

Lesbian Human Rights Summary

By Coalition of Activist Lesbians Australia (COAL), June 2004

Achievements

The Coalition of Active Lesbians-Australia is the first and only lesbian organisation in the world to gain United Nations accreditation. Lesbian attendance and participation in the Beijing +10 meetings have illustrated that lesbians are beginning to speak out with more confidence about lesbian rights and issues.

Obstacles, Gaps and Challenges

Lesbians continue to face discrimination from our Commonwealth Government eg. on 13th August 2004 the *Marriage Act* was amended by federal parliament, further entrenching the common law ban on lesbians marrying. This refusal to acknowledge lesbian relationships, by allowing the state to sanction marriage, denies lesbians the rights granted to heterosexual marriages and accompanying aspects such as adoption of children and superannuation. The statements by politicians and parliamentarians which say that lesbians are a threat to the family and sanctity of heterosexual marriage further entrench negative myths in the community about lesbians.

Lesbians continue to face violence and harassment from members of the community as evidenced by the report from the NSW Attorney Generals Department 2003 *You Shouldn't Have to Hide to be Safe*. This report shows that lesbians continue to be vilified through verbal abuse, physical attacks and refusal of service and that most avenues of complaint are unhelpful.

There is no specific State or Commonwealth funded services for lesbians despite evidence that lesbian lives are increasingly compromised by current legislation and community attitudes. The National Women's Health Policy includes lesbians as a special target group with poor health outcomes however the Commonwealth Government funds no specific lesbian health workers or programs.

The Office for the Status of Women does not consult with lesbians or lesbian organizations despite lesbians comprising approx. 10% of the population.

The Platform for Action from the Fourth World Conference on Woman barely touches on lesbian human rights, with only a small inclusion under referring to lesbians. The structure of the 12 critical areas allows for lesbian human rights to slip through these issues, never being named despite lesbians being oppressed on a daily basis.

Many lesbians suffer from diseases of discrimination. The impact of the fear, hostility and loathing directed towards lesbians is under estimated. The Commonwealth Government's own data from the Australian Women's Longitudinal Health study shows that lesbians suffer stressrelated illnesses at rates three times that of heterosexual women. Eg mental health, addiction, suicide, depression.

Fear of harassment and discrimination of many lesbians lead them to hide or keep secret their lesbian lives and partners. Lack of support by governments is a compounding factor. Lesbians need further support of other individual women, women's organisations and the state to dismantle institutionalised discrimination against lesbians.

Every state and territory government in Australia has acknowledged lesbian discrimination through our inclusion in equal opportunity / anti-discrimination legislation. Some local governments have tried to address this discrimination by having a register of same sex relationships. However neither

of these attempts have addressed the institutionalised discrimination and oppression of lesbians by our Commonwealth Government. Most equal opportunity / anti-discrimination statutes provide an exemption for religious organisations with regard to service provision and employment leaving lesbians open to further discrimination and spiritual abuse. For instance it is legal for a religious leader to speak openly and hostilely about lesbians thereby inciting hatred and further acts of discrimination, eg. “all lesbians will burn in hell eternally”.

The Commonwealth Government has dismantled the system of consultation that existed at the time of the Fourth World Conference on Women. The Round Table Consultations no longer occur and consultation is by invitation of a few conservative women’s organisations, which are un-supportive of lesbians. Whereas previously COAL was included in official consultations, now the Coalition Government has refused to include lesbian organisations.

The Coalition Government has also ceased funding the Coalition of Australian Participating Organisations for Women (CAPOW), the only organisation established to coordinate the voices of Australian women and women’s NGOs, thereby silencing many women’s organisations but particularly lesbians.

The Australian Government has not signed the Optional Protocol to the Convention for the Elimination all forms of Discrimination against Women (CEDAW) which means no Australian lesbian can complain directly to the Human Rights Committee of the United Nations about discrimination.

Actions, Initiatives and Recommendations

The Australian federal Government should create a bill of rights for all Australian citizens which would include full human rights for all lesbians and homosexual men, under the rubric of sexual orientation.

The Australian federal government should include lesbians in *the Sex Discrimination Act 1984* to address discriminator and harassment against lesbian women.

Australian Government should sign the Optional Protocol to CEDAW and allow fair complaints mechanism for all Australian women including lesbians.

The Australian Federal Government should fund COAL, Australia’s national lesbian organisation, to enable them to employ researchers and policy advocates to improve the situation for lesbians in Australia.

The Australian Human Rights and Equal Opportunity Commission (HREOC) needs to be educating the public about human rights, social change and legal change concerning sexual orientation in Australia. It is imperative that anti-homophobia campaigns and education in schools begin as soon as possible to address the horrific reports of daily abuse and violence directed at lesbians in school by their fellow students.

Funding should be available for a women’s coordinating Non-Government Organisation such as CAPOW to consult with women’s NGOs, particularly those representing marginalised groups such as lesbian women.

Commonwealth Government should reinstitute National Women’s Round Table Meetings which include representation of lesbian organisations.

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