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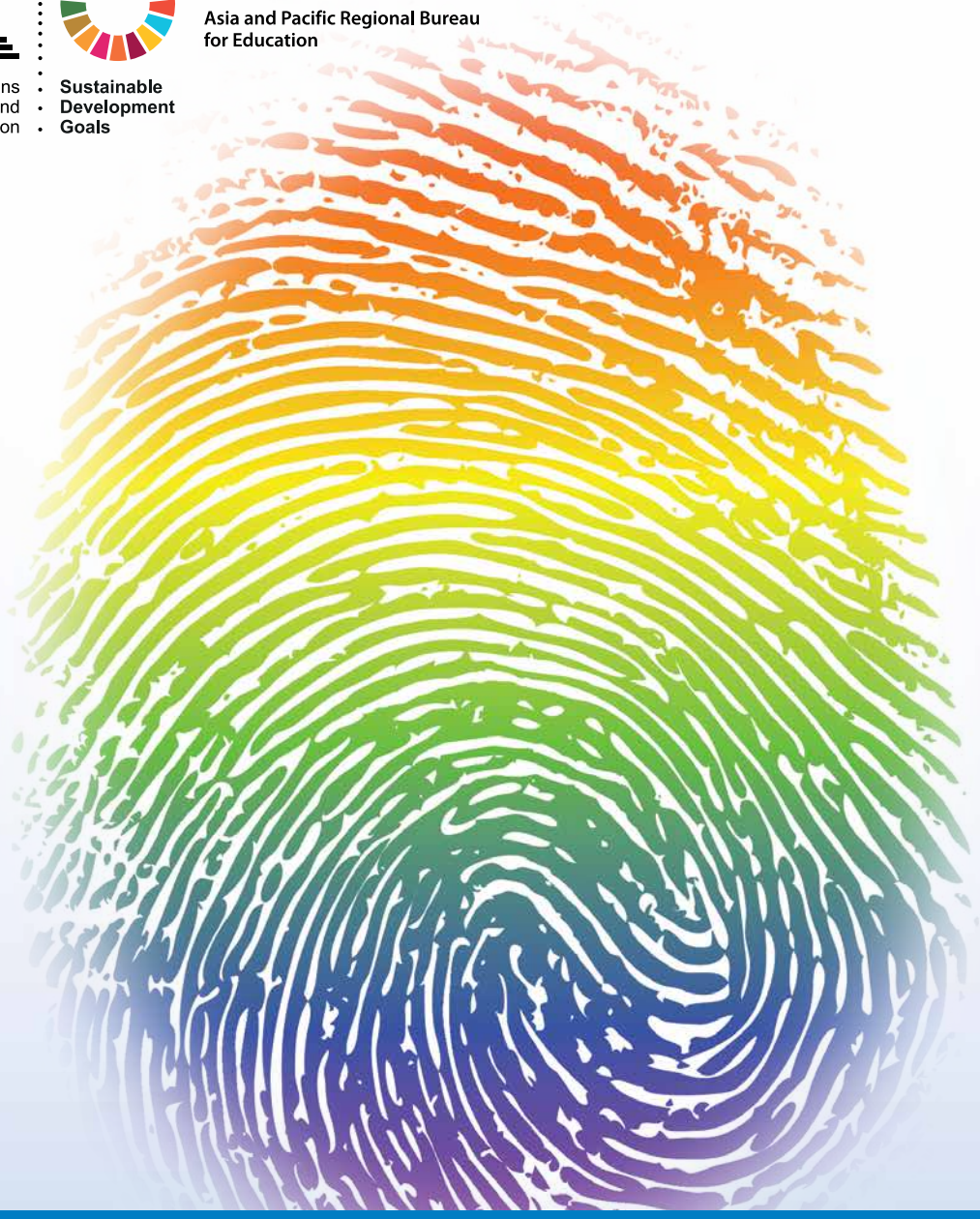

School-related violence and bullying on the basis of Sexual Orientation and Gender Identity or Expression (SOGIE)

Synthesis Report on China, the Philippines, Thailand and Viet Nam

Education 2030

UNESCO Education Sector

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Synthesis Report on China, the Philippines, Thailand and Viet Nam

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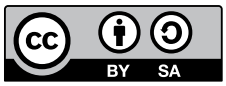

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Project co-ordinator: Kabir Singh
Production co-ordinator: Sirisak Chaiyasook
Copy-editor: Phillip Bergstrom
Graphic designer: Warren Field
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Acronyms

ADB:	Anti-SOGI Discrimination Bill
CCIHP:	Centre of Creative Initiatives in Health and Population
CEDAW:	The Committee on the Elimination of Discrimination against Women
CHR:	The Philippines Commission for Human Rights
CPP:	Child Protection Policy
CSO:	Civil Society Organization
CSC-CRC:	Civil Society Coalition on the Convention on the Rights of the Child
CSE:	Comprehensive Sexuality Education
DepEd:	Department of Education
DOET:	Ha Noi Department of Education and Training
GBV:	Gender-Based Violence
HIV:	Human Immunodeficiency Virus
HRW:	Human Rights Watch
ICS:	Information Connecting and Sharing
ILO:	International Labour Organization
iSEE:	Institute for Studies of Society, Economy and Environment
LBT:	Lesbian, Bisexual, Transgender
LGBTIQ:	Lesbian, Gay, Bisexual, Transgender, Intersex, Queer/Questioning
MoE:	Ministry of Education
MoET:	Ministry of Education and Training
NGO:	Non-Governmental Organization
NWCCW:	National Working Committee for Children and Women (NWCCW)
NPAC:	National Plan of Action for Children (NPAC)
OBEC:	Office of the Basic Education Commission
PFLAG:	Parents, Families and Friends of Lesbians and Gays
SOGIE:	Sexual Orientation and Gender Identity or Expression (SOGIE)
SRGBV:	School-Related Gender-Based Violence
STI:	Sexually Transmitted Infections
TWG:	Technical Working Group
UN:	United Nations
UN CRC:	UN Conventions on the Rights of the Child
UNAIDS:	The Joint United Nations Porgramme on HIV/AIDS
UNDP:	United Nations Development Programme
UNESCO:	United Nations Educational, Scientific, and Cultural Organization
UNICEF:	United Nations Children's Fund
UN Women:	United Nations Entity for Gender Equality and the Empowerment of Women
UP:	University of the Philippines
WHAF:	Women's Health Advocacy Foundation

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China
A synthesis of the China brief is presented herein, as the full paper was not ready at the time of finalization. The country brief will be published separately, and will include an acknowledgments section.

Philippines
This country brief was commissioned by the UNESCO Asia-Pacific Regional Bureau for Education (UNESCO Bangkok Office), and was prepared by Piotr Pawlak, Independent Gender Consultant, in consultation with Kabir Singh, Regional Advisor (HIV and Health). Coordination support was provided by Hunter Gray, Programme Officer, and Ngo Thanh Loan, Administrative Assistant, Education for Health and Well-being team, Section for Inclusive and Quality Education, UNESCO Bangkok.

This brief is based on an initial country brief commissioned by the Civil Society Coalition on the Convention on the Rights of the Child (CSC-CRC), with support from UNESCO Bangkok, and was developed by Kristel May Gomez-Magdaraog, a gender specialist. The brief served as a discussion paper for the *National Consultation on SOGIE-based Bullying in the Philippine Education Setting* held on 23-24 August 2016 in Quezon City, Philippines.

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This country brief was commissioned by the UNESCO Asia-Pacific Regional Bureau for Education (UNESCO Bangkok Office), and was prepared by Piotr Pawlak, Independent Gender Consultant, in consultation with Kabir Singh, Regional Advisor (HIV and Health). Coordination support was provided by Hunter Gray, Programme Officer, and Ngo Thanh Loan, Administrative Assistant, Education for Health and Well-being team, Section for Inclusive and Quality Education, UNESCO Bangkok.

This brief is based on an initial country brief commissioned by the Women's Health Advocacy Foundation (WHAF), with support from UNESCO Bangkok, and was developed by Dr. Sombat Tapanya, Chairman of the Peace Culture Foundation, and an expert on bullying prevention and the resolution of gender based violence. The brief served as a discussion paper for the *Respect for All: Thailand Consultation on Safe and Inclusive Education Environments* held on 20-22 June 2016 in Bangkok, Thailand.

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Viet Nam
This country brief was commissioned by the UNESCO Asia-Pacific Regional Bureau for Education (UNESCO Bangkok Office), and was prepared by Piotr Pawlak, Independent Gender Consultant, in consultation with Kabir Singh, Regional Advisor (HIV and Health). Coordination support was provided by Hunter Gray, Programme Officer, and Ngo Thanh Loan, Administrative Assistant, Education for Health and Well-being team, Section for Inclusive and Quality Education, UNESCO Bangkok.

This brief is based on an initial country brief commissioned by Information Connecting and Sharing (ICS) with support from UNESCO Bangkok, and was developed by Nga L.H. Nguyen, an independent consultant specializing in gender, as an outcome document that sourced inputs during a *Policy Dialogue on Ensuring Safe and Inclusive Education Environments in Viet Nam* held in Viet Nam in 2016.

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1 Introduction

The United Nations Educational, Scientific and Cultural Organization (UNESCO) and United Nations Development Programme (UNDP) have a long-standing commitment to address violence based on sexual orientation and gender identity or expression (SOGIE) in Asia-Pacific schools under UNDP's *Being LGBTI in Asia* initiative. As a part of this initiative, UNDP and UNESCO aim to strengthen regional leadership, advocacy and mobilization for increased awareness of the importance of education sector responses to violence based on SOGIE in the Asia-Pacific region, and to scale up the availability of comprehensive evidence-based programmes to prevent and respond to violence based on SOGIE in educational institutions.

In June 2015, the Asia-Pacific regional offices of UNESCO and UNDP co-organized a *Regional Consultation on School-Related Bullying, Violence, and Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression (SOGIE)*, hosting thirteen country delegations. In 2016, as a follow-up to this regional consultation, UNESCO and UNDP supported four national consultations on violence based on SOGIE in the education sector in China, the Philippines, Thailand and Viet Nam. Recommendations from the regional and national consultations included an interest to build a stronger evidence base of the nature and scope of violence based on SOGIE in Asia-Pacific.

2 Objective

This synthesis report is informed by findings from four individually-developed country briefs on violence on the basis of SOGIE in schools in China, the Philippines, Thailand and Viet Nam.[1] The report was commissioned by UNESCO Bangkok, with support from UNDP's *Being LGBTI in Asia* initiative, to broaden the regional awareness and understanding about addressing violence on the basis of SOGIE in educational institutions, while also identifying best practices and policies. It aims to raise awareness and mobilize support for advocacy among educators, research institutions, policy makers and activists at the national and regional levels.

The four briefs add valuable insight to what is already known about the causes, manifestations and scale, as well as the impact and consequences, of violence on the basis of SOGIE in educational settings in the four respective countries. Each brief examines the unique programmatic and policy milieu with regards to prevention of and response to violence on the basis of SOGIE in educational settings. While the findings in each brief are country-specific, they also reflect the broader context and situation of LGBTI persons in educational settings across the Asia-Pacific region. The country briefs were reviewed by key education stakeholders in each of the countries before finalization.

Development of this synthesis report also included an additional desk-based review of published and unpublished literature, including peer-reviewed articles and studies, assessments, surveys, evaluation reports and situational analyses. Background information and reference materials were solicited from UNDP, UNESCO and other relevant stakeholders.

The synthesis report development process included an additional review of policies and legal instruments as well as a review of good practice addressing violence on the basis of SOGIE in schools in Asia-Pacific. The report was developed with the support of an independent consultant with experience in research and advocacy surrounding gender and LGBTI issues in the Asia-Pacific region.

1 In order to effectively reach its target audience of policy makers, the China brief, while considering violence in schools on the basis of SOGIE, primarily focuses on overall bullying in schools. A summary of that brief is presented herein while the full paper will be published separately.

3 Background: What do we know about Violence on the basis of SOGIE?

BOX 1

DEFINITION OF SCHOOL-RELATED GENDER-BASED VIOLENCE, INCLUDING VIOLENCE ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION (SOGIE)

School-related gender-based violence

School-related gender-based violence (SRGBV) is defined as acts or threats of sexual, physical or psychological violence occurring in and around schools, perpetrated as a result of gender norms and stereotypes, and enforced by unequal power dynamics.[2]

Violence on the basis of SOGIE

A gendered type of bullying that is based on actual or perceived sexual orientation and gender identity or expression[3]

Violence on the basis of SOGIE in schools is a form of SRGBV. It targets students[4] who are, or who are perceived as, lesbian, gay, bisexual, and transgender (LGBT), and others whose gender identity or expression do not fit into binary gender norms (masculine and feminine) such as boys perceived as 'effeminate' and girls perceived as 'masculine'. Students who are intersex (I) are also subjects of violence, but there is currently not enough available scientific data on this.[5]

Like other forms of SRGBV, violence on the basis of SOGIE can occur in classrooms, playgrounds, toilets and changing rooms, around schools, on the way to and from school, and online. Violence on the basis of SOGIE in education settings occurs among students as well as between teachers and students. While mostly targeted at students, such violence can also target school staff, particularly teachers who are perceived as, or who are, LGBTI. Perpetrators of violence on the basis of SOGIE in education settings are students, teachers and non-teaching school staff or educational authorities.[6]

Violence on the basis of SOGIE in education settings takes different forms, including but not limited to, physical, psychological and sexual violence, cyberbullying, social discrimination and exclusion. Although available data mostly focuses on personal types of violence, LGBTI students can be the targets of 'implicit' violence, also referred to as 'symbolic' or 'institutional' violence.[7] Such violence includes discriminatory education policies, regulations, or curricula and teaching materials which perpetrate gender stereotypes, and teaching practices that are explicitly hostile or implicitly non-inclusive of LGBTI students.

The consequences of violence on the basis of SOGIE in education settings are devastating. It negatively affects children's academic performance and attainment, and their general well-being, including physical and mental health. These negative consequences also have a profound impact on students' economic opportunities and employment prospects. Experiencing or witnessing violence, including in education settings, is closely related with experiencing violence in other settings and later on in adult life. Exposure to violence and regressive gender attitudes in childhood are known to increase the likelihood of perpetration

2 Unequal power dynamic indicates a power imbalance between those who are the target of violence, including bullying, and those who are perpetrating the violence. Please see: UNESCO and UNWomen. 2016. *Global Guidance on Addressing School-related Gender-based Violence*. UNESCO, Paris and UNWomen, New York.
3 UNESCO and UNWomen. 2016. *Global Guidance on Addressing School-related Gender-based Violence*. UNESCO, Paris and UNWomen, New York.
4 The report uses 'students' to refer to all learners in educational settings. However, where research addressed only select members of this group, such as 'children' or 'young people', this is stated. UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, p. 5.
5 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, p. 21.
6 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO.
7 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO.

BOX 2

DRIVERS FOR VIOLENCE ON THE BASIS OF SOGIE IN EDUCATION SETTINGS IN ASIA-PACIFIC

- Gender inequalities and rigid gender expectations;
- Societal norms, traditions, and the acceptance of violence;
- Disciplinary approaches within schools and by parents, teachers, and other students;
- Insecure or unsafe home and family environments; and
- Weak prevention or security mechanisms within communities.

BOX 3

DRIVERS FOR VIOLENCE ON THE BASIS OF SOGIE IN EDUCATION SETTINGS

- Rigid heteronormative[11] gender norms that challenge gender non-conformity and fuel broader gender inequality in educational settings;
- Wider societal-level acceptance of negative attitudes and behaviours that normalize and justify violence in schools based on SOGIE;
- Lack of good-quality comprehensive sexuality education (CSE); and
- Prevalent social stigma, prejudice, discrimination and marginalization of LGBTI including through lack of or insufficient legal protections against violence on the basis of SOGIE in education settings.

of violence in adulthood.[8] Finally, violence on the basis of SOGIE in education settings puts students in a vulnerable situation that inhibits the realization of their basic human rights and undermines fundamental rights to health, safety, dignity and freedom from discrimination.[9]

4 Contributing Factors to Violence in Schools on the basis of SOGIE

The Asia-Pacific region encompasses a wide range of countries with diverse cultural, socio-economic, geo-political, and religious backgrounds. These and other contextual factors influence the prevalence of violence based on SOGIE in schools in the region. A UNESCO review conducted in 2015 and entitled, *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the basis of Sexual Orientation and Gender Identity*,[10] identified five major driving factors for violence in schools based on SOGIE. These are presented in Box 2, above. The synthesis of the reviewed research-based evidence undertaken as part of this report provides additional, valuable, country-specific insights and nuance to what is already known about the causes of violence in schools based on SOGIE in the region. The review identified four factors as main drivers for violence on the basis of SOGIE in education settings in China, the Philippines, Thailand and Viet Nam. These are presented in Box 3 above.

Rigid heteronormative gender norms that challenge gender non-conformity and fuel broader gender inequality in educational settings

Violence on the basis of SOGIE is deeply rooted in rigid gender norms and expectations. These norms and practices create a complex set of driving factors for violence on the basis of SOGIE in schools. Schools and other educational institutions reinforce deeply-rooted patriarchal and heteronormative attitudes and practices, and hence are less accepting of homosexuality.

8 Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against. Women and How Can We Prevent It? Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific*. Bangkok, UNDP, UNFPA, UNWomen and UNV; Martin, S. L. Moracco, K. E., Garro, J., Tsui, A. O, Kupper, L. L., Chase, J. L., & Campbell, J.C.et al. 2002. Domestic violence across generations: findings from northern India. *International journal of epidemiology.*
In Heise, L. 2011. What Works to Prevent Partner Violence? An Evidence Overview. London, London School of Hygiene and Tropical Medicine;
Kishor, S. and Johnson, K. 2004.
In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview.* London, London School of Hygiene and Tropical Medicine; Barker, G., Contreras, J.M., Heilman, B., Singh, A.K., Verma, R.K., & Nascimento, M.et.al. 2011. *Evolving Men: Initial Results from the International Men and Gender Equality Survey (IMAGES).* Washington, D.C., International Center for Research on Women (ICRW) and Rio de Janeiro, Instituto Promundo; ICRW and Plan. 2015. *Are Schools Safe and Equal Places for Girls and Boys in Asia? Research Findings on School-Related Gender-Based Violence.* ICRW and Plan Asia, February 2015.

9 United Nations Committee on the Rights of the Child, General Comment No. 4 2003 on Adolescent Health and Development, para. 2.

10 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok.

11 The concept of heteronormativity is based on the attitude that heterosexuality is the only normal and natural expression of sexuality.

Furthermore, schools and other educational institutions often maintain gender stereotypes through the treatment of students based on their sex at birth rather than their gender identity or expression[12] and pressure those gender non-conforming students to alter their preferred gender expression while at school.[13] In that sense, gender non-conforming gestures, appearance, including school uniforms, postures, and even hairstyles are reasons for violence. For instance, in Viet Nam, LGBTI students who do not conform to commonly accepted gender norms, particularly those related to dress and appearance, are at greater risk of violence, harassment, punishment, discrimination and exclusion.[14] In Thailand, while there is a widespread perception of cultural acceptance towards diverse sexualities and gender identities, most research suggests little tolerance toward SOGIE in mainstream Thai culture.[15] As such, the expectation to adhere to strict heteronormative and rigid gender norms serves as a reason for violence on the basis of SOGIE in schools.[16] Mounting evidence demonstrates that inflexible school policies regarding access to toilets, mandatory gendered uniforms, and regulated hairstyles challenge and alienate LGBTI students,[17] with transgender and "butch" or "masculine" lesbians being particularly vulnerable.[18] In the Philippines, it is common practice at many schools to require students to wear gender-specific uniforms based on their sex assigned at birth rather than their actual gender identity or preferred gender expression. LGBTI persons are tolerated so long as they act, look like, wear clothes, and use toilets according to their sex at birth.[19] Across the region, the lack of conformity with commonly accepted gender standards often translates into incidents of prejudice, discrimination, exclusion and marginalization, as well as harassment, punishment, bullying, and violence.

