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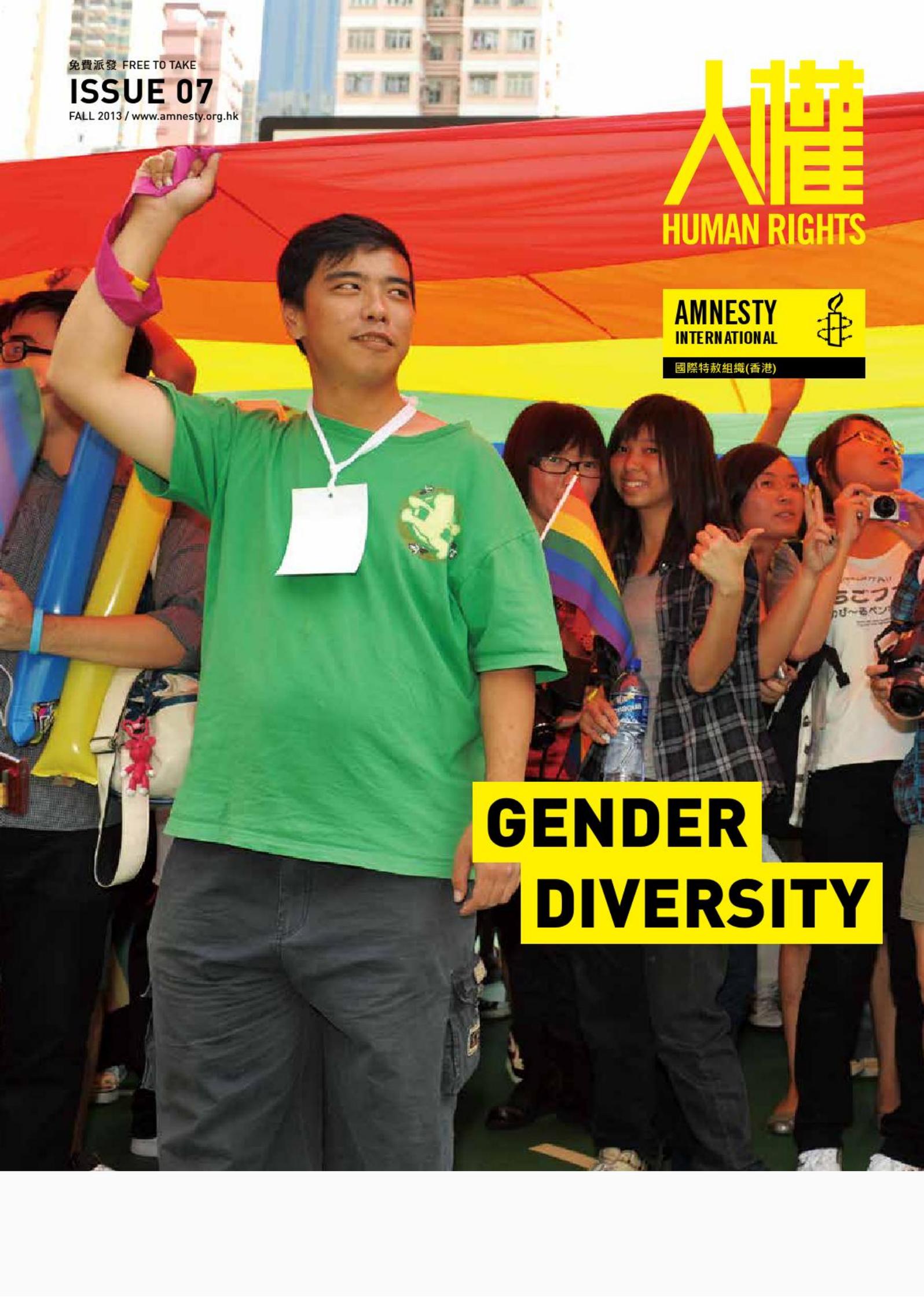
人權
HUMAN RIGHTS

AMNESTY
INTERNATIONAL



國際特赦組織(香港)

GENDER
DIVERSITY



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EDITORIAL

Mabel Au (Editor-in-Chief)
 Michael Mo (Executive Editor)
 Connie Chan (Editor)
 Jenny Ngai (Editor)
 Angie Tse (Editor)
 NC Kwong (Editor)

COLLATION

Johnson Chu
 Huge Farmer

EDITORIAL ENQUIRIES

+852-2300-1250 / editorial@amnesty.org.hk

DESIGN

Somely So
 Kit Chan

PHOTO CREDITS

09/15 The Court of Final Appeal Simon Shek shared under
 CC-BY-SA 3.0
 12/15 July 1 Demonstration Hincen Ng & Nichie Wong
 13/15 & 14/15 This Is Your Page - Anthony Wong Hincen Ng

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WORDS FROM EDITOR-IN-CHIEF

Hong Kong has been striving for the legislation of anti-discrimination law based on sexual orientation for more than a decade. The proposal calling for public consultation on such legislation made by Lawmaker Cyd Ho Sau-lan, however, was still turned down.

At the Oslo Conference on Human Rights, Sexual Orientation and Gender Identity held in April 2013, Ban Ki-moon, the UN Secretary-General, promised he would lead a global campaign for the rights of lesbian, gay, bisexual and transgender people, and advocated to all governments that 'culture, tradition or religion' could not be used as excuses to sidestep the legal duty to protect LGBT people.

The speech of Ban Ki-moon was so timely. Dr. York Chow Yat-Ngok, the newly-appointed chairperson of the Equal Opportunities Commission (EOC), also closed rank by declaring even if the Hong Kong government fails to launch the consultation; the EOC would take the initiative to do so. These efforts will heighten calls for legislation in our community.

Amnesty International has been playing a part in promoting anti-discrimination legislation based on sexual orientation. This issue of the Human Rights Magazine, therefore, is themed after this. Also, we have invited Anthony Wong, a popular singer who has been calling for the legislation after he came out in public last year, to share his views as an AI supporter. Hope you will join us with 'Ming Gor'!

Au Mei Po

FUNDRAISING PAGE

24-year old Noxolo Nogwaza was a human rights defender who campaigned for lesbian, gay, bisexual, transgender (LGBT) rights in South Africa. On 24 April 2011, she was raped and beaten before being violently stabbed to death, apparently because of her sexual orientation. Two years on, justice has yet to be done. Noxolo's murder remains unsolved.

Amnesty International believes that all persons, regardless of sexual orientation or gender identity, should be entitled to enjoy the full range of human rights, without exception. However, every day, across the globe, people of different sexual orientations or gender identities suffer abuses in the form of discrimination, violence, imprisonment, torture, or even execution. Amnesty International is determined to protect the basic dignity and rights of LGBT people. Please join us today to make our voice louder.



Make a donation now



ON FOCUS:**GENDER DIVERSITY – FROM GLOBAL TO LOCAL****The Gender Equality Policy of Amnesty International**

Amnesty International has been campaigning for gender equality for many years, particularly in countries which often punish women and sexual minorities in the name of defending their traditional culture. We have mobilized our members to defend individual victims or communities from suppression and discrimination. Amnesty International recognizes that inclusiveness and respect for diversity are critical to our legitimacy and effectiveness as an organization campaigning for all people to enjoy their rights without discrimination. The decisions made to address this recognition date back to 1985. Since then Amnesty International's policy is to strengthen concerns about inclusiveness and diversity in all research, advocacy, campaigns and its internal employment policy. Later on, the scope of these concerns expanded to include eliminating discrimination against

sexual minorities, people with a disability and other marginalized communities.

Recently, Amnesty International, based on past experience and the International Non-governmental Accountability Charter, has developed a new policy. This was endorsed by the International Council Meeting 2011 which is the highest decision making body of Amnesty International. The decision stated that all entities of the organization, including all Sections and Structures, International Secretariat and offices, should implement a Gender Action Plan and Diversity Road Map from 2011 in order to put into place the principle of inclusiveness and respect for diversity. The following are measures which focus on gender equality and sexual minority concerns in the policy.

