

PRISM Quarterly Newsletter



Periodic Risk Intelligence and Security Monitor
Threats to the LGBTQ Community around the World

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Table of Contents

Hong Kong: Threat Environment Remains Low Following Court's Ruling on a Sex Reassignment Precondition	3
Countries In Focus	4
Global Updates	7
Upcoming Regional Events	10
About Crisis24	13
PRISM Contributors	13
Disclaimer	13



Hong Kong: Threat Environment Remains Low Following Court's Ruling on a Sex Reassignment Precondition

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The threat environment for members of the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community in Hong Kong remains low, following what human rights groups are deeming a legal victory for a lesbian couple in the special administrated region of China. Although there has been a series of court rulings in favor of same-sex couples in Hong Kong, concrete legal steps have yet to be taken to recognize same-sex unions or marriages. Same-sex marriages remain banned, and there is no legal recourse for members of the LGBTQ community who face discrimination based on their sexual orientation or gender identity. Polls show that societal acceptance for same-sex couples is improving in Hong Kong, while the physical threat of violence against members of the LGBTQ community is typically low.

Legal Environment Remains Moderate Despite Recent LGBTQ Court Victories

The legal environment in Hong Kong is likely to continue to pose a moderate threat to LGBTQ individuals despite recent pro-LGBTQ court rulings. In September 2023, the Court of First Instance ruled that a lesbian couple was to be given equal parental standing after their son was conceived through fertility treatment. Following a successful reciprocal in vitro fertilization (IVF) treatment, in which one parent supplies an egg and the other carries the child to term, in 2021, the Hong Kong legislature only recognized one of the parents as the legal mother. However, the judge ruled that making the other mother "parent at common law" would better reflect the legal status of the parent in this particular situation.

Although legal experts emphasize that the practical ramifications remain unclear. The lawyers specifically handling the case have stated that, although they celebrated the ruling and believe that it will be precedent setting, they are unsure what specific changes the ruling will usher in. A family law specialist in Hong Kong commented that the ruling would not bring about any tangible changes to the city's current policy towards parental rights of same-sex couples in the short term. However, other local lawyers believe that same-sex couples wishing to attain a similar ruling would need to share the exact background as the lesbian couple to receive the same outcome.

Although courts have frequently ruled in favor of members of the LGBTQ community, the Chinese government has delayed implementing suggested recommendations in the past.



Although courts have frequently ruled in favor of LGBTQ individuals, the Chinese government has delayed codifying rulings into law in the past. For example, in February 2023, Hong Kong's highest court, the Court of Final Appeal, ruled against full sex reassignment surgery being a precondition to change one's gender on ID cards. Although the court determined that the requirement was unconstitutional, the state has yet to implement the ruling.

LGBTQ Societal Acceptance Improving

Public support for members of the LGBTQ community continues to grow amid an already low-threat environment. Although the Hong Kong government has yet to institute meaningful reforms to support the LGBTQ community, public polling has shown growing support within Hong Kong society.

In January 2020, a University of Hong Kong survey found that 58 percent of respondents believed transgender individuals should be allowed to express their preferred gender. More recently, in May 2023, approximately 60 percent of Hong Kong residents surveyed stated that they supported same-sex marriage. A same survey was conducted in 2013 and 2017 with 38 percent and 50 percent, respectively, supporting same-sex marriage. Dedicated LGBTQ spaces and events, like the Hong Kong Pride Parade, have become frequent in the city. Although physical threats against members of the LGBTQ community are uncommon, attacks occasionally occur. In June 2023, an assailant fatally stabbed a lesbian couple in a popular shopping center in Hong Kong. According to reports, a 39-year-old man with an alleged history of mental illness, attacked the couple with a 12-inch knife before being arrested. Authorities continue to investigate the motive behind the incident.



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Countries In Focus

Senegal

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The threat environment for the LGBTQ community in Senegal remains high due to ongoing persecution by government authorities and Senegalese society as a whole. Open displays of hostility toward members of LGBTQ society occur frequently in the country, and the government does not extend legal protections to LGBTQ individuals. Government officials have made death threats against same-sex couples in the past, while the President of Senegal, Macky Sall, has stated that laws regarding same-sex couples will not be changed due to a lack of acceptance in Senegalese society. However, in January 2023, the National Assembly rejected a bill that sought to criminalize non-traditional sexual orientation.

