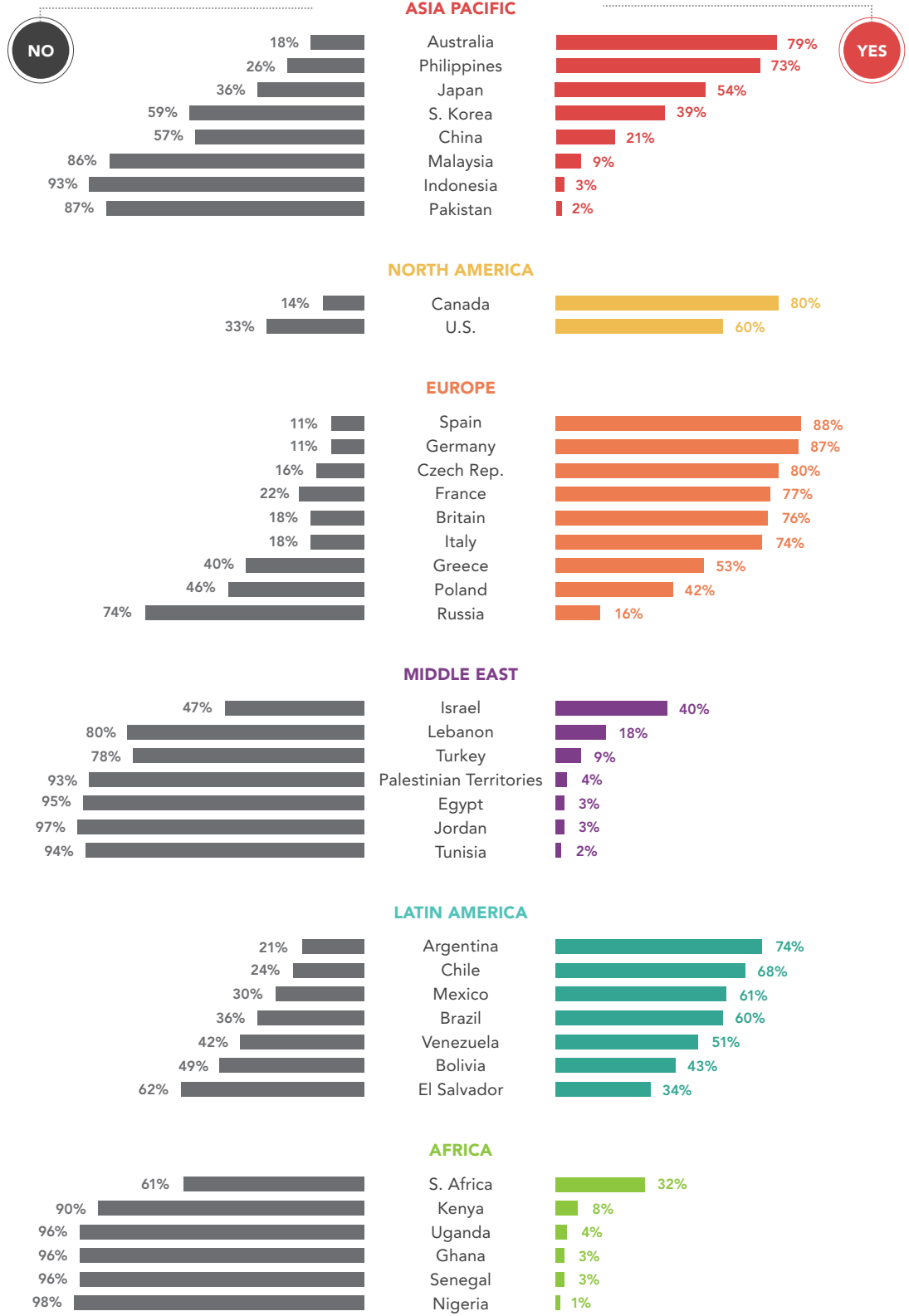
LGBTQ rights has been called the fastest civil rights movement in history.⁸ Over the past few years, a number of countries have seen progress on LGBTQ equality, improving protection against discrimination and changing legislation on same-sex marriage. But there has also been significant backlash around the world against LGBTQ civil rights movements.⁹ Two recent examples are the Chechen government's ongoing anti-gay purge and the Haitian government's recent bill proposing to ban same-sex marriage as well as any public demonstrations in favor of LGBTQ people.¹⁰

It is clear that the LGBTQ rights movement is also gaining visibility across Asia. According to the Pew Research Center's 2013 "The Global Divide on Homosexuality," when compared to other regions in the world, Asia is less tolerant than North America, Europe, and Latin America, but more tolerant than the Middle East and Africa. In Asia,¹¹ same-sex sexual activity is legal in 14 out of 24 countries.¹² Many countries do not let openly gay, lesbian, or bisexual people serve in the military, and very few provide any legal protection against discrimination based on sexual orientation or gender identity. In Asian countries where same-sex activity is legal, LGBTQ people face discrimination and violence from the government, their communities, and their families.¹³ For example, in the Indonesian province of Aceh, 2017 marked the first time two men were caned for homosexual activity, in front of a crowd of over 1,000 people.¹⁴

While cases like this caning demonstrate the long-standing discrimination against LGBTQ individuals, positive changes are also occurring in the region. In Taiwan, a landmark constitutional court decision this May struck down the Civil Code's definition of marriage as being between a man and a woman. In 2015, Nepal joined a handful of countries recognizing a third gender on national passports; and in 2010, the Philippines's congressional election saw the running of the world's first LGBTQ party.¹⁵

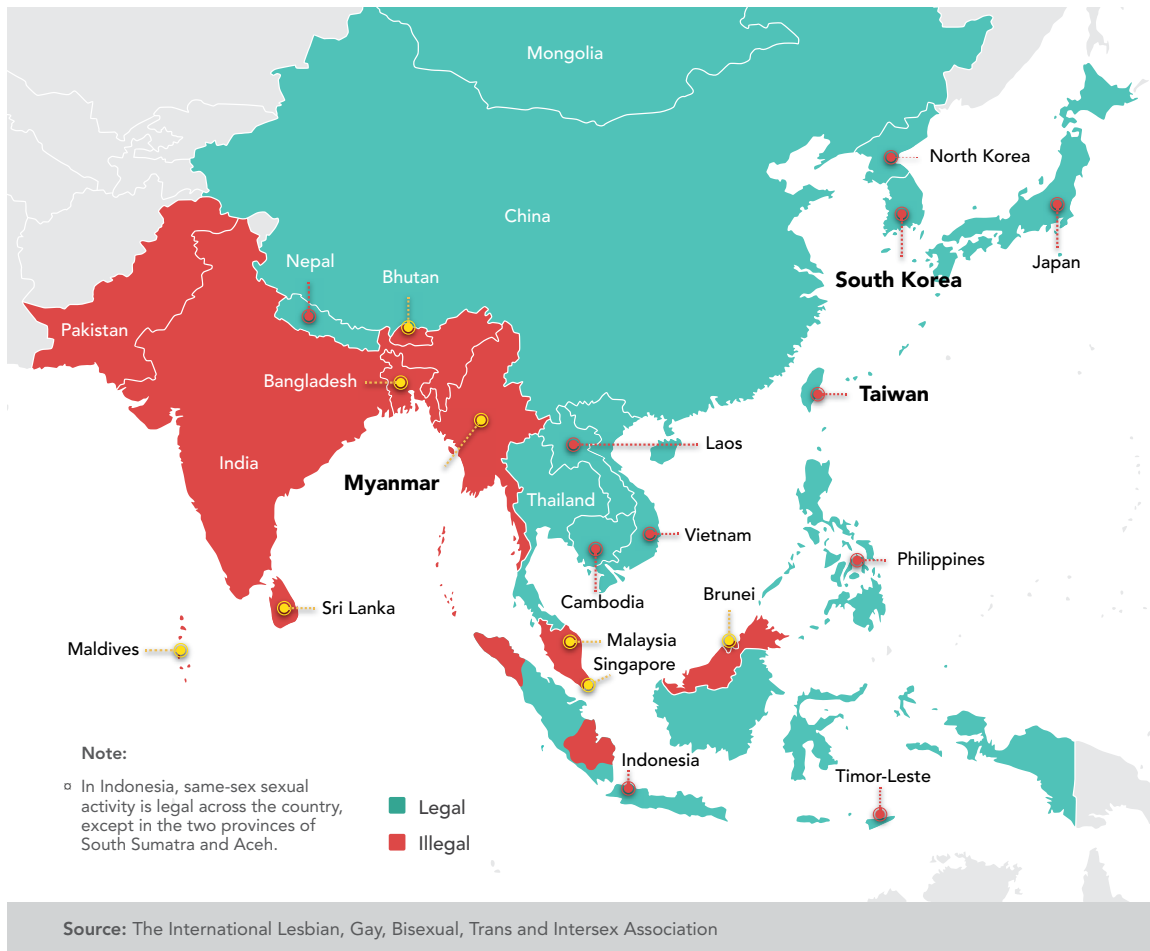
8. Mark Z. Barabak, Los Angeles Times, 2012, Gays May Have the Fastest of All Civil Rights Movements: <http://articles.latimes.com/2012/may/20/nation/la-na-gay-rights-movement-20120521>
9. Omar G. Encarnación, Foreign Affairs, 217, The Global Backlash against Gay Rights: <https://www.foreignaffairs.com/articles/2017-05-02/global-backlash-against-gay-rights>
10. The Associated Press, 2017, Haiti May Ban Gay Marriage, Public Support for LGBTQ Rights: <http://wtop.com/latin-america/2017/08/haiti-may-ban-gay-marriage-public-support-for-lgbtq-rights/>
11. Excluding central Asia, the Pacific Islands, and Oceania.
12. ILGA, 2017, Chart of Comparative Situation of Sexual Orientation Rights in Asia Region: http://ilga.org/downloads/2017/Charts_ILGA_English_Asia_2017.pdf
13. OutRight Action International, Asia Overview: <https://outrightinternational.org/region/asia>
14. Heri Juanda, The Toronto Star, 2017, Gay Couple in Indonesia Caned 83 Times in Front of Crowd: <https://www.thestar.com/news/world/2017/05/23/gay-couple-in-indonesia-caned-83-times-in-front-of-crowd.html>
15. Centre for Asian American Media, 2017, "Out Run" Doc on Leader of the World's Only LGBT Political Party: <http://caamedia.org/blog/2017/06/21/out-run-doc-on-leader-of-the-worlds-only-lgbt-political-party>

Fig. 1 Should Society Accept Homosexuality?



Source: Pew Research Centre, 2013

Fig. 2 Legality of Same-sex Sexual Activity in Countries / Territories in Asia



INTERNATIONAL SUPPORT AND ACTION

Across Asia, there is a vibrant network of individuals and civil society organizations working to improve access to justice and protection for LGBTQ people and to reduce discrimination. In addition, many members of the international community are also working to support these movements. INGOs such as the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) and OutRight Action International are active in the region.

United Nations agencies are also supporting LGBTQ rights movements in Asia. The United Nations Development Programme (UNDP), is currently running an initiative, Being LGBTI in Asia, to fill the significant research gaps that currently exist when addressing the “stigma, discrimination, violence and human rights violations experienced by sexual and gender minorities in Asia.”¹⁶ Last year, the United Nations also appointed the first UN Independent Expert on protection

16. United Nations Development Programme, *Being LGBTI in Asia*: <http://www.asia-pacific.undp.org/content/rbap/en/home/operations/projects/overview/being-lgbt-in-asia.html>

against violence and discrimination based on sexual orientation and gender identity (SOGI), Dr. Vitit Muntarbhorn of Thailand. Dr. Muntarbhorn is mandated to assess the implementation of international human rights instruments with regard to overcoming violence and discrimination against LGBTQ people around the world, as well as to identify and address the root causes of these issues. However, an African-led coalition effort to remove Dr. Muntarbhorn from his post received support from many Asian countries and demonstrated there is still significant opposition in the region.¹⁷

Governments are also supporting local civil society through their foreign affairs ministries. Countries such as Sweden, Norway, the Netherlands, the United States, the United Kingdom, and Canada have been on the frontlines of LGBTQ support through their missions abroad.

Fig. 3 Asia Votes on Attempt to Block UN SOGI Expert Mandate



Note:

- Taiwan is not a UN member and therefore did not participate in the vote.
- Laos did not exercise their vote.

Source: The International Lesbian, Gay, Bisexual, Trans and Intersex Association

17. ILGA, 2016, *New Attempts to Block UN SOGI Mandate Prove Unsuccessful*: <http://ilga.org/new-attempts-to-block-un-sogi-mandate-unsuccessful>

02.

