

Nepal's First Gay MP Speaks — Nation's Two Largest Political Parties Embrace LGBT Rights

Thursday 29 May 2008, by [IRELAND Doug](#) (Date first published: 8 May 2008).

I wrote the following article for *Gay City News*, New Yorks largest lesbian and gay weekly, which published it today:

In an historic breakthrough, the leader of Nepal's largest LGBT group, the Blue Diamond Society, has been named to a seat in the parliament following April 10 elections in that nation, the largely mountainous home to some 30 million people.

Sunil Pant, 35, a Belarus-educated computer engineer who founded the Blue Diamond Society (BDS) in 2002 and has been its executive director ever since, was named to the parliament by the tiny Communist Party-(United). The CPN-(U) won the right to have five seats in the new constituent assembly under a complicated proportional representation system used in the elections, the first since Nepal, long an autocratic monarchy, declared itself a "People's Republic" last December following a 2006 peace deal that ended a decade-long civil war.

The party is one of five separate and competing Communist parties to have gained seats in the 601-seat parliament in last month's elections, with the largest being the Communist Party of Nepal-(Maoist) — which led the armed insurgency against King Gyanendra and his late brother Birendra, who preceded him — won 220 seats, and is expected to lead a coalition government yet to be formed.

The elections saw another first — ten LGBT candidates for the parliament who are BDS members were in the running and "the number of votes we received exceeded our expectations, which is why the CPN-(U) chose me as a member of the constituent assembly," Pant told me from the country's capital of Kathmandu. Eight of those candidates were metis, born as male and transgendered who dress and live as women — "third genders" as Pant calls them — and two were gay men, he said.

"Most of the CPN-(U) party have indicated their support for LGBT rights, and it was very happy to send an openly gay man to parliament. And there are also many good individuals in the parliament with whom we have worked in the past," Pant added.

Nepal is 80 percent Buddhist, and traditional society there has significant social rigidities and discrimination based on caste and gender. In the past, Nepalese police frequently used violence against gays and the metis and subjected them to arrest on various trumped-up charges. Under the monarchy, a law forbade "unnatural" sex.

Until last year Maoist cadres also hunted down, intimidated, and used violence against sexual minorities, particularly the metis, including a campaign to ask landlords not to rent to them.

Maoist leaders used incendiary rhetoric to denounce homosexuals as "unnatural" and for "polluting"

society. The military commander of the Maoist militia in western Nepal, who was also a minister in the interim government that followed the 2006 peace accord, proclaimed that “homosexuality is a product of capitalism” and that “there were no homosexuals in the Soviet Union” (the Maoists displayed portraits of Stalin along with Mao at their campaign rallies). (See this reporter’s earlier article, “Nepal’s Maoist Assault on Gays,” which appeared in the April 19-25, 2007 issue of *Gay City News*.)

But, Pant told me, “There has been a significant change in the Maoist attitude toward sexual and gender minorities. I and the BDS had many meetings, dialogues, and orientations with several parties, including the Maoists. And this year, the Communist Party of Nepal (Maoist), the Nepali Congress Party [the second-largest party in the constituent assembly], and the Communist Party- (United) all included LGBT rights in their election manifestos.”

Pant identified a 2004 incident as a critical turning point in public opinion. A policeman forced one of the metis to perform oral sex on him and then slit her throat. Even conservative Nepalese who didn’t approve of homosexuality or sexually transgressive behavior of any kind were horrified by the gratuitously cruel violence.

At a BDS-led protest a few days later, police arrested 39 of the LGBT group’s members, leading to sympathetic media coverage for the movement, a denunciation by Human Rights Watch, and international outrage.

But the real breakthrough came last December, when Nepal’s Supreme Court ruled on a lawsuit brought by the BDS and three other groups challenging the law against “unnatural” sex and demanding equal rights and an end to discrimination for LGBT people.

In its ruling, the court declared that sexual minorities were “natural persons” deserving of protection against discrimination, and ordered the government to come up with legislation guaranteeing civil rights for homosexuals. The court also ordered that a government commission be established to study the legalization of same-sex marriage, and to make official documents like identification cards and passports include a third option for a person’s gender.

Since last year’s unprecedented court ruling, “violence has been reduced against LGBT people, and many police have become much less brutal than before in treating us,” Pant told this reporter.

Pant and the BDS were given last year’s Felipa de Souza Award by the New York-based International Gay and Lesbian Human Rights Commission (IGLHRC) for their courageous and effective work to end anti-LGBT discrimination and fight the spread of HIV/ AIDS.

Pant now directs a BDS that has more than 50 full-time staffers, funded entirely by donations and grants, and there are now ten other officially registered groups serving Nepal’s queer community.

Pant and the BDS will now focus their energies on including pro-LGBT measures in the country’s new constitution, which the just-elected parliament is preparing. A two-day “national consultation of sexual minorities” sponsored by the BDS and held in Kathmandu concluded its work on May 6 by voting to issue a list of demands, among them — “affirmative action” to “guarantee fundamental rights including education, health, and employment for our sexual minority,” “legal provisions for marriage between homosexuals and third genders,” “equal paternal property rights,” and “laws against sexual exploitation and sexual violence of lesbians, gays, and third genders, and proper compensation for its victims.”

The conference also demanded that “lesbian and third gender women should be included in the 33 per cent of seats” in parliament reserved for women.

P.S.

* From <http://direland.typepad.com/direlan...>

Posted by Doug Ireland

* The Blue Diamond Society's web site is at <http://www.bds.org.np/>.