The legal environment in Senegal poses a high threat to the LGBTQ community. There are no laws in Senegal that offer any protection or equal rights for LGBTQ individuals. Same-sex sexual activity is illegal under the Senegalese Penal Code (319). According to the law, so called "unnatural acts" are prohibited, and those engaging in the



practice face a penalty of up to five years imprisonment or a fine of between CFA 100,000 to CFA 1.5 million (USD 170 – USD 2,500). The law applies to both men and women, and individuals will always receive the maximum sentence if they are caught committing an “unnatural act” with an individual who is below the age of 21 years. President Macky Sall has stated that homosexuality would never be legalized under his leadership, which is set to end in February 2024. Furthermore, in January 2023, 11 members of the National Assembly attempted to pass a bill that would punish anyone found guilty of “homosexuality, lesbianism, bisexuality, transsexuality, intersexuality, zoophilia, and necrophilia” with a sentence between five- and 10-years imprisonment or a fine between CFA 1 million to CFA 5 million (USD 1,660 to USD 8,320). The bill also sought to punish anyone found defending LGBTQ rights with three to five years in prison. However, no vote took place on the proposed bill as members of the National Assembly believed current legislature was sufficient.

Enforcement in Senegal poses a high threat to the LGBTQ community. Given both the legal and societal alignment against the LGBTQ community, LGBTQ individuals face an elevated threat of violent crime and discrimination throughout the country as authorities enforce anti-LGBTQ laws. As a result, LGBTQ members frequently face arbitrary arrest or detention. During these incidents, LGBTQ individuals may experience torture. Incidents of murder, mob attacks, harassment, and assault have also been documented against the LGBTQ community in recent years. At a residence in Dakar, in August 2023, authorities arrested ten people accused of being homosexual. This was in addition to six other individuals who were lynched by a mob and then arrested in the capital city earlier in the month for the same reasons.

Senegal’s social environment presents an extreme threat to the LGBTQ community. Support for same-sex marriage and the acceptance of homosexual individuals in public office is virtually non-existent, while prejudice and attacks against members of the LGBTQ community occur frequently. Anti-LGBTQ campaigns are also a common occurrence in the country. In February 2022, anti-LGBTQ groups gathered in Dakar to burn rainbow flags and to call for stronger penalties for members of the LGBTQ community. In October 2023, a group of individuals exhumed the body of an individual accused of being gay, before setting it alight. Prior to the incident, family members of the deceased man struggled to find a location to bury him due to the allegations of his sexual orientation. Members of the community denied initial attempts to bury the man at another cemetery. Nevertheless, religious leaders, who are some of the most vocal supporters of anti-LGBTQ legislation, condemned the act as “mob justice”, and stated it was a reaction to the current government’s overprotective stance of the LGBTQ community.

Japan

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The overall threat level for the LGBTQ community in Japan is low. Same-sex sexual acts are legal under Japanese law. However, there are no explicit punishments for discrimination based on sexual orientation and gender identity. Physical attacks against LGBTQ individuals are limited. Despite strong cultural and traditional influences in Japan, the overall social support for the LGBTQ community continues to increase. Yet, many individuals are hesitant to disclose their sexual orientation due to a lack of constitutional protections against discrimination and harassment. For the past 20 years, Japan has hosted Pride parades and other LGBTQ-related events nationwide, the most notable being the Tokyo Rainbow Pride Parade.

The legal environment in Japan poses a moderate threat to the LGBTQ community. While same-sex sexual acts are legal in Japan, the country offers limited constitutional protections to LGBTQ individuals. In June 2023, Japan passed its first-ever law against discrimination based on sexual orientation. While this bill seeks to advocate for more tolerance toward LGBTQ individuals, it does not ensure equal protection from discrimination. Same-sex marriage is not permitted; however, as of early November 2023, 344 municipalities and 19 prefectures have



adopted a “partnership oath system,” granting partnership certificates to same-sex couples. These certificates afford LGBTQ couples some benefits, including hospital visitation rights and housing. Nonetheless, these certificates are not legally binding or enforceable by law. IVF is only accessible to married, heterosexual women. As a result, women who receive IVF treatment abroad are at risk of being denied hospital care. Before 2023, Japanese citizens had to meet the following criteria in order to legally change their gender marker: be over 18 years of age, unmarried, without underage children, and undergo a sterilization surgery. On Oct. 25, 2023, the Japanese Supreme Court ruled the requirement of sterilization surgery unconstitutional. Joint adoption by LGBTQ couples is illegal, and conversion therapy is permitted in Japan. Homosexual individuals, including men who have sex with men (MSM), are allowed to donate blood; however, they must comply with a 6-month deferral period following their most recent sexual encounter. The legal age of consent is the same for heterosexual and same-sex couples, and LGBTQ individuals may serve in the military under Japanese law.



