



- 1. Please provide an update, focussing on a) level of societal discrimination against lesbians in Fiji, especially Indian Hindus; b) official discrimination against lesbians; and c) access to police protection for lesbians.**

Societal discrimination against lesbians

There is a considerable degree of societal discrimination against lesbians in Fiji. Publicly ‘out’ lesbians are liable to mistreatment by their families, discrimination in employment and housing, and criticism from a range of political, public, police, and religious leaders. No authoritative information was located on how the Indian background or Hindu religion would affect familial or public attitudes to lesbians, but they are unlikely to have any positive effect on their perception or treatment. In one 2009 blog post, a Fijian Indian lesbian states that her parents, as Indians, see homosexuality as a disease.

A July 2009 report prepared for the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) claims that lesbians are “discriminated against and excluded” in Fijian society, and that they must maintain “a low profile to avoid negative attention.” According to this report, lesbians “are regarded as ‘abnormal’ and even ‘sinful’ for not being like ‘normal’ people.” Further, the report states that the Methodist Church, a powerful cultural influence in Fiji, is influential in maintaining social intolerance toward lesbians, who must “remain invisible because visibility draws upon them ridicule, discrimination, and outright violence.”¹

A July 2009 post from the blog website of a Fijian Indian lesbian, now living in the USA, provides a first-hand account of the events that followed her emergence as a lesbian at high school. The author describes her Indian family’s intolerance of her lesbianism, including their perception of lesbianism as a “disease”, and the negative attitudes of her school and peers:

Our friends found out, so did our teachers, the principals, our parents, their colleagues and other schools in the area. Everyone knew about the two lesbian lovers at _____. [Researcher’s note: name of school in Fiji, removed by writer to protect privacy].

No one was supportive.

...Our parents shouted, screamed and abused us. Quite a lot of Indian people see homosexuality as an imported disease and we were victims of that ignorance and intolerance. Seeing each other after school or on the weekends was out of question. I was dragged out of the classroom at pivotal moments to be lectured about

¹ Naidu, V. 2009, *Draft Report Fiji Islands Country Profile on Excluded Groups*, United Nations Economic and Social Commission for Asia and the Pacific, July
http://www.unescap.org/ESID/hds/development_account/mtg/EGM_Bg_doc/Fiji%20Islands%20Country%20Profile%20on%20Excluded%20Groups2.pdf – Accessed 17 May 2010 – Attachment 1.

homosexuality and how it was a sin. At one point, I had stones thrown at me by peers and we were both threatened with expulsion.

My sister returned from the United States and one day she dragged me to the sea wall crying and protesting that I couldn't be gay. In hindsight it was lame and I hope she is ashamed of herself but I won't hold my breath. My family means nothing to me.

"Fine, I am not gay," I had said. I was 14, scared and stigmatised at that point, afraid of losing my family, with absolutely no resources.

After all, this was Fiji, a decade ago. We didn't know a single out gay person or couple. There was no concept such as civil union or gay marriage. I didn't know how to be gay or whether I was gay. I just knew that I loved her and wanted to be with her. When I did come out years later, I did it without regard of what my family thought.²

In a 2006 interview with Luisa Tora of the Fijian Sexual Minorities Project (SMP), also sourced from Isis International website, Tora claims that influential figures from a range of political, public, and faith-based organisations "spout homophobic statements", and that she has experienced a medical clinic nurse who stated that she would not treat lesbians in her clinic. Tora also claims that the SMP was "established "in response to the unfair dismissal of a lesbian woman who was fired after a colleague 'outed' her at the theological college where she worked".³

A 1999 interview with a Fijian lesbian sourced from *Women in Action*, and hosted on the Isis International website, also provides a first-hand account of societal attitudes to lesbians in Fiji:

We can't marry our partners. We can't adopt. We can't come out without our parents trying to marry us off. We can't come out without some man asking if he can watch us make love with our partners, or if he can join us if we do. We can't hold hands in public. We can't come out without some ignorant person asking if we were abused as children, if we hate men, or saying, we just haven't met the right man yet. We can't walk on the street without some bigot yelling out homophobic comments at us. We get fired because of our sexuality. We are asked if we want to be men.

...I think there is some degree of change in some pockets of society-mostly among the younger generation. Some people have become more supportive of lesbians because lesbianism is an extension of their feminism. I think little has changed as far as formal lesbian support systems go. Very little information is available to help lesbians make informal decisions about our reproductive health or legal matters or any other issues involving lesbians. I thought the inclusion of sexual orientation in the antidiscrimination clause in the new Fiji constitution meant we were making a step in the right decision. I was wrong. Christian fundamentalists marched (on constitution day) against the inclusion of sexual orientation, saying it encouraged gay people to marry. It is easy to be cynical, but I am a bit optimistic

² Lal, P. 2009, 'My Coming Out Story – Growing Up Gay in Fiji', PrernaLal.com blog website, 2 July <http://prernalal.com/2009/07/my-coming-out-story-growing-up-gay-in-fiji/> – Accessed 25 May 2010 – Attachment 2.