Canada's Foreign Policy

CANADA'S HISTORY PROMOTING LGBTQ RIGHTS

In 2008, the Conservative government was one of 70 countries to sign the UN General Assembly Statement on Human Rights, Sexual Orientation and Gender Identity, condemning “human rights violations based on sexual orientation or gender identity ... in particular the use of the death penalty on this ground.” In 2009, the government affirmed the Yogyakarta Principles before the UN Human Rights Council and began a number of efforts to support LGBTQ rights internationally.¹⁸

The Conservative government, particularly under Foreign Minister John Baird, began to support LGBTQ rights on a number of fronts. They prioritized Canada's acceptance of dozens of gay refugees from Iran, loudly rebuked Russia for its law criminalizing the “propaganda” of non-traditional sexual relations, and denounced Uganda for its proposed legislation regarding the death penalty for same-sex relations. The Conservative government won plaudits for these efforts across the political spectrum in Canada, but it was also criticized for being too aggressive in its tactics, causing some of their efforts to backfire. For example, the Ugandan government responded to criticism with increased resolve to pass anti-LGBTQ legislation.¹⁹

During this time period, the Conservative government also began supporting LGBTQ organizations within host countries through Canadian missions. According to the Dignity Initiative, as of 2014, Canadian diplomatic missions abroad “provided at least 40 organizations in over 30 countries with a total of \$886,000 to support the human rights of LGBTQ people through the Canada Fund for Local Initiatives.”²⁰ The Canada Fund for Local Initiatives is one of Global Affairs Canada's funding programs, through which Canadian missions disperse funding to support small projects in developing countries implemented by local organizations.

CANADA'S CURRENT FOREIGN POLICY ON LGBTQ RIGHTS

When elected in 2015, Prime Minister Trudeau reaffirmed that the Liberal government would keep promotion of LGBTQ rights abroad as a central pillar of Canada's foreign policy.²¹ The Liberal government, however, rejected the conservatives' outspoken style of support for a more broad-based approach that uses economic and cultural leverage.

18. The Yogyakarta Principles, 2006: <http://www.yogyakartaprinciples.org>

19. BBC News, 2012: Uganda to Pass Anti-Gay Law As “Christmas Gift”: <http://www.bbc.com/news/world-africa-20318436>

20. The Dignity Initiative, 2016, Advancing Dignity: Assessing Canada's Global Action on Human Rights for LGBTI People: <http://www.dignityinitiative.ca/wp-content/uploads/Advancing-Dignity-1.pdf>

21. Arshy Mann, Daily Xtra, 2016, Justin Trudeau Promises to Promote LGBT Rights Abroad: <http://www.dailyxtra.com/justin-trudeau-promises-to-promote-lgbt-rights-abroad-71365>

Canada's international promotion of LGBTQ rights falls under the broader foreign policy objective of promoting international human rights. This policy takes shape through Canada's missions abroad, advocating for LGBTQ human rights globally by:

- engaging bilaterally and multilaterally to promote LGBTQ human rights;
- sharing Canada's progress in protecting the rights of LGBTQ people and how this has positively impacted communities; and
- consulting and working with civil society organizations in Canada and abroad.²²

Canada's policy further states that through bilateral and multilateral channels, Canada's missions abroad work with like-minded governments and civil societies to promote and protect the human rights of LGBTQ people. They call on states to decriminalize same-sex conduct, support the work of grassroots LGBTQ organizations abroad, and condemn violence and discrimination that targets people based on their sexual orientation or gender identity.

In July 2017, Global Affairs Canada launched its new Feminist International Assistance Policy, to "position Canada as a leader on gender equality [and as a] leading voice for progressive international assistance while advancing the implementation of the 2030 Agenda for Sustainable Development."²³ The policy includes specific acknowledgement of sexual and gender minorities, stating Canada will work to empower all those who face intersectional exclusion and discrimination, including on the basis of sexual orientation or gender identity. Under the introduction, the policy states Canada is committed to providing international assistance that is human rights based and inclusive, specifically mentioning sexual orientation and gender identity. Finally, the policy also mentions support for those discriminated against on the basis of sexual orientation or gender identity.

Unlike the US, the Trudeau government opted not to appoint a diplomat for LGBTQ issues; however, it did appoint a Special Advisor to the Prime Minister's Office on LGBTQ issues. Randy Boissonnault, a Member of Parliament from Edmonton Centre in Alberta, is mandated to develop and coordinate the Canadian government's LGBTQ agenda. Boissonnault's role is in part a response to Egale Canada's Just Society Report, which recommended the government provide greater support to global LGBTQ human rights. In interviews after his appointment, Boissonnault has said that he has been tasked with working alongside other governments and civil society organizations to actively promote LGBTQ rights on the international stage.²⁴

22. Government of Canada, *The Human Rights of LGBTI Persons*: http://international.gc.ca/world-monde/issues_development-enjeux_developpement/human_rights-droits_homme/rights_lgbti-droits_lgbti.aspx?lang=eng&_ga=2.90662232.394252063.1500403984-278309820.1493337981

23. Government of Canada, *Canada's Feminist International Assistance Policy*: http://international.gc.ca/world-monde/issues_development-enjeux_developpement/priorities-priorites/policy-politique.aspx?lang=eng#4

24. Maximilian Sycamore, *Washington Blade*, 2016, Justin Trudeau Appoints LGBT Advisor: <http://www.washingtonblade.com/2016/11/19/justin-trudeau-appoints-lgbt-advisor/>

One of Canada's main avenues to support LGBTQ rights internationally is by supporting local civil society organizations through Canadian embassies and trade offices. Global Affairs Canada's Mission Support Division provides help with planning, collaboration, and advice to the representatives who coordinate the LGBTQ file within the Canadian missions abroad, enabling them to defend and promote LGBTQ rights. Those missions then work with civil society organizations, governments, allies, and other stakeholders to support local LGBTQ movements. Initiatives in Asia are conducted within individual countries, as well as through regional efforts that include two or three missions. Initiatives can include showcasing Canada's laws and policies; bringing Canadian experts to share knowledge with local activists; providing training initiatives to support local civil society organizations; and promoting acceptance, tolerance, and LGBTQ participation in political and economic spheres. Many of these initiatives are highlighted in the Global Affairs Canada online publication, *Eyes Abroad*.²⁵

There are three levels of funding that Canada can put toward initiatives in foreign countries. The smallest is the Post Initiative Fund (PIF), which is a limited fund usually put toward promoting cultural activities. It is recognized as being a source of flexible and discretionary funding; however, Canadian missions abroad are required to put together a strategy for each upcoming year regarding PIF spending, to be approved by Ottawa. The next level of funding is the Canada Fund. Spending from this fund is usually put toward development projects; however, it is not a requirement that Canada has a full development program in the country for the funds to be used in that manner. Allocations from the Canada Fund are much larger than the PIF and must also be approved by Ottawa. The final level of funding is the through Canada's international assistance funding. With the amalgamation of the former Canadian International Development Agency (CIDA) into Foreign Affairs, and now the current government's rebranding of Global Affairs Canada, channels for this funding remain complicated. However, most of the international assistance funding is now channeled through Global Affairs Canada, and going forward, will be conducted in consideration of Canada's new Feminist International Assistance Policy. International assistance funding is the largest form of funding, with allocations often providing millions of dollars per project. Up until now, most, if not all, funding for Canada's LGBTQ initiatives have been through the PIF.

Canada also supports LGBTQ rights work through multilateral efforts such as the Equal Rights Coalition: the first intergovernmental coalition advancing LGBTQ rights. In 2016, the governments of Uruguay and the Netherlands founded the coalition to strengthen cooperation between countries and called on participating governments to share information about how best to advance the human rights and inclusion of LGBTQ people worldwide. Beginning in June 2017, Canada and Chile became co-chairs of the coalition, which has over 30 countries in its membership.

25. Government of Canada, *Eyes Abroad*:
http://www.canadainternational.gc.ca/ci-ci/media/featured_stories-articles_vevettes.aspx?lang=eng

Key Issues

LEGAL RIGHTS

- Creating legal framework for same-sex marriage, including family rights legislation in areas of inheritance, adoption, parenting, and rights of family members during medical emergencies

RELIGION & SOCIETY

- Lack of support for aboriginal LGBTQ people
- Anti-LGBTQ sentiments within religious and conservative groups

TRANSGENDER ISSUES

- Employment discrimination
- Lack of accessible medical and mental health support
- Removing surgical requirements for legal gender change

EDUCATION & YOUTH

- Combating anti-LGBTQ sentiments
- Increasing and improving gender equity education and awareness

INTERNATIONAL VISIBILITY

- Inability to access and engage with the international LGBTQ movement
- Difficulty securing international funding

03.

Case Studies: How Canada's Talk is Translating into Practice

Taiwan, Myanmar, and South Korea are three differing examples in Asia where Canadian government representatives are actively collaborating with local LGBTQ civil society; in Taiwan, Canada has been very active in its support; in Myanmar there has been more of a range in the consistency of the support; and in South Korea the Canadian embassy is in the beginning stages of its activities on this front. It is important to understand the local context for LGBTQ communities, such as legal rights, religion and society, transgender discrimination, and education and awareness, in order to understand Canada's support so far and how Canada can better support LGBTQ rights in Asia.

Case Study 1: Taiwan

CURRENT SITUATION

Beginning in the 1990s, the LGBTQ activist movement in Taiwan gained traction following the end of four decades of martial law on the island. Many credit the grassroots efforts involved in throwing off authoritarian rule under Chiang Kai-shek's Nationalist Party or Kuomintang (KMT), as spawning many of Taiwan's current progressive movements.²⁶ Along with LGBTQ rights, Taiwan has strong activism on women's equality, environmental awareness, and political freedom.

The progressive movements helped jump-start LGBTQ awareness, and the efforts of numerous Taiwanese activists have since led to a democratic society that is very accepting of the LGBTQ community today. In 2013, a media poll found that 53 per cent of Taiwanese people supported same-sex marriage; only two years later, a government poll found that number had risen to 71 per cent.²⁷

The LGBTQ community is gaining headway in popular culture and media. Along with the increase of LGBTQ-focused movies, international brands are also visibly supportive in Taiwan, which shows the shift of ideology in the country. One example is McDonald's, which released an online advertisement depicting a young man coming out to his father, who in turn accepts his son's identity.²⁸

26. The Economist, 2016, Taiwan Debates Gay Marriage: <https://www.economist.com/news/asia/21711096-it-would-be-first-country-asia-legalise-it-taiwan-debates-gay-marriage>

27. Darren Wee, Gaystar News, 2015, Poll: 71% of Taiwan Supports Marriage Equality: <https://www.gaystarnews.com/article/poll-71-of-taiwan-supports-marriage-equality>

28. McDonald's Taiwan, 2016, McDonald's Taiwan McCafé Gay Coming Out Commercial — Acceptance: <https://www.youtube.com/watch?v=oqLFpbFiuIY>

In 2015, Taiwan hosted the ILGA Asia Regional Conference to coincide with that year's pride festivities. In 2016, Taiwan hosted the biggest Pride parade (to date) in Asia, with over 80,000 people attending.

Along with this, Taiwan hosts an annual International Queer Film Festival, and has started annual media awards to recognize positive LGBTQ representation. Taiwan is also a founding member of the Asia Pacific Queer Film Festival Alliance, a loose collective of regional queer festivals that aims to support and promote films and filmmakers from across the region and push for greater international visibility for Asia-Pacific queer cinema.

While there has been significant progress in Taiwan, there is, like anywhere else in the world, still a long way to go for true equality. This progress has been in part due to two sad and unjust deaths that sparked the protests for increased LGBTQ equality. There was the still unsolved death of Yeh Yung-chih, a high school student in 2000, who was bullied for being effeminate, and the suicide of a prominent LGBTQ community member, Professor Jacques Picoux, in 2016.

Fig. 4. Taiwan LGBTQ Rights Timeline



LEGAL RIGHTS AND PROTECTION

While same-sex sexual activity has been legal since 1912, there was still no legal protection for LGBTQ people until recently. Today, Taiwan has an established LGBTQ anti-discrimination protection system and is the most progressive in Asia. Since 2007, Taiwan also has provided legal protection against employment discrimination based on sexual orientation.²⁹ Currently there are a number of cities in Taiwan that allow same-sex couples to register marriage certificates. In May 2017, Taiwan became the first in Asia to move toward legalizing same-sex marriage, with the Supreme Court ruling that laws preventing same-sex marriage were unconstitutional. With the ruling, the government must draft legislation that recognizes same-sex marriage before May 2019. With this legislation, it is expected that same-sex couples will be afforded the same rights as heterosexual couples in areas of inheritance, adoption, parenting, and rights for family members during medical emergencies.³⁰ Taiwan has also showed leadership in making plans to ban conversion therapy within 2017.