1. Initiate Gender Mainstreaming (GM) at every level of Amnesty International. This means the organization should apply an analytical perspective based on current unfair treatment experiences concerning gender differences and sexual minorities when we develop policies. Furthermore the organization should develop checklists as an analytical tool for policy implementation.
2. Since the Executive Committee (EXCO) and the International Council Meeting (ICM) representatives of each Sections and Structure play a significant role in organizational direction, all Sections and Structures should balance gender ratios of the EXCO and the ICM representatives and also strengthen their sensitivity on gender equality.
3. Strengthen the vision of gender equality in the planning, implementation, promotion and evaluation of research, advocacy and campaign work. For example, advocate policies to "Stop violence against women" or advocate for legislation to eliminate discrimination against sexual orientation.
4. The organization should adopt open recruitment for all positions. All recruitment advertisements should state that Amnesty International upholds the principle of fairness is against discrimination and respects diversity.
5. All employees should enjoy equal pay for equal value of work regardless of their gender, sexual orientation, ethnicity or disability.
6. Should develop equality measures in the workplace: make sure all employees enjoy equal opportunity regarding promotion and welfare, declare "zero tolerance" of bullying and harassment based on gender, sexual orientation, ethnicity and disability, use local labour laws and other good practices as standard to develop mechanisms to handle unfair treatment complaints related to gender, sexual orientation, ethnicity and disabilities.

FOOTNOTES

The International Non-Governmental Organizations' (INGO) Accountability Charter is a voluntary charter undertaken by international non-governmental organizations outlining their common commitment to excellence, transparency and accountability. Its basic principles include respect for all universal principles, independence, responsible advocacy, non-discrimination, transparency and good governance.

http://www.ingoaccountabilitycharter.org/wp-content/uploads/INGO-Accountability-Charter_logo1.pdf

The Gender Action Plan 2011 is a strategy tool that formulates goals, objectives and measures for Amnesty International from 2011-2016 to promote gender mainstreaming, in order to better achieve gender equality across and within the movement. The plan also aims to identify and address the obstacles that hindered the implementation of the original Gender Action Plan in 2003.

The Road Map for Diversity is a strategy that calls for all entities in Amnesty International to examine how welcoming they currently are of diversity within the movement. It outlines steps for everyone in the movement to take to become an organization that values diversity, and one that actively seeks individuals from different perspectives and characteristics to join.

Sexual Orientation and Gender Identity – Legal Protection in Hong Kong

Right to Equality and Non-Discrimination

- Article 25 of the Basic Law guarantees: 'All Hong Kong residents shall be equal before the law.' Article 1 of the Hong Kong Bill of Rights (HKBOR), which corresponds to Article 26 of the International Covenant on Civil and Political Rights (ICCPR), states: 'The rights recognized in this Bill of Rights shall be enjoyed without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.' Article 22 of BOR also states: 'All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.'

In *Secretary for Justice v. Yau Yuk Lung* (2007), the Court of Final Appeal held that sexual orientation falls within the scope of "other status" in the above provisions of BOR, and hence discrimination on grounds of sexual orientation is unconstitutional, and that the court will scrutinize with intensity whether the difference in treatment on grounds of sexual orientation is justified.

Cohabitation Relationships and Marriage

- Since 2010, the Domestic and Cohabitation Relationships Violence Ordinance (formerly Domestic Violence Ordinance) provides protection for persons from violence in domestic as well as homosexual and heterosexual cohabitation relationships.

The right to freedom of marriage, as guaranteed under Article 37 of the Basic Law and of Article 19 of HKBOR, as the law stands, currently covers only heterosexual marriage. However, in a recent judgment of *W v Registrar of Marriages* handed down in May this year, the Court of Final Appeal held in favour of the right of post-operative transsexual individuals to marry as guaranteed by the Basic Law and the Bill of Rights.

Anti-Discrimination Legislation

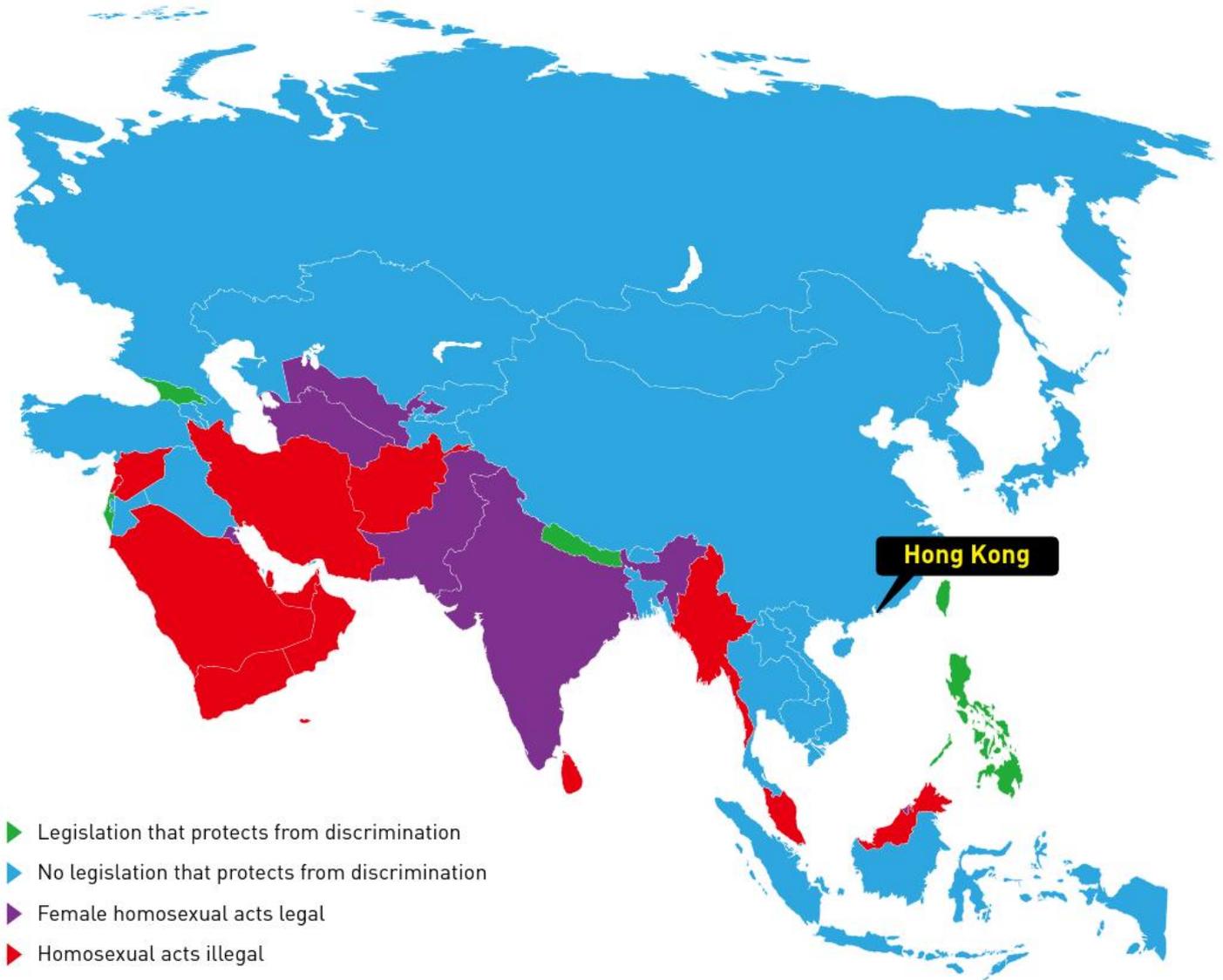
- As a party to the International Covenant on Civil and Political Rights (ICCPR), Hong Kong has an international legal obligation to protect and fulfill the right to equality and non-discrimination, which includes ensuring that the law shall prohibit discrimination on various grounds. However, there is currently no legislation that prohibits discrimination on grounds on sexual orientation or gender identity in Hong Kong, whereas the Basic Law and the HKBOR only binds the Government, persons acting on its behalf and public authorities.

On 7 November 2012, a motion "urging the Government to conduct public consultation on legislation to ban discrimination on the basis of sexual orientation" was negated by the Legislative Council under the split-voting system. At the time of writing, the government has not announced any plans for consultation or legislation, and the way towards a Sexual Orientation and Gender Identity Discrimination Ordinance remains unclear.