³ Tota, L. 'Masculinity, Gender Identity, and Fiji's GLBT Community' 2006, Isis International website, 14 September http://www.isiswomen.org/index.php?option=com_content&task=view&id=269&Itemid=135 – Accessed 28 September 2007 – Attachment 3.

about the future. The Human Rights Commission came into effect today. We might be moving slowly in Fiji, but at least we're moving in the right direction.⁴

An undated article sourced from the Habitat International Coalition (described on its website as “an independent, international, non-profit alliance of some 400 organisations and individuals working in the area of human settlements”) website contains personal testimony from a Fijian lesbian woman who was living with her partner. She describes harassment directed at the couple on the basis of their sexuality by relatives on both sides of the family, and the denial of access to a rental property, which she claims has also been the experience of other lesbians living in Suva.⁵

A selection of 2008 posts from the Thorn Tree travel blog on the Lonely Planet website addresses the position of lesbians in Fiji. Although the initial question to the blog was regarding acceptable behaviour for lesbian tourists visiting Fiji, some of the posts are of interest because they address the public acceptability of lesbianism in Fiji:

As far as I understand, lesbians are simply unheard of and unthought of in much of the South Pacific.

...Not many overt lesbians in the SP, at least much less so than gay men.

...So, enjoy your trip and each other, but just think of it like being constantly walking around in or near a big church for the most part, with some, but not total discretion, needed.

...I have some lesbian (and gay) friends here in the Fijian community; many work in the tourism and hospitality sector. Although having homosexual relationship is prohibited by law, some of them show it in the way they dress, walk or talk. There are certain pubs (in Nadi or Suva) which are known as gay hangouts. However they hardly ever show affections towards their partners in public (but this is hardly ever done between a hetero couple), because that could get them in trouble. “Holding hands” won't fall in this category; actually I have seen “straight” men walking along the street, holding hands.

Despite this law, which prohibits the homosexual relationships, gays are generally accepted, but there will always be some silly people making fun of them.

...I think the Pacific islands are a bit like Queen Victoria – they only recognise, (and often ban) relationships between gay men.

...What is a pair of gay couples to do when travelling on the islands? Just what all couples have to do there, locals and tourists alike: keep distance and if not, don't make noise and let nobody see anything. Nothing special and yes, really Victorian.⁶

⁴ ‘Closets are Not for Us: Views from Five Lesbians Compiled’ 1999, Isis International website, (source: *Women in Action*, 1:1999) http://www.isiswomen.org/index.php?option=com_content&view=article&id=563:closets-are-not-for-us-views-from-five-lesbians-compiled&catid=132:women-and-sexuality – Accessed 20 May 2010 – Attachment 4.

⁵ Aggarwal, A. (undated), ‘Women and the Right to Adequate Housing: Connections and Strategies Forward’, Habitat International Coalition website <http://www.hic-net.org/articles.php?pid=1564> – Accessed 19 May 2010 – Attachment 5.

⁶ ‘Lesbian travel in Fiji’ 2008, Thorn Tree travel forum, Lonely Planet website, 2-7 August <http://www.lonelyplanet.com/thorntree/thread.jspa?threadID=1644676> – Accessed 25 May 2010 – Attachment 6.

Official discrimination against lesbians

Consensual sexual acts between women have never been specifically illegal in Fiji, although anecdotal evidence indicates that this is because lesbian relationships have never been publicly acknowledged as existing rather than any acceptance of such relationships.

In a May 2010 overview of laws affecting gay, lesbian, and trans-gendered people, sourced from The International Lesbian Gay, Bisexual, Trans and Intersex Association and hosted on the asylumlaw.org website, Fiji is included in the category of countries in which homosexual acts are legal.⁷ A previous issue of the same report, from May 2006, included Fiji in the category of countries which “prohibit sexual relations between consenting adult men, but at the same time do not have any prohibition on lesbian relations”.⁸

On 1 February 2010, the Fiji National Crimes Decree passed by the Fijian regime decriminalised consensual homosexual activities.⁹ The likelihood that this decree will have any short-term impact on official or societal attitudes to lesbians is slight, but it may represent a change in the governmental and legal attitudes to homosexuality in Fiji.