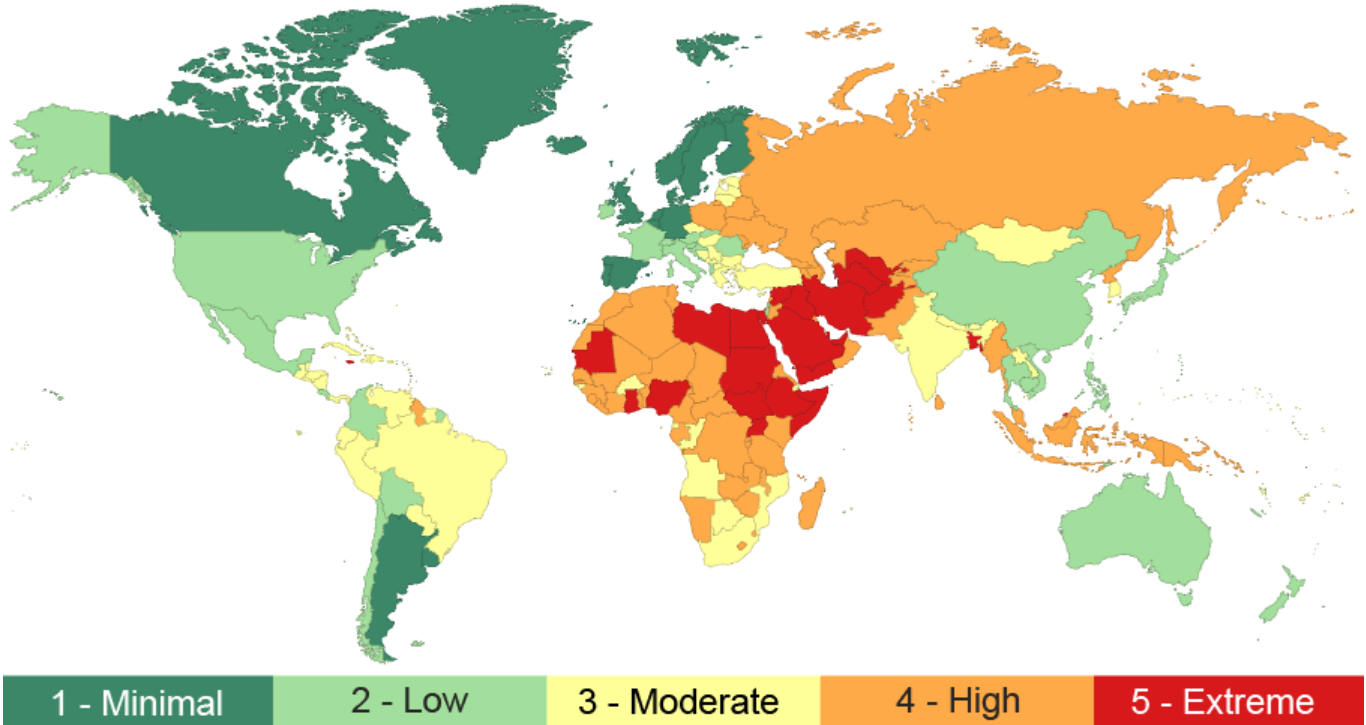
The Japanese Supreme Court ruled the requirement of sterilization surgery to legally change one’s gender marker unconstitutional.

Enforcement in Japan presents a low threat to the LGBTQ community, as reported violent attacks against the LGBTQ community are uncommon. The anti-discrimination law passed in June 2023 encourages the government to “promote understanding of LGBTQ individuals.” Still, it does not lay out penalties for violation and is, therefore, unlikely to be fully enforced. Under Japanese law, members of the LGBTQ community have limited recourse when faced with discrimination and harassment. The constitution does not prevent companies from discriminating against LGBTQ employees, who, in turn, have little to no legal resources if their employer terminates them based on their sexual orientation or gender identity.