LGBTI IN ASIA

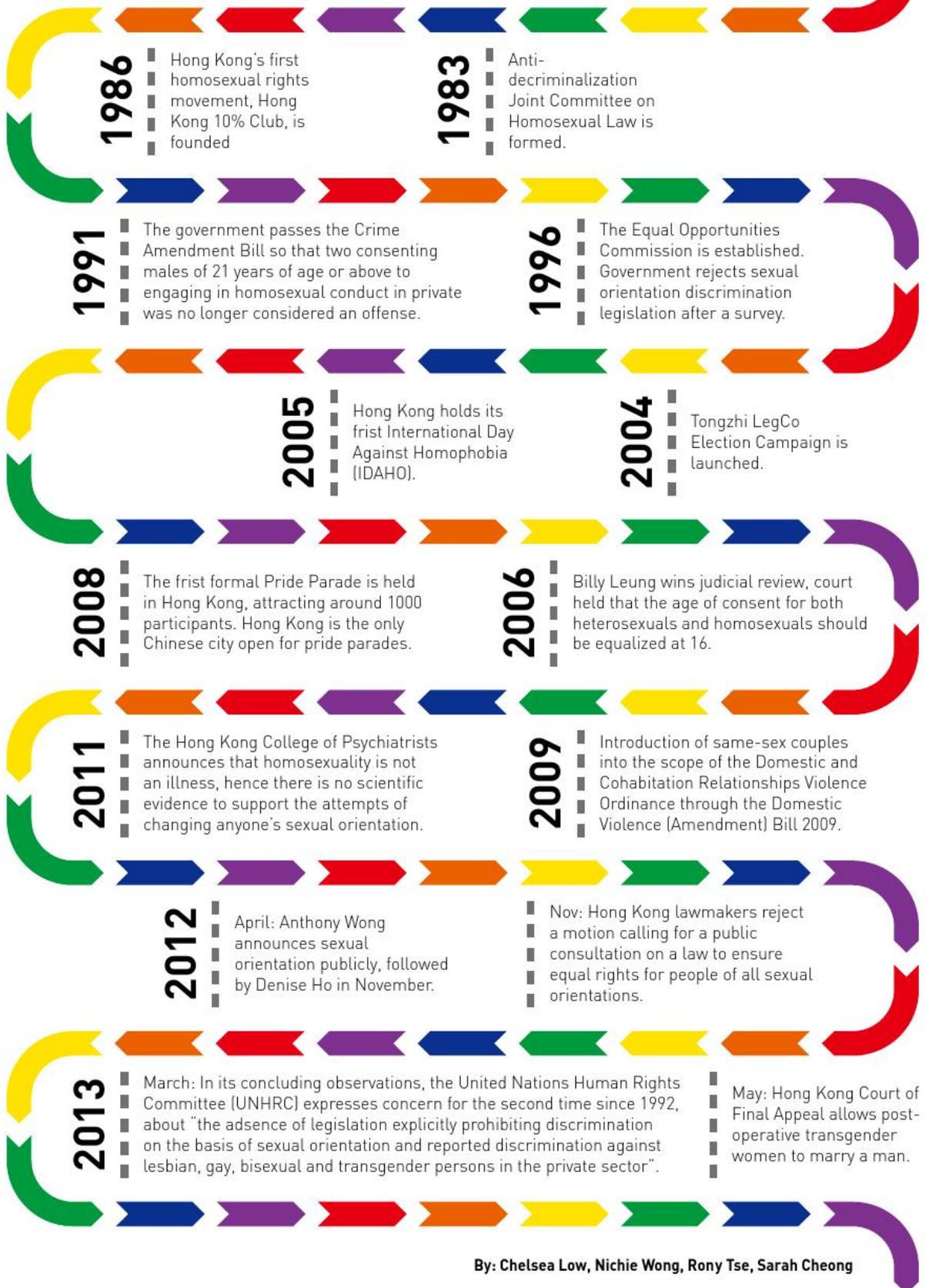
Lesbian, Gay, Bisexual, Transgender & Intersex



60% of Hong Kong's working population believed that "lesbian, gay and bisexual individuals were subject to discrimination or prejudice"

Source: Communiyt Business, Hong Kong LGBT Climate Study 2011-12

LGBTI Legislative History in Hong Kong



By: Chelsea Low, Nichie Wong, Rony Tse, Sarah Cheong

9 DIVERSIFIED STORIES

Humiliated by Medical Staff

As a child I thought I was meant to be a woman. I began the assessment prior to Sex Reassignment Surgery in a public hospital after I graduated from school to work.

Twenty four hours living as the other gender is one of the conditions. If not performed well, I cannot pass, nor be approved for sex reassignment surgery.

Because of my transgender identity, my family and friends abandoned me, my colleagues see me still as male, I was unfairly dismissed. I have been abandoned, I feel isolated, suffering and helpless. When I find a new job, I failed because my female appearance was inconsistent with my identity card; finally I slept on the streets for two months.

It was a hard time when I was sleeping on the street, people insulted me as "katoey (lady boy), abnormal, faggot, HIV guy". They also focused on my female clothes; being isolated, discriminated against and insulted made me very uncomfortable, I was living under great pressure.

For two years up to 2013 I started my assessment, I visited the 3rd floor of Li Ka-shing psychiatric department of Prince of Wales Hospital many times; I know all doctors and nurses well. They know that I was there for assessment, and they accept me and speak to me as a female.

However, in April this year, I was helping a friend to collect a doctor's letter, but was refused by a doctor. I asked her the reason, she seemed less and less patient, and suddenly called me "Sir" in public. This made me feel bad, and I immediately corrected her by saying "Miss", but she shouted at me again with "Mr". It was terrible being insulted in a public place, I felt helpless and left immediately.

When I started my new life as a woman, I was being discriminated against and felt isolated. But I want to be my true self, to be respected like anyone else.



Angel
MTF
Transgender
woman



Chris Cheng
Gay man

Skipped class as a result of discrimination

My first experience of being discriminated against happened when I was in F.4, after I declared to a classmate.

He was very resistive to my declaration and announced it to the whole class. I skipped classes for three days as I was extremely embarrassed. I worried that I would be discriminated against because of missing the classes. Though, that classmate invited me to attend school again, there was nobody to hang out with me for two weeks.

In fact, it wasn't we Gays resisted to come out, but we could feel the negative atmosphere towards Gays being around. For example, I often heard my male colleagues saying, "I am not sure whether you are Gay," or "I suspect your sexual orientation." I would never come out in front of such kind of person. This is because they hid their unfriendliness between their lines.



David Janke
Gay

The pain of being rejected by my family

When I came out to my parents, they were distressed and emotional. It hurt me very badly.

It was difficult for my family to accept me as lesbian, because they always wanted me to get married and to have children. My mother hit me and scolded me fiercely as though I have done something terribly wrong...

I did not know how to deal with their strong objections. I could not leave home because I was still dependent on my parents. I could only ask them why they treated me coldly when no one on the street has ever rejected me for my orientation. My mother cried because her most beloved daughter was a lesbian, but I cried because my most beloved mother could not accept my sexual orientation, an identity in which I was simply trying to be myself.

Then, there was a time when we did not talk to each other, followed by constant reprimands by my mother. Later I was forced to attend counseling sessions at a church. My family always told me that being a lesbian would affect my future, and I understand why they are worried. But when I tried to convince that it was fine, I simply could not think of an example of how society could protect us lesbians, especially in a conservative society like Hong Kong. I sincerely believe that lesbian and gay people deserve the same rights and respect as other people.



Birdie
Lesbian

My boss said being gay is shameful

In March of 2012, I arrived in Hong Kong with a job in a television company called One TV. I thought it would be glamorous, exciting and challenging. I had gotten off to a good start and was friendly with most of my colleagues. Later, I felt that it was no longer necessary for me to lie in the face of a barrage of questions like "Do you have a girlfriend?" and "Shall I introduce you to some girls?" and besides which, some of my closer colleagues already knew that I was gay, including the CEO's daughter. Unfortunately, soon after arriving in the company, word got to the CEO about my sexuality. A week after I heard rumours that he was not happy about it, I was called into his office where he gave me a dressing down, telling me how disgusting he thought it was and how it would be shameful if any of our partners heard about it. I was thereby banned from attending any external functions, and the original job development plans were dropped. I have no doubt in my mind that this was a ploy to get me to resign out of desperation. It worked, and five months after arriving in Hong Kong full of hope and excitement, I quit my job full of despair and worry. Thankfully, I have had very understanding and accepting employers since, and rarely encounter any form of discrimination or prejudice.



