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HORIZONS' Response to the Legco Home Affairs Panel's Paper on
Discrimination on the Ground of Sexual Orientation

For too long many people view pushing forth equal opportunities on the ground of sexual orientation as only beneficial to people of different sexual orientations (non-heterosexual people) THEMSELVES, when in fact, it is for the benefit of the society as a whole.

Discrimination based on sexual orientations is not only hurtful to non-heterosexual people, but also to their families. It also destroys harmonies in many families. The following is a list of general cases HORIZONS has gathered from years of experience in counseling:

1. Because of the lack of education on the subject matter of sexuality, many parents of non-heterosexual people still think that it's their fault when they find out their children's sexuality. The guilt feelings inevitably damage the relationships between the parents and the children.

Irresponsible newspaper reports of ten relate homosexuality, transgender orientation and other non-heterosexual orientations with abusive childhood and dysfunctional family environment even after many researches in the field of psychology have disputed that belief. That only fosters unnecessary guilt in parents of non-heterosexual children.

2. Because of the adverse attitude towards non-heterosexual people, many people hide their sexuality from their parents and family members. That very often cause relationships between the non-heterosexual individuals and their family members to be distant and unloving.

3. Parents of non-heterosexual people, even after they have come to term with their children's sexuality, are under pressure from their friends and other relatives.

4. Some non-heterosexual individuals, due to pressure from the society which believes that marriage should only be limited to two people of opposite

sexes, have forced themselves to enter into heterosexual marriages and such cases often result in hurtful and bitter divorces, sometimes even with children involved. If the Government had put more efforts in creating an environment in the society where non-heterosexual people need not deny their choices in choosing partners, many of these bitter divorce cases could have been avoided. At the end, same-sex couples should have equal recognition from the Government so that non-heterosexual individuals can enter into a marriage based on commitment in love and not on pressure to fit into social convention.

Pt. 11 of Legislative Council Panel on Home Affairs' "Discrimination on the Ground of Sexual Orientation" paper (called The Paper from here on) states that "There were also concerns about possible impact on young people and on the traditional institutions of family and marriage if non-heterosexuality behaviour was recognized through legislation..." As the above sample cases show, discrimination based on sexual orientation is actually threatening traditional institutions of family and marriage and it needs to be addressed immediately.

LEGAL RECOGNITION OF NON-HETEROSEXUAL RELATIONSHIPS

We find that pt. 16 in The Paper stating that "Complaints of discrimination on the ground of sexual orientation have been few and far between in the past three to four years" rather insensitive. What are the channels to lodge complaints when discrimination based on sexual orientation is not against the law? And when general attitude in the society towards non-heterosexual people is still negative? Under such circumstance, would a person who feels she/he has been discriminated against because of her/his sexuality dare to complain to the police?

The Paper has also failed to address the point that many public services and policies are based on opposite-sex marriages and families with heterosexual parents. Although on the surface, none of the Government's policies are discriminatory against people of different sexual orientations, the fact that same-sex couples do not enjoy legal recognition has already prevented them from enjoying social rights.

While we're happy that "The Government is firmly committed to promoting equal opportunities for all, including people of different sexual orientations. We are opposed to any form of discrimination on the ground of sexual orientation...", the Government needs to understand that the very root to the problem is its unwillingness to recognize same-sex relationships or to design social policies with non-heterosexual people in its consideration.

The Paper has also raised opposing voices from "educational and religious sectors" as reasons against legislation, saying "...legislation to protect the rights

of the homosexuals a form of "reverse discrimination" against the rights of the majority who choose not to accept non-heterosexuality...", but it has missed the point that legislating against discrimination is not to change anyone's value, but to ensure that no one gets unfair treatments because of situations or traits that one hasn't chosen.

Many opposing voices do not accept non-heterosexual orientations based on the belief that one "can choose to be gay" or "choose not to be gay", but how many people, heterosexual or not, remember when they "chose" their current sexual orientations? Many researches have also shown genetic elements in one's sexuality and that it's not by choice.

If the Government decides not to legislate because of the opposing voices, does it mean that it's in favour of the viewpoints from the opposition? Or shouldn't the Government decide whether or not to legislate based on the principle of equal opportunities and its commitment to "promoting equal opportunities for all"?

EDUCATION

The Paper states that "An Equal Opportunities (Race and Sexual Orientation) Funding Scheme has been established to support worthwhile community projects to promote equal opportunities on the grounds of race or sexual orientation. A total of \$1.38M has been allocated in the past three years to fund activities dedicated to the promotion of equal opportunities on the ground of sexual orientation.."

HORIZONS is thankful that the abovementioned funding scheme has helped it kick start some important projects including Newsletter re-launch, Support Group for Parents & Friends of Lesbians and Gays and HORIZONS' official website. However, funds granted are often only a percentage of what asked for by the original proportions due to the limitation in amount of money in the pool, which is often fought over by more than two dozen organisations. Publicity, a costly but important category, is often rejected by HAB. The most crucial task of working on educational projects is to reach out to the audience, and especially with a subject matter that is still largely misunderstood and where concerned individuals have little access to information, publicity is all more important. We hope that in the future, the funding can be increased to meet more needs.

CONCLUSION

As a conclusion, legislation to prevent discrimination based on sexual orientation is simply a must and raising the legal status of same-sex couples to equal with that enjoyed by opposite-sex couples is to be done to meet the Government's commitment. Meanwhile, education still needs to be done to make

the public understand different sexual orientations and to reduce adverse attitudes towards non-heterosexual people, something that legislation alone cannot achieve. While Home Affairs Bureau (HAB) has attempted to conduct public education on the subject matter of sexual orientations, the impact those attempts have made is very small. We hope that HAB can evaluate the effectiveness of its educational projects more thoroughly and make greater efforts to better them.

Reggie Lai-kit Ho
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