The social environment in Japan poses a low threat as the support for LGBTQ individuals continues to grow among the Japanese public. According to a survey conducted in early November 2022, 47.2 percent of the participants supported legalizing same-sex marriage, 15.8 percent were against it, and 36.9 percent neither supported nor opposed it. Homophobic physical attacks are rare. However, social and cultural stigma persist. Individuals are often reluctant to disclose their sexuality for fear of being marginalized and discriminated against in the workplace, school, or housing. Members of the LGBTQ community in police custody face further risk of abuse and violence. Japan hosts multiple LGBTQ-related events, including the Tokyo Rainbow Pride parade, one of Asia's largest LGBTQ events. The 2023 Tokyo Rainbow Pride titled "Press on Till Japan Changes" attracted over 200,000 participants. Japan has many national and local LGBTQ activist groups that advocate for equal legal protections for the LGBTQ community. Japan remains the only Group of Seven (G7) member that has not developed a comprehensive legal framework protecting same-sex unions. Advocates and business leaders argue that passing those laws would allow Japan to stay competitive in the international market while attracting additional foreign investment and tourism.



Crisis24 LGBTQ Security Ratings Map



Global Updates

Canada

The National Hockey League Drops Pride Tape Ban Following Public Outrage

On Oct. 24, the National Hockey League (NHL) ended its policy to ban Pride Tape from being used on players' sticks. The NHL enacted the ban in early October, stating it meant to reduce distractions, to not put players in positions where they need to demonstrate their support for any special initiatives, and to encourage players to express themselves off the ice. Several NHL players defied the ban and continued to use Pride Tape on their sticks. The ban received significant criticism in the media and by large LGBTQ organizations, likely pressuring the NHL to reverse its decision.

Latvia

Parliament Legalizes Same-Sex Civil Unions

On Nov. 9, Latvia's parliament voted in favor of providing legal recognition for same-sex civil unions but with fewer legal protections than married couples. The law will come into effect by July 1, 2024 and will allow same-sex



couples to register their partnership with a notary. The law will allow persons in a same-sex union hospital visitation rights as well as some social security and tax benefits. Latvia's Justice Minister, Inese Libina-Egnere, stated the intent behind the law is not to provide same-sex couples with similar rights as married couples, but to acknowledge and register same-sex partnerships and family structures. In 2020, Latvia's Supreme Court ruled that the country must recognize non-married families after which at least 46 same-sex couples were recognized as family units. While conservative attitudes towards LGBTQ individuals are commonplace in Latvia, the country elected its first openly gay president who is also the first openly gay head of state in the EU.

Malaysia

Government Requires Concert Organizers to Provide a "Kill Switch" at All Concerts Following Same-Sex Kiss

The Malaysian government has initiated a requirement for concert venues and organizers to ensure there is a mode to cut off electricity supply immediately should there be any unwanted incidents on stage. The guideline is a direct result of a same-sex kiss during a performance by members of The 1975 band on July 21, 2023. The 1975's lead singer, Matt Healy, also criticized Malaysia's anti-LGBTQ laws on stage prior to the kiss. Enhanced background screenings will be conducted on performers before they will be given permission to perform in the country. Authorities state such measures are to ensure foreign artists respect the local culture, which is extremely conservative and generally intolerant of the LGBTQ community.

Mauritius

Supreme Court Decriminalizes Same-Sex Relations

On Oct. 4, Mauritius' Supreme Court decriminalized same-sex relations. The court ruled that Section 250, which criminalized same-sex sexual relations, was unconstitutional and a law not indigenous to Mauritian values. Section 250 dated back to 1898 and was inherited from the British during the colonial period. The acceptance of LGBTQ persons in Mauritius has been increasing in recent years, though conservative attitudes toward LGBTQ individuals remain commonplace. A spokesperson from the largest LGBTQ advocacy group in Mauritius, Arc-en-Ciel, expressed support for the ruling and said the group's next priorities would be to legalize same-sex unions and obtain legal recognition for transgender individuals.