Wider societal acceptance of negative attitudes and behaviours based on SOGIE normalizes and justifies violence in schools

The seeds of violence on the basis of SOGIE in schools most often take root in conditions that permit and accept aggressive or discriminatory attitudes and behaviours elsewhere. Research from China, the Philippines, Thailand and Viet Nam, along with evidence from other countries in the region indicate wide family and community-level acceptance for violence among men and women.[20] Violence that takes place at the family, community or societal level can normalize violence in education settings. Discriminatory practices against LGBTI persons in school reflect attitudes and behaviours in the wider community. This research synthesis points out that violence inflicted on LGBTI students in education settings is accepted as an extension of what others face elsewhere. In other words, violence in schools on the basis of SOGIE is tolerated, approved and normalized as part of a wider societal acceptance towards violence. In Thailand, mixed perceptions about the vulnerability of LGBTI persons in general, by LGBTI and non-LGBTI individuals alike, may possibly stem from the high levels and overall normalization of discrimination and exclusion along with high levels of gender inequalities.[21] In the Philippines, deeply entrenched patriarchy and gender inequality, including stigma against homosexuality, is an underlying factor for the lack of social acceptability for being lesbian, gay, bisexual, transgender, intersex, and queer (LGBTIQ), which extends to school settings.[22]

12 International Gay and Lesbian Human Rights Commission (IGLHRC). 2011. *Human Rights Violations on the Basis of Sexual Orientation, Gender Identity and Homosexuality in the Philippines*. Coalition Report. Submitted to the 103rd Session of the Human Rights Committee, 17 October – 4 November 2011.

13 Rainbow Rights Project. 2014. *Kwentong Bebot. Lived Experiences of Lesbians, Bisexual and Transgender Women in the Philippines*. Rainbow Rights Project, Philippines.

14 Luong T. H. and Pham Q. P. 2015. Is it because I am LGBT? *Discriminations on Sexual Orientation and Gender Identity in Vietnam*. The Institute for Studies of Society, Economy and Environment.

15 Mahidol University, Plan International Thailand, and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventive measures in 5 provinces of Thailand. UNESCO Bangkok; UNDP and USAID. 2014. Being LGBT in Asia. *Thailand Country Report*. Bangkok, UNDP; Suriyasarn, B. 2013. *Gender Identity and Sexual Orientation: Promoting Rights, Diversity and Equality in the World of Work*. (PRIDE) Project, Bangkok, ILO.

16 Ibid

17 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand*. The World Bank Group, Washington, D. C. and Bangkok; UNDP and USAID. 2014. Being LGBT in Asia. Thailand Country Report. Bangkok, UNDP.

18 UNDP and USAID. 2014. *Being LGBT in Asia: Thailand Country Report*. Bangkok, UNDP.

19 Human Rights Watch. 2017. Just Let Us Be. *Discrimination against LGBT Students in the Philippines*. Manila, Human Rights Watch.

20 Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against Women and How Can We Prevent It?* Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific. Bangkok, UNDP, UNFPA, UN Women and UN Volunteers; Martin, S. L. Moracco, K. E., Garro, J., Tsui, A. O, Kupper, L. L., Chase, J. L., & Campbell, J.C.. 2002. Domestic violence across generations: findings from northern India. *International journal of epidemiology.* In, Kishor, S. and Johnson, K. 2004. Heise , L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; . Kishor, S. and Johnson, K. 2004. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Barker, G., Contreras, J.M., Heilman, B., Singh, A.K., Verma, R.K., & Nascimento, M.. 2011. *Evolving Men: Initial Results from the International Men and Gender Equality Survey (IMAGES)*. Washington, D. C., ICRW and Rio de Janeiro, Instituto Promundo; ICRW and Plan. 2015. *Are Schools Safe and Equal Places for Girls and Boys in Asia?* Research Findings on School-Related Gender-Based Violence. ICRW and Plan Asia.

21 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand*. The World Bank Group, Washington, D. C. and Bangkok.

22 ChildFund Philippines. 2015. *What Gay, Bisexual and Transgender Youth say about Prevention of Gender-based Violence: Amplifying Voices through Participatory Research*; Rainbow Rights Project. 2014. Kwentong Bebot. Lived Experiences of Lesbians, Bisexual and Transgender Women in the Philippines. Philippines Rainbow Rights Project.

In Viet Nam, collective research evidence shows that violence on the basis of SOGIE in schools is steered by institutional policies and practices, in addition to a culture of bullying.[23, 24]

Lack of good-quality comprehensive sexuality education (CSE)

In the region, it has been observed that students lack good-quality CSE,[25] which includes discussions on gender and SOGIE. The evidence suggests that LGBTI and non-LGBTI learners in schools are not provided with fundamental knowledge and understanding of SOGIE. Even though school-based sexuality education has been reported in several countries in the region, in China, the Philippines, Thailand, and Viet Nam, topics related to gender and SOGIE are rarely covered in academic curricula. In these countries, even when educational materials cover subjects of sexuality, gender diversity, and gender equality, they are usually silent on the issue of SOGIE. In Thailand, although there has been sexuality education in Thai schools since 1978, it has not sufficiently covered issues related to gender, sexual rights, gender and sexual diversity.[26] In China, the school system still lacks good quality CSE, let alone any mention of gender diversity.[27] In the Philippines, while the research has been explicit in stressing the need for a comprehensive educational framework that addresses gender and sexuality issues,[28] schools lack good-quality CSE and do not equip students with valuable knowledge and understanding about gender and SOGIE-related issues.

Furthermore, gender-blind and often gender-exploitative educational materials, as well as gender inequitable messages in textbooks and school education curricula, reinforce stigmatization of particular groups based on their SOGIE. In Mainland China, a 2015 review of university textbooks, which examined more than 100 textbooks in fields such as psychology, medicine, mental health and sex education, found that only twenty percent of them contained clear, logical, and positive content regarding LGBT persons.[29] The same review found that nearly nine out of ten textbooks referred to homosexuality as a mental disorder. In the Philippines, research found pervasive gender stereotypes, heteronormative discourse and negative stereotypes related to being LGBT, including categorization of transgender individuals as 'immoral' or 'unnatural'.[30]

Prevalent social stigma, prejudice, discrimination and marginalization of LGBTI persons including through a lack of or insufficient legal protections against violence on the basis of SOGIE in education settings

Cultural taboos around openly discussing sexuality, social stigma related to same-sex relations and socially-condoned transphobia and homophobia serve to openly sanction violence based on SOGIE in education settings. In China, although the government has claimed its strategy on homosexuality as 'not to oppose, not to encourage', it still considers homosexuality as immoral, and not in conformity with the national policy of the socialist construction of spiritual cultivation.[31] In Viet Nam, gender non-conformity and perceived femininity and 'weakness' of LGBTI individuals in and outside school settings serve as a trigger for violence including harassment, punishment, discrimination and social exclusion of those individuals in schools.[32] In Thailand, research suggests that violence on the basis of SOGIE in education settings is more frequent in schools without policy protection for LGBT students.[33]

23 ASEAN SOGIE Caucus. 2017. *Joint Submission of the Civil Society Organizations (CSOs) on the Situation of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Persons in the Philippines* (3rd Cycle, 2017).

24 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Vietnam*. UNESCO Paris, UNESCO Ha Noi and UNESCO Bangkok.

25 Comprehensive sexual education (CSE) provides opportunities to acquire comprehensive, accurate, evidence-informed and age appropriate information on sexuality. CSE supports learners' empowerment by improving their analytical and communication abilities and other life skills for health and well-being in relation to a range of topics including sexuality, human rights, gender equality, non-discrimination (including on the basis of sex, gender, sexual orientation and gender identity), sexual behavior, violence and gender-based violence, consent and bodily integrity, and sexual abuse. 'Comprehensive' also refers to the breadth and depth of topics and content that is consistently delivered to learners over time, throughout their education, rather than a one-off lesson or intervention.

26 UNICEF. 2016. *Review of Comprehensive Sexuality Education in Thailand*. UNICEF Thailand Country Office. https://www.unicef.org/thailand/comprehensive_sexuality_education.pdf

27 UNDP. 2016. *Being LGBTI in China – A National Survey on Social Attitudes towards Sexual Orientation, Gender Identity and Gender Expression*. UNDP.

28 Manalastas, E. J. and Macapagal R. A. 2005. What do Filipino gay male college students want to learn in sex education? *Review of Women's Studies*, vol. 15, no. 1, 2005, p. 127.

29 Chen, A. 2015. *GLCAC Review of Textbooks for Appropriate Content Regarding LGBTI Issues. Poster presented at the Asia-Pacific Consultation on School Bullying on the Basis of Sexual Orientation and Gender Identity/Expression*, 15-17 June, 2015.

30 Human Rights Watch. 2017. Just Let Us Be. Discrimination against LGBT Students in the Philippines. Manila, t Human Rights Watch; Fulo, R. A. G., Karim, S. E. and Vidal, M. J. G. 2014. Heteronormative Discourse: An Analysis of Grade School Textbooks in the Philippines. Unpublished undergraduate thesis. Miriam College, Quezon City, Philippines.

31 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok, p. 32.

32 Luong T. H. and Pham Q. P. 2015. *Is it because I am LGBT? Discrimination on Sexual Orientation and Gender Identity in Vietnam*. The Institute for Studies of Society, Economy and Environment; UNESCO. 2016. Reaching Out. Preventing and Addressing SOGIE-related School Violence in Vietnam, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi; UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO, Bangkok.

33 Mahidol University, Plan International Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventive measures in 5 provinces of Thailand. UNESCO Bangkok.

BOX 4

TYPES AND MANIFESTATIONS OF VIOLENCE ON THE BASIS OF SOGIE REVEALED BY THE REVIEW

Type of violence	Manifestation
Physical	Repeated hitting, kicking and taking, or the threat of taking, possessions
Sexual	Rape, coercion and sexual harassment
Psychological	Verbal and emotional abuse such as repeated mocking, name-calling, and teasing
	Cyber bullying, exclusion, gossiping, spreading of rumours and withholding of friendship, repeated threats, unkind comments or images that are sent using information and communication technology, such as mobile phones, email and social media, including chat rooms and networking sites
Institutional violence	Gender-blind or gender exploitative institutional policies, SOGIE-non-inclusive school rules and regulations, biased and stereotyping school cultures, lack of gender-appropriate inclusive facilities, misrepresentation or absence of SOGIE in textbooks and curriculum

5 Manifestations and Scale

Globally, studies on the manifestations and scale of violence on the basis of SOGIE in schools have mainly stemmed from Europe, the Americas and Australia.[34] In Asia and the Pacific region, research is limited but the literature that exists suggests that violence on the basis of SOGIE in education settings is highly prevalent. In addition to what is already known regionally, review of the research evidence from China, the Philippines, Thailand, and Viet Nam points out specific manifestations of violence in schools against those who are, or who are perceived as, LGBTI. These are presented in Box 4, above.

Among these manifestations of violence based on SOGIE in education settings, two distinct groups emerge. The first one is the personal or direct violence that learners experience in schools because of their SOGIE status. In the Philippines, verbal violence and harassment based on SOGIE, particularly against transgender students, is the most commonly reported form of violence against LGBTI persons.[35] Physical types of violence against LGBTI students such as punching, hitting, and shoving are also very common.[36]

In Thailand, evidence suggests that LGBTI individuals in schools experience, in addition to bullying and physical violence, very high rates of verbal abuse and harassment.[37] In China, the most commonly reported form of violence experienced by LGBTI students is verbal abuse followed by physical violence, as well as discrimination in the form of unfair treatment by teachers and classmates.[38]

These experiences do not end at the school gates but extend to virtual spaces through cyberbullying among the increasingly "connected" Asia-Pacific youth. This is also true for China, the Philippines, Thailand, and Viet Nam, where LGBTI students experience high rates of online violence.[39]

The second distinctive feature of the manifestations of violence on the basis of SOGIE in schools has an institutional character. Evidence suggests that institutional violence is commonly

34 Jones, T., Carpenter, M., Hart, B., Ansara, G., Leonard, W. and Lucke, J. 2016. *Intersex: Stories and Statistics from Australia.* Cambridge: Open Book Publishers; Greytak, E. A., Diaz, E. M. and Bartkiewicz, M. J. 2010. *The 2009 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual and Transgender Youth in Our Nation's Schools.* New York; GLSEN, Hunt, R. and Jensen, J. 2009. The School Report: The experiences of young gay people in Britain's schools. London, Stonewall.

35 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok; Facelo, R. R., Ferniz, K. A. and Kat, R. 2013. *Intersectionality: Understanding the Multiple Forms of Discrimination Experienced by Bakla Youth.* Unpublished undergraduate thesis, Miriam College, Quezon City, Philippines; Human Rights Watch (HRW). 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Philippines, Human Rights Watch.

35 UNESCO. 2015. *Fostering Digital Citizenship through Safe and Responsible Use of ICT: A Review of Current Status in Asia and the Pacific as of December 2014.* UNESCO Bangkok.

36 Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines. Manila, the Philippines*, Human Rights Watch.

37 Mahidol University, Plan International Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventive measures in 5 provinces of Thailand. UNESCO Bangkok.

38 UNDP, Peking University, Beijing LGBT Centre. 2016. *Being LGBTI in China – A National Survey on Social Attitudes towards Sexual Orientation, Gender Identity and Gender Expression.* United Nations Development Programme; Mian L. and Aibai Culture and Education Center. 2012. *An Online Survey of School Bullying Based on Sexuality and Gender Identity.*

39 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Center of Creative Initiatives in Health and Population (CCIHP); UNDP and USAID. 2014. *Being LGBT in Asia: Viet Nam Country Report.* Bangkok, UNDP and USAID. 2014. *Being LGBT in Asia: Thailand Country Report.* Bangkok, UNDP and USAID; UNDP. 2016. *Being LGBTI in China – A National Survey on Social Attitudes towards Sexual Orientation, Gender Identity and Gender Expression.* UNDP; Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines. Manila, Philippines*, Human Rights Watch.

BOX 5

DIFFERENTIAL EXPERIENCE OF VIOLENCE ON THE BASIS OF SOGIE IN SCHOOLS AMONG LGBT STUDENTS

Students who are perceived not to conform to prevailing sexual and gender norms, including those who are LGBT, are more vulnerable to violence.[43] However, violence in schools is also highly gendered, disproportionately affecting the sub-groups of the LGBTI spectrum. In educational settings in the Asia-Pacific region, violence based on SOGIE is far more likely to occur against those who have feminine expressions, gender non-conforming students, gay, bisexual, or male-to-female transgender students. In Thailand, transgender individuals tend to experience particularly harsh discrimination, and exclusion in access to education, the labour market and health services.[44, 45, 46] In China, research points out that transgender people face higher levels of discrimination within the educational system and gay men are more likely than lesbian women to be discriminated against in schools and become victims of bullying.[47] In Viet Nam, collective research evidence suggests that transgender students experience higher rates of victimization in schools when compared to lesbian and gay students. In the region, transgender students are also more likely than average to miss school or miss out on their education entirely due to concerns about their personal safety. Like lesbian, gay and bisexual students, they also report lower concentration in class, lower marks, and lower attendance.[48] This has negative impacts on access to further training and educational opportunities that provide access to a greater range of employment opportunities and economic prospects.[49]

experienced by LGBTI learners in schools in China, the Philippines, Thailand, and Viet Nam. It includes gender-blind or gender-exploitative institutional policies, non-inclusive school rules and regulations, biased and stereotyping school cultures, lack of gender-appropriate and inclusive facilities, and misrepresentation or absence of SOGIE in textbooks and curriculum. In the Philippines, LGBTI students face negative stereotypes and attitudes, and are subject to disadvantageous treatment and inequality that stems from institutional rules, policies, and practices which create a climate of exclusion and facilitate instances of violence and abuse.[40] In Viet Nam, evidence suggests that stigma against students who are, or who are perceived to be LGBTI, informs discriminatory practices against them such as having school papers and exams rated unfairly by teachers.[41] In Thailand, evidence indicates that LGBTI students experience social exclusion and discriminatory practices, including exclusion from both offline and online groups, discrimination in student selection and application processes; and are negatively affected by inflexible regulations regarding access to toilets, mandatory gendered uniforms, and hairstyles that are assigned on the basis of one's sex assigned at birth.[42]

6 Impact and Consequences

The impact of violence on the basis of SOGIE in schools is profound, adversely affecting mental and physical health and overall well-being, as well as education performance and attainment of those who are, or who are perceived as, LGBTI.[50] Studies on violence based on SOGIE have linked it to depression, anxiety, and low self-esteem,[51]

40 Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines. Manila, Philippines*, Human Rights Watch; http://uplbbabaylan.blogspot.com/; Velasquez, A. 2011. UPLB LGBT community march for equality. Andrea Velasquez, Aug. 15, 2011. http://www.upiu.com/human-rights/2011/08/15/UPLB-LGBT-Community-March-for-Equality/UPIU-2081313393367/

41 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok.

42 For example, qualitative interviews with LGBT individuals in Thailand, part of the World Bank's 2017 study documenting the experiences of exclusion and discrimination among LGBTI individuals including in schools, found that exclusion also arose as a result of school regulations (uniform, hairstyle, bathrooms) that do not recognize and respect gender diversity among students. World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand*. The World Bank Group, Washington, D. C. and Bangkok, Thailand.

43 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, 2016, p. 11.

44 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand*. The World Bank Group, Washington, D. C. and Bangkok, Thailand.

45 Suriyasarn, B. 2014. *Gender Identity and Sexual Orientation in Thailand: Promoting Rights, Diversity and Equality in the World of Work (PRIDE) Project*. Bangkok, International Labour Office (ILO).

46 Ojanen, T., Ratanashevorn, R. and Sumonthip, B. 2016. *Gaps in Responses to LGBTI Issues in Thailand: Mental Health Research, Services, and Policies*. https://www.academia.edu/25058522/Gaps_in_responses_to_LGBT_issues_in_Thailand_Mental_health_research_services_and_policies

47 UNDP. 2016. *Being LGBTI in China – A National Survey on Social Attitudes towards Sexual Orientation, Gender Identity and Gender Expression*. UNDP.

48 Collet, N. 2010. Hong Kong NGO fights homophobia in schools; UNESCO. 2016. Out in the open: Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, 2016.