RELIGIOUS AND SOCIETAL DISCRIMINATION

Taiwan has one of the most religiously diverse populations in the world. According to the Pew Research Center, 44.2 per cent of Taiwan's population follow folk religion, 21.3 per cent identify as Buddhists, 16.2 per cent identify as "other," 12.7 per cent are unaffiliated, and 5.5 per cent identify as Christian.³¹

In the lead-up to the Supreme Court Case on marriage equality there was large backlash, which the media often described as being of a conservative Christian origin: "though only 5 per cent of Taiwanese identify as Christians, well-funded and well-organized church groups have commandeered the conversation, primarily by playing on parental fear."³² There have also been media reports on the influence of American and other western Christian organizations on the anti-LGBTQ activists and the marriage equality debate in Taiwan, through sponsoring preacher training and inviting American preachers to give talks in Taiwan.³³

Brian Hioe, a journalist in Taipei who reported extensively on the fight for marriage equality, said he was wary of the tendency to link the Taiwan anti-LGBTQ groups to western ones, stating that those connections may not move much beyond discourse.³⁴ Jay Lin, director of the Taiwan International Queer Film Festival, an annual LGBTQ film festival held each autumn in Taipei City, described the anti-LGBTQ opposition as having three parts:

29. ILGA, 2016, State-Sponsored Homophobia: http://ilga.org/downloads/02_ILGA_State_Sponsored_Homophobia_2016_ENG_WEB_150516.pdf

30. Ralph Jennings, Forbes, 2017, Taiwan Judges Approve Same-Sex Marriage in Asia's First Landmark LGBT Ruling: <https://www.forbes.com/sites/ralphjennings/2017/05/23/15-taiwan-judges-will-decide-fate-of-asias-flagship-same-sex-marriage-law/#647cc9d53752>

31. Pew Research Center, 2014, Religious Diversity Index: <http://assets.pewresearch.org/wp-content/uploads/sites/11/2014/04/Religious-Diversity-appendix-1.pdf>

32. Emily Rauhala, The Washington Post, 2017, A Backlash against Same-Sex Marriage Tests Taiwan's Reputation for Gay Rights: https://www.washingtonpost.com/world/asia_pacific/a-backlash-against-same-sex-marriage-tests-taiwans-reputation-for-gay-rights/2017/04/19/f855c8b8-2004-11e7-bcd6-6d1286bc177d_story.html?utm_term=.c11f31baebfe

33. J. Michael Cole, Taiwan Sentinel, 2017, U.S. Hate Group Mass Resistance behind Anti-LGBT Activities in Taiwan: <https://sentinel.tw/us-hate-group-anti-lgbt>

34. Brian Hioe, February 2017, Personal Interview.

1) the conservative Christian coalition; 2) parents and educators who are influenced by anti-LGBTQ information that LGBTQ education and increased sex education will harm their children; and 3) conservative Asian groups who are interested in maintaining “traditional Asian values.”³⁵

Taiwan has an aboriginal population of over half a million people or 2.3 per cent of Taiwan’s population. Of those, 70 per cent identify as Christian.³⁶ While there is little information on aboriginal LGBTQ people in Taiwan, LGBTQ acceptance exists within Taiwan’s diverse aboriginal communities. Like the rest of the population, there is a generational divide between aboriginal youth and elders. Aboriginal youth are more open and accepting, but their parents are stricter adherents to Christian-based anti-LGBTQ beliefs. Aboriginal LGBTQ youth can face difficulty living in their communities and often leave rural communities for urban centres such as Taipei.³⁷ While LGBTQ support centres are visible in Taipei and Kaohsiung, activists discussed the difficulty of getting LGBTQ resource centres into rural areas. This is a common theme globally: urban areas are more progressive and accepting, often leading to migration of LGBTQ people to cities.³⁸

TRANSGENDER ISSUES

Abbygail Wu, president of the Intersex, Transgender and Transsexual People Care Association (ISTScare), the first group in Taiwan to advocate for transgender rights, believes the biggest issue for the transgender community is the legal requirements for gender change.³⁹ In 2008, an administrative order banned changing a person’s legal gender without prior evaluation by two psychiatrists and the removal of “gender-specific” organs through surgery. In 2013, the Ministry of Health and Welfare recommended to the Ministry of the Interior that transgender citizens face no medical requirements in order to have their genders legally recognized. While the government said it would come up with new requirements, as of 2017 those changes are still not in place.

According to Wu, the second biggest issues for the transgender community is job discrimination. In a short survey of Taiwan’s transgender community, ISTScare found that 26 per cent of those surveyed reported having no income, while a further 23 per cent reported an income below \$10,000 NTD per month — which marks the poverty line in Taipei.⁴⁰ In 2014, Wu was involved in a press conference with local legislators condemning companies for asking irrelevant questions on job applications, including questions about gender and sexual orientation. While discrimination based on gender and sexual orientation is illegal in Taiwan and companies have been fined for such practices, Wu says more still needs to be done to enforce the law.

35. Jay Lin, Taiwan International Queer Film Festival, February 2017, Personal Interview.

36. U.S. Department of State, 2007, Taiwan International Religious Freedom Report: <https://www.state.gov/j/drl/rls/irf/2007/90134.htm>

37. Information based on interviews with non-aboriginal interviewees who were familiar with Taiwan’s aboriginal communities through friend and family relations.

38. Luke Boso, The Williams Institute University of California, 2013.

39. Abbygail ET Wu, Intersex, Transgender and Transsexual People Care Association, February 2017, Personal Interview.

40. Wu, Abbygail ET. Intersex, Transgender and Transsexual People Care Association. 2017. Transgender Struggle in Taiwan.; The Borgen Project, 2017, Poverty in Taiwan: <https://borgenproject.org/poverty-in-taiwan>

A third issue is access to healthcare. On ISTScare’s survey, 55 per cent reported bullying related to their gender, and 70 per cent reported suicidal thoughts related to gender issues. Wu discussed that “the medical problem is very difficult for transgender people ... there are less than five doctors that are transgender friendly in Taiwan, so [transgender people] cannot get the medical resources [they need] in Taiwan, like psychological consulting or hormone treatment, or gender surgery.”

EDUCATION AND YOUTH

Education has played a major role in the LGBTQ rights movement in Taiwan. In response to the murder of Yeh Yung-chih in 2000, the government passed the Gender Equity Education Act in 2004. The purpose of the act is to “promote substantive gender equality, eliminate gender discrimination, uphold human dignity, and improve and establish education resources and environment of gender equality.”⁴¹ Sih-Cheng (Sean) Du and Chiwei Cheng, activists from the Taiwan Tongzhi Hotline Association, which is one of the oldest and largest LGBTQ organizations in Taiwan, credit the Gender Education Equity Act with changing attitudes on the island. “We believe that it’s the gender education that has made a difference to Taiwan [compared to] other Asian countries. Since we have had more than 12 years of gender education that really helped.” Citing surveys that show the growth in support for marriage equality, Du and Cheng point to the respondents under age 30, where support is over 80 per cent.⁴²

Some, however, are hesitant to give the Education Act too much credit for the change. Ta-wei Chi, an academic at the National Chengchi University in Taipei who teaches queer theory and disability studies, suggested that textbooks are not the only reason for the change, as students take textbooks seriously for exams but not to heart. He believed that having more open-minded parents and teachers is equally important to educating youth.⁴³

Regardless of the success of the Gender Education Equity Act in changing Taiwan’s societal support of LGBTQ rights, many activists remain focused on increasing education and awareness programming for students and the general public.

CANADA’S ACTIVITIES

CANADIAN GOVERNMENT’S SUPPORT

In the absence of formal diplomatic relations, Canada is represented in Taiwan by the Canadian Trade Office in Taipei (CTOT), which today delivers most of the same services as other Canadian missions abroad. There are significant people-to-people ties between Canada and Taiwan, with large diaspora communities living in both Canada and Taiwan. The CTOT office states that there are currently over 200,000 people of Taiwanese descent living in Canada and an estimated 50,000 to 60,000 Canadians living in Taiwan. This makes Taiwan home to one of the largest communities of Canadians abroad.⁴⁴

41. Taiwan Gender Equity Education Act, 2004:

<https://www.wcwonline.org/pdf/lawcompilation/TaiwanGenderEquityEducationAct.pdf>

42. Sih-Cheng (Sean) Du and Chiwei Cheng, Taiwan Tongzhi Hotline Association, February 2017, Personal Interview.

43. Ta-wei Chi, National Chengchi University in Taipei, February 2017, Personal Interview.

44. Government of Canada, Canada-Taiwan Relations:

http://www.canada.org.tw/taiwan/bilateral_relations_bilaterales/bilateral_relations.aspx?lang=eng

LGBTQ rights is one of the major priorities of the political division at the CTOT. When discussing priorities from Ottawa, the deputy director of the CTOT, Charmaine Stanley, who is currently in charge of supporting LGBTQ initiatives explained, “We get very broad global priorities from Ottawa ... and then within that, our office will decide based on discussions with local partners and our analysis, what our local priorities are ... LGBTQ rights are a big diversity priority for us [and] LGBTQ rights issue here is one of the major human rights issues.” When choosing issue areas to work on, Stanley explained when she arrived in Taiwan, she met with many of the local LGBTQ NGOs and devised a shortlist of LGBTQ-related issues that had been raised as important during those meetings, including marriage equality, transgender rights, LGBTQ senior citizens, and education.⁴⁵

The CTOT has supported a number of LGBTQ-related initiatives in Taiwan. One of the first initiatives was a roundtable discussion and workshop where the CTOT brought in a Canadian expert to share Canada’s experience. Academic initiatives included supporting academic workshops, as well as an annual forum on young queer scholarship. The CTOT has held two Canadian film screenings and discussions: *Jim Loves Jack*, which focuses on an elderly Canadian same-sex couple, and *Laurence Anyways*, a romantic drama about a transgender woman. The CTOT has actively participated in the past few Taipei Pride Parades. They also included LGBTQ rights as a prominent dimension of this year’s Canada 150 celebration, a major outdoor event organized by the Canadian Chamber of Commerce in Taiwan that attracted thousands of visitors. Most recently, Stanley spoke on a panel at a Marriage Equality Coalition event in Taipei, sharing Canada’s journey toward legalization.

Along with these initiatives and events, the head of mission and Stanley have both been interviewed and quoted in the local press talking about LGBTQ rights, and the CTOT regularly posts about LGBTQ rights on its Facebook page.

According to Stanley, the ultimate outcome for Canada’s activities is to improve protection for LGBTQ rights, which they work to accomplish by partnering with both the Taiwanese government and local civil society. She explained, “There is a lot of interest from local partners in how other jurisdictions have handled similar issues. The objective is for both sides to learn from one another’s experience and thus improve our respective efforts.”⁴⁶

Local responses to Canadian support have been positive. Chi-Fang Chin, director of law at the Awakening Foundation, a feminist organization that promotes policy and institutional reform and works to strengthen the participation of women in public affairs, and Tseng Yen Jung of Taiwan LGBT Family Rights Advocacy, an organization that works to increase the visibility and recognition of LGBTQ families by the government and general public in Taiwan, have used Canada as a reference for their work.⁴⁷ Miao Poya, a prominent activist in Taiwan who advocates for marriage equality and the abolition of capital punishment and was also a previous candidate with the Social Democratic Party, listed a number of benefits when working with the CTOT. One was that the office

45. Charmaine Stanley, Canadian Trade Office in Taipei, February 2017, Personal Interview

46. Ibid.

47. Chi-Fang Chin, Law at the Awakening Foundation and Tseng Yen Jung of Taiwan LGBT Family Rights Advocacy, February 2017, Personal Interview.



Taiwan has such a vibrant civil society. There are so many partners working on the whole range of LGBTQ rights issues, so you feel very good about working with them because they're so inspiring, they're working hard, they have creative ideas. And there are areas that need to be improved but there's a sense of progress and people working towards progress."

- Charmaine Stanley

representatives spoke Mandarin; she explained that when other country representatives spoke only English, while not a significant issue, it did pose a barrier. She also listed the CTOT's multiple events, information provided on Canada's experiences with LGBTQ parenthood and family rights, and Canada's funding of local LGBTQ organizations and events as beneficial.⁴⁸

When compared to other countries, Poya stated that Canada was the most helpful on LGBTQ issues. William Yang, a journalist who writes about social issues in Taiwan, echoed her sentiments when describing Canada's participation in the Taipei Pride Parade in 2016: "You guys were the largest contingent to the entire parade, which I think is great. I think compared to other offices, the Canadian office is the most active here in terms of showing support or holding related events. I don't even think the American Institute in Taiwan do much. They were at the parade, but they were on their own. The Australian office, they basically just tagged along on the Canadian office."⁴⁹

Prime Minister Trudeau was also frequently mentioned and applauded for his actions and statements in support of LGBTQ rights, such as his leading by example on gender equality and respect for differences and rights, and his participation in Canada's Pride parades.⁵⁰

NON-GOVERNMENTAL ENGAGEMENT WITH CANADA

Along with the support of Canada's trade office, civil society organizations in Taiwan also have connections with Canadian NGOs. For example, Du and Cheng of the Taiwan Tongzhi Hotline Association have both travelled to Canada and met many NGOs and LGBTQ organizations.