Franics
Gay

No promotion at work if you're gay

I worked as curriculum planning in a higher education institution, colleagues know that I'm gay, and they are ok for it. My boss has decided to promote my position, but once when I being with my boyfriend at the street, I also encountered the principal there, even he pretend did not see me. The next day back to school, the principal claimed that they have to suspended promotion due to "internal problems". Resources of our department were unreasonable cut during inter-departmental meeting. I feel angry and helpless; I resign in response to discrimination.

In fact, this is not the first time I encountered discrimination at work. I worked for a travel agency, one of the managers removed all gay colleagues on the promotion list, as it has happened several times, causing more than twenty colleagues and gay-friendly colleagues resign. For a number of staff only eighty companies, the loss of a quarter of a colleague is quite serious, this manager was demoted finally.

Ability of work linked with sexual orientation is very unfair, also perverting development. I hope the management team will not turn a blind eye on LGBT people.



Jason Ho
Gay

Misunderstood and rejected by church members

More than a decade ago, I came out to the church, admitted I had same-sex relationship, but was willing to repent and accept punishment. After that, a presbyter saw me going to the toilet with a church member's 2-year-old boy. He later told me not to do so. I find it insulting, that that I was suspected of sexually abusing children.

I left the church after 6 months, but I returned. I decided to have an actual gay life, what the Church called "practicing homosexual". The church expelled me, which means I can no longer communicate with others there, attend dinner gatherings, even meeting up church member on the street. I went to this church for 8 years since I was 18, it was just like my second home, I feel sad.

I believe that the law is not only a protection, but also an indicator of respect for human rights, to prevent misuse from conservative parties exploiting sexual minorities.



Tommy Chai
Gay

Being rejected to hire a bus for Pride Parade

While organizing Hong Kong Pride Parade, on December 5th, 2008, Hong Kong Pride Parade Company contacted Citybus to rent a bus for the parade. During the initial inquiry, the staff were very friendly and told us that there were buses available to be rented.

After the Hong Kong Pride Parade Company submitted the application, on December 10th, 2008, Citybus refused to rent a bus stating in an e-mail, "When making a commercial decision, considerations such as company image are included."

Handling the complaint, the Gender Identity and Sexual Orientation Unit of the government responded on February 11th, 2009 stating, "Because there is not sufficient information showing Citybus denied the application on the basis of sexual orientation, the unit cannot follow up this complaint."

Citybus has a history of renting buses to a wide range of organizations including several political parties and the Alliance for Universal Pensions.



Wing
Gay

I am scare to go to school

I am Wing, aged 20. I came to realize that I was gay when I was 12, I admitted my sexuality frankly. I came out to my friends in school when I was in Form 2, however they couldn't accept me. My coming out spread as hot news. I was pushed aside by them, and they called me "faggot, sissy", and so forth. I became a joke whenever in school. Boys refused to sit next to me, and the learning environment became very unfriendly, I was scared to go to school. Some friends "googled" my email, found out the gay websites I used to be on, and who was my boyfriend.

At that time, I realized that as society cannot accept us, I should hide my sexuality.

When I was in Form 3, most of the class knew I was gay. Some girls thought that I liked one of the boys. They treated me friendly. One night, they invited me to have a whole night home party with that boy and other friends. After a week, I was called by the female discipline master, asking what had happened that night. I then found out that, they had complained about me alleging sexual harassment including touching their faces, backs, and breasts.

I have thought about coming out to teachers to prove that I did not do these acts, but I fear they will tell my parents. Therefore I gave up, finally caved in to the demands of the students and police; I apologized and was cautioned under the Police Superintendent's Discretion Scheme.

Sifung
Trans ftm



Verbal violence in bathrooms

As a physically masculine butch, I was lucky enough not having any experience of physical violence because of my sexuality; however, I encountered numerous verbal abuse due to the lack of understanding of the public about my gender appearance. These abuses usually happen in the gender distinctive areas such as washrooms. I had an unforgettable experience three years ago; when I was androgynous looking and people were often suspicious of my femaleness. One day I entered the female washroom and overheard two ladies openly discussing me. I remembered how they described me as a "non-male-non-female" monster while they were putting on makeup, and they talked about my hairstyle, what I wore and how I walked into the washroom "like a pervert guy". They commented on how pathetic my parents were, to have such a child like me. Later they even threatened to call the police as if I had deliberately peeped into the ladies' room. I was scared to leave my cubicle until I was sure the ladies had gone away. Because of that humiliating experience, I was unable to enter female washrooms unless I was accompanied by my female friends. Often I would hold my pee until I could find a unisex washroom where there would be no verbal discrimination.

GOOD NEWS

HONG KONG: RIGHT OF MARRIAGE OF TRANSSEXUALS



On 15 May 2013, the Court of Final Appeal of Hong Kong held in *W v Registrar of Marriages* that section 40 of the Marriages Ordinance and section 20(1)(d) of the Matrimonial Causes Ordinance were unconstitutional, for failing to give proper effect to and for "impairing the very essence" of the right of post-operative transsexual individuals to marry as guaranteed by the Basic Law and the Bill of Rights.

The Court also found that the nature of marriage as a social institution in many developed nations and Hong Kong had undergone far-reaching changes, and that in law, the ability or wish to procreate has never been a condition for two individuals to get married. Moreover, it was emphasised in the judgment that the absence of a majority consensus may not be relied on as a reason for rejecting the fundamental rights of a minority.

This marked a significant step towards realising equal rights of persons of different gender identities in Hong Kong.

AMNESTY'S PANIC BUTTON APP SET TO BECOME A REALITY WORLDWIDE

On 3 June 2013, Amnesty International was awarded £100,000 (approximately \$1.2 Million HKD) under the Google Global Impact Awards to develop our Panic Button app, a mobile alert system for human rights activists working in risky situations.

Panic Button is an application that enables activists at risk to broadcast their location periodically to a pre-determined list of contacts, with just a push of a button. For their security, the app runs secretly in the background of the phone. With this funding, Amnesty International can continue to roll out and pilot the app, working with activist networks, to enable more activists worldwide to access and benefit from the system.



GLOBAL ACTIVISM



1 Amnesty Netherlands: Celebrate Roma rights through music

Amnesty Netherlands have worked with Romani musicians to make the Listen to Roma Rights CD and between them they have created a new space for Romani artists to have their voices heard, as well as new opportunities for our campaign to end discrimination against Roma in Europe.

Music has strong roots in Romani culture and the Listen to Roma Rights collection illustrates the rich diversity beautifully, with artists from more than 15 countries in Europe and America. The CD includes 23 tracks, all of which were either donated or written specifically for this collaboration.

Florence Joelle's song 'How Many Chickens are Missing Today' focuses on the forceful eviction of Roma communities in France in 2010.

Check out from iTunes: <https://itunes.apple.com/gb/album/listen-to-roma-rights/id650536998>

2 Amnesty Poland: Show your hair to protest for North Korea

Can you believe that in North Korea, there are only 28 state-approved hair styles?! In response, Amnesty Poland has just launched a HAIR PROTEST photo petition! But in their words: "It's not about hair. It's about human rights in North Korea." So unleash your bad hair days and check it out here. Hair today, gone tomorrow!

www.hairprotest.org

3 AI North Africa: World Press Freedom Day

3 May was World Press Freedom Day, Amnesty International launched a new report "Shooting the Messenger: Journalists targeted by all sides in Syria". The report details dozens of cases of journalists and media workers attacked, or held, since the 2011 uprising began, in an attempt to prevent them from reporting in Syria.

A Twitter action calling for the release of Raif Badawi began on 6 May. This will be sent to the King of Saudi Arabia and Saudi Embassies.

<http://www.flickr.com/photos/94864235@N05/>

4 Amnesty Uruguay: "10 steps for human rights"

Amnesty Uruguay realised that many people care about human rights and would love to take part in a mass march, but unfortunately most don't have the necessary time. So they launched the "10 steps for human rights" campaign action by filming each person taking "10 steps for human rights" in front of a green screen and these were then digitally merged together to create the video for the "march." The final message is that "each of these people took 10 steps to get your attention. The next step is up to you. Join!"

The video is available in Spanish at the following website. <http://www.10pasos.amnistia.org.uy/#>

CAMPAIGN UPDATES

17TH HUMAN RIGHTS PRESS AWARDS

The 17th Human Rights Press Awards Presentation Ceremony was held on 13 April, 2013 at the Foreign Correspondents' Club. Founded by the Foreign Correspondents' Club, Hong Kong, the Hong Kong Journalists Association and Amnesty International Hong Kong, the award has been recognizing outstanding reporting in the area of human rights for almost two decades.