49 UNESCO. 2016. Out in the open: Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, 2016, p. 11.

50 UNESCO. 2016. Out in the open: Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO.

51 Russell, S. T. et al. 2010. Safe Schools Policy for LGBTQ students. *Social Policy Report*, 2010; 24(4): pp. 1-17.

as well as increased risk of drug use, unprotected sex, HIV infection, self-harm and suicide.[52] The negative impact of violence on the basis of SOGIE in education settings also has a profound impact on a person's employment prospects and economic opportunities.[53] Experiencing or witnessing violence, including in education settings, is also closely related to experiencing and perpetrating violence in other settings and later on in life.[54] Finally, discrimination and a failure to respect the gender diversity of transgender youth in education settings undermines their right to education.[55]

Academic performance, absenteeism and drop-out rates

In the region, an unfriendly and hostile educational environment for LGBTI students, and the violence, and fear of violence they experience, impacts their academic performance and educational attainment. In Thailand, violence based on SOGIE in a wide range of areas, including in schools, correlates to lower educational outcomes for LGBTI learners,[56] which in turn, further reduces their skills and knowledge related to the workplace.[57] In Viet Nam, research evidence shows a clear relationship between experience of school violence and reduced academic performance among LGBTI students.[58]

Violence that LGBTI students experience in schools increases school absenteeism and drop-out rates among LGBTI learners. In China, mounting evidence suggests that violence on the basis of SOGIE in educational institutions is closely linked with lower academic performance, loss of interest in studies, skipping classes, and dropping out of school.[59] In Thailand, studies show violence and discrimination experienced by LGBTI students in schools leads them to drop out of school, particularly transgender students.[60] In the Philippines, studies found that for many transgender and gender non-conforming students, violence and discrimination based on their SOGIE status led to extended school absences or leaving schooling entirely.[61] In Viet Nam, research revealed that, in addition to not being able to maintain academic performance, LGBTI students drop out of school as a result of bullying and assault.[62]

Negative impacts on health and well-being, including mental health

In Asia and the Pacific region, violence in schools on the basis of SOGIE is associated with negative impacts on one's physical and mental health and overall well-being. The adverse effects of violence on the basis of SOGIE on young people's mental and psychological health include increased risk of anxiety, fear, stress, loss of confidence, low self-esteem, loneliness, self-harm, depression, and suicide. In China, studies indicate an association between violence on the basis of SOGIE and negative mental health outcomes, including symptoms of depression, loneliness and anxiety and living in fear.[63] Studies from Thailand, Viet Nam, and the Philippines indicate that students who experience violence on the basis of SOGIE in schools become much more depressed,

52 Lancet Editorial Board. Health concerns of adolescents who are in a sexual minority. *The Lancet*, 2011, 377(9783):2056.

53 World Bank. 2013. I*nclusion Matters: The Foundation for Shared Prosperity—Overview*. Washington D. C., World Bank.

54 Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against. Women and How Can We Prevent It? Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific*. Bangkok; UNDP, UNFPA, UNWomen and UNV.; Martin, S. L. Moracco, K. E., Garro, J., Tsui, A. O, Kupper, L. L., Chase, J. L., & Campbell, J.C.. 2002. Domestic violence across generations: findings from northern India. *International journal of epidemiology*. Martin, S. L. et al. 2002. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Kishor, S. and Johnson, K. 2004. In Heise, L. 2011. What Works to Prevent Partner Violence? An Evidence Overview. London, London School of Hygiene and Tropical Medicine; Barker, G., Contreras, J.M., Heilman, B., Singh, A.K., Verma, R.K., & Nascimento, M. et.al. 2011. *Evolving Men: Initial Results from the International Men and Gender Equality Survey* (IMAGES). Washington, D. C.; International Center for Research on Women (ICRW) and Rio de Janeiro: Instituto Promundo; ICRW and Plan. 2015. *Are Schools Safe and Equal Places for Girls and Boys in Asia? Research Findings on School-Related Gender-Based Violence*. ICRW and Plan (Asia), February 2015.

55 United Nations Committee on the Rights of the Child. 2001. CRC General Comment 1 (Twenty-sixth session, 2001): Article 29(1): The aims of education, CRC/C/103 (2001)150

56 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand*. The World Bank Group, Washington, D. C. and Bangkok, Thailand.

57 The Williams Institute and USAID. 2014. The relationship between LGBTI inclusion and economic development: An Analysis of Emerging Economies. USAID.

58 Luong T. H. and Pham Q. P. 2015. *Is it because I am LGBT? Discrimination on Sexual Orientation and Gender Identity in Vietnam*. The Institute for Studies of Society, Economy and Environment; UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Vietnam*. Vol. 2. UNESCO Bangkok and UNESCO Ha Noi; UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok.

59 Mian, L. 2012. *Report of the Online Survey on Homophobic and Trans-phobic Bully at Educational Institutions*. Beijing, Aibai Culture and Education Center.

60 Mahidol University, Plan Thailand and UNESCO. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventing measures in 5 provinces of Thailand. UNESCO Bangkok; UNDP and USAID. 2014. *Being LGBT in Asia: Thailand Country Report*. UNDP, Bangkok.

61 Human Rights Watch (HRW). 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines*. Manila, Philippines, Human Rights Watch.

62 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Center of Creative Initiatives in Health and Population (CCIHP); UNDP and USAID. 2014. *Being LGBT in Asia: Viet Nam Country Report*. Bangkok.

63 Wei, C. and Liu, W. 2015. The association between school bullying and mental health of sexual minority students. *Chinese Journal of Clinical Psychology*, Vol. 23, No. 4, pp. 701-705. Respondents came from 25 provinces and 4 municipalities. Preliminary findings provided in English: Wenli, L. and Chongzheng, W. *Online Survey on Homophobic Bullying in China*. Poster presented at the Asia-Pacific Consultation on School Bullying on the Basis of Sexual Orientation and Gender Identity. Organized by UNESCO and UNDP, 15-17 June 2015, Bangkok.

have suicidal thoughts or have attempted suicide at higher rates than their heterosexual peers.[64]

Young people who experience violence in school on the basis of SOGIE are more likely to adopt risky health behaviours. In the Philippines, Thailand, and Viet Nam, studies found that experience of such violence was associated with high levels of self-stigma, poor self-acceptance and self-harm including high levels of risky sexual behaviours,[65] homelessness,[66] increased alcohol consumption[67] and substance use,[68] and destructive coping behaviours such as unprotected sex due to anxiety, isolation and depression.[69]

There are also other adverse health-related consequences of violence on the basis of SOGIE in education settings in the region. Research found eating disorders, genital-urinary symptoms,[70] injuries, unwanted pregnancies, HIV and other sexually transmitted infections (STIs)[71], and fear of victimization[72] to be common among those who experienced violence on the basis of SOGIE. In addition to devastating impacts on physical and mental health and well-being, violence on the basis of SOGIE in schools can have wider economic impacts for those who are targeted.

Broader socio-economic consequences

Interrupted or incomplete education, physical and mental illness, and at-risk overall well-being are all linked to a decrease in individual socio-economic opportunities. In the Philippines, evidence shows that distorted educational performance and academic achievement, resulting from violence experienced by LGBTI students in schools, leads to life-long consequences for financial, employment, career and broader economic prospects.[73] In Thailand, emerging evidence shows that discrimination based on SOGIE in education and training is associated with a decline in the probability of attaining Thai Baht 60,000 or more in annual income.[74] Furthermore, discrimination, violence and exclusion in education can limit job opportunities and often follows many young LGBTI persons into the workforce.[75] In China, research indicates that discrimination, including in schools, continues to cost LGBTI persons jobs and lowers their career prospects, in addition to decreasing their learning potential in schools.[76]

Intergenerational transmission of violence

Finally, studies from China, the Philippines, Thailand, and Viet Nam, as well as other countries in the Asia-Pacific region, demonstrate that witnessing and experiencing violence in childhood, including in school settings, also has negative intergenerational outcomes. Studies have shown that exposure to violence and regressive gender attitudes in childhood in schools, in addition to the family and home, increase the likelihood of experiencing or

64 Luong T. H. and Pham Q. P. 2015. *Is it because I am LGBT? Discrimination on Sexual Orientation and Gender Identity in Viet Nam*. The Institute for Studies of Society, Economy and Environment; UNESCO. 2016. Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi; Manalastas, E. J. and Torre, B. A. 2013. Social psychological aspects of advocating sexual citizenship rights for LGBT Filipinos. Quezon City, Institute of Human Rights; Manalastas, E. J. 2013. Sexual orientation and suicide risk in the Philippines: Evidence from a nationally representative sample of young Filipino men. *Philippine Journal of Psychology*, Vol. 46, no. 1 (2013), p. 6-7; GALANG. *"Bes, OK Ka Lang Ba? ('Friend, Are You OK?'): Presenting GALANG's Baseline Study on LBT Well-Being"* March 19, 2017, https://www.facebook.com/notes/galang-philippines/bes-ok-ka-lang-ba-friend-are-you-ok-presenting-galangsbaseline-study-on-lbt-wel/1361650953873463; Rainbow Rights Project. 2014. Kwentong Bebot. Lived Experiences of Lesbians, Bisexual and Transgender Women in the Philippines. Rainbow Rights Project, Philippines; Mahidol University, Plan Thailand and UNESCO. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventing measures in 5 provinces of Thailand. UNESCO Bangkok.

65 The research included Indonesia, Mongolia, the Philippines, and Viet Nam. Please see: Youth Voices Count. 2013. *'I Feel Like I Don't Deserve Happiness At All'* Policy Brief: Stigma among young men who have sex with men and young transgender women, and the linkages with HIV in Asia. Bangkok, Youth Voices Count.

66 Save the Children. 2015. *Child Rights Situation Analysis*. Ha Noi: Viet Nam Country Office.

67 Luong T. H. and Pham Q. P. 2015. *Is it because I am LGBT? Discrimination on Sexual Orientation and Gender Identity in Vietnam*. The Institute for Studies of Society, Economy and Environment; UNESCO. 2016. Reaching Out. Preventing and Addressing SOGIE-related School Violence in Vietnam, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

68 Cooksey, R. W. and McDonald, G. M. 2011. Surviving and thriving in postgraduate research (4th Ed.). Melbourne: Tilde University Press. UNESCO. 2016. Reaching Out. Preventing and Addressing School-related Gender-based Violence in Viet Nam, Volume 1. UNESCO Bangkok and UNESCO Ha Noi; and UNESCO. 2016. Reaching Out. Preventing and Addressing SOGIE-related School Violence in Vietnam, Volume 2. UNESCO Bangkok and UNESCO Ha Noi.

69 UNESCO. 2015. From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity. p. 40-41; Mahidol University, Plan Thailand and UNESCO. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventing measures in 5 provinces of Thailand. UNESCO Bangkok.

70 Genital-urinary symptoms may include dryness, burning and irritation, lack of lubrication, discomfort or pain, and impaired function, urgency, dysuria, and recurrent urinary tract infections.

71 Cooksey, R. W. and McDonald, G. M. 2011. *Surviving and Thriving in Postgraduate Research* (4th Ed.). Melbourne, Tilde University Press; UNESCO. 2016. *Reaching Out. Preventing and Addressing School-related Gender-based Violence in Viet Nam*, Vol. 1. UNESCO Bangkok and UNESCO Ha Noi; UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Vietnam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

72 Luong T. H. and Pham Q. P. 2015. *Is it because I am LGBT? Discrimination on Sexual Orientation and Gender Identity in Vietnam.* The Institute for Studies of Society, Economy and Environment; UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Vietnam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

73 The study included Japan, Malaysia and the Philippines. Please see: ILGHRC. 2014. *Violence: Through the lens of Lesbians, Bisexual Women and Transgender People in Asia.* New York, ILGHRC; Dis-Aguen, V. M. no date. *Common Problems and Perceived Values of Lesbian and Gay Students of Ramon Magsaysay (Cubao) High School 2012-13.* Basis for Group Guidance Plan, unpublished master's dissertation; GALANG Philippines, Inc. 2015. *How Filipino LBTs Cope with Economic Disadvantage.* IDS Evidence Report No 120. *Sexuality, Poverty and Law.* February 2015; World Bank. 2013. *Inclusion Matters: The Foundation for Shared Prosperity—Overview.* Washington D. C., World Bank.

74 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand.* The World Bank Group, Washington, D. C. and Bangkok, Thailand.

75 Suriyasarn, B. 2014. *Gender Identity and Sexual Orientation in Thailand: Promoting Rights. Diversity and Equality in the World of Work.* (PRIDE) Project, Bangkok, International Labour Office (ILO).

76 UNDP. 2016. B*eing LGBTI in China – A National Survey on Social Attitudes towards Sexual Orientation, Gender Identity and Gender Expression.* 2016. UNDP.

BOX 6

COST OF HOMOPHOBIA

Violence on the basis of SOGIE in schools impacts not only the targets or victims, but also those who witness or perpetrate these acts.[77] These behaviours also impact schools by contributing to a hostile or unsafe school climate.[78] There is a growing body of literature, including from Asia-Pacific, showing that violence on the basis of SOGIE in education settings affects national economies as well.[79] A World Bank study (2013) found that the economic cost of homophobia was estimated to be 0.1-1.7 percent of India's Gross Domestic Product or at least US$ 1.9 billion.[80] This study identified these impacts to largely be due to lower productivity because of discrimination in employment, along with lost output due to health disparities related to exclusion.

BOX 7

DEFINITION OF GOOD PRACTICES

Good practices are programmes that employ emerging and innovative approaches alongside evaluated practices that have been shown to produce positive effects. These practices can be used to inform the design and implementation of other, similar programmes to prevent and respond to violence based on SOGIE in schools.

perpetrating violence later in life.[81] There is an increasing body of evidence that when boys experience or witness violence in their childhood, they are more likely to use violence in relationships as adults.[82] In Thailand, research found that one of the most important risk factors for engaging in violent behaviours was witnessing illegal activities, including other forms of violence in one's community.[83] Violence in schools on the basis of SOGIE becomes, in many cases, a foundation for violence and discrimination in other settings. Studies also suggest that girls who are physically and sexually abused in childhood are at increased risk of victimization in adulthood, including being involved, or exploited, in sex work later in life.[84] Several studies outside the Asia-Pacific region have found that the early bullying behaviour in adolescence is a prelude to participation in future crime.[85]

7 Synthesis of Good Practices

This synthesis of emergent and effective good practices from **China**, **the Philippines**, **Thailand**, and **Viet Nam** aims to highlight key areas, approaches and examples from schools, communities, government and multilateral partner levels, for preventing and responding to violence based on SOGIE in schools.

School level response

Awareness-raising and capacity-building workshops: These are mostly conducted by civil society organizations engaging with a diverse range of school stakeholders – students, teachers and school staff, as well as parents – and focusing on raising their awareness and understanding of gender and SOGIE-related issues. These efforts

77 Smith, P. and Sharp, S. 1994. *School Bullying: Insights and Perspectives*. London, Routledge; Rivers, I. and Noret, N. 2013. Potential suicide ideation among bystanders of bullying behavior. *Journal of Adolescent Health*, Vol. 53, Supplement 1, pp. S32-S36; Rivers I. 2012. Morbidity among bystanders of bullying behavior at school: Concepts, concerns and clinical/research issues. *International Journal of Adolescent Medicine and Health*, Vol. 24, No. 1, pp. 11-16.

78 Birkett, M., Espelage, D. L. and Koenig, B. 2009. LGB and questioning students in schools: The moderating effects of homophobic bullying and school climate on negative outcomes. *Journal of Youth and Adolescence*, Vol. 38, No.7. pp. 989-1000; Kosciw, J., Greytak, E. A. and Diaz, E. M. 2009. Who, What, Where, When and Why: Demographic and ecological factors contributing to hostile school climate for lesbian, gay, bisexual and transgender youth. *Journal of Youth and Adolescence*, Vol. 38, pp. 976-988.

79 World Bank Group. 2013. *Inclusion Matters: The Foundation for Shared Prosperity*. Washington, D. C., World Bank Group; Badgett, M. V. L. 2014. *The Economic Cost of Stigma and Exclusion of LGBTI People. A Case Study of India*. Washington, D. C., The World Bank Group.

80 Badgett, M. V. L. 2014. *The Economic Cost of Stigma and Exclusion of LGBTI People. A Case Study of India*. Washington, D. C., The World Bank Group.

81 Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against. Women and How Can We Prevent It? Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific*. Bangkok, UNDP, UNFPA, UNWomen and UNV. Martin, S. L. et al. 2002. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Kishor, S. and Johnson, K. 2004. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Barker, G. et.al. 2011. *Evolving Men: Initial Results from the International Men and Gender Equality Survey (IMAGES)*. Washington, D.C., ICRW and Rio de Janeiro, Instituto Promundo; ICRW and Plan. 2015. *Are Schools Safe and Equal Places for Girls and Boys in Asia?* Research Findings on School-Related Gender-Based Violence. ICRW and Plan (Asia), February, 2015.

82 Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against. Women and How Can We Prevent It? Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific*. Bangkok, UNDP, UNFPA, UNWomen and UNV. Martin, S. L. et al. 2002. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Kishor, S. and Johnson, K. 2004. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Barker, G. et.al. 2011. *Evolving Men: Initial Results from the International Men and Gender Equality Survey (IMAGES)*. Washington, D.C., ICRW and Rio de Janeiro, Instituto Promundo; ICRW and Plan. 2015. *Are Schools Safe and Equal Places for Girls and Boys in Asia?* Research Findings on School-Related Gender-Based Violence. ICRW and Plan (Asia), February, 2015.

83 Thasuk, J. 2010. *Social Structure Involving with [sic] Children and Youths' Violence at School: A Case Study of a School in Central Thailand*. Doctoral dissertation, Srinakharinwirot University, Bangkok, Thailand; page 184.

84 PAHO. 2013. *Summary Report: Violence Against Women in Latin America and the Caribbean: A Comparative Analysis of Population-based Data from 12 countries. Washington, D.C., PAHO; UNICEF. 2014. A Statistical Snapshot of Violence against Adolescent Girls*. UNICEF, New York, p. 9; Daigneaulta, I., Hébert, M., & McDuff, P. et al. 2009. Men's and women's childhood sexual abuse and victimization in adult partner relationships: A study of risk factors. *Child Abuse & Neglect*, Vol. 33, no. 9, 2009, pp. 638-647; Wilson, H. and Widom, C. 2010. The role of youth problem behaviour on the path from child abuse and neglect to prostitution: A prospective study. *Journal of Research on Adolescence*, Vol. 20, no. 1, 2010, pp. 210-236; Heise, L. L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, STRIVE; Solotaroff, J. L. and Pande R. P. 2014. *Violence against Women and Girls: Lessons from South Asia*. World Bank Group, Washington, D. C. World Bank.