Access to police protection for lesbians

No information was located to indicate that access to police protection for lesbians in Fiji differs from that available to gay men. As noted in previous responses, criticism of acts of the police and security forces may not pass government censors in Fiji, and crimes targeting lesbians may go unreported for fear of identification and public exposure. Senior police have publicly criticised homosexuals in Fiji, and the media has reported cases of police mistreating gay prostitutes. It is unlikely that the police in Fiji hold different views toward lesbians.¹⁰

Attachments

1. Naidu, V. 2009, *Draft Report Fiji Islands Country Profile on Excluded Groups*, United Nations Economic and Social Commission for Asia and the Pacific, July http://www.unescap.org/ESID/hds/development_account/mtg/EGM_Bg_doc/Fiji%20Islands%20Country%20Profile%20on%20Excluded%20Groups2.pdf – Accessed 17 May 2010.
2. Lal, P. 2009, ‘My Coming Out Story – Growing Up Gay in Fiji’, Pernalal.com blog website, 2 July <http://prernalal.com/2009/07/my-coming-out-story-growing-up-gay-in-fiji/> – Accessed 25 May 2010.
3. Tota, L. ‘Masculinity, Gender Identity, and Fiji’s GLBT Community’ 2006, Isis International website, 14 September

⁷ Ottosson, D. 2010, *State-sponsored homophobia – A world survey of laws prohibiting same sex activity between consenting adults*, asylumlaw.org website, (source: The International Lesbian Gay, Bisexual, Trans and Intersex Association), May http://www.asylumlaw.org/docs/sexualminorities/ILGA_State_Sponsored_Homophobia_2010.pdf – Accessed 25 May 2010 – Attachment 7.

⁸ Ottosson, D. 2006, *Wrap-up survey on the laws worldwide affecting gay, lesbian and trans-gendered people*, [asylumlaw.org](http://www.asylumlaw.org/docs/sexualminorities/Legal%20Wrap%20Up%20Survey.pdf) website <http://www.asylumlaw.org/docs/sexualminorities/Legal%20Wrap%20Up%20Survey.pdf> – Accessed 25 May 2010 – Attachment 8.

⁹ ‘Fiji first Pacific Island nation with colonial-era sodomy laws to formally to decriminalize homosexuality’ 2010, UNAIDS website, 4 March http://www.unaids.org/en/KnowledgeCentre/Resources/FeatureStories/archive/2010/20100303_Fiji.asp – Accessed 19 May 2010 – Attachment 9.

¹⁰ RRT Research & Information 2009, *Research Response FJI35763*, 1 December – Attachment 10.

http://www.isiswomen.org/index.php?option=com_content&task=view&id=269&Itemid=135 – Accessed 28 September 2007.

4. 'Closets are Not for Us: Views from Five Lesbians Compiled' 1999, Isis International website, (source: *Women in Action*, 1:1999)
http://www.isiswomen.org/index.php?option=com_content&view=article&id=563:closets-are-not-for-us-views-from-five-lesbians-compiled&catid=132:women-and-sexuality – Accessed 20 May 2010.
5. Aggarwal, A. (undated), 'Women and the Right to Adequate Housing: Connections and Strategies Forward', Habitat International Coalition website <http://www.hic-net.org/articles.php?pid=1564> – Accessed 19 May 2010.
6. 'Lesbian travel in Fiji' 2008, Thorn Tree travel forum, Lonely Planet website, 2-7 August
<http://www.lonelyplanet.com/thorntree/thread.jspa?threadID=1644676> – Accessed 25 May 2010.
7. Ottosson, D. 2010, *State-sponsored homophobia – A world survey of laws prohibiting same sex activity between consenting adults*, asylumlaw.org website, (source: The International Lesbian Gay, Bisexual, Trans and Intersex Association), May
http://www.asylumlaw.org/docs/sexualminorities/ILGA_State_Sponsored_Homophobia_2010.pdf – Accessed 25 May 2010.
8. Ottosson, D. 2006, Wrap-up survey on the laws worldwide affecting gay, lesbian and trans-gendered people, asylumlaw.org website
<http://www.asylumlaw.org/docs/sexualminorities/Legal%20Wrap%20Up%20Survey.pdf> – Accessed 25 May 2010.
9. 'Fiji first Pacific Island nation with colonial-era sodomy laws to formally to decriminalize homosexuality' 2010, UNAIDS website, 4 March
http://www.unaids.org/en/KnowledgeCentre/Resources/FeatureStories/archive/2010/2010_0303_Fiji.asp – Accessed 19 May 2010.
10. RRT Research & Information 2009, *Research Response FJI35763*, 1 December.