Cheng travelled to Canada in 2006 with the Taiwan Gender Equity Education Association. While in Canada he met with more than 20 organizations in Toronto and Vancouver who worked on LGBTQ issues, gender equality, human rights, and aboriginal rights. One of his most memorable visits was to LGBTQ-focused

48. Miao Poya, Social Democratic Party, February 2017, Personal Interview.

49. William Yang, Ketagalan Media, February 2017, Personal Interview.

50. Based on personal interviews, February 2017.

First Nations groups in Vancouver, where he learned about two-spirited people and First Nations' understanding of LGBTQ identity. These meetings inspired Cheng to have the Tongzhi Hotline Association increase its work to support the aboriginal communities in Taiwan, and Tongzhi recently started an aboriginal gathering.⁵¹

In 2014, Du went to Toronto for WorldPride and the conjoining human rights conference. While in Toronto he met with various local NGOs, such as the Asian Community AIDS Services (ACAS) and PFLAG Toronto. Du highlighted seeing the attention to accessibility for LGBTQ seniors and those with disabilities at Pride as something he wants Taiwan to strive for. He discussed meeting with Sherbourne Health Centre workers who ran support programs for youth and a meeting with ACAS, where Du received resources about recreational drug use and HIV-AIDS. The following year, Tongzhi Hotline invited an ACAS staff member to speak at its office in Taipei, during his stay in Taiwan. Today, Tongzhi Hotline has a number of programs specifically working to support seniors, people with disabilities, and youth.⁵²

On a separate note, ACAS has also partnered with the Taiwan Lourdes Association, a Taiwan-based HIV-AIDS organization on the Photovoice Project, which empowered East Asian and Southeast Asian people with HIV-AIDS in Toronto, as well as people living with HIV-AIDS in Taiwan, to explore their experiences through photos.⁵³

FUNDING

Many organizations interviewed underlined that they had difficulties in securing funding, especially from international sources, and the ability to network and promote LGBTQ rights on a global stage. Du discussed Tongzhi Hotline's difficulties in securing funding:

Because the international status of Taiwan is very special, we hardly got support from international organizations before. We did not have enough opportunities to participate in international organizations like the UN or other international conferences, where you need to attend as a national representative. Due to the reasons as above, the visibility of Taiwan's situation was quite low and there was a lack of experience to cooperate with INGOs. Jennifer, my colleague, had a chance in 2014 to go to New York to give a speech for the UN during Human Rights Advocacy Week, which was hosted by OutRight Action International. However, due to the objection of the Chinese government, she was only able give her speech in the office of EU. Coming up, we attend a conference of Commission on the Status of Women in March almost every year but because of our status we can only join the parallel events for NGOs, instead of the official side events in the UN building. Because the UN rejects recognizing Taiwan's passport as formal identification. This obstacle causes Taiwan to be excluded from international society. And another issue, is that people think we are a developed country already, but actually we earn a lot less. Our salaries are quite low, so it's hard for us to afford visiting overseas.⁵⁴

51. Chiwei Cheng, Taiwan Tongzhi Hotline Association, February 2017, Personal Interview.

52. Sih-Cheng (Sean) Du, Taiwan Tongzhi Hotline Association, February 2017, Personal Interview.

53. ACAS, 2017, LOOK + Photovoice Project: <http://www.acas.org/photovoice-project/>

54. Sih-Cheng (Sean) Du, Taiwan Tongzhi Hotline Association, February 2017, Personal Interview.

WHAT ELSE CAN CANADA DO?

Lin discussed the benefit of working with international governments:

We released a video that we shot of the deputy head of the American Institute in Taiwan's Kaohsiung branch, who is openly gay. It received a lot of attention from the public and media because it's very rare in Taiwanese public [life], to have Taiwanese public officials come out so comfortably. So if there are certain politicians or certain elected officials ... from Canada who can do that, I think that would be very impactful, because I think there is a very sort of conservative traditional notion that gays can only be hairdressers or stylists or designers but not a diplomat or not a legislator. So I think that could have significant sort of impact.⁵⁵

Lin also discussed engaging more with Canadian companies: "I think mobilizing certain Canadian corporations, via maybe the Canadian Chamber of Commerce ... that a company can actually be in full support of LGBTQ rights for equal employment or equal protections of income. I think those are the sorts of practices that are so commonplace in Canada already. That could be very eye-opening in Taiwan."⁵⁶

Poya also discussed the benefit of working with foreign governments: "The help from foreign institutions, really does a lot of things. Because the [Taiwanese] government before 2016, did not work with, or were not very friendly with NGOs in Taiwan But foreign institutions are different: they can speak to the Minister of Justice, the Minister of Foreign Affairs in Taiwan. Their opinions are very important to us, because they can influence the government for us, the public servants." She elaborated on the importance of outside opinions on the Taiwanese government and the intersection of politics and trade: "The trade offices are more active and have more influence than NGOs, since our government is looking for ways to expand trade opportunities. As well, Taiwan society assumes that Western values are good. Especially the American Institute in Taiwan (AIT) or the EU, and of course Canada. Opinions from Western countries are good in public opinion here." When asked whether she thought that was a unique opinion in Asia, Poya responded her belief was that it stemmed from Taiwan's historical experiences.⁵⁷

Activists were also supportive of Canada's current efforts and simply wanted more of them. Yang discussed the CTOT's work so far, "I think inviting scholars to give speeches or hosting similar kinds of informative sessions for folks who are interested in getting involved or learning more about the issues is always helpful. That's actually what Charmaine is really good at, so perhaps continuing down the road that the office has already adopted, just diversify, expand, or scale up the events."⁵⁸

55. Jay Lin, Taiwan International Queer Film Festival, February 2017, Personal Interview.

56. Ibid.

57. Miao Poya, Social Democratic Party, February 2017, Personal Interview.

58. William Yang, Ketagalan Media, February 2017, Personal Interview.

Fig. 5 Opportunities & Challenges Analysis: Canada's Activities in Taiwan

OPPORTUNITIES

Canadian Federal Government

- Collaborate with non-governmental Asian Canadian LGBTQ organizations and civil society
- Prioritize high-level engagement and visibility from LGBTQ or pro-LGBTQ Canadian diplomats and political officials
- Use Canada's valuable and relatable experience with Taiwan, especially on issues such as First Nations' understanding of LGBTQ people, family legal rights, and educating youth
- Promote PM Trudeau's public stance on LGBTQ equality
- Build on local activists' view that Canada is an important partner in LGBTQ equality

Canadian Trade Office in Taipei

- Draw upon Canada's strengths such as education, First Nations' experiences, and in particular family rights and legal frameworks as Taiwan moves to recognize same-sex marriage
- Collaborate with the large Canadian Taiwanese diaspora community, such as non-governmental Asian Canadian LGBTQ organizations and civil society
- Support Taiwan in sharing their experience with other countries
- Capitalize on intersections with Canadian domestic priorities by increasing protection and specific support for the transgender community
- Incorporate LGBTQ rights into trade and business relations
- Maintain early engagement and networking with local LGBTQ activists
- Keep exercising consultative approach in crafting support that integrates local needs and priorities
- Leverage the CTOT's positive image of supporting LGBTQ activities and the ability of Canadian staff to speak Mandarin when engaging LGBTQ groups in Taiwan

CHALLENGES

Canadian Trade Office in Taipei

- Local activists putting Canada on a pedestal - limited understanding amongst Taiwanese civil society on the issues still facing Canadian LGBTQ communities
- No formalized policy that could ensure continuity for Canadian representatives support of LGBTQ-related activities
- Limited resources allocated to collaborate with Canadian NGOs currently supporting LGBTQ activities in Taiwan
- Although there is no consensus as to the influence of foreign anti-LGBTQ groups, including religious organizations, on the Taiwanese LGBTQ debate, it is important to be aware of this phenomenon and make sure to reduce the export of homophobia whenever possible

Local LGBTQ Communities & Activists

- Because of Taiwan's international status, activists have difficulty gaining access to international forums which limits their participation in the global LGBTQ movement
- Due to Taiwan's classification as high-income status, activist organizations struggle to secure international funding
- Activists are unable to self-fund international travel, as a result of Taiwan's lower wages compared to other high-income economies

Key Issues

LEGAL RIGHTS

- Repealing Section 377, the colonial era law that prohibits sodomy and same-sex sexual activity
- Creating a framework for anti-discrimination legislation

RELIGION & SOCIETY

- The intersectional nature of discrimination against women and LGBTQ people
- Addressing social attitudes on gender and sexuality, particularly as they relate to traditional notions of Buddhism

TRANSGENDER ISSUES

- Employment discrimination
- Reforming legal system that uses “darkness law” to target transgender people

EDUCATION & YOUTH

- Increasing understanding and awareness of LGBTQ rights and current issues within the broader community, including: political leaders, legal community, and business leaders
- Promoting education especially amongst Myanmar youth

Case Study 2: Myanmar

CURRENT SITUATION

Myanmar (formerly Burma) was under authoritarian rule for much of the past century. Colonized by the British in the 19th century, Myanmar became independent following World War Two, but fell under military dictatorship in 1962. During the time of the junta rule, human rights abuses were rampant, particularly against minorities. The country began the process of democratic reform in 2010. Following a landslide victory for the National League for Democracy led by Aung San Suu Kyi in late 2015, power was officially transferred to a civilian-led government in 2016. While the recent political reforms in Myanmar have opened the doors for human rights activists within the country, including groups working on LGBTQ rights, change has been slow, and LGBTQ communities still face widespread human rights abuse and discrimination.⁵⁹

LEGAL RIGHTS AND PROTECTION

A residual law from British colonization, Section 377 of the penal code, which legally sanctions punishment of homosexuality, is still in place. Section 377 is found across much of the Commonwealth, as it was imposed during British colonialism.⁶⁰ While the law has not been used in recent years, its existence provides a justification for police and the military to use other laws and actions to discriminate against and abuse LGBTQ people. Often this is carried out through the country’s “darkness law,” which allows police to arrest any person who “disguises themselves” in public after dark. In effect, the law allows police to abuse LGBTQ people and extort money from them with almost absolute impunity, in particular the transgender community. There is currently no legal avenue for gender change in Myanmar, and emasculation — the removal of the external male sex organs — is illegal.

Another effect of Section 377 is that the LGBTQ community feels itself to be outlawed, and this makes LGBTQ people less likely to go forward with cases or complaints.⁶¹ The leading LGBTQ organization in Myanmar is Colors Rainbow. One of their major initiatives is to document cases where the law has been used to harass, intimidate, or imprison LGBTQ people.

For many years, local women’s groups and international organizations have been working to draft a new law in Myanmar on the prevention of violence against women. With an anti-LGBTQ discrimination law still some way off, transgender activists in particular have tried to integrate legal protection under the violence against women legislation.

59. Equality Myanmar, 2015, *Facing 377 Discrimination and Human Rights Abuses against Transgender, Gay, and Bisexual Men*: <http://equalitymyanmar.org/book/archives/2219>

60. Human Rights Watch, 2008, *This Alien Legacy: The Origins of “Sodomy” Laws in British Colonialism*: <https://www.hrw.org/report/2008/12/17/alien-legacy/origins-sodomy-laws-british-colonialism>

61. Based on personal interviews, February 2017.

These efforts, however, have been resisted by both lawmakers and those within the women's rights movement. Because women's rights itself is a new discussion in Myanmar, some people feel that including LGBTQ rights within the legislation would cause rejection of the entire legislation.⁶²

RELIGIOUS AND SOCIETAL DISCRIMINATION

Intersectionality is the way that different structures of oppression, such as racism, sexism, and classism, connect and compound to discriminate against specific groups of people. One such example is the way in which discrimination against women and the LGBTQ community is interconnected. Myanmar social attitudes on gender and sexuality are conservative and patriarchal, with men usually holding higher distinction in society.⁶³ Douglas Sanders discusses that in a society where men are privileged, "to dress and act as a woman is particularly shocking and offensive ... for many there is a popular belief, invoking Buddhist notions of karma, that someone who is LGBTQ is paying the price for indiscretions in a prior life. A gay man may have committed adultery in a past life or been abusive to women."⁶⁴ Much of the public assumes LGBTQ people carry sexually transmitted diseases, particularly HIV-AIDS, and that they are sexually promiscuous. As Colors Rainbow notes, this "carries particular offence in Myanmar's conservative culture, where the open discussion of sex is still considered a taboo."⁶⁵ While religion indirectly encourages discriminatory attitude, Buddhism itself is not seen as a direct threat against LGBTQ rights, the way Christianity has been used to justify homophobia elsewhere, such as in South Korea. However, activists are cautious that pushing for LGBTQ rights may incite a backlash by conservative religious groups, similar to those experienced in other countries.⁶⁶

ECONOMIC DISCRIMINATION

Ingrained beliefs about social roles contribute to the discrimination against the LGBTQ community in the job market. A common belief is that gay men can only hold positions as makeup artists, entertainers, or natkadaw (spirit mediums), and not positions of power such as public administration or roles within the police or military.⁶⁷ Similar statements have been made about transgender women. Lesbians, tomboys,⁶⁸ and transgender men face additional discrimination because of being born female in a patriarchal society. Tomboys have reported difficulty gaining employment, and when they do, it is often in low-paying labour-intensive roles, where they are given the workload of a man but paid the lower wage of a woman.⁶⁹

61. Based on personal interviews, February 2017.

62. Billy Stewart, Myanmar Times, 2016, Protecting Transgender People in Myanmar: <http://www.mmmtimes.com/index.php/opinion/22041-protecting-transgender-people-in-myanmar.html>

63. Douglas Sanders. 2015. Myanmar These Gay Days.

64. Douglas Sanders. 2015. Myanmar These Gay Days.

65. Colors Rainbow, Equality Myanmar and USAID. 2016. From Victims to Agents of Change: Lives and Voices of LGBT Individuals.

