

One Day National Seminar

On

Human Rights of L.G.B.T Q.: Law and Judicial Approach

March 6th 2019

Organized by
DEPARTMENT OF HUMAN RIGHTS
SCHOOL FOR LEGAL STUDIES
BABASAHEB BHIMRAO AMBEDKAR UNIVERSITY
(A CENTRAL UNIVERSITY)
LUCKNOW- 226025 Website: www.bbau.ac.in

About the University

The Babasaheb Bhimrao Ambedkar University (A Central University) Lucknow (NAAC Accredited "A" Grade) is one of the premier Central Universities in the country established on 10th January 1996 to promote advanced knowledge, to offer appropriate courses relevant for the development of socially and educationally depressed section of the people, including agricultural technology and rural crafts; to promote the study of the principles for which Babasaheb Bhimrao Ambedkar worked during his lifetime, to pay special attention to the promotion of educational and economic interests and welfare of the people in general and members belonging to the SC/ST in particular.

awareness | equity | inclusion

Concept note

Not for nothing, the great German thinker, Johann Wolfgang von Goethe, had said, — "I am what I am, so take me as I am" and similarly, Arthur Schopenhauer had pronounced, — "No one can escape from their individuality". In this regard, it is profitable to quote a few lines from John Stuart Mill:-

But society has now fairly got the better of individuality; and the danger which threatens human nature is not the excess, but the deficiency of personal impulses and preferences."

The emphasis on the unique being of an individual is the salt of his/her life. Denial of self-expression is inviting death. Irreplaceability of individuality and identity is grant of respect to self. This realization is one's signature and self-determined design. One defines oneself. That is the glorious form of individuality.

Sikri, J., in NALSA case, as referred in Navtej Singh Johar & Ors. ...Petitioner(S) Versus Union Of India in his concurring opinion, dwelling upon the rights of transgenders, observed: - "...there seems to be no reason why a transgender must be denied of basic human rights which includes right to life and liberty with dignity, right to privacy and freedom of expression, right to education and empowerment, right against violence, right against exploitation and right against discrimination. The Constitution has fulfilled its duty of providing rights to transgenders. Now it is time for us to recognise this and to extend and interpret the Constitution in such a manner to ensure a dignified life for transgender people. All this can be achieved if the beginning is made with the recognition of TG as third gender."

Human rights are the fundamental rights of every human being, regardless of culture or societal norms. The Universal Declaration of Human Rights (UDHR) mention,

the right to equality; freedom from discrimination; life, liberty, and personal security; freedom from torture and degrading treatment; recognition as a person before the law; equality before the law; and the right to marry and have a family. Denial of the recognition of human rights for any group of individuals is a denial of their humanity. All over the world, Lesbian, Gay, Bisexual, And Transgender, people (LGBTQ) continue to face endemic violence, legal discrimination, and other human rights violations on account of their sexual orientation or gender identity. Human rights are indivisible and inalienable rights due to all people. LGBTQ people in many societies are subjected to discrimination, abuse, torture, and sometimes state-sponsored execution. Police abuse of LGBTQ people is common and pervasive in many places.

In India, homosexuality is seen as social crime as well as penal offence under Indian Penal Code. Discrimination on ground of sexual orientation is wide spread, unrecognizing protection of human rights of LGBTQ group create much impact on the mental and physical health of these people. When a law is unjust, it is only right to disobey and that's what the LGBT community in India has been doing in recent decades. In *Navtej Singh Jauhar vs. Union of India*, Justice Dhananjaya, Y. Chandrachud observed "Sexuality must be construed as a fundamental experience through which individuals define the meaning of their lives," "The veil of social morality cannot be used to violate fundamental rights of even a single individual ... Section 377... has become an odious weapon for the harassment of the (lesbian, gay, bisexual, transgender) community by subjecting them to discrimination and unequal treatment." Justice Rohinton F. Nariman rightly concluded by saying, "It is clear that Articles 14, 15, 19 and 21 have all been transgressed without any legitimate state rationale to uphold such provision." Furthermore, Supreme court ruled that every individual has fundamental right to privacy which is part of the right to life and sex in private and it is fully applies to the LGBTQ community. Individual of LGBTQ community are subjected social, cultural, physiological and legal harassment. To keep humanity in rights protection legal framework should be framed in such manner so that rights of this group can be protected. Through the theme this seminar will explore how academicians, LGBTQ people, activists and advocates, inside and outside of social and political institutions are working to bring explicitly queer values for the love and protection of rights of LGBTQ. Law on LGBT is in pipeline.