85 Olweus, D. 2011. Bullying at school and later criminality: Findings from three Swedish community samples of males. *Criminal Behaviour and Mental Health*, 21(2): pp. 151-156; Klomek, A. B., Sourander, A. and Gould, M. 2010. The association of suicide and bullying in childhood to young adulthood: A review of cross-sectional and longitudinal research findings. *La Revue Canadienne De Psychiatrie*, 55(5), pp. 282-288.

also build self-awareness and familiarity with human rights, and create opportunities for knowledge exchange between peer groups. For example, in **Thailand**, the LGBT Camps implemented by the Rainbow Sky Association of Thailand (RSAT), conducted sexuality education, which integrated SOGIE issues, and in Mainland **China**, since 2007, Beijing Normal University has been implementing a programme of school-based sexuality education for migrant children, which integrates diversity issues into the curriculum (beginning at year five) and addresses violence on the basis of SOGIE. The first group of migrant students to receive the full six years of sexuality education graduated in June 2013.[86]

Development of gender-sensitive and SOGIE-inclusive curricula and other learning materials: Some teachers and faculties in schools have taken steps to raise awareness and boost knowledge of students about SOGIE. For instance, in 2015, in the **Philippines**, faculty members at the University of the Philippines wrote and published LGBTI-related materials, including a children's book, to raise awareness and boost knowledge on SOGIE among students.[87] In **Thailand**, the Faculty of Education at Chiang Mai University has developed and is currently implementing a curriculum for teachers and educational staff to increase their understanding of cultural diversity including SOGIE. In **China**, a research group at Beijing Normal University prepared, tested and published the *Cherish Life – Textbook on Sexual Health Education for Primary School Students* (grade 1 to 6) in 2007. The material involves discussion of gender, gender equality, prevention of sexual abuse, and knowledge about diverse sexual orientations, which is introduced in the high grades in primary schools.[88] The Western Academy of Beijing has also developed a guidance handbook on discrimination and violence on the basis of SOGIE, providing particular support to campus-based transgender individuals and their families.[89]

Trainings for teachers and school staff: These are designed mostly to provide knowledge and better understanding of SOGIE-related issues and to deliver specific skills for teachers and school staff to create and maintain SOGIE-inclusive school environments. These efforts are usually conducted by civil society organizations (CSOs), with some in close collaboration with local school authorities and relevant educational departments. In **Viet Nam**, Plan Viet Nam and the Ha Noi Department of Education and Training (DOET)[90] implemented the *Gender Responsive School Pilot Model* from 2014 to 2016. The project focused on providing teachers, educators and school administrators with specific knowledge on how to address SRGBV. It also established counseling rooms and equipped teachers with tools to provide psychological counseling to those experiencing violence which received a very positive response from students. In **Thailand**, UNESCO and Plan piloted the *Respect for All Project*[91] in two cities, Bangkok and Chiang Mai, to prevent school bullying and other forms of violence, and to make school environments more gender-responsive for all learners regardless of their SOGIE. The programme was developed to address the findings of a 2014 study on the issue,[92] and was designed to test whole-school approaches with the aim of embedding policies and practices into the curriculum and daily life of the participating schools.[93] In **China**, in the Hong Kong Special Administrative Region (SAR) of China and in the Taiwan Province of China, several non-governmental organizations conducted trainings and workshops for teachers on gender and SOGIE-inclusive education on how to prevent SRGBV, including violence on the basis of SOGIE, in schools.[94]

86 Liu, W. and Su, Y. 2014. School-based primary school sexuality education for migrant children in Beijing, China. *Sex Education*. No. 14, Vol. 5, pp. 568–81.

87 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok.

88 Liu, W. 2016. *Cherish Life – Textbook on Sex Education for Primary School Students*. Beijing: Beijing Normal University Press, pp. 40-46. (Volume 1 for grade 6).

89 Information received from UNESCO Beijing Office in November 2017.

90 The project partners include: the Ha Noi Department of Education and Training (DOET), Centre for Research and Applied Sciences in Gender, Family, Women and Adolescents (CSAGA), and the International Center for Research on Women (ICRW).

91 Respect for All: Promoting Safe and Gender-responsive Schools in Thailand is a three-year anti-bullying and violence reduction project funded by the Swedish National Office of Plan International and the Dutch Ministry of Education, Culture and Science through UNESCO.

92 Mahidol University, Plan Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventative measures in 5 provinces of Thailand. Bangkok, Mahidol University, Plan Thailand, UNESCO Bangkok.

93 UNESCO and Plan. 2015. *Respect for All in Safe and Gender-Responsive Learning Environments in Thailand*. Poster presented at the Asia-Pacific Consultation on School Bullying on the Basis of Sexual Orientation and Gender Identity. Organized by UNESCO and UNDP, 15-17 June 2015, in Bangkok Thailand.

94 The organizations include: in China, the Gay and Lesbian Campus Association of China (GLCAC); in Hong Kong, the Boys' and Girls' Clubs Association of Hong Kong; in the Taiwan Province of China, the Tongzhi Hotline Association. For more information, please see: Taiwan Tongzhi (LGBT) Hotline Association. http://hotline.org.tw/english; Boys' and Girls' Clubs Association of Hong Kong. 2007. Project Touch. Boys' and Girls' Clubs Association of Hong Kong.

BOX 8

PURPLE MY SCHOOL CAMPAIGN

Across Asia-Pacific, UNESCO, UNDP and Being LGBTI in Asia[98] launched the **#PurpleMySchool** campaign in June 2015.[99] The objective of the campaign is to create safe spaces for LGBTI students. Peers, teachers and parents were encouraged to wear, draw, or make something purple to show their support for LGBTI students at their school. Supporters of the campaign were asked to submit photos of their purple-themed activities to the campaign website (**www.Campaign.com/PurpleMySchool**) or share them on social media using the hashtag: #PurpleMySchool. Schools and universities have also supported the campaign in a variety of creative ways, for example through sports activities, games, wearing purple clothes, sharing purple stickers, candles, leaflets and balloons, and arranging visits by well-known LGBTI activists and celebrities.[100]

Community level response

Awareness-raising: These efforts include knowledge-sharing, dissemination and sharing of information, and distribution of gender-sensitive and SOGIE-inclusive materials through informative events or campaigns. In the **Philippines**, the Center for Women's and Gender Studies (UPCWGS) at the University of the Philippines has a wide collection of thirty-six essays concerning the personal and professional lives of LGBT persons in the Philippines, along with other LGBT materials in their library which is accessible to the public.[95] The Center published materials such as *Buhay Bahaghari* (Rainbow Life) and *Anong Pangalan mo sa Gabi? (What is your persona at night)*, a photo book project that deals with the issue of discrimination and ridicule of LGBT persons while also promoting gender awareness.[96] In **Thailand**, UNESCO, the Joint United Nations Programme on HIV/AIDS (UNAIDS), Youth Voices Count, Youth LEAD and APCOM launched the *School Rainbow Project* in 2014, an awareness campaign on bullying and violence against LGBT students, where students and communities chalked rainbows around their school gates as a sign of support for sexual and gender diversity.[97] In **Viet Nam**, a photo series event entitled *Gender is Not Uniform*, started by a transman, attracted widespread attention and support from LGBTI youth, many teachers, and the media.

Capacity-building and trainings for a diverse range of stakeholders: These efforts, conducted mostly by CSOs, target and bring together a diverse group of educational stakeholders. In the **Philippines**, over the past few years, local organizations have conducted a series of workshops and capacity-building trainings of local communities, including other LGBTI organizations and groups, and LGBTI individuals, to advocate for human rights, to eliminate stigma and discrimination, and to promote sexual health through education and advocacy.[101] In **China**, Aibai Culture and Education Centre has been providing sexuality training incorporating issues of discrimination and bullying to health teachers, school leaders, education bureau officials and doctors, as well as undergraduate and postgraduate students in Heilongjiang Province, and mental health teachers (at primary, secondary and tertiary levels) in Beijing and Harbin. More than 80 percent of teachers who attended the training indicated that they would like to assist in reducing bullying in their schools.[102]

Government level response

Awareness-raising among government staff and other education stakeholders, including students: Conducted by government agencies and non-governmental organizations, broadly, these efforts aim to mainstream gender equality into local development programmes and build the capacity of law enforcement and legal authorities on

95 UPCWS. 2014. The questions LGBT people have to face. http://outragemag.com/scare-tactics-prevent-hiv/

96 UPCWS. 2014. BuhayBahaghari: The Filipino LGBT Chronicles book launch. August 2014. http://thepoc.net/index.php/buhay-bahaghari-the-filipino-lgbt-chronicles-book-launch-aug-27/; UPCWS and UP Babaylan. 2014. Anong Pangalanmosa Gabi? At iba pang mga tanong sa LGBT.

97 For more information, please see: http://www.unescobkk.org/news/article/unesco-activities-this-week-on-school-bullying-on-the-basis-of-sexual-orientation-and-gender-identit/ and www.schoolrainbow.org

98 *Being LGBT in Asia* is a regional initiation coordinated by UNDP with funding from UNDP, USAID and the Swedish Embassy in Bangkok, Thailand.

99 More than 30 human rights, LGBTI, youth organizations from Australia, Cambodia, China, India, Indonesia, Myanmar and Nepal, the Philippines, Thailand and Viet Nam contributed to the campaign.

100 For more information see the Purple My School website: https://medium.com/being-lgbti-in-asia/purplemyschool-campaignmaking-education-safer-for-lgbti-students-9060a05413f4

101 Some of the most active Filipino organizations conducting capacity-building and trainings on these topics include TLF Share, Kapederasyon, Bahaghari, GALANG Philippines, and Rainbow Rights.

102 Aibai. 2015. Aibai presented three training sessions about SOGIE and anti-discrimination to teachers. Newsletter. Beijing, Aibai; Aibai. 2014. Aibai Culture and Education Centre provided training to sexuality and psychology teachers of Heilongjiang Province at Harbin Medical University. Newsletter. Beijing, Aibai.

SOGIE-related issues. In the **Philippines**, the Diliman Gender Office (UPDGO) at the University of the Philippines has incorporated SOGIE into their gender-sensitivity trainings conducted with the academic community, government agencies, local government units and local community, providing counseling on gender-related issues including gender-based bullying. They have also published information, education and communication materials on LGBT rights and welfare, and conducted advocacy work.[103] In 2012, the Supreme Court also launched a pilot programme to train trial judges on SOGIE.[104]

In **China**, in 2015, the Education Bureau of Nangang District in Harbin, in collaboration with the Sexual Health Research and Education Centre of Harbin Medical University, conducted an awareness-raising course addressing the broader context of SRGBV. It was reported that the course elevated awareness of school violence, gender equality and the need for resources to help address SRGBV.[105] In Hong Kong SAR, the Education Bureau has organized workshops, seminars and sharing sessions on anti-bullying and sex education which has included building empathy, handling conflict, sex education (including gender awareness, sexual orientation, understanding and paying attention to the concerns of 'homosexual' students), cyberbullying, and how to launch anti-bullying campaigns in schools.[106]

Response from multilateral partners

Multi-sectoral programmatic collaboration and establishment of technical working groups (TWG): UNESCO and UNDP led a regional effort that aims to build a closer collaboration between government and civil society partners to advance work on the prevention of and the response to violence on the basis of SOGIE in schools. In the **Philippines**, a TWG was established as a follow-up to the *Asia-Pacific Consultation on School Bullying based on Sexual Orientation and Gender Identity/Expression* with representation from the Department of Education, ASEAN SOGIE Caucus, TLF Share, and the University of the Philippines College of Social Work and Community Development, and the Civil Society Coalition on the Convention on the Rights of the Child (CSC-CRC). In **Thailand**, a national TWG was convened in mid-2015 that included a partnership between UNESCO and the Ministry of Education, the Ministry of Social Development and Human Security, the Ministry of Justice, the Ministry of Public Health and civil-society partners.
A key outcome of the development of these TWGs was the planning and implementation of national consultations that engaged with a wider range of stakeholders. The consultations provided a platform for participants to map out existing policy and programmatic initiatives by government, civil society and the private sector, share good practices, provide recommendations and suggest follow-up actions.

8 Synthesis of the Policy Response

Despite governments in Asia and the Pacific signing onto international agreements to declare their intention to protect and ensure the rights of all children and young people to safe and quality education, educational institutions are frequently not safe and inclusive spaces for LBGTI learners who continue to face violence and discrimination in and outside school settings.

Review of the available research evidence from China, the Philippines, Thailand and Viet Nam suggests specific challenges for the policy response to violence on the basis of SOGIE in schools. These are presented in Box 9.

In Thailand, several national laws and regulations were passed to provide protection against discrimination – including the Gender Equality Act, B.E. 2558 (2015), which makes it illegal to discriminate against a person "due to the fact that the person is male or female or of a different appearance from his/her own sex by birth"

103 For more information, please see the UPDGO website at www.dgo.upd.edu.ph
104 International Gay and Lesbian Human Rights Commission (IGLHRC). 2014. *Violence: Through the Lens of Lesbians, Bisexual Women and Trans People in Asia – Philippines*. https://www.outrightinternational.org/sites/default/files/LBT_For-rUpload0614.pdf
105 The same courses are also piloted in several schools in Beijing, some of which have established student organizations and have launched activities such as the drawing of school violence maps, research and report writing, and creation of comics and scripts. This information was received from UNESCO Beijing Office in November 2017.
106 Stotzer, R. and Lau, H. 2013. Sexual orientation-based violence in Hong Kong. *Asian-Pacific Law and Policy Journal*, Vol. 14, No. 2.

BOX 9

CHALLENGES OF THE POLICY RESPONSE TO VIOLENCE ON THE BASIS OF SOGIE IN SCHOOLS

- Fragmental or no reference to violence on the basis of SOGIE in the existing SRGBV policies;
- Limited implementation, monitoring and evaluation of particular laws addressing SRGBV policies including SOGIE-specific policies;
- Increased number of specific laws addressing SRGBV in education settings, but limited focus on SOGIE (and limited translation into practice); and
- Limited public awareness and familiarity with laws addressing SRGBV (and more specifically SOGIE).

(Article 3). However, gaps in Thai law remain. For example, the language on sexual orientation is not clearly articulated in the current Gender Equality Act. Furthermore, the concept of hate crime is not included in Thai law, which may create additional risks, and the constitutional protections against discrimination are open to interpretation. In addition, Thai law does not allow change of legal sex following gender transition or the registration of same-sex partnerships.

Over the years, Viet Nam has made many international commitments to reduce inequality, discrimination, and violence against specific groups of people in Vietnamese society. This includes signing onto many commitments focused explicitly or inexplicitly on the LGBTI community. At the national level, the Government of Viet Nam has adopted laws reflecting universal non-discrimination values that provide the legal framework necessary to ensure inclusive education for all children regardless of SOGIE. Over the last few years, the government, and the education sector in particular, have created favourable conditions to ensure safe, inclusive and friendly education environments. The Ministry of Education and Training (MoET) has issued a number of legal documents relating to the promotion of gender equality and implementation guidance for ensuring safe learning environments that are both friendly and inclusive. This includes the Gender Law (2006), which sets out the objectives and principles of ensuring gender equality in all areas of social life, including the education sector. Furthermore, the Law on Protection, Care and Education of Children endorses the principle of non-discrimination for all children. Despite these commitments and intentions, schools and other educational institutions in Viet Nam are not always safe and inclusive spaces for LGBTI learners.[107]

Challenges exist, given the limited levels of public awareness and a general lack of familiarity with laws addressing SRGBV, or more specifically, violence in schools based on perceived or real sexual orientations and gender identities or expressions. Many of the existing SRGBV policies and laws, including more general laws addressing violence and gender-based violence, make limited or no reference to violence on the basis of SOGIE. Their implementation is weak and their effectiveness is not being consistently monitored or evaluated.[108]

In China, bullying was found to be specifically mentioned in policies of Hong Kong SAR and the Taiwan Province of China.[109] In November 2016, the Chinese Ministry of Education and eight other relevant departments jointly issued the Guidance on Preventing and Controlling School Bullying and Violence.[110] In the Taiwan Province of China, the Gender Equity Education Act (2003) has also been used to call for redress of sexual and gender discrimination. However, it has been suggested that implementation measures are inadequate to effectively prevent and address discrimination.[111] Also, Taiwan's Equity Education Act (2004) promotes gender equality and aims to eliminate discrimination, including that based on gender or sexual orientation. However, while there are

107 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.
108 UNDP and USAID. 2014. *Being LGBT in Asia. Thailand Country Report*. UNDP, Bangkok; World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand*. The World Bank Group, Washington, D. C. and Bangkok, Thailand.
109 UNDP and USAID. 2014. *Being LGBT in Asia: China Country Report*. Bangkok, UNDP; Family Community Legal Information Centre. n.d. Children's constitutional rights. Law and Technology Centre at the University of Hong Kong. http://familyclic.hk/en/topics/Child-and-youth-affairs/Childrensprotection-and-welfare/Childrens-constitutional-rights/; Hong Kong Education Bureau Guidance and Discipline Section. 2010. *"Stop Bullying" – Policies and Measures*. Hong Kong Education Bureau; Ministry of the Interior Republic of China (Taiwan). 2012. *The Protection of Children and Youths Welfare and Rights* Act. Ministry of the Interior Republic of China (Taiwan); Ministry of Education. 2004. *Taiwan Gender Equity Education Act*. Ministry of Education, Republic of China (Taiwan).
110 Government News. 11 Nov 2016. http://www.gov.cn/xinwen/2016-11/11/content_5131211.htm
111 Hsieh, Y. C. 2010. *Gender Equity Education in Taiwan: Policy, Schooling and Young People's Gender and Sexual Identities*. Leicestershire, Loughborough University.

BOX 10

LEGAL PROTECTIONS OF LGBTI STUDENTS IN CHINA

On 18-20 February 2017 in Hangzhou, UNDP and Common Language hosted a national dialogue to engage experts and lawmakers on legal protections for LGBTI persons in China. Ten LGBTI CSOs and thirty legal experts from leading Chinese universities participated in the dialogue. Government participants from the Human Development Centre of the Ministry of Health and the All China Women's Federation National Research Institute attended the dialogue. Both of these government departments are reviewing possible LGBTI protections in government gender and health policies. Key outcomes from this dialogue included the provision of inputs to a drafting committee of the Civil Code on SOGIE-related family and partner rights, and the drafting of a legislative proposal focusing on school-related violence and bullying that was submitted to legislators for the National People's Congress and Chinese People's Political Consultative Conference meetings in March 2017.[112]

policies on school bullying and violence based on SOGIE and violence in general, there is no specific policy addressing violence on the basis of SOGIE in education settings.

Most countries in the Asia-Pacific region have specific education policies, laws and/or guidelines that uphold the rights and dignity of children in the educational environment, which include the legal prohibition of violence. The Philippines, however, is the only country found to include specific reference to bullying on the basis of sexual orientation and gender identity in a national law.[113] The Anti-Bullying Act of 2013 (Republic Act No. 10627) defines gender-based bullying as any act that humiliates or excludes a person on the basis of perceived or actual sexual orientation and gender identity (SOGI).[114] The legislation is also believed to be one of the first pieces of legislation to have addressed cyberbullying.[115] There are a number of other laws that mention sexual orientation and address the rights for same-sex relations.[116] However, challenges remain when it comes to policy implementation and monitoring.

9 Recommendations

Based on the examined research evidence and documentation of interventions, as well as outcomes from the regional and national consultations in China, the Philippines, Thailand and Viet Nam, the following recommendations at the school, community and policy level are proffered.