66. Based on personal interviews, February 2017.

67. Ibid.

68. A common term in Asia for homosexual women who identify as women but dress and act in a masculine way.

69. Ibid.

EDUCATION AND YOUTH

Civil society groups, which tend to be confined to the major urban areas of the country, are working to address the systematic discrimination faced by the LGBTQ community. Activists are addressing issues on all levels, from grassroots to members of parliament. There is hope among civil society organizations that the new democratic and civilian government will help improve the human rights situation within the country. Activism and societal trends are moving faster than policy though. Members of parliament still have little understanding of LGBTQ issues and “throughout the initial conversations with the community leaders, government officials and legal professionals involved in this project, a significant proportion of participants toned down the severity of discrimination suffered by LGBTQ people, or outright denied that such discrimination exists.”⁷⁰ There is often a misunderstanding with legislators that activists are asking for special rights for the LGBTQ community, however much they stress they are only asking for basic human rights.

Looking forward though, as with much of the world, youth are increasingly accepting of LGBTQ rights and more interested in learning about them. Juan Miguel Sanchez Marin, the program manager for the United Nations Volunteer (UNV) Programme in Myanmar, which promotes the advancement of youth development and youth volunteerism, explained how under the UNV Strategic Framework 2014–2017 and the Myanmar & PROUD Initiative, they would provide awareness-raising activities with university students and youth advocates. Before visiting the universities or meeting the youth advocates, UNV would approach them to know what human rights issues they wanted to hear about, and were excited to see that LGBTQ rights were frequently requested. For other LGBTQ events in Myanmar, youth are typically the targets and participants of the events. With the country opening to the rest of the world, there is more and more exposure to pro-LGBTQ narratives and positive representations of the LGBTQ community, although there is still work to do in debunking myths and stereotypes.⁷¹

CANADA'S ACTIVITIES

CANADIAN GOVERNMENT'S SUPPORT

Canada has had diplomatic relations with Myanmar since 1958; however, relations suffered during the military regime, and Canada imposed some of the most stringent sanctions on the country in 2007 as a response to human rights abuses within the country. When the military regime ended, and the country began the transition to a democratic government, Canada started re-engaging and opened an embassy in Yangon in 2013.⁷²

Before the dissolving of the military government, LGBTQ activists often worked on issues from abroad, mainly in Thailand. When the country began democratizing, organizations moved into the country and further groups were founded as well. It was during this time that Canada founded the embassy in Yangon and began supporting LGBTQ organizations in the country.

70. Ibid.

71. Juan Miguel Sanchez Marin, United Nations Volunteer Programme, February 2017, Personal Interview.

72. Government of Canada, Canada–Myanmar Relations:

http://www.canadainternational.gc.ca/burma-birmanie/bilateral_relations_bilaterales/index.aspx?lang=eng

Canada's arrival was "late and light" to Myanmar; there were many other embassies established in Myanmar by the time the Canadian embassy opened, and due to less available funding than other countries, Canada needed to engage on issues where their support could be stretched further. At the time, the Canadian embassy saw supporting the LGBTQ community as an opportunity where support involved higher risk but there was a possibility of high reward in the long run.

The first initiative Canada supported was sponsoring two LGBTQ organizations to participate in the Association of Southeast Asian Nations (ASEAN) Civil Society Forum, when Myanmar was the chair of ASEAN in 2014. When then Foreign Minister John Baird visited the country the same year, he announced that LGBTQ initiatives would be one of the embassy's top priorities. Under Ambassador Mark McDowell, the Canadian embassy sponsored several of the inaugural events for the International Day against Homophobia, Transphobia, and Biphobia (IDAHOT) in 2014. These events included a showcase in a major capital park, featuring dancing, speeches, promotions for local organizations, and information on the LGBTQ community, HIV, same-sex marriage, and other issues. Along with this, the embassy sponsored a conference on Section 377, with a roundtable discussion with legal, political, and media experts on perspectives of LGBTQ rights in Myanmar. The ambassador made the opening remarks at this event, speaking on Canada's engagement with LGBTQ rights in Myanmar and around the world. The following two years, the embassy also sponsored the first two years of the &PROUD Film Festival in Yangon, in 2015 and 2016, and supported a human rights workshop addressing legal issues for the LGBTQ community.

Canada's support to the LGBTQ community in the early stages provided both protection and legitimacy to the movement, and the reaction to Canada's support was positive. The financial support was appreciated, but interviewees were clear in pointing out that Canada's support extended beyond that. Billy Stewart, director of the &PROUD Film Festival, an annual queer film festival in Yangon that also runs summer workshop series for Myanmar's LGBTQ community, discussed the support the embassy provided in designing the festival's programming, as well as the ambassador's appearances and speeches at events. "[Ambassador McDowell] turned out himself to support [the festival], and that's quite meaningful. I think it's good for the audience to see that there are ambassadors who are committed to this and see that this is part of the agenda on human rights in Myanmar."⁷³ Hla Myat Tun, program manager at Colors Rainbow, also praised the ambassador: "He was very supportive and open and he is always there at our events, ready to deliver a speech or whatever assistance we needed, he was there."⁷⁴ When interviewed, former Ambassador McDowell credited the support of Canadian academic Doug Sanders, who has written extensively about LGBTQ movements in Southeast Asia, for providing background on the movement in Myanmar and ideas on how Canada could get involved with LGBTQ rights in Myanmar.⁷⁵

Tun further expanded on the importance of visible political support from the Canadian government. When comparing Canada's support of LGBTQ activism to the support from the United States Agency for International Development

73. Billy Stewart, &PROUD Film Festival, February 2017, Personal Interview.

74. Hla Myat Tun, Colors Rainbow, February 2017, Personal Interview.

75. Mark McDowell, March 2017, Personal Interview.

(USAID) and the European Union (EU), he acknowledged the Canadian embassy did not have the size to engage on the same level. He provided a suggestion, however, on another way Canada could engage: “What I’ve been telling different embassies, it is better if you can bring some MPs, or Parliamentarians or Ministers, who are LGBTQ allies, or LGBTQ persons, from their countries. Bring them here, and have them talk to our MPs.” As LGBTQ issues are not frequently publicly or officially discussed, these behind-the-scenes discussions are important to shaping local lawmakers’ understanding of the issues. Tun explained that when the United States brought the Special Envoy for the Human Rights of LGBT Persons to Myanmar. “By the end of his trip in Nay Pyi Taw, he ended up talking about LGBTQ and SOGI, and 377, with a bunch of MPs. They were really [receptive] of his initiative and we are now following up with those MPs who started by meeting him; they are still being involved and learning and we are still educating and reaching out and talking.”⁷⁶

In 2016, a new ambassador was appointed to Myanmar, and it remains unclear what priority LGBTQ rights will have as a result of the change. Canada did not sponsor the &PROUD festival in 2017; however, it appears they did sponsor an event for IDAHOT. When speaking to the Canadian embassy, the representative was unable to confirm whether the embassy would continue to provide support for LGBTQ initiatives and was unable to provide a full update on any current support for LGBTQ initiatives.

FUNDING

All funding for Myanmar’s LGBTQ projects was allocated through the Post Initiative Fund (PIF). It is important to note that none of the funding for LGBTQ initiatives came from development funding, as embassy staff at the time saw Canada’s development funding as too inflexible to respond to urgent or time-sensitive priorities. PIF allocations for LGBTQ initiatives in Myanmar were about C\$2,000 each. One organization, Equality Myanmar, graduated to the next funding level, the “Canada Fund” and also received funding for a non-LGBTQ-related project through the Canadian Office of Religious Freedom in 2016.

From 2013 to 2014, Canada’s initial funding stages, the Canadian embassy was one of the most important funders of LGBTQ initiatives in Myanmar and was the go-to embassy for flexible small funding for events and initiatives. Flexibility was highlighted multiple times as a benefit of Canadian funding. The support was not tied to certain budget lines or other impositions. Stewart, of &Proud, discussed that some embassies wanted their country’s films shown at the festival as a condition for funding. This was an issue as one of &PROUD’s principles is to showcase mainly Asian films, and supporters are often Western countries.⁷⁷

One of the biggest issues raised by almost all of the organizations interviewed was the project-based nature of the funding. Tin Ko Ko, Coordinator of Kings N Queens, an organization promoting LGBTQ rights in Myanmar, discussed the difficulty of short-term funding: “Because [with] short-term project [funding], organizations

76. Hla Myat Tun, *Colors Rainbow*, February 2017, *Personal Interview*.

77. Billy Stewart, *&PROUD Film Festival*, February 2017, *Personal Interview*.

cannot upgrade their staff and other needs such as human resources. That is why they cannot do more office stuff or for local people. If they had long-term projects, two to four years, it would be the best, for the community and also for the organization and the staff and the LGBTQ people in here.”⁷⁸ Stewart also discussed that most of &PROUD’s funding came in the form of annual grants, and therefore the organization (which is volunteer based) needs to spend time and resources reapplying for funding each year. This year though, they were able to sign their first multi-year funding agreement with the Embassy of the Netherlands, which will allow the organization a bit more stability and the ability to spread the funding out across several festivals.⁷⁹

WHAT ELSE CAN CANADA DO?

When asked how Canada could improve its support within Myanmar, there were a number of valuable suggestions. Tun spoke of an issue some organizations have had with multiple embassies. The diplomatic corps is supportive and understanding of the issues facing the LGBTQ community and has been able to have meaningful and direct communication on the issue; however, some local LGBTQ organizations do not have English-speaking staff, and therefore their lines of communication are through local Myanmar staff at the embassies. These staff were often less knowledgeable on the issues and also sometimes held their own biases toward the LGBTQ community. While these staff members were still supportive of LGBTQ organizations to the extent that it was their job, some LGBTQ community members felt that prejudices reduced engagement and made collaborating with the embassies more difficult. Tun suggested sensitivity training or workshops on LGBTQ issues for local embassy staff could improve communication and collaboration on projects.⁸⁰

Another concern raised was that LGBTQ rights are diluted among other pressing issues in the country, including the refugee crisis, ongoing civil war, education, and women’s rights. While realizing that these issues are also of great importance, LGBTQ activists were frustrated that LGBTQ issues were often deemed a lower priority, or subject to the changing political aims of their funders. “Why should we have to wait?” was a sentiment stated a number of times. It is imperative that support be consistent in order for LGBTQ groups to put up a coordinated and sustained effort. When donors change priorities and support for new goals, it can be detrimental for these organizations.