This year, the organizing committee is proud to have had Martin Lee Chu-ming, SC, founding chairman of the Democratic Party, as our guest speaker. Mr. Lee shared his views on the development of freedom and human rights in the city.

For the 2012 Awards, there were a total of 368 entries. 6 Awards and 13 Merit Certificates were given in English-language categories, while in the Chinese-language categories there were 11 Awards and 35 Merit Certificates. For Photography, there were three Awards and 18 Merit Certificates.



JUNE 4 CANDLELIGHT VIGIL

We set up a counter at the venue of the June 4 massacres Candlelight Vigil with the aim of arousing awareness about forced evictions in China.



JULY 1 DEMONSTRATION

We participated in the July 1 Demonstration. Organized by Civil Human Rights Front, we set up a counter in Wan Chai to promote the importance of freedom of expression and peaceful assembly. We thank all interns, volunteers and supporters who facilitated organizing our promotion. At the same time, we would like to say a big thanks to people who have defended human rights together like you.

THIS IS YOUR PAGE – ANTHONY WONG

Name:
Anthony Wong

Occupation:
Singer

Why do you support Amnesty International?

The answer is very simple: human rights are the basic rights of all human beings. They should be enjoyed by each and every person, which is why we should all support human rights movements.

What do you think the candle that represents Amnesty stands for?

I believe this burning candle represents how hope can be ignited, but this candle is being strangled by thorns. From that, I think it means that the glow of the candle's flame can illuminate the world with hope and light that disperse all injustices that strangle us.

How would you persuade people to become part of our human rights movements?

Besides highlighting the importance of human rights issues on my social media networks, I believe that every person, in his or her own position, should promote human rights. Say for example, a Legislator has his or her position in the Council, while a white collar worker will have his or her place in an office. For me, myself being a singer and a public figure means that people are interested in what I have to say. I will make use of this to spread the message of human rights and to reach more people.

If you were granted the power to wish away one human rights issue, what would that be?

Actually I have many wishes, but if I were to choose only one, I'd start with wishing for an end to all unfair situations. In the world we are living in, you can be discriminated against because of your sexual orientation or simply because you belong to a certain group and this leads to unfair treatment to these groups. That is why I believe that the most urgent human rights issue would be to allow each person to have equal rights.





**LOVE
IS A
HUMAN
RIGHT**

Amnesty Internati

PROTECT THE HUMANA



onal

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為何你會支持國際特赦組織？

答案非常簡單，因為我認為人權是人類最基本的權利，所以每一個人也應該享有這些基本的人權，因此推行人權工作是每一個人也應該支持的事情。

你認為代表著國際特赦組織的蠟燭標誌是有甚麼象徵意義？

我相信這一枝正在燃燒的蠟燭是代表希望被燃點，但這蠟燭卻被綑綁起來，所以我認為背後的意義是希望蠟燭能夠照亮世界，並寄託著一切綑綁我們的不公平事情，也會被燭光照亮後而消失。

你會如何遊說各界的人士成為我們人權行動的一分子？

除了透過社交媒體宣揚自己關心的人權理念外，我認為其實每一個人都可以而且應該在自己的崗位上，發揮自己的力量以推動人權。舉例說：一個議員在議會中自己的工作崗位，一名白領在辦公室裏也有自己的位置，而我自己是一個唱歌的人，同時是一個公眾人物，因此不同人士也會對我的發表感興趣，所以我會藉著自己這個崗位，好好利用自己這一個位置，希望把人權的信念宣揚開去。

如果你得到一個願望讓你可以完完全全地解決一個人權問題，你會選擇甚麼？

其實我有很多願望，但如果只可以選擇一個，我首先希望針對一切不平等的現象，因為現今的社會上可能會因為你的性傾向，又或是因為你是屬於某一個族群的人，而引起權利上的不平等，所以我認為平權是其中一個最重要及最急需解決的人權議題。

姓名

黃耀明

職業

歌手



I AM THE

MOST

WELL-KNOWN

HOMOSEXUAL



七一大遊行

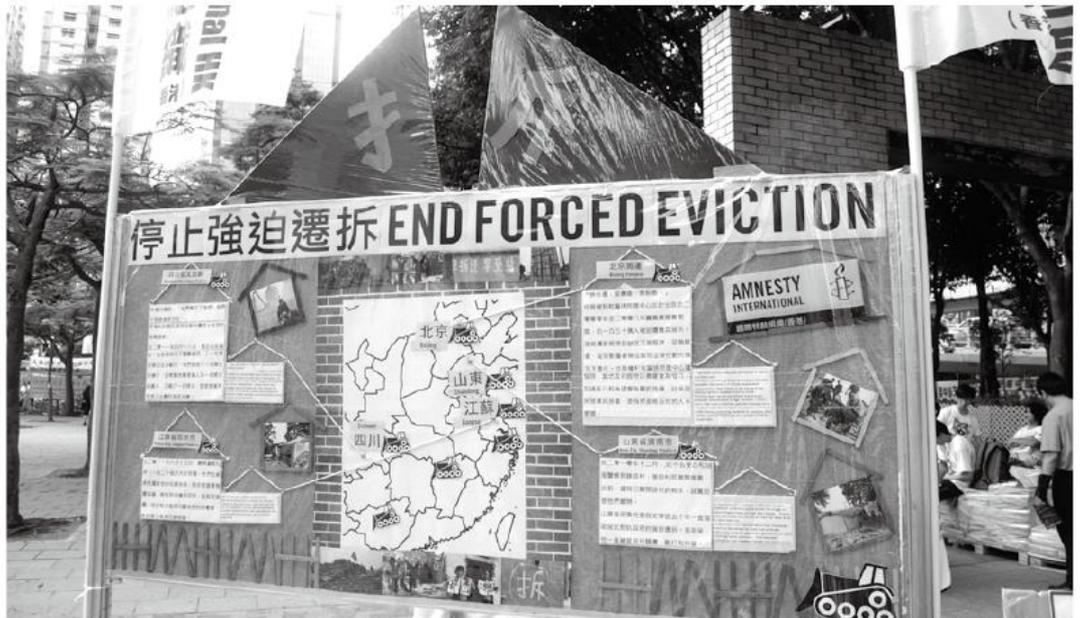
我們參與了由民間人權陣線發起的七一大遊行，於灣仔設立街站向參與遊行人士宣揚言論及集會自由的權利。我們感謝各位實習生、義工及支持者協助組織街站工作。同時，我們更感謝你們一路支持，繼續一同捍衛人權。

第十七屆人權新聞獎

由香港外國記者會、香港記者協會和我們，於四月十三日舉行第十七屆人權新聞獎頒獎禮，表揚二〇一二年傑出的人權新聞報道。

本年度大會十分榮幸邀請得民主黨創黨主席李柱銘資深大律師作為演講嘉賓。李柱銘先生分享了他對香港自由及人權發展的看法。

本年獎項的參選作品有三百六十八份。今年英文組別共頒發出六項大獎及十三項優異獎，中文組別頒發了十一項大獎及三十五項優異獎，攝影類別的大獎數目為三項，優異獎十八項。



六四晚會

六月四日晚上，我們於維多利亞公園六四事件悼念晚會會場外設置攤位，向市民宣傳關注中國強迫拆遷的訊息。當晚傾盆大雨，仍有超過十五萬人參與集會。

全球行動

1 荷蘭分會：用音樂唱誦羅姆人人權

荷蘭分會與羅姆籍音樂家合作出版 Listen to Roma Rights CD 大碟，讓更多人聽見羅姆籍藝術家的聲音，更藉此為我們歐洲反歧視羅姆人的運動製造一些新機遇。

音樂深深植根於羅姆文化。Listen to Roma Rights 合輯由來自歐美十五個國家的音樂家聯手製作，展現豐盛多元的優美音符。全碟收錄二十三首作品，每一首均為捐贈或特別創作而成。

Florence Joelle 之作品 'How Many Chickens are Missing Today' 反映在二〇一〇年由法國被強迫拆遷的羅姆人心聲。

立即上 iTunes .: <https://itunes.apple.com/gb/album/listen-to-roma-rights/id650536998>