At the school level

- Further tackle discriminatory policies in schools that stigmatize or exclude LGBTI students. This includes strengthening existing, or developing new, inclusive anti-discrimination policies that explicitly cover violence on the basis of SOGIE in schools. Systems are required to monitor the implementation of these policies and assess progress in reducing violence on the basis of SOGIE in schools.
- Raise awareness and build capacity of students, teaching and non-teaching staff, parents and caregivers, and other school community members to address violence on the basis of SOGIE in schools. These efforts should utilize a whole-school approach and should be gender-transformative in nature.
- Ensure that schools and teachers have non-discrimination guidelines that specifically include the principle of non-discrimination based on sexual orientation, gender identity or expression.
- Strengthen or develop in-school services like referrals, counselors, and access to the justice system for students who experience violence on the basis of SOGIE and other types of SRGBV. Designated school staff should be trained and sensitized to provide such referrals and services in an LGBTI-friendly and sensitive manner.
- Promote a whole-school approach that strengthens the interconnected layers of a school system to create a culture of non-violence, equality and inclusiveness. These efforts should focus on curriculum delivery and teaching practice,

112 News report. 20 February 2017. Advancing legal protections for LGBTI people in China. https://medium.com/being-lgbti-in-asia/advancing-legal-protections-for-lgbti-people-in-china-c433cc9d77a2
113 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok, 2015.
114 Republic Act No. 10627, "An act requiring all elementary and secondary schools to adopt policies to prevent and address the acts of bullying in their institutions," *Official Gazette*, September 12, 2013, sec. 3. http://www.officialgazette.gov.ph/2013/09/12/republic-act-no-10627/http://www.officialgazette.gov.ph/2013/09/12/republic-act-no-10627/ (Accessed October 2, 2018)
115 Ancho, I. and Park, S. 2013. School violence in the Philippines: A study on programmes and policies. *Advanced Science and Technology Letters*, Vol. 36, pp. 27–31; UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok, 2015.
116 USAID and UNDP. 2014. Being LGBT in Asia: *The Philippines Country Report.* Bangkok, UNDP.

adopting flexible regulations regarding school uniforms and the use of bathrooms for students with diverse gender identities and expressions, and creating connections with parents, communities and other stakeholders to improve social and emotional well-being of all students at school.

At the community level

- Strengthen linkages between educational stakeholders and establish multi-partner and multi-sectoral networks, including with private and public sector, where information, resources and good practices in addressing violence on the basis of SOGIE in schools can be shared. Platforms such as TWGs on advancement of the SOGIE agenda should be promoted to share, promote, adapt and evaluate existing or new practices in the region.
- Raise awareness among the wider community about violence on the basis of SOGIE in schools and build their capacity to promote gender equality and social inclusion in and outside the school setting. These efforts should include engagement with mainstream and social media and other communication channels to promote positive messaging around SOGIE and LGBTI.

At the policy level

- Review existing national curricula including textbooks and other learning materials with a goal of removing content that reinforces negative stereotypes and discrimination towards LGBTI students and promotes gender equality and social inclusion. Good quality CSE should be part of such efforts.
- Teacher qualification policies should require mandatory training on aspects related to gender equality and SOGIE, and these topics should also be incorporated into mandatory teacher trainings (including pre- and in-service trainings). Establish clear guidelines and requirements for schools and teachers to ensure they are sufficiently equipped to work in a friendly and inclusive manner with LGBTI students. This includes clear guidelines on reporting and referral mechanisms to prevent and respond to violence on the basis of SOGIE in schools.

At the research level

Although substantial evidence exists on discrimination, stigma, social exclusion, and violence on the basis of SOGIE in schools in the four countries in this report, there continues to be a need for additional quantitative data disaggregated by SOGIE status. This could be addressed by adding sections on SOGIE to national surveys and registry data from line ministries. A database evidencing LGBTI exclusion, which would combine all data and cases from relevant government agencies and civil society organizations, could also be developed. Specifically, further research should:

- Aim to understand the scale and manifestations of SOGIE-based violence, and the subsequent impact of such violence, specifically on transmen, and bisexual and intersex individuals;
- Cover educational institutions of all types (e.g. primary schools, continuing education institutions, high schools and junior colleges, technical and vocational schools, universities and colleges, and others);
- Evaluate various policies and programmes addressing SOGIE in the region. Such efforts should focus on capturing good practices in preventing and responding to violence on the basis of SOGIE in schools, promotion of broader gender equality to achieve full inclusion of LGBTI groups in practice, and evaluation of the efficacy of such policies and interventions; and
- Focus on the economic impact of violence based on SOGIE in schools on individual LGBTI persons as well as the cost of violence to the economy of the respective countries in the region.

- Build the capacity of public research institutions to enhance their understanding of SOGIE-related terminology, particularly around categorizations of LGBTI, thereby strengthening research methodology for future studies.

10 Conclusions

Similar to other countries in the Asia-Pacific region, there are significant gaps in knowledge regarding violence on the basis of SOGIE in schools in China, the Philippines, Thailand and Viet Nam. This research synthesis revealed, for instance, that the majority of the available research focuses on violence based on SOGIE in primary and secondary schools. Fewer research efforts have examined violence in higher or tertiary education – i.e. in colleges, universities and research institutes. Data disaggregated by SOGIE when it comes to education outcomes do not exist. This is partially because there is no routine collection of data on sexual orientation and gender identity or expression. Furthermore, apart from aggregated

data, there are no specific studies about the experiences of violence on the basis of SOGIE in schools of female-male transgender (transmen), bisexual and intersex learners.

While violence, bullying and discrimination continue to be part of the everyday school reality for too many learners in the region, LGBTI students in China, the Philippines, Thailand and Viet Nam consistently report a higher prevalence of violence compared to their non-LGBTI peers. Students face various types of violence because of their real or perceived SOGIE including physical, sexual and psychological violence, bullying and cyberbullying, as well as social and institutional discrimination and exclusion. Further research is needed to better understand the nature, scope and impact of the problem.

Those who experience violence on the basis of SOGIE in schools suffer from negative mental and physical health impacts. They show lower educational performance, increased absenteeism and higher dropout rates. Interrupted or incomplete education, physical and mental illness and overall negative well-being outcomes among those targeted by violence on the basis of SOGIE in schools are linked with decrease in individual socio-economic opportunities and employment prospects when they leave school. Finally, experiencing or witnessing violence – either on the basis of SOGIE or not, in or outside school settings – is associated with perpetration and/or experience of violence later in life.

At the policy level, over the past several years the governments in China, the Philippines, Thailand and Viet Nam have made significant strides to increase the number of specific laws addressing SRGBV in education settings, some of which directly address violence on the basis of SOGIE in schools. However, challenges remain, including fragmented reference to violence on the basis of SOGIE in educational settings in existing SRGBV policies; limited implementation, monitoring and evaluation of these policies; and limited public awareness and familiarity with such laws.

There is good practice in all four focus countries, and many examples and resources identified in this synthesis report which can stimulate further efforts within the region and beyond. A diverse range of effective and promising approaches have been used to address violence on the basis of SOGIE in schools, from awareness-raising campaigns and capacity building, through workshops and specialized trainings, to efforts such as the development of gender-sensitive and SOGIE-inclusive curricula and other learning and teaching materials, as well as multi-sectoral and multi-partner collaboration and technical working groups on SOGIE.

These approaches and specific programmes are signs of promise and thus, collaborative efforts should be taken to evaluate their efficacy. Programmes and approaches that have shown positive effect in preventing and responding to violence on the basis of SOGIE in schools should be replicated, scaled up and taken forward by education sector leadership.

ANNEX 1

China Country Synthesis

A Synthesis Report on the Situation of School Bullying in China

* A synthesis of the China brief is presented herein, as the full paper was not ready at the time of finalization, and will, therefore be published separately

A summary of the China brief is presented herein, as the full paper will be published separately, which includes an acknowledgments section.

This report was jointly prepared by UNESCO Beijing Office and China Collaborative Innovation Centre of Assessment towards Basic Education Quality (CICABAQ), following the Expert Roundtable Meeting on School-related Gender-based Violence (SRGBV) co-organized by these two organizations as well as UNDP and UN Women, in July 2016 in Beijing.

The report aims to provide information to decision makers, planners and practitioners of the education sector and other relevant sectors such as health, child protection and welfare, public security and justice, information and communication, etc., school managers and teaching staff, as well as social service organizations serving parents, children and youth.

The report is based on a review of relevant literature, including journal articles published both in China and internationally, relevant media reports, proceedings from the above-mentioned roundtable meeting and published UN and UNESCO reports on SRGBV. The report was validated through an expert meeting in 2017.

2 Focus of the study

The report focuses on school bullying as one form of school violence, defined by UNESCO as "intentional and aggressive behaviour occurring repeatedly against a victim where there is a real or perceived power imbalance and where the victims feel vulnerable and powerless to defend themselves."[117] The decision to focus on school bullying rather than all types of school violence is because school bullying is more visible on the government agenda. Nevertheless, we recognize the importance of considering all types of school violence, including violence perpetrated by teachers to students through corporal punishment or sexual abuse (which could be topics for future studies). The decision to take up the issue of school bullying in general rather than bullying based on sexual orientation and gender identity or expression (SOGIE) was taken to engage as many stakeholders as possible, out of a concern that limiting the focus to bullying based on SOGIE might tend to put off many in the target audience, especially those in government. This decision was supported by participants of the above-mentioned roundtable meeting.

Some main findings of the study include:

1. Social context of school bullying

- The phenomenon of school bullying in China is very much influenced by social contexts, including the school environment and educational provision, the family environment and parenting styles, and the internet and media environment under fast-developing new information and communication technology. The exam-driven education system and the pressure it exerts on schools, families and students creates psychological tension while at the same time neglecting social and emotional skills development. A large number of children of rural migrant workers face even more challenges in this regard, as well as children from poor, single-parent or re-constituted families.

2. Characteristics of school bullying in China

- Children and young people in China are subject to multiple forms of bullying in and around schools. Verbal bullying tends to be the most common. Primary and lower secondary school students are more prone to be involved in school bullying. School bullying has been found to often happen in playgrounds, classrooms, toilets, dormitories, hallways, as well as on school buses to and from school. Cyberbullying is increasingly becoming another major negative behaviour and experience among children and young people in China. It often intersects with and reinforces off-line bullying. Some studies have found between twenty to twenty-five percent of students have been involved with cyberbullying as both perpetrators and victims.
- Those who are by-standers to such bullying acts are common, but their role has yet to be fully studied and discussed. How to help by-standers play a positive and protective role in bullying intervention needs to be further explored.

117 UNESCO. 2017. *School Violence and Bullying: Global status report*. UNESCO Paris. Pp. 15.

- Gender-based violence (GBV) is a common phenomenon, though the very concept of GBV is not yet commonly understood. Some studies have found differences in male and female students' experience with bullying, with male students more prone to experiencing violence and bullying. Other studies have found that around 40 percent of students experienced bullying based on SOGIE.

3. Impact of school bullying

- There are studies in China showing that school bullying has negatively affected students' mental health and well-being, school attendance and performance. However, little evidence is available about the longer-term impact of school bullying on children.

4. Current policy and practices for preventing and responding to school bullying

- Major laws to protect children from bullying include the Criminal Law, the Law of the Protection of Juveniles, and the Anti-Domestic Violence Law. The National Programme of Action for Child Development and the National Programme of Action for Women's Development provide important directives on addressing school bullying from the perspectives of child protection and gender equality. In coordination with multiple government departments and agencies, the Ministry of Education (MoE) issued two specific policies on school violence and bullying, namely, the Guidance on Preventing and Controlling Bullying and Violence among Primary and Middle School Students (2016) and the Plan of Strengthening Comprehensive Management of Bullying among Primary and Middle School Students (2017). These two policies clarified the central role of schools in dealing with school bullying while highlighting the importance of multi-sectoral coordination in the process.
- The Professional Standard for Primary and Middle School Teachers and the Students Code of Conduct developed by the (MoE), if well implemented, will help create a safe and inclusive school environment, with its requirement for all teachers to respect students and for all students to abide by behavioural rules. Some progressive international schools have specific policies regarding transgender students. However, this is rarely seen in government schools.
- There are school programmes supported by UNESCO specifically focused on preventing gender-based violence, and programmes addressing school bullying and school safety in general such as the Learning without Fear programme by Plan China. Comprehensive Sexuality Education (CSE) programmes, such as the one implemented by Beijing Normal University, cover relevant topics of GBV with explicit learning objectives of knowledge, values and skills, which are essential for effective bullying prevention. A specific gender-equality education programme has been piloted in Zhongshan City of Guangdong Province with support from the National Working Committee for Children and Women (NWCCW) of the State Council. A specific sexual abuse prevention education programme has been implemented by a social service organization over the past few years on a large scale, but without much evidence showing its effectiveness. A promising programme on media literacy education has also been implemented in Guangdong Province, which touches on the issue of cyberbullying.
- Some social service organizations support schools and students by responding to school bullying through school-based social workers. Alternative schools, required by the law to provide education to students with severe misconduct issues, face various challenges in playing an effective role in this.
- The Guidance on Preventing and Addressing Harm Caused by Violence developed by the NWCCW maps out the principles of prevention, early intervention, cross-sectoral collaboration and multi-disciplinary service support. In this multi-sectoral mechanism, social service organizations, parents, students and the media all play important roles. The parent training programme on CSE by China Family Planning Association contributes to school bullying prevention by training parents on effective communication with children on all relevant issues, including social safety. The role of media needs to be further explored, as one study supported by UNESCO found only 12.9 percent of media reports demonstrated gender sensitivity, and only 35.8 percent reflected an understanding of child rights. The role of student participation in bullying prevention needs to be further recognized, with a project by UN Women showing a good model of peer education in addressing GBV.

- **Many gaps exist in terms of data collection and monitoring and evaluation. There is no national monitoring system on school bullying, and systematic and empirical studies, especially over a long period, are lacking.**

3 Recommendations

Based on the above analysis the report proposes the following recommendations:

1. **National policy**: Policy makers should: 1) understand school bullying and violence from the aspect of gender equality and child rights, and differentiate it from school safety incidents; 2) further clarify the central role of the education sector in addressing school bullying while ensuring multi-sectoral coordination and encouraging judicial reforms in dealing with juvenile misbehaviour; 3) support school teacher and principal training, and the development of school policy and technical resources; and 4) ensure accountability and monitoring and evaluation.

2. **School policy**: School policy should: 1) strengthen school supervision and establish school safety systems through mobilizing participation of diverse groups of students, including those that are more prone to experiencing bullying; 2) enforce codes of conduct among teachers and students to improve teacher-student relationships; and 3) support student associations in carrying out anti-bullying and gender equality educational activities.

3. **School education**: Schools should: 1) plan, implement and evaluate curriculum-based bullying prevention education that encompasses relationships, rights, gender equality and personal safety issues; 2) improve teacher's awareness about gender, rights and social and emotional learning, and participatory teaching skills; and 3) support peer-education activities by students.

4. **Support and services for students**: Schools and the education and child protection departments should: 1) establish accessible and child-friendly reporting systems and referral services that ensure privacy, confidentiality and effective response; 2) provide psychological counseling and support services in full consideration of specific needs of students, such as students with disabilities and LGBTI students.

5. **Partnerships**: There is a need to establish effective partnerships between: 1) different government duty bearers; 2) schools, education authorities, and community organizations; 3) schools and families; 4) government and social service organizations; and 5) schools and students. Media reporting on school bullying should fully reflect gender equality and child rights.

6. **Data and monitoring and evaluation**: Policy makers should: 1) establish consensus among researchers over the definition of school bullying, research methods and indicators; 2) establish consistent monitoring of school bullying by integrating into the existing national monitoring system; 3) conduct continuous monitoring and operational research on interventions including random controlled trials; 4) broaden the research scope to include cyberbullying, sexual bullying, by-stander behaviour, risk and protective factors, as well as impact of school bullying; 5) include more demography variables in studies to explore specific needs of student sub-groups; and 6) widely disseminate research findings to raise government, academic and public awareness of the issues.

For a copy of the country brief, contact:

Hongyan Li,
National Programme Officer,
UNESCO Beijing Office,
email: h.li@unesco.org

ANNEX 2

The Philippines Country Brief

Violence on the basis of Sexual Orientation and Gender Identity or Expression (SOGIE) in Schools

1 Introduction and objective

This is a Philippines-specific brief on school violence on the basis of sexual orientation and gender identity or expression (SOGIE). The general objective of this brief is to present the current understanding, nature, scope and impact of violence based on SOGIE in Filipino schools. Furthermore, this brief provides an overview of relevant policy and programmatic responses to violence based on SOGIE in schools as well as preliminary recommendations for addressing this issue.

This brief was commissioned by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Bangkok, Thailand. It is a direct outcome of the *National Consultation on SOGIE-based Bullying in the Philippine Education Setting* held on 23-24 August 2016 in Quezon City, Philippines. The brief is meant to provide a situational analysis of violence based on SOGIE in schools in the Philippines. Prior to the consultation, this briefing paper went through two rounds of revisions with inputs by the Technical Working Group (TWG) members and served as a discussion paper for the consultation. Findings from the paper were captured in a presentation made on the first day of the consultation, providing participants with a brief understanding of the situation and highlighting governmental and non-governmental organization (NGO) responses. The paper was distributed at the consultation along with a briefing paper feedback form to source further inputs from consultation participants. Participants were asked to review the draft briefing paper over the course of the two-day consultation and submit their feedback forms in order to enrich the content of this brief. Following the consultation, inputs sourced from participants were incorporated and a final peer review session was held with TWG members, which resulted in the following version of the briefing paper. Given the dearth of published peer-reviewed materials on this topic, the brief development process included an additional literature search undertaken by an independent consultant with experience in research and advocacy surrounding LGBTI issues in the Philippines. The consultant also reviewed additional background information and reference materials provided by United Nations Development Programme (UNDP) and UNESCO.

2 Background

Violence on the basis of SOGIE in educational settings targets students[120] who are, or who are perceived as lesbian, gay, bisexual and transgender (LGBT), and others whose gender expression do not fit into binary gender norms (masculine and feminine) such as boys perceived as 'effeminate' and girls perceived as 'masculine'. Students who are intersex (I) may also be the subject of violence, although there is currently not enough available scientific data on this.[121] Like other forms of school-related violence, violence based on SOGIE can occur in classrooms, playgrounds, toilets and changing rooms, around schools, on the way to and from school, and

BOX 11

DEFINITION OF SCHOOL-RELATED GENDER-BASED VIOLENCE, INCLUDING VIOLENCE ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION (SOGIE)

School-related gender-based violence

School-related gender-based violence (SRGBV) is defined as acts or threats of sexual, physical or psychological violence occurring in and around schools, perpetrated as a result of gender norms and stereotypes, and enforced by unequal power dynamics[118]

Violence on the basis of SOGIE

Violence on the basis of SOGIE is a gendered type of bullying that is based on actual or perceived sexual orientation and gender identity or expression.[119]

118 Unequal power dynamic identifies a power imbalance between those who are the target of violence, including bullying, and those who are perpetrating the violence. Please see: UNESCO and UNWomen. 2016. *Global Guidance on Addressing School-related Gender-based Violence*. Paris, UNESCO and New York, UNWomen.

119 UNESCO and UNWomen. 2016. *Global Guidance on Addressing School-related Gender-based Violence*. Paris, UNESCO and New York, UNWomen.

120 The report uses 'students' to refer to all learners in educational settings. However, where research addressed only select members of this group – such as 'children' or 'young people' – this is stated.

121 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, p. 21. Please see: http://unesdoc.unesco.org/ images/0024/002447/244756e.pdf

online.[122] Violence on the basis of SOGIE has a significant impact on students' education and employment prospects and on their health and well-being. It affects students who are targeted by violence and students who are perpetrators and bystanders.