A final comment from the former Ambassador McDowell was that Global Affairs Canada needs to have more trust in its embassy staff to seek out support opportunities and the flexibility to implement funding support and programming to help local initiatives.⁸¹

78. Tin Ko Ko, Coordinator of Kings N Queens, March 2017, Personal Interview.

79. Billy Stewart, &PROUD Film Festival, February 2017, Personal Interview.

80. Hla Myat Tun, Colors Rainbow, February 2017, Personal Interview.

81. Mark McDowell, March 2017, Personal Interview.

Fig. 6 Opportunities & Challenges Analysis: Canada's Activities in Myanmar

OPPORTUNITIES

Canadian Federal Government

- Collaborate with non-governmental Asian Canadian LGBTQ organizations and civil society
- Prioritize high-level engagement and visibility from LGBTQ or pro-LGBTQ Canadian diplomats and political officials
- Use the PIF funding model more, as it is appreciated by activists and embassy staff for its flexibility
- Promote PM Trudeau's public stance on LGBTQ equality

Canadian Embassy in Myanmar

- Draw upon Canada's strengths such as education and legal protection
- Capitalize on intersection with Canadian domestic priority of increasing youth engagement
- Mainstream LGBTQ support into initiatives under Canada's Feminist International Assistance policy, particularly focusing on lesbians and transgender women
- Increase peer-to-peer education between Canadian and Myanmar officials and business leaders
- Leverage positive image among local stakeholders due to early engagement and support of the movement by the embassy staff, which provided protection and legitimacy for local activists
- Maintain ambassador's high-level, visible support
- Use technical assistance for programming to address local needs and priorities as in the past
- Continue using connections with Canadians working on LGBTQ issues in region for providing foundational knowledge

CHALLENGES

Canadian Embassy in Myanmar

- With all the ongoing issues facing Myanmar, LGBTQ rights is always at risk of being diluted among other human rights issues
- No formalized policy that could ensure continuity for Canadian representatives support of LGBTQ-related activities and knowledge transfer or training on LGBTQ issues
- Canadian diplomatic staff have limited proficiency in Myanmar's official language
- Lack of training on LGBTQ rights and issues for local embassy staff leading to communication and coordination issues with local activists

Local LGBTQ Communities & Activists

- With all the ongoing issues facing Myanmar, LGBTQ rights is always at risk of being diluted amongst other human rights issues
- Difficulty incorporating LGBTQ rights within other human rights initiatives (e.g., women's rights movements)
- Possible future pushback by conservative religious communities
- Inconsistent funding and support leads to inability of civil society groups to plan their activities long term and maintain momentum

Key Issues

LEGAL RIGHTS

- Creating anti-discrimination legislation
- Promotion of equal legal rights, including same-sex marriage

RELIGION & SOCIETY

- Anti-LGBTQ sentiments within religious and conservative groups
- Conversion therapy frequently supported by religious groups

TRANSGENDER ISSUES

- Employment discrimination
- Removing restrictive requirements for legal gender changes

EDUCATION & YOUTH

- Education of LGBTQ issues for youth
- Increasing and improving mental health awareness and support

MILITARY

- Criminalization of homosexuality in the military
- Entrapment of gay men who are serving in the military
- Unofficial requirement of genital surgery for transgender candidates to be excused from service

Case Study 3: South Korea

CURRENT SITUATION

Unlike many other countries in the Asia-Pacific region, South Korea (hereafter referred to as Korea) has no history of laws criminalizing same-sex activity in their penal code. Homosexuality is not criminal under the Constitution or the Civil Penal Code; however, Korea still has conservative views toward the LGBTQ community. There is currently little legal anti-discrimination protection in place, and in a country with mandatory conscription for men, gay men are barred from serving in the military.

In 2013, a minority (41 per cent) of South Koreans (hereafter referred to as Koreans) believed homosexuality should be accepted by society. However, when factoring for age, 71 per cent of Koreans between 18 and 29 believed homosexuality should be accepted, compared to 48 per cent of 30- to 49-year-olds, and just 16 per cent of those 50 or older. However, Korea is one of the fastest-changing countries in the world, with a 21-percentage point increase of people agreeing homosexuality should be accepted in 2013, versus 2007.⁸² In 2015, 27 per cent of Koreans supported same-sex couples legally marrying, and a further 26 per cent supported some form of legal recognition without marriage, for a total of 53 per cent supporting same-sex unions.⁸³

While polls show that acceptance and understanding is improving, public awareness of sexual and gender minorities has been low until recently, and recent events show the significant opposition the community faces. Even President Moon Jae-in, a former human rights lawyer, stated he disapproved of homosexuality in his 2017 presidential campaign. The local LGBTQ movement only started in earnest in the early 1990s, but the number of organizations and networks has been growing, and today there are a number of organizations who are working on a wide range of LGBTQ issues within the country.

LEGAL RIGHTS AND PROTECTION

There is currently little protection against discrimination based on sexual orientation or gender identity in Korea. The only national protection is through the National Human Rights Commission of Korea (NHRCK), which addresses discriminatory actions violating the right to equality, including those based on sexual orientation. The commission has the ability to investigate such acts and mediate or recommend relief measures, rectification, or disciplinary actions, or report to the authorities when discriminatory acts are found to have occurred.⁸⁴

82. Pew Research Center, 2013, *The Global Divide on Homosexuality*:

<http://www.pewglobal.org/2013/06/04/the-global-divide-on-homosexuality>

83. BuzzFeed and Ipsos, 2015, *How Many People Support Same-Sex Marriage in 23 Countries around the World*: https://www.buzzfeed.com/lesterfeder/nine-facts-we-learned-about-same-sex-marriage-support-poll?utm_term=.bjlVQX8mZK#.wpl4Jb1YPA

84. The Korean Society of Law and Policy on Sexual Orientation and Gender Identity (SOGI LAW). 2015. *Human Rights Situation of LGBTI in South Korea*.

The NHRCK has released statements recommending human rights education of military personnel regarding the rights of sexual minorities, and has conducted training of primary and secondary school teachers on human rights, including sexual minority rights.⁸⁵ In recent years though, there has been a strong movement by the conservative Protestant and anti-LGBTQ groups to remove “sexual orientation” from the prohibited grounds for discrimination in the National Human Rights Commission Act.

In 2013, a gay couple held the first symbolic same-sex wedding. In 2015, the same couple filed a lawsuit, petitioning for legal recognition of their same-sex union under Korean civil law. However, the court rejected their petition in 2016 stating, “The constitution and civil law are premised on the notion of a conjugal bond meaning a union involving different sexes.”⁸⁶

RELIGIOUS AND SOCIETAL DISCRIMINATION

Religious groups in South Korea, specifically the Christian community, are the leading anti-LGBTQ force within the country.⁸⁷ In a country once predominantly Buddhist and Confucian, Christians now account for 29 per cent of the population, Buddhists 23 per cent, and those without religious affiliation 46 per cent.⁸⁸ According to the Korean Society of Law and Policy on Sexual Orientation and Gender Identity, conservative Protestants lead the charge in trying to remove “sexual orientation” from the list of types of discrimination provided in the NHRCK Act. Conservative Christian groups also form a powerful lobby, influencing businesses that may try to support pro-LGBTQ policies and media that may positively portray LGBTQ characters.⁸⁹ Conservative churches also routinely recommend conversion therapy in response to homosexual congregants.

In 2015, after the Pride parade had run annually for 15 years, Christian anti-LGBTQ protestors almost succeeded in stopping it, by protesting and flooding police with permit applications to hold rallies the same day.⁹⁰ Initially Seoul police banned the Pride parade; however, a court overturned the ban and the event went forward.

Another issue is the opposition to LGBTQ activism from women’s rights movements. Yongmin “Osori” Kim, of the Solidarity for LGBT Human Rights of Korea, a comprehensive LGBTQ human rights and counselling group, spoke about how when the city congress in Daejeon tried to implement a sexual rights equality regulation, it was faced with fierce opposition from the Ministry of Women and Family.⁹¹ Robert Hamilton, a PhD candidate at Seoul National University who

85. National Human Rights Commission of Korea: <https://www.humanrights.go.kr/search/eng/index.jsp>

86. Dan Avery, NewNowNext, 2016, South Korean Courts Rejects Same-Sex Marriage: <http://www.newnownext.com/south-korea-rejects-same-sex-marriage/05/2016>

87. NPR, 2017, For South Korea’s LGBT Community, an Uphill Battle for Rights: <http://www.npr.org/sections/parallels/2017/07/25/538464851/for-south-koreas-lgbt-community-an-uphill-battle-for-rights>

88. Pew Research Center, 2014, 6 Facts about South Korea’s Growing Christian Population: <http://www.pewresearch.org/fact-tank/2014/08/12/6-facts-about-christianity-in-south-korea>

89. Evan Ross Katz, NewNowNext, 2015, Samsung, Google Play Censor Gay Dating Apps in South Korea: <http://www.newnownext.com/samsung-google-play-censor-gay-dating-apps-in-south-korea/07/2015/>

90. WGBH News, 2015, A Showdown Looms at South Korea’s Gay Pride Parade: <http://news.wgbh.org/post/showdown-looms-south-koreas-gay-pride-parade>

91. Yongmin “Osori” Kim, Solidarity for LGBTQ Human Rights of Korea, February 2017, Personal Interview.

focuses on LGBTQ issues in Korea, echoed the statement, discussing how the women’s movement and the LGBTQ movement in South Korea often worked against each other, similar to the issue other activists brought up in Myanmar.⁹² In 2017, an activist demanded sexual minority issues be addressed at a legislative forum for gender equality. The forum’s response was, “Later. Not now for you—wait!”⁹³

TRANSGENDER ISSUES

Being transgender in Korea is especially difficult. Kim explained Korea has strict regulations due to its resident registration numbers. The government gives a thirteen-digit number to all residents in Korea that signifies their date of birth, gender, and place of birth. “So there are many situations [for example] where the person looks like [they are] male but their registration number is female. So those unmatched numbers make it difficult to get a job. And [in order to change gender,] surgery is required, but the cost is significant.”⁹⁴

In 2007, it became legal in Korea for transgender people to legally change their genders; however, there are still numerous prohibitive restrictions. The first restriction is a requirement to obtain a written report of opinions and findings from the surgeon who performed the gender reassignment surgery, confirming the applicant received gender reassignment surgery and currently exhibits a physical appearance similar to the genitals of the sex opposite their sex at birth. Along with this, the person must be sterile, and if they have a child, they cannot change their gender until their child has reached the age of majority. This requirement has been reduced from the previous law, under which legal gender recognition was not permitted if the person had children, regardless of the child’s age. Another restriction is the requirement of written consent from an applicant’s parents.⁹⁵

In 2013, a landmark lower court case ruled that five female to male transgender people could change their legal gender status without undergoing genital surgery, and in 2016, a second landmark case determined the same ruling on a male to female gender change.⁹⁶ While the changes are only specific in those cases, one lawyer who worked on the cases, Minhee Ryu of Korean Lawyers for Public Interest and Human Rights — an organization that defends human rights cases in Korea, commented that it is a landmark step in case law, and they will work to expand the jurisdiction.⁹⁷

EDUCATION AND YOUTH

Issues of youth, family and education are central to the LGBTQ movement in Korea. Many spoke of the challenges facing LGBTQ youth. Ryu spoke of the increase of hate speech on the Internet and the other negatives outcomes of the current state of affairs in the country:

92. Robert Hamilton, Seoul National University, February 2017, Personal Interview.

93. Dan Avery, NewNowNext, 2017, For LGBT Activists In Korea, the Message Is “Not Now, Later”:
<http://www.newnownext.com/homosexuality-lgbt-korea/03/2017>

94. Yongmin “Osori” Kim, Solidarity for LGBTQ Human Rights of Korea, February 2017, Personal Interview.

95. Ibid.

96. The Hankyoreh, 2013, Landmark Legal Ruling for South Korean Transgenders:
http://english.hani.co.kr/arti/english_edition/e_national/578323.html

97. Minhee Ryu, Korean Lawyers for Public Interest and Human Rights, February 2017, Personal Interview.

I'm worried about LGBTQ youth in Korea. When I was young, a teenager, 30 years ago, there was no good information, but there was also no bad information on the Internet. These days they hear a lot of hate speech online. A lot of bad information. When they look at the news they see that our presidential candidate said we cannot pass an anti-discrimination law, it's still holy, and I oppose those kinds of messages. And I think that will affect mental health of LGBTQ youth in South Korea. I think we [adults] can take this kind of impact, but it's LGBTQ youth I'm really worried about. We only have one shelter for LGBTQ youth. [The] crisis center for LGBTQ youth. DDing Dong. That's the only one. And that one is in Seoul.⁹⁸

Ryu has reason to be concerned about mental health among Korean LGBTQ youth. On a broader scale within the country, suicide is a major issue for society. The suicide rate for Korea is one of the highest in the world, with the Organization for Economic Co-operation and Development (OECD) showing an average of 29.1 people per 100,000 committing suicide, which is 2.5 times the OECD average. For Korean LGBTQ youth in particular, the rate is even higher. In a recent survey of 200 LGBTQ students aged 13 to 18, one in five had attempted suicide.⁹⁹

There are some positive steps though. In Seoul, a grassroots students' rights movement was able to have sexual orientation and gender identity included in the Seoul Student's Rights Ordinance, which is now one of the few LGBTQ-inclusive human rights ordinances in Korea.

MILITARY

Military service is mandatory for all men in Korea. Enlistees are required to take a psychology test, which asks several questions about sexual preferences. For transgender people to be granted exemption from military service, the requirement of genital surgery is standard in order for the military to recognize their gender identity. Even though it is “an arbitrary standard that does not even exist in the rules for draft physical examination” and there is a general consensus among healthcare professionals “that genital surgeries should not be requested when recognizing one's gender identity.”¹⁰⁰

Under the Military Criminal Act, Article 92 (Disgraceful Conduct) states, “a person who commits anal sex or other disgraceful conduct on a person falling under any provision of Article 1(1) through (3) [i.e., soldiers or other paramilitary personnel] shall be punished by imprisonment with prison labor for not more than two years.” This code is in effect regardless of whether there is mutual consent and whether the activity takes place on military grounds or elsewhere. The punishment was raised from one year of prison labour to two years in 2010. The Constitutional Court of Korea ruled both in 2002 and in 2011 that the article was constitutional.