Objectives of the Seminar

The invisibility of LGBTQ persons and the absence of a serious discussion about their human rights situation are recurring themes of various seminars and reports. Many LGBTQ individuals conceal their sexual orientation or gender identity in

About Lucknow

Lucknow, the city situated on the banks of the river Gomti popularly known as the city of the Nawabs and Nawabi culture worldwide. It is also known as the Golden City of the East, Shiraz-i-Hind and the Constantinople of India. Lucknow is a beautiful city and famous for its historical monuments which were built during the ancient times and still retains its old world charm. Lucknow is also famous for its traditional cuisine, fine arts and the most courteous people you will ever find in India. It is the capital city of Uttar Pradesh and stands out as a city that takes pride in the endearing.



Submission of Abstract

The Participants interested in making Paper presentation on the seminar theme are requested to submit their Abstract along with registration form.

- **The abstract of paper Maximum 300 words, in MS word 12 points Font New Times roman, 1.5 space.**
- **Full paper within 4000- 8000 words and should be typed in MS word 12 points Font New Times roman, 1.5 space on A4 size paper.**

Abstract and full paper must be sent on e-mail followed by hard copy of the same by post on the address given below.

(E-mail: nsdhr2019@gmail.com)

everyday life out of fear of negative reactions at school, work, in their neighbourhood or in their family. They fear that public knowledge of their sexual orientation and gender identity will lead to discrimination, harassment, rejection or even violence. Following are the specific objectives of the one day National Seminar:

To describe the similarities and differences among LGBTQ people in different cultural and historical contexts

- To discuss LGB&T issues and advising on matters of policy and policing ensuring the force meets its legal obligation and the expectations of the LGBTQ community, including compliance with employment and discrimination law.
- To discuss ways to help transgender young people and their families to have a positive experience in their schools, place of work and communities
- To promote the ideas of cardinal democratic right to Equality in the present scenario.

Registration fee:

Academicians and other Delegates: Rs. 500/-

Research Scholars: Rs. 400/-

UG/PG Students: Rs. 300/-

SLS students Rs.150/-

No accommodation and T.A. /D.A. shall be given by the University.

Rules of Participation

- 1. For participation, registration is mandatory. Only registered participants will be allowed to take part in National Seminar.**
- 2. Participants/ Paper Presenters/Co-Authors (not more than two) have to register at the time of Registration.**
- 3. Personal presence is necessary. No certificate will be issued to the candidate who will not present in the seminar personally.**
- 4. No abstract or full paper shall be accepted after the last date of submission respectively.**
- 5. Only the quality paper based on original research will be accepted for presentation.**

Sub-Themes of the Seminar

- Attitudes and perceptions: Lesbian, gay, bisexual and transgender persons, Criminalisation and medical classifications, Attitudes towards LGBTQ persons, Perceptions of the nation, religion and traditional values, Perceptions of LGBTQ persons' visibility and use of public space; Sexual minorities: Theoretical Explanation; sexual orientation and gender identity; Sexuality and Cultural Studies;
- International Human rights based approach: Developments at the United Nations for LGBTQ rights human rights; The EU "Toolkit to Promote and Protect the Enjoyment of All Human Rights by LGBTQ People; International Bill of Human Rights and LGBTQ; Human Rights Campaign and LGBTQ; Human Rights Watch and LGBTQ; Human Rights Responses; Gender, Sexuality, and Immigrant Rights;
- National Legal Standards: Legal Framework on LGBT, Principles of Openness, Transparency, Accountability, Participation and Non-discrimination; LGBTQ empowerment and workplace; prejudice against LGBTQ people, LGBTQ inclusion policy, Judicial interpretation of LGBTQ rights;
- Social networks and family; Marriage, Family Life, Reproductive Rights, Parenting And Gender Reassignment; HIV and other health issues; Honor related violence; Right to privacy; Religious Liberty, morality and ethical issues on gender expression.
- Any other theme related to topic.

Important Dates:

- Last Date for Abstract Submission: 23rd February 2019
- Issue the list of Accepted Abstract: 25th February 2019
- Last Date for Full Paper Submission: 2nd March 2019

Payment details:

Account Name: National Seminar DHR

A/C No.: 2900101014635

IFSC: CNRB0002900

Canara Bank, BBA University Branch, Lucknow

Patron

Prof. N.M.P. Verma, Vice-Chancellor, BBAU

Seminar Director

Prof. Priti Saxena, Head, Department of Human Rights, School for Legal Studies, BBAU

Convenors

Prof. Preeti Misra

Dr. Shashi Kumar

Organising Secretary

Dr. Rashida Ather

Co- Organising Secretaries

Dr. Rajeev K. Singh

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For further information, please visit our website at: www.bbau.ac.in

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Registration Form

1. **Name of the Participant:** :
(Prof/Dr./Mr./Ms) Author /Co-author (please mark ✓ appropriate)
2. **Designation:** :
3. **Institutional Affiliation** :
.....
4. **Address for Correspondence** :
.....
.....
5. **E-mail** :
6. **Mobile**
7. **Phone (with STD code)**
8. **Sub-Theme** :
9. **Title of the Paper** :
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.....
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Signature