3 Contributing factors to violence in schools on the basis of SOGIE

The discrimination and harm that lesbian, gay, bisexual, and transgender students face stems from attitudes that do not accept all individuals as equal. Despite the intention of commitments made by the Philippines, particularly as signatory of the United Nations Convention on the Rights of the Child (UNCRC), specifically Article 19,[123] there are still factors that inhibit some people, especially children, from fulfilling their right to education. In the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee's concluding observation from 2016, the expressed concern is that lesbian, bisexual and transgender women face heightened risk of violence, exploitation, discrimination and abuse in political and public life, including in education, family relations, access to justice and health care.[124]

As the visibility of LGBTI individuals has risen, it becomes even more important to understand socio-cultural and other factors, which form the landscape that contributes to the manifestation of violence based on SOGIE in schools. In addition, the research evidence examined for this brief suggests the following two particular causes of violence in schools on the basis of SOGIE in the Philippines:

- **Rigid gender norms and deeply-rooted inequalities; and**
- **Prejudices and marginalization of LGBTI students in Filipino schools due, in part, to a lack of comprehensive, SOGIE-inclusive sexuality education and materials.**

Rigid gender norms and deeply-rooted inequalities

Even with growing awareness of and about the LGBTI community in the Philippines, schools remain a playground for rigid gender norms and gender inequalities. Filipino culture and society have become patriarchal and heteronormative[125] (hence, less accepting of homosexuality) since Spanish colonization in the 16th Century. It is worth noting that the pre-colonial society had high regard for women and LGBT persons in the role that they played as *babaylan* (priestess). Patriarchal and heteronormative beliefs are being reinforced today by social institutions such as the home, school, church, media, work and the government.

The Pew Research Centre conducted a survey in 2013 in thirty-nine countries with 37,653 respondents concerning homosexuality, and found that 73 percent of the Filipino respondents said that homosexuality should be accepted by society (this is up from 64 percent who believed the same in 2002).[126] According to the research, an even higher percentage of young respondents aged 18-29 responded positively (78 percent for acceptance). As such, according to research, Filipinos are "considerably more tolerant of homosexuality" than the country's "relatively high level of religiosity would suggest". [127]

While there seems to be increasing acceptance of diverse sexual orientations and gender identities and expressions, especially among the young, some argue that LGBTI Filipinos are tolerated only if they conform or fit stereotypes. For example, a gay person is tolerated so long as he acts 'straight' (or effeminate for some); or, a trans woman is tolerated at work as long as she wears a male uniform and does not use the women's toilet.[128] Given the continuous stigma around diverse sexuality and gender identity or expression in the Philippines, LGBTI individuals are called names such as '*salot ng lipunan*' (dregs of society), immoral, sinner, or are accused of being possessed by evil spirits.[129] As such,

122 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO.
123 Article 19 of the UNCRC states the right to protection from being hurt, violence, abuse and neglect.
124 UN CEDAW Committee. 2016. Concluding observations on the combined 7th and 8th periodic reports of the Philippines (CEDAW/C/PHL/CO/7-8).
125 The concept of heteronormativity is based on the attitude that heterosexuality is the only normal and natural expression of sexuality.
126 Pew Research Center. 2013. *The Global Divide on Homosexuality Greater Acceptance in More Secular and Affluent Countries*. June, 2013.
127 Pew Research Center. 2013. *The Global Divide on Homosexuality Greater Acceptance in More Secular and Affluent Countries*. June, 2013.
128 Andag, R. 2015. Workplace pride: Building LGBT-inclusive corporate cultures. Philippine Daily Inquirer. https://www.pressreader.com/philippines/philippine-daily-inquirer/20150705/282681865920718
129 ASEAN SOGIE Caucus. 2017. *Bata at Bahaghari: Experiences of LGBT Children in the Philippines*. ASC Discussion Series No. 1. Quezon City.

gender non-conforming students experience some level of risk and vulnerability at home, school, and church due to their perceived or actual SOGIE.[130] A research study conducted by ChildFund Philippines in 2015 noted that, stigma against homosexuality is so entrenched in Filipino society that even as children people are aware that being LGBTIQ is not socially acceptable.[131]

Prejudices and marginalization of LGBTI students in Filipino schools

Special attention is warranted given the human rights violations taking place against LGBTI students in schools, where institutional rules, policies, and practices effectively create a climate of exclusion and facilitate instances of violence and abuse. Research conducted by Rainbow Rights Project in 2014 that included fifty-nine interviews with lesbian, bisexual and transgender women, found that some teachers in schools appeared to impose their own personal values and wielded institutional rules to suppress people's gender expression (e.g. including giving students lower grades than they deserved). In the study, many of the LBT respondents reported pressure to alter their preferred gender expression while at school.[132] Schools reinforce and maintain gender stereotypes through teaching materials and the treatment of students based on their sex at birth (rather than their gender identity or expression) including strict enforcement of gendered uniform policies.

Some educational institutions have policies discriminating LGBTIQ students. A joint submission of civil society organizations on the situation of LGBTIQ persons to the third cycle of the Universal Periodic Review (UPR) in 2017, referenced the case of six transgender women students from Jose Rizal Memorial State University that had sought redress from the Commission on Human Rights for being forced by their dean to cut their hair and comply with a "prescribed male haircut". The students challenged the dean's policy as a *de facto* denial of their right to education because non-compliance would result in negative implications on their academic standing. Moreover, the students challenged the dean's directive as an act contrary to CEDAW because it reinforces traditional and stereotyped notions of gender where, despite their self-identification as transgender women, the school continued to treat them as men and subjected them to a prescribed code of conduct for men.[133]

Educational materials and practices

Rigid heteronormative attitudes and practices are reinforced by educational institutions in the Philippines, where the 'traditional' or 'normal' conceptualization of family consists of a husband, wife and children. These standards are promoted in textbooks, in school curricula, and through other classroom messages. Families or relationships based on different compositions (e.g. same-sex relations) are often considered deviant or abnormal. An analysis of three Grade 4 Filipino textbooks across a range of subjects found pervasive gender stereotypes, heteronormative discourse, and the general invisibility of gender and sexually diverse persons in learning materials.[134] However, there is a dearth of published research evaluating the homophobic and transphobic content of school curricula and other educational material. This is a gap in knowledge that needs to be addressed in order to gain a clearer understanding of the situation.

It may be pertinent to note that the K to 12 Health Curriculum Guide for curriculum developers developed by the Department of Education (2012) references sexuality, gender identity, and gender roles in performance standards and learning competencies.[135]

130 International Gay and Lesbian Human Rights Commission (IGLHRC). 2011. *Human Rights Violations on the Basis of Sexual Orientation, Gender Identity and Homosexuality in the Philippines.* Coalition Report. Submission to the 103rd Session of the Human Rights Committee (17 October-4 November 2011).

131 ChildFund Philippines. 2015. *What Gay, Bisexual and Transgender Youth say about Prevention of Gender-based Violence: Amplifying Voices through Participatory Research.* Manila, Philippines. http://www.svri.org/forums/forum2015/presentations/Bisexual.pdf

132 Rainbow Rights Project. 2014. *Kwentong Bebot: Lived Experiences of Lesbians, Bisexual and Transgender Women in the Philippines.* Philippines, Rainbow Rights Project.

133 ASEAN SOGIE Caucus. 2017. *Universal Periodic Review (UPR) Joint Submission of the Civil Society Organizations on the Situation of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Persons in the Philippines* (3rd Cycle, 2017). ASEAN SOGIE Caucus, Quezon City, Philippines.

134 Fulo, R. A. G., Karim S. E. and Vidal M. J. G. 2014. *Heteronormative Discourse in Grade School Textbooks in the Philippines.* Miriam College International Studies Monograph Series, No. 7. Miriam College International Studies Department, Quezon City, Philippines.

135 Republic of the Philippines Department of Education (DepEd) (2012). K to 12 Curriculum Guide HEALTH (Grades 7 to 8). (Accessed on 21 August 2018) http://fape.org.ph/addons/tinymce/editor/media/g7and8CurrGuides/Health%20CG%20(Gr%207-8).pdf

Lack of comprehensive, SOGIE-inclusive sexuality education

Schools in the Philippines lack comprehensive sexuality education and do not equip students with valuable knowledge and practical information about gender and SOGIE-related issues. Yet, research on Filipino young adult sexuality has been explicit in stressing the need for a comprehensive educational framework that addresses gender and sexuality issues.[136] According to the most recent research conducted on the issue of violence in schools based on SOGIE, *Just Let Us Be*, information about diverse sexual orientations and gender identities and expressions are rare in schools. Moreover, the report suggests that messaging typically relies on negative stereotypes related to SOGIE, including same-sex relationships. They often categorize transgender individuals as 'immoral' or 'unnatural'.[137] In the qualitative interviews conducted as part of the report, only a small number of respondents interviewed felt that their schools provided adequate access to information and resources about SOGIE. A 2014 Human Rights Watch's report, *Fueling the Philippines' HIV Epidemic: Government Barriers to Condom Use by Men Who Have Sex with Men*, concludes that there are no sexuality education modules targeted specifically at LGBTI youth in Filipino schools.[138] The most recent *Being LGBT in Asia* Philippines report found that LGBTI youth are often neglected in school environments.[139]

Despite some legislative decisions and recent efforts by the Department of Education (DepEd) to incorporate some sexuality education materials into school curricula, the implementation has been uneven and often carried out in isolation.[140] Online sources suggest that no sexuality education curricula are based on collaborative efforts between sexuality education experts, teachers, parents, students, and other stakeholders (nor have they been accompanied by specified training for teachers).[141] Other setbacks come from different avenues. In June 2006, the Catholic Church of the Philippines expressed its grave opposition to a pilot project on sexuality education being implemented in two Manila schools and prompted the government to scrap the initiative.[142] The Catholic Bishops Conference of the Philippines (CBCP) protested the initiative and warned that "the introduction of sex education into the public schools would encourage teenagers to try premarital sex rather than remain abstinent, and emphasized that sex education is the parents' responsibility, not the government's".[143] In the Philippines, the Catholic Church plays a prominent role.

Policing appearance and perceived gender non-conformity

It is common practice for Filipino schools to require students to wear gender-specific uniforms based on their sex at birth rather than their actual gender identity or gender expression. Similarly, reports suggest that gender non-conforming students are forced to comply with strict gender-specific appearances, including hairstyles. Recent research conducted in the Philippines in 2017 by Human Rights Watch (HRW) revealed that it is common to prohibit boys from growing their hair out past ear-length or dyeing their hair. Girls, in turn, are prohibited from wearing shorter hair.[144] According to the *Being LGBT in Asia* report, some schools impose mandatory haircuts or masculinity tests, while others refuse to enrol transgender students, or they require LGBTI persons to sign a contract that forbids the expression of their SOGIE.[145] According to a report by the Asia Pacific Forum of National Human Rights Institutions,

136 Manalastas, E. J. and Macapagal, R. A. 2005. *What Do Filipino Gay Male College Students Want to Learn in Sex Education? Review of Women's Studies*, vol. 15, no. 1, 2005, p. 127.
137 Human Rights Watch (HRW). 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines*. Manila, Human Rights Watch.
138 Human Rights Watch. *Fueling the Philippines' HIV Epidemic*. https://www.hrw.org/sites/default/files/report_pdf/philippines1216_web.pdf
139 USAID and UNDP. 2014. *Being LGBT in Asia: The Philippines Country Report*. p. 9.
140 In 2012, Congress passed the Responsible Parenthood and Reproductive Health Law, which provides that, *"the State shall provide age- and development-appropriate reproductive health education to adolescents which shall be taught by adequately trained teachers"*. The law and its implementing rules and regulations require public schools to use the Department of Education curriculum and allow private schools to use the curriculum or submit their own curriculum for approval from Department of Education, promoting a uniform baseline of information in both private and public schools. In response to lengthy delays, President Duterte issued an executive order in January 2017 requiring agencies to implement the law. In part, the order instructs the Department of Education to *"implement a gender-sensitive and rights-based comprehensive sexuality education (CSE) in the school curriculum."* Please see: Republic Act No. 10354. 2012. *An Act Providing for a National Policy on Responsible Parenthood and Reproductive Health*. Official Gazette, 21 December 2012, sec. 14; Republic Act No. 10354. 2013. *Implementing Rules and Regulations of Republic Act No. 10354*. Official Gazette, 18 March 2013, sec. 11.01; Executive Order No. 12. 2017. *Attaining and Sustaining 'Zero Unmet Need for Modern Family Planning' Through the Strict Implementation of the Responsible Parenthood and Reproductive Health Act, Providing Funds Therefor, and for Other Purposes*, 09 January 2017.
141 Geronimo, J. Y. 2016. Sex education in PH schools still lacking—UNFPA, Rappler, 09 July 2016. http://www.rappler.com/nation/139118-sex-education-philippines-unfpa
142 Smith, P. J. 2006. Philippines scraps sex education in schools after Catholic opposition, June 19, 2006, LifeSiteNews.com. https://www.lifesitenews.com/news/philippines-scraps-sex-education-in-schools-after-catholic-opposition
143 Natavio, J. T. 2010. Pro-life revives opposition vs sex education, May 24, 2010, Freeman. http://www.philstar.com/cebu-news/577720/pro-life-revives-opposition-vs-sex-education
144 Human Rights Watch (HRW). 2017. *Just Let Us Be. Discrimination Against LGBT Students in the Philippines*. Manila, Human Rights Watch.
145 UNDP and USAID. 2014. *Being LGBT in Asia: The Philippines Country Report*. Bangkok, UNDP.

BOX 12

GENERAL BULLYING STATISTICS FOR THE PHILIPPINES

In the Philippines, similar to several other countries in the Asia-Pacific region, LGBTI and non-LGBTI students witness and experience various types of school-related gender-based violence (SRGBV). The National Baseline Study on Violence Against Children (NBS-VAC) conducted by the Council for the Welfare of Children and UNICEF Philippines in 2016 revealed that 80 percent of the 3,866 respondents aged 13-24 years had experienced some form of violence in their lifetime, whether in the home, school, workplace, community or during dating. The study revealed also that about 14.3 percent of those who attended school experienced physical violence in school.[152] Data from the most recent Global School-based Student Health Survey (GSHS) conducted in the Philippines with a total of 5,290 students in Grade 1-4 shows that 44 percent of boys engaged in physical fights (compared to 32 percent of girls), and 53 percent of those boys were seriously injured compared to 40 percent of the girls. In terms of bullying, the number of cases was slightly higher among girls (48.4 percent) than boys (46.9 percent).[153]

APCOM and UNDP, gendered school uniforms and gender-specific appearance requirements were problematic for gender diverse learners including transgender students.[146] The earlier mentioned HRW study found that requiring students to use restrooms that did not match their gender identity or expression put them at risk of bullying and harassment.[147] In a joint submission of Filipino civil society organizations (CSOs) on the situation of LGBTIQ persons in the Philippines, the ASEAN SOGIE Caucus in 2017 noted that, "bullying and other forms of violence within the schools or education settings is steered by institutional policies," for example, "through gender-insensitive curricula, SOGI-insensitive school policies (e.g. required haircuts and dress codes), and cultures of bullying".[148]

4 Manifestations and scale of violence in schools based on SOGIE

Despite these and numerous other reports and publications by multilateral, international, and local organizations, research on violence in schools based on SOGIE in the Philippines is still limited. However, what we know is that violence in schools based on SOGIE manifests itself in numerous ways. The research evidence examined for this brief suggests the following three particular manifestations of violence in schools on the basis of SOGIE in the Philippines:

- **Verbal violence;**
- **Negative attitudes and stereotypes; and**
- **Disadvantageous treatment and inequalities.**

A research study conducted by ChildFund Philippines in 2015 documented various forms of violence against LGBTI persons including physical, verbal, psychological, emotional and economic violence, which were experienced inside the home, in local neighbourhoods, at schools, in church, and on social media.[149] Recent studies by LGBTI organizations (Rainbow Rights Project, 2015; GALANG Philippines, 2013, 2015) show widespread discrimination against LGBTI persons in school, in the workplace, as well as in communities and families.[150] A 2014 Rainbow Rights Project study by the International Gay and Lesbian Human Rights Commission (IGLHRC) also shows that LGBTI persons experience violence and abuse in the public sphere including educational institutions.[151]

146 Asia Pacific Forum of National Human Rights Institutions, APCOM and UNDP. 2015. *Report of the Workshop on the Role of National Human Rights Institutions in Promoting and Protecting the Rights, including Health, of LGBTI People in Asia and the Pacific*. Bangkok, UNDP.

147 Human Rights Watch (HRW). 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Philippines, Human Rights Watch.

148 ASEAN SOGIE Caucus. 2017. *Joint Submission of the Civil Society Organizations (CSOs) on the Situation of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Persons in the Philippines* (3rd Cycle, 2017), 2017, pp. 17-18.

149 ChildFund Philippines. 2015. *What Gay, Bisexual and Transgender Youth say about Prevention of Gender-based Violence: Amplifying Voices through Participatory Research.* ChildFund Philippines.

150 Rainbow Rights Project. 2015. *Diversity in the Workplace: A Handbook on Building LGBT Inclusive Workplaces in the Philippines.* GALANG Philippines. 2015. *How Filipino LBTs Cope with Economic Disadvantage. IDS Evidence Report No. 120: Sexuality, Poverty and Law* (IDS: UK). http://www.ids.ac.uk/publication/how-filipino-lbts-cope-with-economic-disadvantage; GALANG Philippines. 2013. *Policy Audit: Social Protection Policies and Urban Poor LBTs in the Philippines,* IDS Evidence Report No. 21. Sexuality, Poverty and Law (Institute of Development Studies, UK. http://www.ids.ac.uk/publication/policy-audit-social-protection-policies-and-urban-poor-lbts-in-the-philippines

151 International Gay and Lesbian Human Rights Commission (IGLHRC). 2014. *Violence: Through the Lens of Lesbians, Bisexual Women and Trans People in Asia – Philippines.* New York. https://www.outrightinternational.org/sites/default/files/LBT_ForUpload0614.pdf

152 Council for the Welfare of Children and UNICEF Philippines. 2016. *National Baseline Study on Violence against Children: Philippines.* Executive Summary, October 2016.

153 World Health Organization (WHO). 2011. *Global School-based Student Health Survey.* Philippines.

Verbal violence

A comprehensive 2015 UNESCO review on school bullying, violence and discrimination on the basis of SOGIE in the Asia-Pacific region reported that in schools in the Philippines, verbal violence and harassment (especially name calling) based on SOGIE is common.[154] Other studies suggest that verbal bullying against transgender students is also common, but limited data means there is no true picture of the extent of that situation.[155] In a HRW study (2017),[156] the most commonly reported form of violence against LGBTI students at schools included: verbal harassment and cyberbullying, i.e., the intentional spreading of rumours on social media.

