



K A L E I D O S C O P E

## **LGBTIA YOUTH CHARTER**

### **Preamble**

**We as Lesbian, Gay, Bisexual, Transgender (and Transsexual), Intersex , Asexual(LGBTIA) youth of South Africa along with our Champions** are guided by the Constitution of South Africa regarding human dignity, the achievement of equality and the advancement of human rights and freedoms.

**We as the LGBTIA youth** of the Republic of South Africa (RSA), envisage a nation which upholds the spirit and meaning of the Constitution in all sectors of society.

**We promote** a nation which is a global benchmark for civil and political rights pertaining to the LGBTIA community.

**We as the LGBTIA youth** are united in the movement towards upholding human rights in the Republic of South Africa, Africa and the world.

**Taking into account** the human rights violations against the LGBTIA community, we demand a zero-tolerance policy against such violations.

**We recall** the injustices of our past as well as the humiliation and degradation suffered by LGBTIA people, and acknowledge the legal and societal advances that have been made since the emergence of our democracy. However, the struggle for recognition and acceptance persists, taking into account particularly discrimination against transgender and intersex members of the LGBTIA community.

### **Article 1: Obligations of the State**

- a) We call on the State to respect, protect and promote the fundamental human rights of the youth in a proactive and vigorous manner.
- b) We call on the State to recognise the specific needs of the LGBTIA community.

#### **Implementation:**

- c) The state must, in accordance with the rule of law, undertake the necessary steps to actualise the rights of the LGBTIA youth.

d) We cooperation dialogue between the state and LGBTIA organisations in realising the rights of LGBTIA youth.

## **Article 2: Non-discrimination**

a) In accordance with Section 9 of the Constitution of South Africa, everyone is equal before the law and has the right to equal protection and benefit of the law.

b) We commit ourselves to creating a united and diverse community, upholding the principles of mutual respect and understanding.

c) We condemn all forms of discrimination, violence, ignorance, and insensitivity in the LGBTIA community.

d) We condemn all forms of discrimination, particularly on the basis of sex, gender identity and sexual orientation in all organs of the state and between natural and juristic persons.

e) We condemn hate crimes and hate speech, particularly that which is LGBTIA related.

### **Implementation:**

f) We commit to challenge and combat all forms of discrimination on the basis of sex, gender identity and sexual orientation.

g) We call upon all parties to adopt a zero-tolerance policy and approach to discrimination on the basis of sex, gender identity and sexual orientation in all organs of the state and between natural and juristic persons.

## **Article 3: Education & Support**

a) We acknowledge a significant need to cultivate a supportive environment for LGBTIA youth, to explore and express their sexual and gender identities.

### **Implementation:**

b) We call on all educational institutions and youth support structures to include LGBTIA material in their policies and curricula and to promote an inclusive and accepting learning environment.

c) We encourage all primary, secondary and tertiary education institutions as well as youth support structures to adopt educator, parent, learner and peer support structures and programmes.

d) We call upon LGBTIA organisations to assist in sourcing, developing and providing LGBTIA material and resources to educational institutions and youth support structures.

#### **Article 4: Media**

a) We stress the importance of media that is accurate, fair and sensitive to issues of sex, gender identity and sexual orientation.

b) We emphasise the importance of a broader, balanced and inclusive portrayal of the LGBTIA community and express our strong disapproval of harmful stereotyping which undermines the integrity and dignity of the identity portrayed.

##### **Implementation**

c) We call for diverse, positive and accurate representation of LGBTIA people in the media that in no way aggravates harmful societal norms, whilst providing, where possible, educational information.

#### **Article 5: Association and Social Spaces**

a) We note the lack of diverse, easily identifiable and accessible social spaces for LGBTIA youth.

##### **Implementation**

b) We thus call upon all sufficiently resourced and empowered groups and individuals to facilitate the creation and maintenance of such social spaces as well as other opportunities for LGBTIA youth to associate.

c) We commit to working towards full integration and inclusion within the LGBTIA community across lines of race, sex, class, language, culture, religion and disability.