Nigeria

Authorities Raid an Alleged Same-Sex Wedding

On Aug. 28, Nigerian police arrested over 200 people as they conducted a raid on an alleged same-sex wedding in the southern city of Warri in Delta State. Authorities will prosecute at least 67 people for allegedly attending the event. Same-sex relationships are illegal in Nigeria, with the country's penal code approving punishment of up to 14 years in prison. Cultural, political, and religious conservatives continue to be a driving force in maintaining widespread anti-LGBTQ sentiment across Nigeria.

Russia

Supreme Court Declares the International Gay Rights Movement as Extremist

On Nov. 30, Russia's Supreme Court declared the international gay rights movement as an extremist organization. The lawsuit was filed by the Ministry of Justice on Nov. 17, which argued that the activities of the movement exhibited several signs similar to that of an extremist organization such as inciting religious and social hatred. Any



person now seen to be a part of or endorsing the movement can be subject to a fine or imprisonment. The court session took place in private as it was declared a secret case with the ruling enacted with immediate effect.

South Africa

Seven People Arrested for Possible Crime Syndicate Targeting LGBTQ Individuals

Seven people have been arrested after using the popular LGBTQ dating app Grindr to lure and kidnap an 18-year-old student in Johannesburg in September. The seven suspects are being connected to at least 86 other cases involving crimes against LGBTQ individuals. Authorities are investigating the group as a potential syndicate that specifically targeted members of the LGBTQ community, frequently using the Grindr app to do so. Local LGBTQ groups report that it is common for criminals to target LGBTQ individuals using dating apps in South Africa.

South Korea

Constitutional Court Upholds Ban on Same-Sex Sexual Activity for Members of the Military

On Oct. 26, South Korea's Constitutional Court ruled to uphold a law that bans same-sex sexual activity for members of the military. The law allows for a punishment of up to two years in prison and has been used to arrest dozens of people in the past. Authorities state that allowing same-sex sexual activity would potentially jeopardize discipline and upend the military hierarchy. LGBTQ rights groups have voiced opposition to the ruling, noting it continues the criminalization of same-sex sexual acts in a country where all men are mandated to perform military service for almost two years. Although anecdotal evidence suggests there has been improvement in LGBTQ rights and social acceptance in South Korea in recent years, society remains generally conservative.

Switzerland

Writer Sentenced to 60 Days in Prison for Anti-LGBTQ Hate Speech

On Oct. 2, authorities fined and sentenced Alain Soral, a Swiss writer and political commentator, to 60 days in prison for using homophobic and defaming slurs against journalist and LGBTQ activist Catherine Macherel. Soral was sentenced for defamation, discrimination, and incitement of hatred from a Facebook video he posted in 2021. Soral's lawyer has stated he will be appealing the conviction, though no successful appeals have been reported. In 2020, Switzerland approved measures making it illegal to discriminate against someone based on their sexual orientation. This ruling has been viewed positively by LGBTQ groups in Switzerland, as it signals intolerance for anti-LGBTQ discrimination in Switzerland.

United States

Man Sentenced for Anti-LGBTQ Crimes in Idaho

On Nov. 2, authorities sentenced Matthew Lehigh, a resident of Oregon, to 37 months in federal prison including an additional three years of supervised release after a week-long crime spree targeting LGBTQ individuals around Boise, Idaho in October 2022. Lehigh verbally and physically assaulted LGBTQ individuals and tried to hit people with his car. Local law enforcement was unable to pursue a hate crime case against the perpetrator as sexual orientation and gender identity are not included in the state's malicious harassment statute, and subsequently dropped local charges after federal charges were brought.



United Kingdom

England and Wales See Record High Rate of Hate Crimes Against Transgender Individuals

The UK Home Office released its annual hate crime report, and hate crimes against transgender individuals reached a record high for England and Wales for the year ending in March 2023. According to the report, hate crimes increased by 11 percent compared to the previous year, with a record 4,732 incidents recorded targeting transgender individuals. Nonetheless, transgender hate crimes are almost certainly underreported with estimates from authorities suggesting as much as 90 percent of anti-LGBTQ hate crimes go unreported.

