



24th May 2019

Statement on Taiwan's Landmark Same-Sex Marriage Decision

The Hong Kong UPR Coalition welcomes the decision made by the Taiwan Legislative Yuan on Friday 17th May 2019 to legalise same-sex marriage. This landmark piece of legislation is the first of its kind in Asia and it is hoped will lead to similar results across the continent. However, despite this sense of early optimism, it is clear that Hong Kong still has a number of gaps in its existing anti-discrimination legislation that need to be addressed to ensure that the human rights of the city's LGBTI community are adequately protected.

"We are happy that same-sex marriage has been made legal in Taiwan, a decision that is encouraging for LGBTI rights in Hong Kong. However, for the last 10 years Hong Kong has still not passed an anti-discrimination law.... I hope that [newly appointed EOC chief] Ricky Chu will be able to achieve change in the next three years and stop sexual minorities from continuing to be treated as second class citizens"

– Wai-wai Yeo, Les Corner Empowerment Association

As a result, the Coalition would like to use this opportunity to once again introduce its recommendations regarding how the Administration can better protect LGBTI Rights in Hong Kong:

- HKSAR should adopt legislation prohibiting discrimination on grounds of sexual orientation, gender identity, gender expression, and sex characteristics in all public and private sectors.
- HKSAR should take all necessary legislative, administrative, and other measures to guarantee respect for the autonomy and physical and psychological integrity of transgender and intersex persons by removing preconditions for legal recognition of gender identity, such as sterilisation.
- HKSAR should immediately guarantee that non-urgent or unnecessary medical interventions are postponed until an intersex child is sufficiently mature to participate in decision-making and give full, free and informed consent.
- HKSAR should revise sexual offences legislation to include genitals reconstructed after sex reassignment surgery for definition of rape and in line with recommendations from the Hong Kong Law Reform Commission, and international best practices and standards, within two years.
- HKSAR should introduce mandatory, inclusive, and comprehensive sexuality education curriculum in schools, including LGBTI-specific content, to promote and protect the sexual health of students by the 2019/20 academic year.¹

Last year's decision by LegCo to place 10 LGBTI children's books on closed stocks and the recent advertisement controversy involving MTR Corp and Hong Kong International Airport are indicative of how far the city still has to go to implement these recommendations. We urge the government to work with civil society to solve these issues and create the inclusive environment befitting Hong Kong's title as "Asia's world city".

For further information or any queries related to the subject matter please contact Hong Kong UPR Coalition Steering Committee members:

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¹ Hong Kong UPR Coalition LGBTI fact sheet, available at:
<http://www.justicecentre.org.hk/framework/uploads/2018/03/HKUPR-Coalition-Fact-Sheet-LGBTI-Rights.pdf>