Negative stereotypes and attitudes

The HRW study also found that LGBT persons from lower socioeconomic strata often face double discrimination, which is exemplified by the common insult *baklang kalye*.[157] This is typically used to convey "you're *bakla* (and also) you come from the streets, you don't have a proper house, you're poor."[158] In a small qualitative study of five *bakla* youth, defined as "homosexual men from the lower middle class to the lower class of society," aged 18-21, respondents reported experiencing bias and negative attitudes from teachers in addition to teasing and bullying from their school peers.[159,160] In the HRW study, LGBT respondents reported experiencing high rates of physical violence. The acts of physical violence described included punching, hitting, and shoving. Several gay or bisexual boys and transgender girls also reported being subjected to simulated sexual activity or mock rape by their fellow students.[161]

Disadvantageous treatment and inequality

LGBTI individuals suffer verbal, emotional, physical, and sexual violence in schools. In the public sphere, including educational settings, institutional rules, policies, and practices create a climate of exclusion and facilitate instances of violence and abuse. Many schools in the Philippines have policies that restrict students' public displays of affection, which are outlined in student handbooks or codes of conduct. One study revealed that many of the LGBT respondents reported that their relationships were policed more carefully or punished more harshly than their non-LGBT peers.[162] Many of the LGBT youth interviewed in a recent qualitative study by HRW emphasized that they, more than their non-LGBT peers, had to earn the respect of their teachers by being better students. Often, this meant that LGBT students were tasked with more work or responsibilities than other students as part of the price they paid to be accepted and respected. According to the study, the demand to be "respectable" put a heavy burden on LGBT students who did not conform.

In 2011, the International Gay and Lesbian Human Rights Commission (IGLHRC) reported that on two campuses of the University of The Philippines (UP), LGBTI groups were subjected to discrimination from professors and other students, especially when entering school organizations inside the campus.[163] Several LGBTI student organizations, UP-Babaylan[164] in UP Diliman and UPLB Babaylan[165] in UP Los Baños (UPLB) have documented cases of transgender students who were made to leave the classroom or threatened with being barred from graduating

154 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok, p. 19.
155 For example, please see: Facelo, R. R., Ferniz, K. A. and Rala K. A. T. 2013. *Intersectionality: Understanding the Multiple Forms of Discrimination Experienced by Bakla Youth.* Unpublished undergraduate thesis, Miriam College, Quezon City, Philippines.
156 Human Rights Watch (HRW). 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Human Rights Watch.
157 *Bakla* is a Tagalog term for a person assigned male at birth whose gender expression is feminine and who may identify as gay or as a woman; it can be used pejoratively as a slur for an effeminate individual. Please see: Human Rights Watch. 2017. Baklang kalye is often used to refer to those on the street.
158 Human Rights Watch. HRW. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Human Rights Watch, page 40.
159 Facelo R. R., Ferniz, K. A. and Rala, K. A. T. 2013. *Intersectionality: Understanding the Multiple Forms of Discrimination Experienced by Bakla Youth.* Unpublished undergraduate thesis, Miriam College, Quezon City, Philippines.
160 See also: Garcia N. C. J. 2009. *Philippine Gay Culture: The Last Thirty Years, Binabae to Bakla, Silahis to MSM.* Hong Kong SAR, Hong Kong University Press.
161 Human Rights Watch (HRW). 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Human Rights Watch.
162 Ibid.
163 International Gay and Lesbian Human Rights Commission (IGLHRC). 2011. *Human Rights Violations on the Basis of Sexual Orientation, Gender Identity and Homosexuality in the Philippines.* Coalition Report. Submission to the 103rd Session of the Human Rights Committee (17 October-4 November 2011).
164 PNP warns officers not to sway hips. Mar. 22, 2007. http://www.gmanews.tv/story/35399/PNP-warns-gay-officers-not-to-sway-hips
165 Please see: http://uplbbabaylan.blogspot.com/

on the basis of their gender expression.[166] UPLB Babaylan also recorded instances where teachers have made gay students stand in front of their class for prolonged periods of time.[167]

In the already cited HRW's study in ten cities on the islands of Luzon and the Visayas, students who did not conform to the rigid gender-specific uniform and hair-length requirements faced disciplinary actions. Common punishments included being sent to the guidance or discipline offices and mandatory community service.[168] Furthermore, the report noted that, "in some extreme cases, students who repeatedly 'cross-dressed'—a term that schools and some students used to describe gay, lesbian, or transgender students expressing their gender in school—were suspended or even expelled." A study: *What Gay, Bisexual and Transgender Youth say about Prevention of Gender-based Violence*, conducted in 2015 by ChildFund Philippines with fifty LGBTI youth ages 10-24 in Baguio City, Dapitan City and Metro Manila, found that students were not only bullied based on their real or perceived SOGIE but were also, "treated like lower-class citizens."[169]

In May 2012, the Philippines's Department of Education issued an order that seeks to protect children from any violence, abuse, or exploitation at school because of their gender identity or sexual orientation. However, considering limited data it is unclear whether the order has been implemented. At the same time, some schools in the Philippines still ban trans and gender-non-conforming students from enrolling.[170]

5 Impact and consequences of violence in schools based on SOGIE

The research evidence examined for this brief suggests the following Philippines-specific impacts and consequences of violence in schools on the basis of SOGIE.

- **Feeling unsafe in school and therefore avoiding certain classroom or school activities;**
- **Increased absenteeism and increased school dropout rates;**
- **Lower academic performance and achievement (overall lower educational attainment); and**
- **Negative individual physical and mental health impacts including the risk of acute anxiety, fear, stress, loss of confidence, low self-esteem, loneliness, self-harm, and suicide.**

Unfortunately, robust evidence from the Philippines, specifically about the impact of violence on the basis of SOGIE in schools, is missing. What we know, however, is that physical, sexual, verbal, or emotional violence based on SOGIE in and around schools, or on the way to and from school endangers LGBTI students' safety, health, and obstructs their right to education. In the Philippines, the most documented consequences of violence based on SOGIE in education settings include:

- **Decreased academic performance, including school absenteeism and increased school drop-out rates;**
- **Negative impacts on well-being and health, including mental health and, in particular, suicide and other forms of self-harm; and**
- **Adverse economic and employment consequences.**

In the following section, each of these consequences is discussed in greater detail.

School performance and educational achievement

Increased school drop-out rates

It is clear that the violence that LGBTI students experience in schools negatively affects their academic performance and educational attainment, and increases school absenteeism and dropout rates among LGBTI learners. Violence on the basis of SOGIE in schools was found, in a small study conducted by GALANG Philippines in 2015, to be a contributing factor in LBT students' dropping out.[171] Regional research shows that transgender

166 Please see: http://uplbbabaylan.blogspot.com/
167 Velasquez, A. 2011. *UPLB LGBT Community March for Equality*. 15 Aug 2011. http://www.upiu.com/human-rights/2011/08/15/UPLB-LGBT-Community-March-for-Equality/UPIU-2081313393367/
168 Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines*. Manila, Human Rights Watch.
169 Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines*. Manila, Human Rights Watch. ChildFund Philippines. 2015. *What Gay, Bisexual and Transgender Youth say about Prevention of Gender-based Violence: Amplifying Voices through Participatory Research*.
170 UNDP, Health Policy Project and Asia Pacific Transgender Network. 2015. *Blueprint for the Provision of Comprehensive Care for Trans People and Trans Communities*. Washington, D.C., Futures Group, Health Policy Project; USAID and UNDP. 2014. *Being LGBT in Asia: The Philippines Country Report*.
171 GALANG Philippines, Inc. 2015. *How Filipino LBTs Cope with Economic Disadvantage*, IDS Evidence Report No 120, Sexuality, Poverty and Law. February 2015.

students often dropped out or were driven out of schools that are rigidly organized by gender norms. Those who remain in strongly gendered education settings can find their ability to concentrate on their studies severely compromised.[172]

Decreased school performance and academic achievement

A 2017 HRW study with LGBT secondary school students found that when these students face such issues - whether in isolation or together - school can become a difficult or hostile environment. In addition to physical and psychological injury, students described how bullying, discrimination, and exclusion caused them to lose concentration, skip class or seek to transfer schools, all of which impairs their right to education.[173] The same study found that teasing prompted some students to remain closeted, particularly in the absence of other positive resources to counteract the negative messaging. Furthermore, this study found that for many transgender or gender non-conforming students, strict gender-specific uniform and hair-length requirements in school were sources of intense anxiety and humiliation, and in some cases led to extended school absences and even leaving schooling entirely.[174]

Negative impacts on well-being and health, including mental health

> **" LGBT Filipinos often confront social pressures to hide, suppress or even attempt to change their identities and expressions as conditions for their social acceptance and enjoyment of rights. Although many LGBTs learn to cope with this social stigma, these experiences can cause serious psychological distress, including immediate consequences such as fear, sadness, alienation, anger, and internalized stigma."[175]**
>
> – Psychological Association of the Philippines (2011)

Research on consequences of violence based on SOGIE in schools in the Philippines is still very limited. However, several studies and reports documented the impact of violence on the basis of SOGIE in schools on students' well-being, health, and mental health. A recent HRW report (2017) on discrimination against LGBT students in the Philippines found that because of the violence and discrimination that LGBTI youth in schools and elsewhere experience, they are at a heightened risk for adverse physical and mental health outcomes, including depression, anxiety, substance use, and suicide.[176]

Studies have found that the stigma LGBTI children experience does not only constitute a unique challenge, but also compounds existing difficulties that all children already go through. According to a research paper by ASEAN SOGIE Caucus[177] (2017), LGBTI children in schools have to deal with everyday tasks (e.g. studying for classes, building and maintaining friendships, dealing with the novel feelings of puberty), but because of their SOGIE they are forced into circumstances wherein "stigma, prejudice, and discrimination create a stressful social environment that can lead to mental health problems in people who belong to stigmatized minority groups."[178]

A study by ChildFund Philippines (2015), and cited by HRW (2017), with fifty LGBTI youth aged 10-24 in Baguio City, Dapitan City, and Metro Manila revealed that students who were bullied based on their real or perceived sexual orientation and/or gender identity or expression experienced emotional distress, such as fear, feelings of rejection, and negative judgments and discrimination by other students.[179] An unpublished study from 2012 on the social-emotional intelligence, self-efficacy, and life satisfaction of self-identified LGBT in

172 The research includes the following countries: Indonesia, Mongolia, Philippines and Viet Nam. See Park, P. 2012. Homoerotic traditions in pre-modern Asian & Pacific Island societies. Fridae. http://www.fridae.asia/gay-news/2012/06/22/11762.homoerotic-traditions-inpre-modern-asian-and-pacific-island-societies

173 Human Rights Watch. HRW. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, , Human Rights Watch.

174 Human Rights Watch. HRW. 2017. *Just Let Us Be. Discrimination Against LGBT Students in the Philippines.* Manila, Human Rights Watch.

175 Psychological Association of the Philippines. Statement of the Psychological Association of the Philippines on non-discrimination based on sexual orientation, gender identity or expression," *Philippine Journal of Psychology*, Vol. 44, no. 2 (2011), pp. 229-230.

176 Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Human Rights Watch. UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* p. 39. Also, please see: Meyer, I. H. 2003. Prejudice, social stress, and mental health in lesbian, gay, and bisexual populations: Conceptual issues and research evidence. *Psychological Bulletin*, Vol. 129, no. 5 (2003), pp. 674-697.

177 ASEAN SOGIE Caucus is a regional network of human rights defenders advocating for the protection, promotion and fulfillment of the rights of all persons regardless of sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC). The organization envisions a SOGIESC-inclusive ASEAN community.

178 ASEAN SOGIE Caucus. 2017. *Bata at Bahaghari: Experiences of LGBT Children.* ASC Discussion Series No. 1. Quezon City, Philippines, p. 5; Meyer, I. 2003. Prejudice, social stress, and mental health in lesbian, gay, and bisexual populations: Conceptual issues and research evidence. *Psychological Bulletin*, 129:5 pp. 674–697. https://www.ncbi.nlm.nih.gov/pmc/articles/ PMC2072932/

179 Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Human Rights Watch; ChildFund Philippines. 2015. *What Gay, Bisexual and Transgender Youth say about Prevention of Gender-based Violence: Amplifying Voices through Participatory Research.*

the Philippines found that LGBT students exhibited extremely underdeveloped emotional and social capacity due to continual exposure to stigma, prejudice, and discrimination.[180]

Suicidal ideation and self-harm

> **" LGBT young people and those who are believed to be sexually and/or gender diverse are at increased risk of self-inflicted forms of violence including suicide, often as a consequence of the harassment and exclusion experienced in schools and in other settings." [181]**
>
> — UNESCO, 2015, *From Insult to Inclusion.*

While the above quote speaks generally to the state of the problem in the Asia-Pacific region, this is also true in the Philippines. Evidence from a nationally representative sample of over 9,000 young Filipino men aged 15 – 24, indicates that sixteen percent of young gay and bisexual men in the Philippines had contemplated suicide, while only eight percent of young heterosexual men had done so.[182] These numbers indicate that young gay and bisexual men are significantly more likely to contemplate suicide. Of those who had contemplated suicide, thirty-nine percent of the gay and bisexual men attempted suicide, while only twenty-six percent of their heterosexual peers attempted suicide.[183]

Research conducted by GALANG Philippines in 2015 found that eighteen percent of LBT respondents aged 18-29 had attempted suicide as a result of bullying, stigma and discrimination based on their SOGI status.[184] The cumulative effects of experiencing violence based on SOGIE in private and public spheres take a mental toll on LGBTI persons. In a study conducted in 2014 by Rainbow Rights Project based on fifty-nine interviews with lesbian, bisexual and transgender women, several respondents said they had considered suicide in the immediate aftermath of verbal abuse, which, for them, often represented the culmination of years of mistreatment.[185]
A study by University of the Philippines Institute of Human Rights in 2013 found that young gay and bisexual Filipino men are twice as likely as non-GBT male youth to have suicidal ideation. They also have disproportionately higher rates of suicide attempts than their heterosexual peers.[186]

Other health consequences

In addition to the aforementioned negative impacts of violence based on SOGIE in schools on students' educational participation and health, other lesser-documented negative consequences include:

- Risky sexual behaviour and substance use: Studies in the Philippines, and in the Asia-Pacific region, found that among young LGBTI persons "low self-esteem and poor self-acceptance, combined with discrimination was linked to destructive coping behaviours such as substance use or unprotected sex due to anxiety, isolation, and depression".[187]
- Intergenerational transmission of violence: Violence at home or at school becomes, in many cases, a foundation for violence and discrimination in other settings. Furthermore, studies indicate that witnessing and experiencing violence in childhood is closely related with the perpetration of violence in one's adult life. Therefore, students' exposure to violence and regressive gender attitudes increase the likelihood that they will perpetrate violence outside of the school setting.[188]

Impact on economic and employment prospects

Evidence from the Philippines indicates that distorted educational performance and academic achievement, resulting from violence experienced by LGBTI students in schools, also lead to lifelong

180 Moog, R. C. 2012. *Emotional-Social Intelligence, Self-Efficacy and Life Satisfaction of Self-Identified Lesbian, Gay, Bisexual and Transgender Students*. Unpublished Master's thesis. University of Santo Tomas, Philippines, p. 20.
181 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Rreport on Sschool Bbullying, Vviolence and Ddiscrimination on the Bbasis of Ssexual Oorientation and Ggender Iidentity*. UNESCO Bangkok, p. 40.
182 Manalastas, E. J. 2013. Sexual orientation and suicide risk in the Philippines: Evidence from a nationally representative sample of young Filipino men. *Philippine Journal of Psychology*, Vol. 46, no. 1 (2013), pp. 6-7.
183 Ibid. p. 7.
184 GALANG. 2017. *Bes, OK Ka Lang Ba? (Friend, are you OK?)*: Presenting GALANG's baseline study on LBT well-being, 19 March 2017. https://www.facebook.com/notes/galang-philippines/bes-ok-ka-lang-ba-friend-are-you-ok-presenting-galangsbaseline-study-on-lbt-wel/1361650953873463
185 Rainbow Rights Project. 2014. *Kwentong Bebot. Lived Experiences of Lesbians, Bisexual and Transgender Women in the Philippines*. Rainbow Rights Project, Philippines.
186 Manalastas, E. J. and Torre, B. A. 2013. Social psychological aspects of advocating sexual citizenship rights for LGBT Filipinos. Quezon City: Institute of Human Rights.
187 UNESCO. 2015. From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity. UNESCO Bangok, pp. 40-41.
188 Please see: Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against Women and How Can We Prevent It?* Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific. Bangkok, UNDP, UNFPA, UNWomen and UNV. Martin, S. L. et al. 2002. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Kishor, S. and Johnson, K. 2004. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Barker, G., Contreras, J.M., Heilman, B., Singh,A.K.,Verma, R.K., and Nascimento, M. 2011. *Evolving men: Initial results from the International Men and Gender Equality Survey (IMAGES)*. Washington, D.C., ICRW and Rio de Janeiro, Instituto Promundo; ICRW and Plan Asia. 2015. *Are Schools Safe and Equal Places for Girls and Boys in Asia?* Research Findings on School-Related Gender-Based Violence. International Center for Research on Women (ICRW) and Plan Asia, February 2015.

consequences for employment and broader economic prospects. In a study, which included the Philippines, the combination of violence at home and at school contributed to early dropout rates, lost employment opportunities and difficulty gaining financial independence among transgender people.[189] A small-scale empirical study on LGBT youth and mental health in schools found that LGBT high-schoolers were preoccupied with stigma, violence, bullying, discrimination in school, and anxiety more than their future career prospects.[190] Findings from a different small qualitative study conducted by GALANG Philippines suggest that given SOGIE-based biases make finding gainful employment especially challenging for sexual minorities, many LBTI youth turn to creative livelihood sources to economically empower themselves and contribute to family resources in order to gain acceptance.[191] According to UNDP's *Being LGBT in Asia* report, LGBT persons are highly represented in certain sectors (i.e. entertainment, media, creative industries, and more recently in the IT industry), however, it is questioned as to whether this is based on LGBTI Filipinos conforming to stereotypes and occupational niches or individual choice.[192] In the long-run, violence based on SOGIE and other forms of SRGBV may adversely affect employment prospects and the larger economic development of the country.[193]

6 Review of the policy response

Most countries in the Asia-Pacific region have specific education policies, laws and/or guidelines that uphold the rights and dignity of children in the educational environment, which include the legal prohibition of violence. The Philippines, however, was the only country found to include specific reference to bullying on the basis of sexual orientation and gender identity in a national law.[194] The legislation is also believed to be one of the first pieces of legislation to have addressed cyberbullying, which will be discussed in greater detail, below.[195]

International commitments

By signing onto and ratifying various international covenants and agreements, including notably the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC),[196] the Government of the Philippines has committed to ensuring and protecting rights of all children including those of diverse sexual orientation and gender identity or expression (see Table 1 overleaf).

189 The study included the following countries Japan, Malaysia and the Philippines. Please see: ILGHRC. 2014. *Violence: Through the Lens of Lesbians, Bisexual Women and Transgender People in Asia*. New York: ILGHRC.
190 Dis-Aguen, V. M. n.d. *Common Problems and Perceived Values of Lesbian and Gay Students of Ramon Magsaysay (Cubao) High School 2012-13*. Basis for Group Guidance Plan. Unpublished Master's dissertation.
191 GALANG Philippines. 2015. How Filipino LBTs cope with economic disadvantage. IDS Evidence Report No 120, *Sexuality, Poverty and Law*, February 2015.
192 ASEAN SOGIE Caucus. 2017. *Bata at Bahaghari: Experiences of LGBT Children*. ASC Discussion Series No. 1. Quezon City, Philippines.
193 World Bank. 2013. *Inclusion Matters: The Foundation for Shared Prosperity—Overview*. Washington D.C.: World Bank.
194 The Government of the Philippines. 2013. *Implementing Rules and Regulations of Republic Act No. 10627*, otherwise known as the Anti-Bullying Act of 2013. Manila, Official Gazette of the Republic of the Philippines.
195 Ancho, I. and Park, S. 2013. School violence in the Philippines: A study on programmes and policies. *Advanced Science and Technology Letters*, Vol.36, pp. 27–31. UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok,.
196 Please see: International Covenant on Economic, Social and Cultural Rights, Article. 13; and the Convention on the Rights of the Child, Article. 28.