2 波蘭分會：向北韓展示你的髮型吧

你可以想像，北韓政府只允許人民享有二十八種髮型嗎？波蘭分會以「髮型抗議」相片行動回應北韓。不過他們指出：「這不僅是髮型的問題，這是北韓的人權問題！」所以，今日就釋放你爛髮型吧。

3 北非分部：世界新聞自由日

在五月三日世界新聞自由日，本會出版最新報告「狙擊傳訊員：記者在敘利亞被全面針對」，以關注自二〇一一年革命後，數十名記者及傳媒工作者在敘利亞遇襲或被扣留，以阻截他們在該國採訪。

要求釋放 *Rafiq Badawi* 的行動已在五月六日開展，經收集的照片將會送往沙特阿拉伯國王及該國領事館。

照片收集：<http://www.flickr.com/photos/94864235@N05/>

4 烏拉圭分會：為人權走十步

烏拉圭分會發現很多人對爭取人權有興趣，亦願意參與大型遊行，不過卻沒有時間。因此他們發起「為人權走十步」行動，拍攝每個人在綠色螢幕前走十步，再將畫面併合成大型「遊行」。片末帶出訊息：「每人走十步引你注意，下一步就由你走下去。」

合成遊行短片為西班牙語對白：<http://www.10pasos.amnistia.org.uy/#>



好消息

香港：實現跨性別人士結婚權

本年五月十五日，香港終審法院就 *W v Registrar of Marriages* 一案裁定婚姻條例第四十條和婚姻訴訟條例第二十一(1)(c)條違憲，因其未能落實完成變性手術後的跨性別人士受《基本法》及《人權法案》所保障的結婚權，並且有損該權利的本質。

終審法院亦認為婚姻作為一種社會制度的性質，在許多發達國家及香港已經歷了深遠的變化，以及在法律上，生育的能力或意願從來也不是兩個人結婚的一個條件。判詞亦強調，不能以缺乏大多數共識為由而剝奪少數的基本權利。

這標示著香港在實現不同性別身份人士享有平等權利上踏出了重要的一步。



國際特赦組織 Panic Button 的理念將會成真

今年六月二日，國際特赦組織獲 Google Global Impact Awards 頒發十萬英鎊（約一百二十萬港元），以研發專為維權人士而設的緊急求助手機應用程式 — Panic Button。Panic Button 令身處於險境的行動者只要按一下按鈕，便可向一眾預先選定的聯絡人發放他身處的位置的求助短訊。基於安全理由，應用程式將秘密運作。

國際特赦組織可以用此獎金去繼續研發及與維權人士網絡一同試行程式，希望令世界各地更多維權人士能受惠。



身為同志就不可以升職嗎？

我在某專上教育機構任職課程策劃，部門的同事都知道我是同志，大家因此對我也沒有甚麼不同的對待。上司原已決定我可以升職，可是某次和男朋友在回家路上遇上校長，校長當時雖然假裝看不見，第二天回校，校長卻以「內部問題」擱置了升職。在隨後的跨部門會議上時有為難，部門資源更遭無理刪減，我感到憤怒又無奈，以辭職回應這種歧視。

Franics
男同志



其實在工作上遇到歧視也不是第一次了，我曾任職一家旅遊公司，有中層管理人員刻意在升職名單上刪除同志同事名字，由於已發生了數次，引發廿多位同志同事和支持同志友善的同事集體辭職。對於一家只有八十多名職員的公司，流失四分之一同事是相當嚴重的，這名中層管理人員也遭降職了。

把工作能力與性傾向掛勾是很不公平的，亦有礙公司發展。我期望管理階層都不要對同志視而不見。

痛心被家人歧視

我出櫃時，家人的反應是激動的，而我，是痛心的。

家人知道我是同志，對他們或許有很大的打擊，畢竟，他們一直期望我結婚生子。媽媽激動地拍打我，責罵我，彷彿我做錯了什麼。

面對他們的強烈反對，二十出頭的我不懂如何回應，也沒能力一走了之，我只可問他們，為什麼我在街上從沒被指罵過，回到家他們卻這樣對待我。媽媽的淚水是因為她最愛的女兒是一個同志，我的淚水是因為我最愛的媽媽無法接受我是一個同志，一個我認為只是做我自己的身份。

接著，是冷戰，繼而是每天的疲勞轟炸，甚至是帶我去見宗教團體的心理輔導。家人總對我說同性戀有什麼不好，有很多問題，我明白她是擔心我的將來，而當時的我只懂得回駁她不是這樣，可惜卻無法舉例給她解釋，社會上有甚麼能保障同志，社會上同志也應被尊重、接納，因為，香港這社會對同志確實甚麼保障都沒有。



小鳥
女同志

廁所內的語言暴力

我的中性打扮像一名 Tomboy，而我幸運地從沒有因為我的性取向或性別認同而受到任何身體上的暴力。可是，因大眾對我的不理解，我經常遭受別人對我使用語言暴力。這些語言暴力通常發生於有明顯性別分隔的場所，如洗手間。記得三年前的一天當我進入女廁，當時我仍是中性打扮，兩位女士在我進入廁格後，不理我會聽到她們的對話，大聲評論我的打扮、衣著。我仍記得她們用「不男不女的怪物」來形容我。她們一邊補妝，一邊討論我「多像一個男生」，甚至假設我是易服的一變態佬」。後來她們還侮辱我的父母，說我的父母應為我感到羞辱。她們甚至討論要警察來辨認我的性別。當時我很驚慌，只能一直等到她們離開了才從廁格出來。自那次經驗後，我不敢再獨自一人進入女廁；每次我都跟我的女性朋友一起，或者我會忍著上廁所的需要，直至我找到傷殘人士廁所為止。



小風
跨性男生

怕被歧視所以逃課了

如果說被歧視的經歷，我想應該是那一次中四時我向一位男同學告白。

那位男同學將我喜歡他的事告知全班，告白後的三日我都沒有上學，因為覺得很丟臉，那位男同學對我喜歡他一事也是非常抗拒。另外，我亦很擔心自己會被別人歧視，因此三天都沒有上學。後來這位男同學主動叫我回校上課，但至少兩星期內，也沒有同學和我玩。

事實上，有很多時不是我們不願意 come out，而是一些人在相處間已經會散發著抗拒同性戀的氣味。比如我的上一份工作，有位男同事，會在言語之間說「都不知道你是否基」、「我很懷疑你的性取向」等說話。我肯定我不會向這類人 come out，因為從言語間，他已經表示對同性戀不友善。

鄭小康
男同志



我很害怕上學

我叫阿永，今年二十歲。十二歲開始發覺自己喜歡男性，坦然承認自己的同志身份。

中二時對中學的班同學出櫃，可是大家非常不接受，將我是同志的這個「新聞」一傳十，十傳百。漸漸開始有人排擠我，形容我是一個「死變態、死基佬、女人形」。不論上課時、小息、放學，將我作為笑話般看待。男同學更拒絕與我鄰座上課，學習環境和氣氛也非常不友善，令我很害怕上學。有同學在 GOOGLE 上尋找我的 EMAIL，發現我上過的同志網站，找出誰是我的男朋友等。當時才發現原來同性戀在社會上是多麼的不被接受，我亦認為同志這個身份是需要隱藏的。

中三時，大部分同學也知道我的性取向，有些女同學以為我喜歡班中其中一位男同學。她們對我非常友善，有晚更邀請我和那位男同學和其他同學到他家中通宵玩樂。

一星期後的上課日，我無故地被女訓導主任訓話，質問我當晚和同學們通宵玩耍的情景，原來他們投訴我性騷擾三位女同學，包括摸她們的面部、背部和胸部。

我曾想過向老師們出櫃，以證明我並不會做出這些行為，但又害怕校方會告訴我父母，於是打消念頭，最後屈服了，我向女同學們道歉和接受警司警戒。



阿永
男同志

九個多元的故事

被醫護人員刻意侮辱

我是由懂事後開始意識到自己認同的性別是女性，當我畢業後出來投身社會工作有獨立能力後，我便開始了在公立醫院接受變性評估。

評估合格的條件之一，必須每天二十四小時也以自己認同的性別生活。如不進行，就不能通過評估，也不獲批准進行變性手術。

我因為變性身份而被家人和朋友所棄，公司亦認為我並非女性，而遭無理解僱。我當時感覺被遺棄，我感到孤立、痛苦及徬徨無助，找新工作時，又因我的女性外貌與身份證不符而不被僱用，最後淪為露宿者兩個月。

