

INTERVIEW BY HARRIET LOWE, COMMUNICATIONS & RESEARCH OFFICER



ROSIE BRIGHOUSE

HUMAN DIGNITY TRUST

The Human Dignity Trust (HDT) is a UK charity which uses the law to defend the human rights of LGBT people globally. HDT was given a grant by the Foundation's International Development programme. Rosie is a Senior Lawyer with HDT.

You can learn more about the Human Dignity Trust at www.humandignitytrust.org.

“ I think most of the joy comes from getting to journey with the partners we work with. And experience their defiance and courage... ”

Please tell me briefly what the Human Dignity Trust does?

We use the law to defend the rights of LGBT people around the world. That's particularly in countries where same-sex activity is still criminalised. Much of this is the legacy of the British Empire, so a lot of those are Commonwealth countries as well. We have a team of lawyers that provide technical expertise to LGBT activists who want to seek progress through the courts. We also work with governments who want to proactively change their colonial-era laws to bring them up to date with modern human rights standards. And we have a team of media and communications experts who help LGBT people to tell their stories and to assert their humanity in the face of the hostility and prejudice they experience. We are always led and guided by the aims of the people on the frontline of this work. We are also really aware that being a changemaker takes a huge toll on people, so we do a lot of work around the security and wellbeing of our partners as well.

What drew you personally to work at HDT?

On a simple level, I am very aware that as a privileged White British lawyer, I live in a country that has benefited enormously from colonial exploitation. A lot of the laws that criminalise same-sex activity are part of Britain's

colonial legacy and working to get rid of them is a straightforward, good thing to do. On a personal level, I came from a conservative evangelical Christian background, and I think that gives me an understanding of the opposition to the work we do. I grew up witnessing the enormous harm that is caused when LGBT people live in communities that do not affirm and support their identities. I think my background also gives me hope that change is possible and that it can happen quickly.

My whole career has been in social justice. I trained in a specialist human rights law firm and as soon as I qualified, I went to work in the litigation team at Liberty. So I've spent my career trying to use the law to effect change, which is a huge privilege, and I firmly believe it's the best kind of lawyering anyone can do! I feel very lucky.

What do you hope to achieve with the Baring Foundation grant, and what have you done so far?

Hmm, there's so much going on! The project is built around the decision we had last year from the CEDAW Committee of the UN. The Trust had supported a Sri Lankan lesbian activist called Rosanna Flamer-Caldera to bring a complaint to the Committee about the intersectional

discrimination she experiences as a woman and as a lesbian in a country where same-sex activity between women is criminalised. The Committee's decision was a strong, unambiguous statement that the criminalisation of LBQT women is against the CEDAW convention. This is one of the most fundamental human rights treaties there is. Nearly all the countries in the world have signed up to it.

The purpose of the grant is to spread awareness of CEDAW's decision and to use it to seek opportunities to pursue decriminalisation, particularly through a women's rights perspective and with women firmly at the forefront of the work.

So far, we've engaged with international experts to seek their guidance on where the decision is most applicable and how it can be operationalised. That's been really useful. We have also produced briefing materials which explain the decision and how it can be used. In the next couple of months, we will be holding a couple of online events to have more focused conversations with key stakeholders.

We are very soon going to publish an updated version of our research, *Breaking the Silence, the Criminalisation of Lesbian and Bisexual Women and its Impacts*. The report was the foundation for Rosanna's case at the CEDAW Committee. An updated version will highlight where there has been change in the meantime.

The key moment for the project will be in April when we are holding an in-person convening, bringing together LBQT activists across Africa and, in a very open and participatory way, plan what will come next in the journey towards decriminalisation.

What's on the horizon for your work in 2023?

We are hoping the convening in April will lead to new opportunities to partner with LBQT women. We are also expecting a few important judgments in the next year in countries where we are already working. And it's also worth mentioning that we are doing some work to look at new ways to promote the wellbeing of litigants we work with. It's an exciting time to work at the Trust.

What do you most enjoy about your work?

When working with people experiencing such profound hostility and prejudice and discrimination it can feel hard sometimes, but there is also a lot that is really positive in doing this work. I think most of the joy of it comes from getting to journey with the partners we work with. And experience their courage and defiance in these incredibly challenging environments. In saying that, it's important to recognise they shouldn't have to be brave, and we are working towards a world in which being able to navigate hostile spaces isn't an essential life skill for LGBT people. But that change wouldn't happen without the individuals who feel able to stand up and find ways to assert their dignity, tell their stories and defend their rights. There's so much joy in helping to enable that. And also, as a lawyer, I really enjoy winning cases! Having worked in the UK a lot, it feels that making progress within the existing legal system has become very hard; in this work it's still hard but there's such a momentum towards change. We don't take anything for granted, but it does feel increasingly regular now

that there's a decriminalisation decision. That's a very rewarding part of the job.

When you look at LGBTIQ+ communities and organisations around the world at the moment, what are you most worried about? And what gives you hope?

There's a lot to be worried about. The rise of hostility to Trans people in the Global North has to be mentioned. I worry about the vulnerability of LGBT people in the Global South to the climate crisis. LGBT people always end up on the fringes, are scapegoated and are therefore particularly vulnerable to natural disasters.

There are a lot of reasons for hope though. It feels like the winds of change are coming, from the Caribbean in particular. There were three decriminalisation judgments in 2022 and we hope there will be more this year as well. Southern Africa is another region where there is a lot of good news. Angola, Seychelles and Botswana have decriminalised in recent years. There will any day now be a judgement in Mauritius, and we've been involved in starting new litigation in Namibia. We are also seeing more interest in legislation that will protect LGBT people which we feel is an important next step after decriminalisation.

My last thought is that the best source of hope is that the LGBT movement globally is full of incredible individuals who are determined to resist oppression even in situations that can seem incredibly bleak. That's a good reason to have hope, I think.