#### **Article 6: Protection**

a) We request a diverse, positive and accurate representation of LGBTIA people in the media that in no way aggravates harmful societal norms, whilst providing, where possible, educational information.

##### **Implementation**

b) We call on all families, communities and religious groups to ensure the protection and security of all LGBTIA youth and their champions against inhumane treatment.

c) We demand professional and public services which are non-discriminatory and which ensure equal access for LGBTIA people to healthcare, education, safety and security, and correctional services.

#### **Definitions:**

**Asexual:** describes someone who does not experience any sexual attraction for others. Unlike celibacy where a person chooses not to engage in sexual activity, the lack of sexual attraction is an intrinsic part of Asexual identity.

**Sex:** describes the distinguishing peculiarity between male and female based on the presence or absence of physiological indicators such as sexual and reproductive organs.

**Gender Identity:** refers to the perception that people have of themselves as being of the male or female gender or some combination of the two regardless of their biological sex. It is a person's inner conviction that they are the male gender (man) or female gender (womyn).

**Sexual Orientation:** describes the direction of an individual's sexuality, often in relation to their own sex or gender. Common terms for describing sexual orientation include bisexual (bi), heterosexual (straight) and homosexual (lesbian, gay).

**Sexual Identity:** describes how persons define their own sexuality. This may or may not relate to their actual sexual orientation.

**Bisexual:** refers to a person who relates affectionately or sexually with people of both sexes/genders. "Bi" is an abbreviated way to refer to bisexual people.

**Gay:** commonly refers to a homosexual man who is exclusively affectionately or sexually attracted to other men.

Gay sometimes also refers to the culture of homosexual womyn and men (as in "gay history"), to things perceived by others to be typical of gay people (as in "gay music"), or to same-sex more generally (as in "gay marriage").

**Hate Crime:** A crime motivated by hate, prejudice, or intolerance of a person's race, sex, religion, ethnicity, gender identity or sexual orientation.

**Homosexual:** an individual who is attracted sexually emotionally and affectionately to members of the same sex/gender.

**Homophobia:** the rejection and/or aversion to any expression of sexuality different to heteronormative standards. Homophobia is frequently manifested through all kinds of discriminatory actions, often violent, arising from hatred in relation to someone's sexual orientation.

**Heteronormativity:** an expression used to describe or identify a supposed social norm relating to standardised heterosexual behaviour, whereby this standard of behaviour is considered to be the only socially valid form of behaviour and anyone who does not follow this social and cultural posture is placed at a disadvantage in relation to the rest of society. This concept is the basis of discriminatory and prejudiced arguments against LGBTIA, principally those relating to the formation of families and public expression.

**Intersex:** The general term used to refer to a variety of conditions (genetic and/or somatic) a person who is born with, having reproductive and sexual anatomy not in keeping with the typical definitions of female or male.

**Lesbian:** commonly refers to a homosexual woman who is exclusively affectionately or sexually attracted to other women.

**Media:** The various forms of mass communication mediums (electronic, broadcast and print).

**Transgender:** the state of one's "gender identity" (self-identification as male, female, both or neither) not matching one's "assigned gender" (identification by others as male or female based on physical/genetic sex). Transgender does not imply any specific form of sexual orientation (transgender people may be straight, gay or bisexual).

**Transphobia:** the rejection and/or aversion to Transgender persons..

**Transsexual:** An individual who is strongly considering and desiring to, or is in the process of transition or has undergone treatment to change his or her assigned sex.

**Youth:** The agreed upon definition of youth is the period between childhood and maturity, which by International standards is 13 to 35 years of age.

**Homophobia:** means fear or hatred of, aversion to, or prejudice or discrimination against people who are homosexual. It is sometimes used to mean any sort of opposition to same-sex romance or sexual activity, though this opposition may more accurately be called anti-gay bias.

**Heterosexism:** (or heterocentrism or heterosexualism) is the assumption that everyone or a particular person is heterosexual. It can be distinguished from homophobia in that it doesn't necessarily imply hostility towards other sexual orientations, merely a failure to account for their existence.

**Social Spaces:** the combined use and perception of space by distinct social groups. This includes and is not limited to physical and cyber spaces.