露宿的日子非常難受，走在街上都被陌生人侮辱我為「人妖」、「變態」、「基佬」和「愛滋佬」，還以獵奇的眼光集中在我的一身女性打扮上。這段被孤立、歧視和侮辱的日子所帶來的精神壓力，令我非常難受。

我接受變性評估至二〇一三年已有兩年多。兩年來，我多次出入威爾斯親王醫院的李嘉誠精神科三樓，一眾醫護人員亦與我熟稔，他們都知道我是來進行變性評估，他們都很認同我，並稱呼我為「女士、小姐」，有些更直呼我為Angel。但今年四月，我因幫助朋友到上址取回醫生信，向櫃檯查詢時還表示可以代取的，後來卻遭一名醫護人員拒絕。在我向她了解原因時，她顯得越來越不耐煩，還突然在眾目睽睽下放聲稱呼我為「先生」。我心裡難受，立即糾正她我是「女士」，但她再次大聲以「先生」稱呼我。在公眾地方被刻意侮辱，我感到非常難受及無奈，也立即離開了。

由我開始以女性生活開始，一直遭到歧視、侮辱和孤立，但我一直意志堅定的走下去。我們跨性別人士都只是做回自己，亦希望得到同等的尊重，以及對我們跨性別身份的認同。



Angel
男跨女的跨性別人士

楊龍賢
男同志



老闆說身為同志有損公司形象

我二〇一二年三月到達香港，當時是亞太第一衛視的一名員工。我原本以為在這麼一間公司工作會很有挑戰性而且很有趣。我剛開始在這間公司工作時很受歡迎，跟大多數同事算是維持友好關係。後來，其中有幾位同事問我諸如「有女朋友嗎？」、「可以介紹你給一些女性朋友嗎？」之類的問題，我回答時並未隱瞞我為同性戀的身份，且不說有幾個同事已經知道我的身份，其中還包括總裁的女兒，所以並未覺得會影響我在公司裏的名聲。

不幸的是，加入公司不久之後，總裁得知我的身份。一個星期之後，他就叫我到他的辦公室來，以憤怒的口吻表示他對同性戀的看法。他認為同性戀是一種病，也擔心如果合作夥伴得知，會有損公司形象。於是，他禁止我參加任何對外活動，同時也終止了公司原來為我制定的事業發展計劃。我認為，此舉旨在逼迫我快點辭職。其實他這個做法很有效，五個月前我還快樂而期盼地加入公司，結果卻是心滿擔憂地辭職了。幸好，後來聘用我的雇主都很理解並接受同性戀，而且至今我在香港社會上仍未遭遇對我個人的偏見或歧視。



Jason Ho
男同志

被教會成員誤解和排斥

十數年前，我向教會高層出櫃，承認自己同性有性關係，不過願意悔改及接受懲罰。其後，有教會內的長老看見我帶一個姊妹的兩歲兒子上廁所，並叫我以後不要這樣做。這實在很侮辱。我覺得他懷疑我有戀童癖，甚至懷疑我會侵犯小孩。

半年後我離開教會，但再重返，不過我決定了過真正的同志生活，教會則稱之為practicing homosexual，並因此開除我的會籍，這代表著我不可以跟其他教友溝通、吃飯聚會，甚至街上見面時點頭也不可以，彷彿我是一位叛逆者。我從十八歲起返同一教會已八年了，這裡尤如我第二個家。失去這個家的感覺實在很難受。

我相信法律不單是提供一個保障，也是一個尊重人權的指標，藉此防止極端保守思想剝削性小眾。

城巴拒租巴士予同志遊行

首屆「香港同志大遊行」於二〇〇八年十二月十三日舉行，參與人數過千，比預期多很多，開心驕傲上街行。其實組織過程艱辛，申請過程曾分別受到康樂及文化事務署和香港警察的阻撓，在組織者堅持、投訴後才獲得批准。可惜在城巴開蓬雙層巴士租用一事上，最終被拒絕。

一位籌委會成員以個人名義，自二〇〇八年十二月五日起，與城巴商討十二月十三日租用開蓬雙層巴士事宜。城巴方面亦表示，該天可以安排租用城巴。當費用及巴士型號都已談妥後，籌委會成員以「香港同志大遊行籌委會」之名義，正式遞交租用巴士的申請。期後，城巴回覆拒絕租出巴士。經多番追問原因，該公司代表在電子郵件裡說明：「本公司作出商業決定時，會考慮各方面的因素，包括本公司之形象。」

籌委會期後投訴至政制及內地事務同性別認同及性傾向小組、運輸及房屋局、運輸署及申訴專員公署，均不獲跟進。但翻查紀錄，城巴曾出租巴士予不同民間團體發聲，包括不同政黨、保護維港協會及爭取全民退休保障聯席等。