98. Ibid.

99. Women's News, 2015, One Fifth of LGBT Youth Attempt Suicide in Korea. <http://www.womennews.co.kr/news/88373#.VkUzYtWrTnD> (Link in Korean)

100. Ibid.

In early 2017, the military was accused of a “witch-hunt” for gay soldiers, setting up fake profiles on dating applications to find them. According to news sources at the time, at least 32 men faced criminal charges and one army captain was sentenced to six months in prison, although the term was suspended.¹⁰¹

CANADA'S ACTIVITIES

CANADIAN GOVERNMENT'S SUPPORT

Canada–Korea relations stretch back to 1888, with official diplomatic engagement beginning in 1963.¹⁰² Korea is now Canada’s seventh-largest trading partner globally and third-largest partner in Asia. In addition, Canada and South Korea have strong people-to-people ties with over 170,000 Canadians of Korean origin and more than 23,000 Canadians living in South Korea.

The Canadian Embassy only recently began engaging with the LGBTQ community in Seoul, starting with their participation in the Korea Queer Culture Festival (KQCF) in 2015 and 2016.¹⁰³ In 2015, a Canadian documentary, *In the Turn* (2014), was one of 35 films played during the KQCF. The Embassy of Canada to Korea funded the addition of Korean subtitles and also delivered remarks during the closing ceremonies. The embassy also supported the Pride parade during the KQCF, setting up an exhibition booth promoting Canada’s leadership on human rights, alongside other embassies such as the United States and the European Union. The embassy also hosted an LGBTQ book talk in 2016, which featured two prominent LGBTQ figures from Toronto.

In 2017, the embassy again participated in the Korea Queer Culture Festival, hosting a booth which embassy staff, including the ambassador attended. As well, the embassy partnered with the Korean Sexual-Minority Culture and Rights Center to host Canadian writer, activist, and soccer player Keph Senett for a discussion on homophobia and sport. The embassy is also on social media and uses those platforms to help raise awareness of events the embassy is involved in, such as the KQCF.

Interviewee feedback was positive but more limited than in other cases, as Korean interviewees had less interaction with the Canadian Embassy than activists in other cases had with their Canadian partners. Kim spoke about his visit to the Canadian Embassy for the Canadian LGBTQ book talk. While there, he had a chance to talk to representatives at the embassy. He reported that in his conversation with embassy officials, they stated they wanted to support and engage with the Korean LGBTQ movement, but were unsure of how to do so.¹⁰⁴

Chaeyoon Hahn, executive director of the Beyond the Rainbow Foundation, an organization that fundraises and distributes grants to support LGBTQ research and activism in Korea, echoed Kim’s points that the embassy was in the starting stages

101. Choe Sang-Hun, *The New York Times*, 2017, South Korean Military Sentences Captain for Sex with Other Servicemen: <https://www.nytimes.com/2017/05/24/world/asia/south-korea-gay-soldier-military-court.html>

102. Government of Canada, Canada–Korea Relations: http://www.canadainternational.gc.ca/korea-coree/bilateral_relations_bilaterales/index.aspx?lang=eng

103. Government of Canada, *Eyes Abroad*, 2015, Canada Waves the Rainbow Flag in Korea: http://www.canadainternational.gc.ca/korea-coree/eyes_abroad-coupdoeil/Korea_Queer_Culture_Festival.aspx?lang=eng

104. Yongmin “Osori” Kim, *Solidarity for LGBTQ Human Rights of Korea*, February 2017, Personal Interview.



Pride Houses are based on the concept of traditional Olympic and Paralympic hospitality houses and are a dedicated host for LGBTQ athletes, volunteers, and visitors attending major sporting events. First organized for the Vancouver 2010 Winter Olympic Games, the second North American Pride House was held in Toronto for the Pan American Games in 2015. During the Pan American Games, smaller Pride Houses were also held across Ontario to expand the visibility of LGBT issues in sport. Future Pride Houses are set to open during the 2018 Winter Olympic Games in Pyeongchang, Korea, and the 2020 Summer Olympic Games in Tokyo, Japan."

of its involvement, and that Korean LGBTQ organizations were also still in the starting stages of learning to collaborate with international support. She described the Canadian involvement at Pride: "Many embassies US, UK, EU, Canada, Sweden participated in our Seoul pride event; they came out to the opening ceremony and they gave a speech. That was a really great moment for us, because Korean people care about this kind of international attention. So that kind of affirming message was really great for our advocacy." She also discussed how she had used a Canadian education brochure. The topic was "how the teachers in school educated and guide LGBTQ students and also how the teachers in the school can educate students on LGBTQ issues. [The Canadian] educational branch had officially translated this document into different languages and one was Korean." She further supported the benefit of this tool by asking, "Does Canada have an intent to broadcast these documents to other nations? It was actually really helpful. I used those sources to reflect how Koreans can educate LGBTQ issues in Korean circumstances."¹⁰⁵

NON-GOVERNMENTAL ENGAGEMENT WITH CANADA

Along with government engagement through the Canadian Embassy in Korea, LGBTQ organizations also have other types of collaboration with Canada. One example is Candy Yun's experience with Pride House. Yun works with the Korean Sexual-Minority Culture and Rights Center, Korea's first inclusive LGBTQ organization, which supports a number of activities including cultural events, research, education, policy advocacy, and counselling. Yun first visited Toronto in 2014 for the WorldPride Human Rights Conference, where she gave a presentation on Korea's LGBTQ circumstances. This was her first international experience seeing activism in other countries. In 2015, Yun revisited Toronto for the Pan American Games to observe the Toronto Pride House and attend a sports inclusion summit. Pride House wanted to further expand internationally, so they discussed holding a Pride House during the Pyeongchang Olympics. Since then, Yun has been working with Canadian Pride House members to coordinate the Pride House activities for the upcoming Korean Olympics.¹⁰⁶ In summer 2017 (after the author interviewed Yun), the Korean Sexual-Minority Culture and Rights Center partnered with the Canadian Embassy in Korea to host Canadian writer and activist Keph Senett for a discussion on homophobia in sport.

105. Chaeyoon Hahn, Beyond the Rainbow Foundation, February 2017, Personal Interview.

106. Candy Yun, Korean Sexual-Minority Culture and Rights Center, February 2017, Personal Interview.

Another example of non-government related collaboration is with Reverend Borah Lim's Sumdol Presbyterian Church. The church is one of the few LGBTQ-affirming churches in Korea. Reverend Lim is a part of the Global LGBT Coalition Partners, a coalition founded in 2015 between Christian groups and churches working together for the human rights of sexual minorities. Partners in the coalition are from Asia — including Korea, Indonesia, and Hong Kong — Europe, Africa, the United States, and Canada, as well as the international Metropolitan Community Churches. They meet and exchange reports regularly through conference calls.

The United Church of Canada has had a partnership with Reverend Lim's church for a number of years. Between both churches, there is an ongoing exchange of students, clergy, and ideas. In the fall of 2015, River Bend Presbytery, an affirming ministry in Saskatoon, sent a delegation to Korea where they met with the Sumdol congregation.¹⁰⁷ Reverend Lim also visited Toronto in May 2017, where she was hosted by the United Church of Canada, to have discussions with other churches that are pro-LGBTQ. Regarding her international networks, Lim stated, "These programs provide opportunities to inform other countries who are working on programs to include LGBTQ communities. It is a learning opportunity as well as an opportunity to discuss the best way to proceed on this issue."¹⁰⁸

Recently, Reverend Lim was investigated by the General Assembly of the Presbyterian Church in Korea for heresy, due to her advocacy for sexual minorities and for her efforts in helping to publish a Korean translation of *The Queer Bible Commentary*.¹⁰⁹ The United Church of Canada has sent Reverend Lim messages of solidarity and continues to stand as an ally to her and to the Sumdol Congregation.¹¹⁰

FUNDING

LGBTQ activities are considered each year when the embassy conducts its annual planning cycle, and currently includes the annually held KQCF. The embassy stated that other opportunities tend to arise on an ad-hoc basis, and as they are difficult to plan further in advance, they are decided on a case-by-case basis (e.g., the visit of prominent LGBTQ figures from Canada, or events organized by local organizations).

Civil society groups in Korea also discussed their funding difficulties. Ryu listed the typical funders of LGBTQ activities in Korea: "Usually we have Swedish government, Dutch, Danish, Norway, Finnish and USA. Those are the usual governments. I don't know, but I have never seen the Canadian government before ... maybe in the future more." She also stated she was worried about future funding, with the change in the US government possibly leading to funding cuts. She also discussed how the HIV-AIDS epidemic was slowing in Asia, which meant funding that often went to toward LGBTQ groups could be indirectly reduced.¹¹¹ Ryu, as well as Hahn from the Rainbow Foundation, both brought up the issue of funding Korean activists to travel to international events:

107. *Affirm United, Witnessing Courage: Our Korean Partner, Sumdol Hyanglin Church*, 2016: <http://affirmunited.ause.ca/witnessing-courage-our-korean-partner-sumdol-hyanglin-church/>

108. Reverend Borah Lim, Sumdol Presbyterian Church, February 2017, Personal Interview.

109. *The Queer Bible Commentary brings together the work of several scholars and pastors known for their interest in the areas of gender, sexuality and Biblical studies.*

111. Reverend Borah Lim, Sumdol Presbyterian Church, September 2017, Email Communication.

112. *Ibid.*

[In] Korea, we are always considered one of the developed countries, so we are always kind of excluded in development funding. I mean, even for individuals, if we want to go to an international human rights conference, we are one of the last participants to get these kind of scholarships, because we come from this rich country. But in terms of LGBTQ rights, it's different. Yes, Korea has strong rule of law and a stable democracy compared to other Asian countries. But we are not that strong like our colleagues in the Western world. So there are these kind of disparities. In the past 10 years, we've lost several [legal] battles, so I can say we are still struggling on activism in Korea.¹¹²

Almost all discussed that increased financial support would be very helpful to their work. Although not in the context of Canadian funding, Kim explained that American funding was the most helpful because it was not restrictive, which made it easier for the organization to allocate to different programs as needed.¹¹³

WHAT ELSE CAN CANADA DO?

There were a number of concrete suggestions for how Canada could strengthen its support. Yun and Hahn discussed that it was difficult for civil society organizations to know what each individual country could offer when supporting LGBTQ issues, so they suggested the Canadian Embassy have a way of detailing how they would be best able to help.¹¹⁴ In line with that, Reverend Lim mentioned that the French Embassy holds lunch talks with the LGBTQ community to discuss the local situation and suggested that doing something similar could be a good way for the Canadian Embassy to learn more about local issues and discuss ways for collaboration.¹¹⁵

Hamilton said raising visibility and discourse on the issues was a positive way to help, as there was not much public discussion on LGBTQ issues. He raised the timing of the Olympics as a useful device for Canada to increase visibility for LGBTQ rights.

¹¹⁶ Yun, who is organizing the Pride House, mentioned that it would be great if Canada could invite LGBTQ lecturers to speak at Pride House Pyeongchang or coordinate on a similar event — in the summer of 2017, Yun's organization did collaborate with the Canadian Embassy on an LGBTQ and sport-related event.¹¹⁷

Finally, the importance of visible political support was again raised. Hahn discussed how Korean presidential candidates and politicians in general are mostly silent on LGBTQ issues. "So when Canadian political figures come to Korea, or show a kind of symbol of how politicians can address those LGBTQ messages, and how [supportive] politicians should be; those kind of models can be really helpful for Korea. The messages should be that politicians should move first to change how the atmosphere of society can see the LGBTQ issues, not just society changes and the politicians follow."¹¹⁸

113. Yongmin "Osori" Kim, Solidarity for LGBTQ Human Rights of Korea, February 2017, Personal Interview.

114. Chaeyoon Hahn, Beyond the Rainbow Foundation; Candy Yun, Korean Sexual-Minority Culture and Rights Center, February 2017, Personal Interview.

115. Reverend Borah Lim, Sumdol Presbyterian Church, February 2017, Personal Interview.

116. Robert Hamilton, Seoul National University, February 2017, Personal Interview.

117. Candy Yun, Korean Sexual-Minority Culture and Rights Center, February 2017, Personal Interview.

Note: The collaboration event was organized and held after the interviews were conducted.