Vatican

LGBTQ Individuals Can Be Baptized and Partake in Some Church Ceremonies

On Nov. 1, the Vatican, with approval from Pope Francis, released a document stating that transgender and homosexual individuals may be baptized, become godparents, and serve as witnesses of sacramental marriages under certain circumstances. the Dicastery for the Doctrine of the Faith (DDF) approved the document on Oct. 31 which addressed questions regarding transgender and homosexual individuals posed by the diocese of Santo Amaro in Brazil in July 2022. A DDF spokesperson states that the document only reiterates fundamentals of the DDF’s previous teachings on the subject and does not address universal canon law that currently prohibits LGBTQ individuals from participating in church ceremonies.

Upcoming Regional Events

Due to the increased visibility of the LGBTQ community and increasing acceptance in some regions, there is a multitude of LGBTQ-related events taking place around the globe, particularly in Europe and North America. Therefore, the regional events list includes a sampling of events slated to occur in the upcoming quarter and is not a comprehensive list of the events occurring in each region.

Africa		
Cape Town, South Africa	March 2	Cape Town Pride March
Asia		
Hakuba, Japan	March 8-17	Hakuba Rainbow Festival
Chandigarh, India	March TBD	Chandigarh Pride Walk
Caribbean		
None		
Central/South America		
Florianopolis, Brazil	Feb. 9-14	Carnaval Floripa 2024
Rio de Janeiro, Brazil	Feb. 9-17	Rio Carnaval
Europe		
Arosa, Switzerland	Jan. 20-27	Arosa Ski Week



Vienna, Austria	Jan. 27	RegenbogenBall
UK	Feb. 1-29	LGBT History Month
Cologne, Germany	Feb. 8-14	Koelner Karneval 2024
Sitges, Spain	Feb. 8-14	Sitges Carnival
Skelleftea, Sweden	Feb. 11-17	Skelleftea Pride 2024
Copenhagen, Denmark	Feb. 19-24	Copenhagen Pride
Lillehammer, Norway	Feb. 19-25	Vinterpride Lillehammer 2024
Amsterdam, Netherlands	March 13-24	Roze Filmdagen: Amsterdam LGBTQ+ Film Festival
London, UK	March 13-24	BFI (British Film Institute) Flare
Les Arcs, France	March 16-23	European Gay Ski Week
Tignes, France	March 16-23	European Snow Pride
Leeds, UK	March 21-24	Leeds Queer Film Festival
Middle East/North Africa		
None		
North America		
Aspen, Col., US	Jan. 14-21	Aspen Gay Ski Week
Whistler, B.C., Canada	Jan. 21-28	Whistler Pride and Ski Festival
Hollywood, Fla., US	Jan. 28	My Hollywood Pride
Playa del Carmen, Mexico	Jan. 31-Feb. 6	Arena Dance Music Festival
New Orleans, La., US	Feb. 1-14	Gay Mardi Gras
Cape Coral, Fla., US	March 2-3	Pride Cape Coral
Bend, Ore., US	March 7-10	Winter PrideFest 2024
Charlottetown, P.E.I., Canada	March 7-10	Fierte Canada Pride
Toronto, Ont., Canada	March 14-17	Toronto Queer Film Festival and Symposium
Tampa, Fla., US	March 23	Tampa Pride
Oxon Hill, Md., US	March 25-27	Out and Equal 2024 Leadership Forum
Russia/CIS		
None		
South Pacific/Oceania		
Melbourne, Australia	Jan. 21-Feb. 11	Melbourne's Midsumma Festival
Auckland, New Zealand	Feb. 1-29	Auckland Pride Festival
Tasmania, Australia	Feb. 12-15	TasPride Festival



Sydney, Australia	Feb. 16-March 3	Sydney Gay and Lesbian Mardi Gras
Wellington, New Zealand	March 1-17	Wellington Pride Festival
Daylesford, Australia	March 7-11	ChillOut Festival
Bendigo, Australia	March 13-24	Bendigo Pride Festival
Christchurch, New Zealand	March 15-31	Christchurch Pride
Worldwide		
Worldwide	Feb. 18-24	Aromantic Spectrum Awareness Week
Worldwide	March 31	International Transgender Day of Visibility



About Crisis24

Crisis24, a GardaWorld company, draws on 30 years of field experience to provide actionable risk management solutions to organizations around the world seeking to stay ahead of emerging risks. Our in-country intelligence analysts, highly specialized operational experts and proprietary technology platform enable us to deliver fully integrated end-to-end risk management solutions that help our clients protect their people, organization, assets, and cyberspace. Whether at home and abroad, our clients can grow their operations anywhere in the world.

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