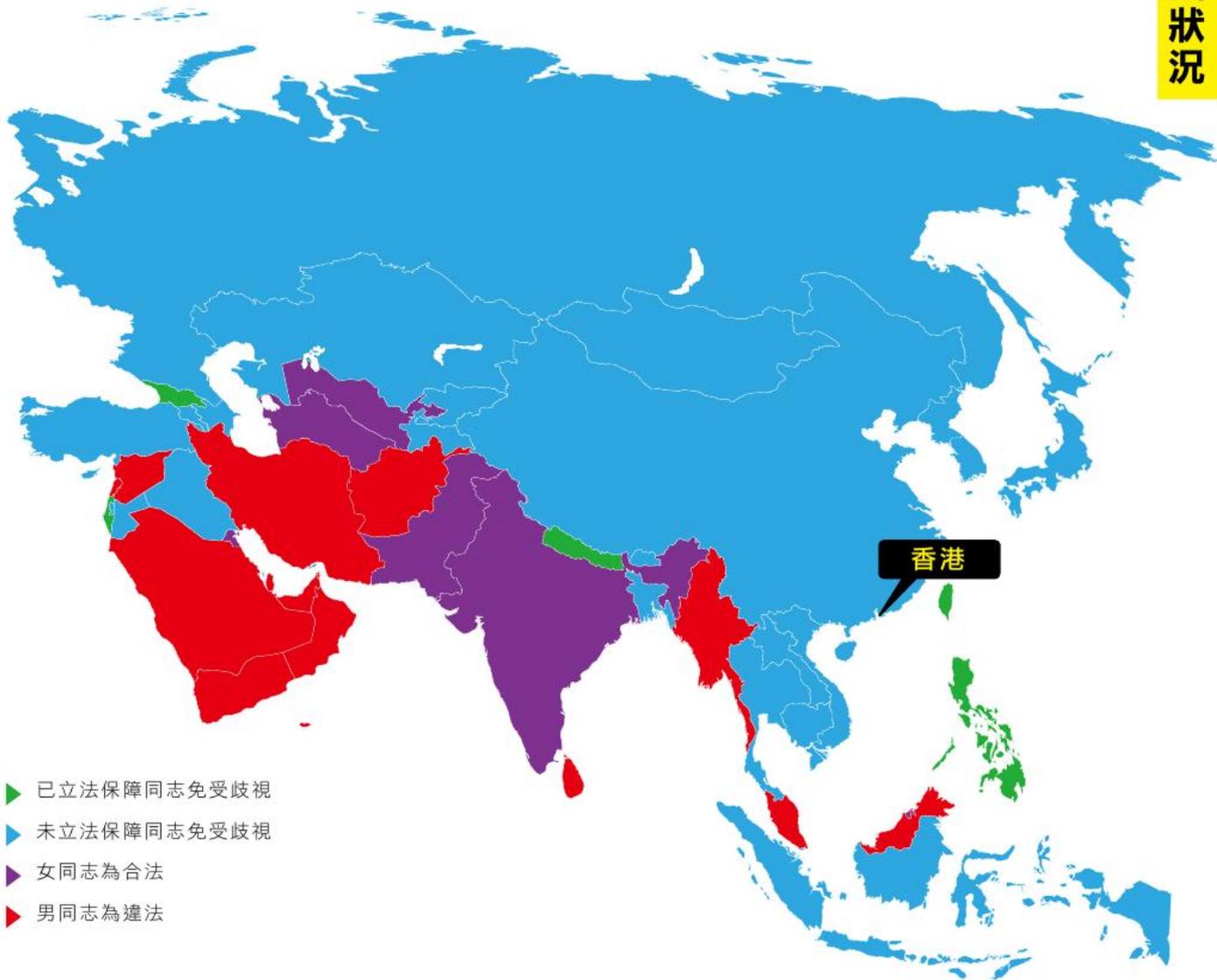
Tommy仔
男同志

香港 LGBTI 立法史



文、圖：Chelsea Low, Nichie Wong, Rony Tse, Sarah Cheong

同性戀者、雙性戀者、跨性別者及雙性者



香港**六成**工作人口認為男女同志及雙性戀者遭受歧視或偏見

資料來源：二〇一一至一二年度香港同／雙性戀及跨性別狀況研究



平等和免受歧視的權利

《基本法》第二十五條保障「香港居民在法律面前一律平等。」，而比照《公民權利及政治權利國際公約》的《香港人權法案》第一(一)條訂明：「人人得享受人權法案所確認之權利，無分種族、膚色、性別、語言、宗教、政見或其他主張、民族本源或社會階級、財產、出生或其他身分等等。」《人權法案》第二十二條亦列明：「人人法律上一律平等，且應受法律平等保護，無所歧視。在此方面，法律應禁止任何歧視，並保證人人享受平等而有效之保護，以防因種族、膚色、性別、語言、宗教、政見或其他主張、民族本源或社會階級、財產、出生或其他身分而生之歧視。」

二〇〇七年，終審法院在《律政司司長訴丘旭龍》一案中，確認了以上條文中「其他身份」的字眼包含「性傾向」在內，因此性傾向歧視屬違憲，而法院亦會非常嚴謹地審視任何基於個人性傾向而作出有所差別的待遇是否有充分理據。

同居關係和婚姻

二〇一〇年起，《家庭及同居關係暴力條例》(前身為《家庭暴力條例》)的保障範圍包括同性及同性戀伴侶家庭。至於《基本法》第三十七條及《人權法案》第十九條所保障的婚姻自由的權利，在現行法例下只包括異性婚姻。然而今年五月，香港終審法院在《孟訴婚姻登記官》一案中，確認完成變性手術後的跨性別人士以手術後的性別結婚的權利。

反歧視法例

作為《公民權利和政治權利國際公約》(下稱《公約》)的締約方，香港在國際法下有義務保障和實現平等和免受歧視的權利，包括以法律禁止基於不同原因的歧視行為。然而，現時香港並沒有法例禁止基於性傾向的歧視行為，而《基本法》及《人權法案》亦只對所有公共主管當局、政府及代表其行事的人有約束力。

二〇一二年十一月七日，題為「促請政府開展性傾向歧視立法公眾諮詢」的私人動議在立法會分組點票下遭否決。在撰寫本文時，政府仍未公布有關諮詢或立法的任何計劃，而通往《性傾向及性別身份歧視條例》立法的路仍未明朗。

國際特赦組織性別平權政策

多年來國際特赦組織在爭取性別平權上，曾經作出不少努力。特別是在一些以捍衛傳統文化理由來處罰女性及性少數社群的地區，國際特赦組織都會為受害人或受害社群動員全球會員作出相應行動，使其免於迫害或歧視。然而，我們亦明白到若要這些工作能名副其實地有效發揮作用，我們本身必須先要恪守共融及尊重多元的承諾。事實上，自一九八五年，我們已開始在所有調查研究、倡議、行動及內部的僱用政策中強化共融及尊重多元的元素。及後更將範疇擴展至對性少數、身心殘障及邊緣族群歧視的議題上。

近年我們總結過往經驗，並參考了國際非政府組織問責憲章¹，制定了最新政策，並於二〇一一年在本會最高決策機關——國際議會會議達成決議，要求全球所有分會、國際秘書處及辦公室各單位必須推行性別行動計劃二〇一一²及多元化路線圖³來實現共融及尊重多元的原則。以下是有關政策中針對性別平權及性少數權益的幾項具體措施：



1. 在機構各部門實行性別主流化，即是訂定所有政策及工作方針時，都以現今社會上對不同性別及性少數的差別待遇為分析觀點，並制作檢視清單以輔助實行政策。

2. 因為每分會的執行委員會及國際議會會議代表對整體機構的工作方向均扮演了主導角色，故所有分會必須平衡執行委員會及國際議會會議代表的性別比例，以及強化委員會及代表對性別平權的敏感度。

3. 在規劃、實行、推動、檢討人權項目幾方面都須加強性別平權的視野，例如推動停止婦女暴力政策及制定防止歧視同志的法例。

4. 機構以公開形式進行招聘，招聘廣告亦須申明機構乃奉行公平、反歧視及尊重多元的原則。

5. 任何職位不論僱員之性別、性傾向、種族、身心傷健皆奉行同值同酬政策。

6. 機構必須制定工作場所內的平權措施，例如確保各僱員享有平等的升遷機會及福利；公開宣佈對任何因性別、性傾向、種族、身心殘疾而產生的欺凌及騷擾行為均奉行「零容忍」原則；以本地勞工法例或其他地區之良好模式為基準，制定機制來處理涉及性別、性傾向、種族、身心殘疾的差別待遇的投訴。

註解

1 國際非政府組織問責憲章是一自願性承諾的憲章，它勾勒國際非政府組織間恪守優質、透明及問責等價值觀的共同承諾。它的原則包括尊重所有普世原則、獨立、良心倡議、反歧視、透明及良好管治。詳情可瀏覽 http://www.ingoaaccountabilitycharter.org/wp-content/uploads/INGO-Accountability-Charter_logo1.pdf

2 性別行動計劃二〇一一是一策略性工具，用作建立長遠目標、項目目的及有關措施，以供國際特赦在二〇一一至二〇一六推動性別主流化之用；亦從而使機構整體能夠達至性別平等。是項計劃希望可以分辨及處理在推動性別行動計劃二〇一三時所遇的障礙。

3 多元化路線圖是一項策略，它呼籲所有單位自我檢視多元化的普遍程度。它亦勾勒出機構內各個個人應有的操守才可以使國際特赦組織成為一個擁抱多元，並主動地招募多元觀點及特質的人來參與的機構。





二十四歲的 Noxolo Nogwaza 是一名活躍在南非同志平權運動的行動者。二〇一一年四月二十四日，她被暴徒強姦及毆打，最後被狠狠刺死，而原因很可能跟她的性取向有關。兩年後的今天，警方仍未偵緝到兇徒，公義仍未得到申張。

國際特赦組織認為所有人，不論他性取向或性別身份，都應享有所有基本人權，無一例外。可是，每天仍有人因為性取向或性別身份而被歧視、暴力對待、監禁、折磨甚至處死。國際特赦組織決心捍衛不同性傾向及性別身份人士的尊嚴及權利，今天請你支持我們的工作，令我們的聲音更響更亮。

捐款支持



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編者的話

香港爭取立法消除對性傾向歧視已歷時十多年，但至去年底當何秀蘭議員要求在立法會進行立法諮詢時，動議仍然被否決。

聯合國秘書長潘基文先生於今年四月，於奧斯陸舉行的「人權、性傾向及性別身份會議」上，承諾他會領導全球爭取同志權益運動，並向世界各地政府呼籲，不能以文化、傳統或宗教為藉口推卸保障同志及跨性別人士的法律責任。

潘基文先生這番說話來得正合時，加上最近新任平等機會委員會（平機會）主席周一嶽先生亦宣佈假若政府明年不進行諮詢，平機會會自行啟動相關工作，因此社會上要求立法的聲音便更為響亮。

國際特赦組織一直參與倡議性傾向歧視立法的運動，所以今期人權雜誌亦以此為題。我們亦請來自去年公開同志身份後，積極參與推動性傾向歧視立法的流行歌手黃耀明先生與大家分享他作為本會支持者的感想，希望你也跟「明哥」一起支持我們。



編輯部

主編 區美寶
 封行編輯 巫陸泰
 編輯 陳文慧
 編輯 倪倩珩
 編輯 謝德愛
 編輯 鄭念終

校對

朱敬駒
 Huge Farmer

編輯部查詢

+852-2300-1250 / editorial@amnesty.org.hk

設計

Somely So
 Kit Chan

圖片

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 12/15 七一大遊行 Hincen Ng 及 Nichie Wong
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國際特赦組織(香港)

多元性向