118. Chaeyoon Hahn, Beyond the Rainbow Foundation, February 2017, Personal Interview.

Fig. 7 Opportunities & Challenges Analysis: Canada's Activities in South Korea

OPPORTUNITIES

Canadian Federal Government

- Collaborate with non-governmental Asian Canadian LGBTQ organizations and civil society
- Prioritize high-level engagement and visibility from LGBTQ or pro-LGBTQ Canadian diplomats and political officials
- Use Canada's valuable and relatable experience with Korea, especially on issues such as anti-discrimination legislation, family legal rights, and educating youth
- Promote PM Trudeau's public stance on LGBTQ equality

Canadian Embassy in South Korea

- Draw upon Canada's strengths such as education, legal rights, in particular anti-discrimination protection and family rights
- Foster more collaborations with Canadian organizations, such as non-governmental Asian-Canadian LGBTQ organizations and civil society, that are also engaged in Korean LGBTQ activism
- Capitalize on rapidly changing nature of Korean attitudes toward LGBTQ communities
- Leverage embassy's initial networking with LGBTQ organization to increase its involvement

CHALLENGES

Canadian Embassy in South Korea

- Pushback from conservative and religious communities, with possible connections back to Western religious groups
- No formalized policy that could ensure continuity for Canadian representatives support of LGBTQ-related activities and knowledge transfer or training on LGBTQ issues
- Limited resources allocated to collaborate with Canadian NGOs currently supporting LGBTQ activities in Korea

Local LGBTQ Communities & Activists

- Due to Korea's classification as high-income status, activist organizations struggle to secure international funding
- Difficulty incorporating LGBTQ rights within other human rights initiatives (e.g., women's rights movements)

04.

Recommendations Moving Forward

Canadian actions on supporting LGBTQ rights abroad are being positively received. Canada is working hard on LGBTQ issues, but feedback provided shows there are still ways to improve. The following recommendations highlight Canada's current strengths, ways Canada can engage specifically with Asia, and other areas for improvement.

1. Provide more training on LGBTQ issues for Canadian missions in Asia

- 1.1** Global Affairs Canada should provide education and materials on best practices for LGBTQ support. When Canadian officials were knowledgeable on LGBTQ issues, they were more easily able to network with the local civil society community and find avenues for collaboration.
- 1.2** Global Affairs Canada should outline and provide resources highlighting Canada's strengths and capacity for collaboration with local LGBTQ organizations and other stakeholders.
- 1.3** Canadian missions abroad should, in particular, ensure local staff are trained on LGBTQ rights. It is important that all staff have a strong understanding of LGBTQ issues and Canada's values and strengths.
- 1.4** Canadian missions abroad should create formalized policy on LGBTQ engagement and structure for handover of the LGBTQ file to ensure continuity between representatives holding the LGBTQ file.
- 1.5** There are multiple examples internationally that Canada could base these resource and training materials on. For instance, Norway provides its embassies with a guide, "Promoting the Human Rights of LGBT (Lesbian, Gay, Bisexual and Transgender) People: Guidelines for Systematizing and Strengthening Embassy Efforts."

2. Improve cross-sectoral outreach and cooperation within Global Affairs Canada and Canadian missions abroad

- 2.1** Global Affairs Canada should make opportunities available for Canadian officials in Canada and abroad to host or attend networking events, such as conferences and workshops, including transnational networking within the region. Networking is key for any relationship building and collaboration between the Canadian government and LGBTQ organizations.
- 2.2** Global Affairs Canada and Canadian missions abroad should collaborate with and support LGBTQ civil society organizations already working on issues between Canada and Asia, and increase opportunities for people

from Canadian LGBTQ civil society to share their experiences. There are many opportunities for collaboration through sports organizations, churches, universities and colleges, Pride organizations, queer film festivals, and civil society. Within civil society, family rights legislation and education were two frequently raised experiences activists wished to learn about.

- 2.3 Global Affairs Canada and Canadian missions abroad should integrate LGBTQ support across the various ways Canada engages with Asia. For example, with trade and business ties currently one of the major focuses of the relationship, there are many opportunities to incorporate LGBTQ solidarity and support into the private sector. For example: Canadian companies incorporating LGBTQ inclusivity and diversity into their offices in Asia.
- 2.4 Canadian missions abroad should engage with transnational Asia initiatives such as the Asia Pacific Queer Film Festival Alliance and the ASEAN Civil Society Conference.
- 2.5 In order to ensure civil society organizations are aware of Canada's strengths and how Canadian missions are best able to support their efforts, Global Affairs Canada should follow the example of the United States, where the Council for Global Equality published a handbook, *Accessing US Embassies: A Guide for LGBT Human Rights Defenders*.
- 2.6 All government sections must make sure they are in no way supporting the international movement of religiously based homophobia, and Canadian missions abroad should work with LGBTQ-affirming religious communities to counter these homophobic narratives.

3. Continue sustained vocal public support of LGBTQ issues by high-level Canadian officials

- 3.1 High-level officials, such as ambassadors, ministers and even the prime minister, should maintain vocal support for LGBTQ rights. Canada should continue this visibility and increase it wherever possible.
- 3.2 Representatives must be careful to remain supportive of LGBTQ movements in a way specific to local social context. Support should not overtly critical of local governments or presented in a way that could be interpreted as imposing a Westernized point of view, in order to prevent backlash, for example as was seen in Uganda.
- 3.3 Global Affairs Canada should encourage Canadian ministers, ambassadors and business leaders to engage on peer-to-peer education and discussion with their counterparts in Asia.

4. Mainstream LGBTQ Initiatives into Canada’s new Feminist International Assistance Policy

- 4.1 In order to place Canada at the global forefront of feminist foreign policies, Global Affairs Canada should continue to expand Canada’s Feminist International Assistance Policy within its missions’ initiatives.
- 4.2 Global Affairs Canada’s Feminist International Assistance Policy states Canada will work to empower those who face discrimination on the basis of sexual orientation and gender identity. This is a good start, and addressing LGBTQ issues should be mainstreamed across all initiatives stemming from this policy.
- 4.3 Global Affairs Canada and Canadian missions abroad should recognize the multiple and diverse forms of discrimination facing many members of the LGBTQ community and apply an intersectional approach to Canada’s support of LGBTQ initiatives (i.e., also addressing discrimination based on ethnicity, indigeneity, class, location, disability, occupation, etc.).
- 4.4 Canadian missions abroad should encourage collaboration between human rights–focused groups in Asia, particularly women’s rights movements and LGBTQ movements, by raising awareness on the intersectionalities of discrimination and oppression facing those groups.
- 4.5 Global Affairs Canada should adjust rhetoric and focus from “women and girls” to a more inclusive approach accounting for the diversity of gender identities, including transgender people.
- 4.6 Global Affairs Canada and Canadian missions abroad should specifically address the increased targeting of transgender people and particularly support transgender civil society organizations and communities in Asia.
- 4.7 Global Affairs Canada should increase the spectrum of issues where Canada can share its experiences, and also look to learn from initiatives in Asia. Many government priorities and current issues facing LGBTQ communities in Canada are valuable and relatable experiences to Asian LGBTQ communities, including: transgender discrimination, indigenous identities, youth engagement, gender equality, and mental health awareness and support.

5. Solidify consistency of funding over the long term and expand support beyond the Post Initiative Fund (PIF)

- 5.1 Canadian missions abroad should maintain consistent support by making LGBTQ rights a staple priority in embassy budgeting and give early notice to organizations of their continued support.
- 5.2 Canadian missions abroad should continue funding small-scale LGBTQ initiatives through the PIF, as its flexibility is a major strength.

- 5.3 Global Affairs Canada and Canadian missions abroad should diversify from only spending PIF funds on LGBTQ-related initiatives to also using the Canada Fund and international assistance funding levels. Longer-term program funding, as well as core funding, will allow groups stability and the capacity to sustainability develop and expand their efforts. This can also be done through the Feminist International Assistance Plan, as LGBTQ priorities align strongly.
- 5.4 Canadian missions should also consider funding outside of Global Affairs Canada. Collaborations with other ministries and government departments dealing with sports, health, tourism, heritage, and indigenous affairs could support innovative new partnerships between Canada and LGBTQ communities abroad.
- 5.5 Global Affairs Canada and Canadian missions abroad should recognize that even though the Asia region is home to many high-income economies, the LGBTQ funding infrastructure is often still relatively less supported financially. Therefore, even in high-income economies, it is important for LGBTQ organizations to be considered for Canadian financial support.

CONCLUSION

LGBTQ movements are gaining strength and prominence across Asia. With the current global political situation, there is desire and an opening for Canada to become a partner for change within the region. The Canadian government has already taken steps on this front; however, as this report indicates, there are many other avenues that can be taken to strengthen Canada's actions. With strong partnerships, sustained focus, and awareness, there is significant opportunity for Canada to become a global leader on LGBTQ rights.

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APPENDIX A

GLOSSARY OF TERMS AND ACRONYMS

ASEAN — The Association of Southeast Asian Nations, a regional intergovernmental organization made up of 10 member states: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam.

gender identity — Each person’s internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person’s gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from a person’s sexual orientation.¹¹⁹

IDAHOT — International Day against Homophobia, Transphobia and Biphobia; created in 2004 to draw the attention of policymakers, opinion leaders, social movements, the public, and the media to the violence and discrimination experienced by LGBTQ people internationally.

INGO — International non-governmental organization: organizations that are similar to non-governmental organization but are international in scope.

LGBTQ — Lesbian, gay, bisexual, transgender and queer. This report uses the term LGBTQ recognizing the limitations of using such a term. There are numerous local terms across Asia that represent the diversity of gender identity and sexual orientation in the region. However, for the Canadian context of this report, LGBTQ is a widely recognized term and its use aims to be as inclusive as possible.

sexual orientation — Who a person is attracted to and who they feel drawn to romantically, emotionally, and sexually. It is different from gender identity.

SOGI — Sexual orientation and gender identity.

tomboy/tomboy — A common term in Asia for homosexual women who identify as women but dress and act in a masculine way.

transgender — An umbrella term referring to people with diverse gender identities and expressions that differ from stereotypical gender norms. It includes but is not limited to people who identify as transgender, trans women (male-to-female), trans men (female-to-male), transsexuals, cross-dressers, gender non-conforming, gender variant, or gender queer.¹²⁰

Yogyakarta principles — A set of principles on the application of international human rights law in relation to sexual orientation and gender identity.

119. Ontario Human Rights Commission, *Gender Identity And Gender Expression*: <http://www.ohrc.on.ca/en/gender-identity-and-gender-expression-brochure>

120. Ontario Human Rights Commission, *Gender Identity And Gender Expression*: <http://www.ohrc.on.ca/en/gender-identity-and-gender-expression-brochure>

APPENDIX B

METHODOLOGY

This research focuses on three case studies of countries where Canada has been active in supporting LGBTQ groups: Myanmar, South Korea, and Taiwan.

Research was conducted in four stages:

1. Literature review of academic and stakeholder sources
2. Meeting with relevant organizations and stakeholders working on the subject in Canada
3. Field research conducted in case study places (Myanmar, Taiwan, South Korea)
4. Analysis and synthesis of information gathered

The literature review ensured there was a comprehensive understanding of the topic and identified similar work that has been done on this area. The field research for this report allowed a stronger understanding of the local situations for LGBTQ communities in Asia, and it also provided the opportunity to hear feedback from organizations who had previously worked with Canadian embassies and missions. Approximately 35 interviews took place with a broad group of stakeholders in the region, including: staff at Canadian embassies and trade offices; local political and legal LGBTQ rights organizations; film festival and pride event organizers; journalists; academics; INGO officials; religious leaders; and local government offices that have worked with the Canadian government or other foreign governments. Most interviewees were identified through the Canadian embassies and missions based on previous engagement; a much smaller number were identified through snowballing recommendations from initial interviews. The interviews were conducted one-on-one, in a semi-structured style. Similar questions were asked of each organization to allow comparison; however, all interviews were open to allow additional questions based on answers. Interviews in Taiwan were conducted in English. Interviews in Myanmar were conducted in English, except in one case, in Burmese with the support of a translator. Interviews in South Korea were conducted in Korean with the help of a translator.

As this topic is highly sensitive and deals with vulnerable populations, it was of the utmost importance to consider the welfare and protection of participants. In light of this, formal interviews were only conducted with those who are directly and openly engaged in LGBTQ issues, such as staff of LGBTQ support organizations. Any discussion with people in local LGBTQ communities who are not working for such organizations was only used as an informal way for the researcher to gain a better understanding of the issues within that country.

APPENDIX C

SAMPLE INTERVIEW QUESTIONS FOR CIVIL SOCIETY ORGANIZATIONS

1. To start, could you tell me how you got started with LGBTQ work in _____ and your organization?
2. Could you give me an overview of the current situation of LGBTQ issues in _____?
3. What issue areas does your organization work on?
4. How does your organization work in the community?
5. Have you partnered with foreign governments or foreign/international civil society organizations?
6. Can you tell me more about those activities and partnerships?
7. Have you partnered before with the Canadian government, and/or Canadian civil society organizations?
8. Can you tell me more about those activities and partnerships?
9. How do you think Canada compares to _____ in supporting your activities?
10. What role (if any) do you think Canada should have in LGBTQ issues in _____?
11. Where do you see LGBTQ issues and movements going in the future?
12. Is there anything else you would like to add?
And do you have any questions for me?



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Embassy of Canada to Myanmar
Embassy of Canada to Korea
Canadian Trade Office in Taipei

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