Table 1

Overview of select international commitments related to violence based on SOGIE in schools

LAW	DESCRIPTION
UN Declaration of Human Rights	The Government of the Philippines has affirmed the rights enshrined by the Universal Declaration of Human Rights by making elementary and secondary education free for its citizens.
UN Convention on the Rights of the Child (UN CRC) – signed in 1990	Article X allows children to enjoy the right to life, survival and development, the right to be heard and participate, for the best interest of the child, and to be treated with non-discrimination.
	Article XV, Section 3 states: The State shall protect the rights of children to assistance including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.
	Article XIV, Section 3: All institutions among others, shall foster love for humanity and espect human rights, teach duties of citizenship and develop moral character and personal discipline.
	Article 19: The best interests of children to be protected from being hurt and being mistreated, physically and mentally.
UN Convention on the Elimination of all Forms of Discrimination Against Women (UN CEDAW) – signed on in 1981	Also known as The Child and Youth Welfare Code, this stipulates that every child has the "right to a well-rounded development of his personality to the end that he may become happy, useful and [an] active member of society" and that "conditions or circumstances prejudicial to his physical, mental, emotional, social and moral development" must be addressed.

National laws and policies

The Anti-Bullying Act of 2013 (Republic Act No. 10627) instructs all public and private schools (pre-primary, elementary and secondary) to adopt policies to address the existence of bullying in their respective institutions. The Act defines gender-based bullying as any act that humiliates or excludes a person on the basis of perceived or actual sexual orientation and gender identity (SOGI).[197] However, in the absence of robust and comprehensive federal legislation, local government units across the Philippines have begun to enact their own anti-discrimination ordinances that prohibit discrimination on the basis of sexual orientation and gender identity.

BOX 13

TYPES AND FORMS OF BULLYING COVERED BY THE PHILIPPINES ANTI-BULLYING ACT (RA 10637)

Physical bullying

Includes: punching, pushing, shoving, kicking, slapping, tickling, headlocks, inflicting school pranks, teasing, fighting and the use of available objects as weapons

Psychological or psychosocial bullying

Includes: the use of slanderous statements, name-calling, commenting negatively on victim's looks, clothes and body, or accusations that cause the victim undue emotional stress

Cyber-bullying

Includes: any bullying done through the use of technology or any electronic means such as cell phones, laptops, and gadgets

197 Republic Act No. 10627. An Act requiring all elementary and secondary schools to adopt policies to prevent and address the act of bullying in their institutions. *Official Gazette*, 12 September 2013, sec. 3. Available at: http://www.officialgazette.gov.ph/2013/09/12/republic-act-no-10627/

As of June 2017, fifteen cities, one municipality, five provinces, and three *barangays* had ordinances prohibiting some forms of discrimination on the basis of sexual orientation or gender identity.[198] Attitudes toward LGBT persons are relatively open and tolerant; President Rodrigo Duterte has generally been supportive of LGBT rights, as well. During his time as mayor, Davao City passed an LGBT-inclusive anti-discrimination ordinance, and on the campaign trail, he vocally condemned bullying and discrimination against LGBT persons.[199]

The *Being LGBT in Asia* report stressed the following, "there are a number of laws that mention sexual orientation (i.e. Magna Carta of Women and Magna Carta for Public Social Workers) or address the rights for same-sex relations (e.g. the Anti-Rape Law of 1997 that covers same-sex relations in defining sexual assault)".[200] The Republic Act No. 9262 (RA 9262), an act defining violence against women and their children, provides protective measures for victims and prescribes penalties for perpetrators. Yet RA 9262 portrays LGBTs negatively because their sexual orientation and gender identity is considered "socially bad or psychologically detrimental, similar to how alcoholism or drug addiction is portrayed by the law".[201] The proposed Anti-Discrimination Bill and the draft House Bill 5687, which seeks to ban discriminatory practices on the basis of one's sexual orientation or gender identity, have been languishing for twenty-one years in the lower house. House Bill 5687, or the Anti-SOGI Discrimination Bill (ADB), was approved by the Committee on Women and Gender Equality in February 2015. It prohibits all forms of SOGI-based discrimination and penalizes violators with a fine of 100,000 to 500,000 Philippine Pesos or imprisonment from one to six years. Meanwhile, the Comprehensive Anti-Discrimination Act has been pending in the Senate. The absence of a comprehensive legal mandate to address discrimination affecting lesbian, gay, bi-sexual, and transgender (LGBT) individuals has become a major stumbling block in pushing for anti-discriminatory measures on account of one's SOGIE. House Bill Number 4982 or the SOGIE Equality Bill, which is the latest iteration of the ADB, moved one step closer to becoming law by being approved unanimously in Congress on its third and final reading in September 2017. The Bill is now with the Senate for approval.[202]

Department of Education (DepEd) policies

The Department of Education's (DepEd) mission is to protect and promote the right of every Filipino to quality, equitable, culture-based basic education where students learn in a child-friendly, gender-sensitive, safe and motivating environment. It is DepEd's mandate to formulate, implement, and coordinate policies, plans, programmes and projects in the areas of formal and non-formal basic education to ensure that the right to education is fulfilled. The DepEd has responded by institutionalizing relevant policies that will help address and respond to SOGIE-based bullying.

For instance, in 2012, DepEd enacted a Child Protection Policy (CPP) designed to address bullying and discrimination in schools, including on the basis of SOGIE. The coverage of the policy includes the children, school personnel, parents and other duty bearers, school visitors and guests. Prohibited acts are bullying and peer abuse, corporal punishment, violence against children in school, child exploitation, child abuse, discrimination, and other analogous acts. The following year, Congress passed the Anti-Bullying Law of 2013, with implementing rules and regulations that enumerate SOGIE as prohibited grounds for bullying and harassment.

198 Manalastas, E. J. Anti-discrimination ordinances. http://pages.upd.edu.ph/ejmanalastas/policies-ordinances; ASEAN SOGIE Caucus. 2017. Joint submission of the civil society organizations (CSOs) on the situation of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons in the Philippines (3rd Cycle, 2017), p. 5; and Manalastas, E. J. 2016. Pride and prejudice. *Outrage Magazine*, Iss. 1, p. 27.

199 Adel, R. 2015. Duterte declares support for gay marriage, LGBT rights. *Philippine Star,* 13 July 2015. http://www.philstar.com/headlines/2015/07/13/1476508/duterte-declares-support-gay-marriage-lgbt-rights (Accessed 19 May 2017)

200 USAID and UNDP. 2014. *Being LGBT in Asia: The Philippines Country Report.*

201 Government of the Philippines. 2004. The Republic Act No. 9262 (RA 9262).

202 http://cnnphilippines.com/life/culture/politics/2018/03/20/SOGIE-equality-bill-rally.html

Table 2

Overview of pertinent national laws and policies in the Philippines

LAW	DESCRIPTION
Constitution	Article XV, Sec 3 states that the Constitution provides that the State has a duty to defend children from all forms of abuse, cruelty, exploitation and other conditions prejudicial to their development.
	Article XIV, Sec 1 is about providing quality education at all levels.
Family Code of the Philippines	Articles 218, 220, 233 and PD 603 grant schools, their administrators and teachers, and the individuals and entities or institutions engaged in child care the special parental authority and responsibility over the minor child while under their supervision, instruction, or custody.
	Article 233 states that in no case shall the school administrator, teacher or individual engaged in child care exercising special parental authority inflict corporal punishment upon the child.
Republic Act (RA) 10354	The Responsible Parenthood and Reproductive Health Act of 2013 requires sexuality education in school. There have been plans by the DepEd and several NGOs to formulate minimum standards on sexuality education, which contain ways to address gender-based violence and gender-based bullying (UNESCO, 2015 p. 56).[203]
Republic Act No. 10175	The Cybercrime Prevention Act of 2012 aims to criminalize legal issues concerning online interactions and the internet in the Philippines, including cybersquatting, cybersex, child pornography, identity theft, illegal access to data, and online defamation of character—all in an effort to end cyberbullying in the Philippines.
Republic Act (RA) 10627	The Anti-Bullying Act of 2013 addresses all forms of bullying to all students, teachers, and school personnel. Accordingly, gender-based bullying is defined as an "act that humiliates or excludes a person on the basis of perceived or actual SOGIE. As a response, 38 percent of schools submitted child protection or anti-bullying policies in 2013.[204]
Republic Act (RA) 7610 of 1992	Special Protection of Children against Abuse, Exploitation and Discrimination provides for stronger deterrence and special protection against child abuse, exploitation and discrimination.
CHR) Gender Ombud Guidelines- Discrimination based on SOGIE guideline	Protocol 1: for cases on women that cut across the broad spectrum of society; including indigenous women, moro-women, elderly women, and women with disabilities.
	Protocol 2: for specific cases of a girl-child and general cases of children
	Protocol 3: for cases of persons with diverse sexual orientation and gender identity
Anti-Discrimination Ordinances	These include protection from discrimination, including discrimination on the basis of sexual orientation and/or gender identity or expression, in work and education settings, and has been passed in Quezon City, Angeles City, Bacolod City and in some provinces.
Presidential Decree No. 603	Also known as The Child and Youth Welfare Code, this stipulates that every child has the "right to a well-rounded development of his personality to the end that he may become happy, useful and [an] active member of society" and that "conditions or circumstances prejudicial to his physical, mental, emotional, social, and moral development" must be addressed.

The adoption of these policies sends a strong signal that bullying and discrimination are unacceptable and should not be tolerated in educational institutions.[205]

There also have been a few recent developments in terms of mainstreaming gender in education policy. In 2017, the DepEd issued Order No. 32 (2017), the Gender-Responsive Basic Education

203 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Paris and Bangkok.
204 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Paris and Bangkok, p. 46.
205 Human Rights Watch. 2017. *Just Let Us Be. Discrimination against LGBT Students in the Philippines.* Manila, Human Rights Watch, p. 1.

Table 3

Overview of related Department of Education (DepEd) orders and codes

LAW	ARTICLE	DESCRIPTION
DepEd Orders and Memoranda	DepEd Order No. 18 s. 2015	This addresses guidelines and procedures on the management of children-at-risk (CAR) and children in conflict with the law (CICL). The order covers incidents of violence involving children in the school setting, including physical and sexual violence, gang-related and fraternity violence, drug and alcohol abuse, which have been reported to the DepEd.
	DepEd Order No. 40 s. 2012 entitled "Child Protection Policy" (CPP)	CPP has taken efforts to address bullying in all forms with the establishment of Child Protection Committees (CPC) in all schools, which cover all children regardless of their sexual orientation and/or gender identity and is therefore a SOGI-friendly policy. In May 2012, the DepEd issued Order No. 40 however there are challenges in monitoring the implementation to determine whether or not it is actually helping LGBTI students.
	DepEd Order No. 44 s. 2015	Enhanced School Improvement Plan Annex B-Checklist
	DepEd Order No. 55 s. 2013	This order covers the implementation of rules and regulations of the Republic Act 10627, aka the Anti-Bullying Act, which aims to protect children enrolled in kindergarten, elementary, secondary schools, and learning centres (collectively, "schools") from being bullied. The Act requires schools to adopt policies to address the existence of bullying in their respective institutions.
	DepEd Memorandum 59 s. 2015	Change/additional information to DM 68 s. 2014 This departmental memo refers to the submission of consolidated reports of incidents of bullying and child abuse and reiteration of procedures for complaints of bullying and child abuse.
	DepEd Memorandum 68 s. 2014	Submission of school-based child protection and anti-bullying policies
	DepEd Memorandum 131 s. 2016	Training and Designation of DepEd CP Specialists: Training towards Improved Quality Learning Outcomes and Designation of DepEd Child Protection Specialists
	DepEd Memorandum 153 s. 2013 National Training of Trainers	Ensures the effective implementation of DepEd's Child Protection Policy. Pursuant to DepEd Memorandum no. 153 s. 2013, the training further develops competencies in managing cases of child abuse, exploitation, violence and discrimination.
Code of Ethics for Professional Teachers	Article VIII, Section 2	States that the teacher shall recognize that the interest and welfare of learners are of first and foremost concern and shall deal justifiably and impartially with each of them.
	Article VIII, Section 8	States that a teacher shall not inflict corporal punishment on offending learners nor make deductions from their scholastic ratings as a punishment for acts which are clearly not manifestations of poor scholastic ratings. In the parlance of the DepEd, child protection shall refer to programmes, services procedures and structures that are intended to prevent and respond to abuse, neglect, exploitation, discrimination and violence

Policy.[206] The specific provisions of this policy to SRGBV and SOGIE include:

- It references SOGIE in the definition of terms;
- It is intended to promote non-discrimination, gender inclusivity and inclusive education;
- It calls for review of curriculum and ensures inclusion of gender-inclusive content in the curriculum;
- It promotes celebration/observance of gender-related events such as Pride Month every June; and
- It strengthens monitoring, and response to incidents of SRGBV, inclusive of violence based on SOGIE.

206 For more information, please see: Department Order: http://www.deped.gov.ph/orders/do-32-s-2017

To summarize, the Philippines has set a good example by passing laws and ordinances that supports LGBTI rights and welfare for children. However, challenges remain when it comes to policy implementation and monitoring. One possible reason is the lack of comprehensive legislation prohibiting discrimination. Although there are laws and policies in various local government units and government agencies, they have limited jurisdiction and application. For example, there are no LGBTIQ affirmative policies at the higher education level, as the Commission on Higher Education has yet to develop gender-fair policies and guidelines for students.

7 Review of good practices

This review of emergent and effective good practices aims to highlight key areas and identify some approaches to preventing and responding to violence based on SOGIE in schools in the Philippines. It provides concrete programme examples and, in some cases, offers guidelines on how programmes can be effectively implemented.

School level response

Below are several initiatives occurring at the school level:

- For students: Student organizations such as GABRIELA-Youth, Alpha Nu Fraternity, and UP Babaylan in UP Diliman organize activities to raise the awareness among students about women, girls, and LGBTI issues.[207]
- Curriculum/learning materials: Some faculty members at the University of the Philippines are actively involved in writing and publishing LGBTI-related materials, like a children's book entitled *Ang Ikaklit sa Aming Hardin, (Ikaklit in Our Garden)*, written by Professor Bernadette V. Neri of the College of Arts and Letters (CAL). Also, *They need to be accepted* (2012) is one of the few children's books available in the Philippines that deals with the issue of having two mothers (without a father).
- Trainings for teachers and school staff: The University of the Philippines Diliman Gender Office (UPDGO) has incorporated SOGIE in their gender-sensitivity trainings. The trainings have been conducted with the academic community, government agencies, local government units, and local communities, and have provided information on gender-related issues, shared communication materials on LGBTI rights and welfare, and have conducted advocacy work.[208]
- Collaborative initiatives between school institutions and civil society organizations: ASEAN SOGIE Caucus, in cooperation with the University of the Philippines Visayas, organized an activity entitled *Affirmative Counseling for LGBT Youth: a Training Workshop for School Counselors, Social Workers and Helping Professionals* in Iloilo City in June 2017. The objective was to equip counselors, social workers, and others in the helping professions with the capacity to more proactively support LGBT youth and their families by acknowledging, understanding, and empowering themselves and each other. Various professionals from educational institutions, government agencies, and civil organizations participated in the activity.

Community level response

A number of NGOs, academic professional organizations, and faith-based organizations are also working for the protection of children and LGBTI at the community level, some of which are highlighted below:

- Several NGOs like the TLF Share, Kapederasyon, Bahaghari, GALANG Philippines, and Rainbow Rights have conducted awareness-raising activities, promoted sexual health through education and advocacy, advocated for human rights to eliminate stigma and discrimination, organized, mobilized,

BOX 14

DEFINITION OF GOOD PRACTICES

Good practices are programmes that employ emerging and innovative approaches alongside evaluated practices that have been shown to produce positive effects. These practices can be used to inform the design and implementation of other, similar programmes to prevent and respond to violence based on SOGIE in Filipino schools.

207 For more information, please see: http://uplbbabaylan.blogspot.com/
208 For more information, please see: UPDGO website: dgo.upd.edu.ph.

and built capacities of local communities, and engaged in participatory action research activities with LGBTI individuals.

- The Psychological Association of the Philippines released a statement in 2011, that aimed to eliminate stigma, prejudice, discrimination, and violence against LGBT persons by:
  - Opposing public and private discrimination on the basis of actual or perceived SOGIE;
  - Aiming to repeal discriminatory laws and policies, and support the passage of local and national legislation that supports LGBT rights;
  - Eliminating all forms of prejudice and discrimination against LGBTs in teaching, research, psychological interventions, assessment, and other psychological programmes; and
  - Disseminating and applying accurate, evidence-based information about SOGIE to design interventions that foster mental health and well-being of LGBT Filipinos.
- The Metropolitan Community Church provides an alternative reading and interpretation of the Bible and welcomes LGBTI persons among their ranks as pastors, teachers, and students.
- The University of the Philippines Center for Women's and Gender Studies (UPCWGS) has a wide collection of LGBT materials in their library, which is accessible to the public. They have published materials such as Buhay Bahaghari and Anong Pangalan mo sa Gabi, a collection of thirty-six essays concerning the personal and professional lives of LGBTI in the Philippines.[209]

BOX 15

TYPES AND FORMS OF BULLYING COVERED BY THE PHILIPPINES ANTI-BULLYING ACT (RA 10637)

TLF Sexuality, Health and Rights Educators Collective, Inc. or TLF Share

TLF is a "pioneering community organization promoting the sexual health and human rights of gays, bisexuals, other men who have sex with men, and transgender persons". TLF has a bench of peer educators, has launched *Bekitaktakan*,[210] a YouTube video series that tackles SOGIE and HIV issues, organizes sensitization workshops, and advocates for the passing of the Anti-Discrimination Bill.

ChildFund

ChildFund has provided support to their local partners in Zamboanga Del Norte, Cordillera, and Metro Manila to conduct training sessions for ending gender-based violence in June 2016 for both LGBT youth and non-LGBT representatives. The objective of the 3-day training was to raise the awareness of LGBT and non-LGBT youth on the issues faced by the LGBT community, equip them with basic skills in handling issues/situations and drafting local action plans. The trainings provided space for the LGBT and non-LGBT youth to openly discuss the issues, respect the views of these vulnerable groups, and foster understanding as to how it affects their overall development. A lasting result was to create support groups with non-LGBT youth to more confidently advocate for ending violence against members of the LGBT community.

ASEAN SOGIE Caucus and the CSC-CRC

On 20-21 April 2016, ASEAN SOGIE Caucus and the CSC-CRC organized a two-day workshop for 23 LGBTIQ children in the National Capital Region. The workshop aimed to educate children on their rights as members of the LGBT community and to provide a safe space for them to share their experiences of oppression and abuse and begin to establish a support system.[211] The narratives of self-identified LGBT children participants of the workshop helped informed the joint CSO submission to the 3rd Cycle of the UPR.

GALANG Philippines

GALANG is a feminist human rights organization that aspires to be a catalyst for the empowerment of economically disadvantaged Filipino lesbians, bisexual women and transmen through community organizing, intensive capacity-building, policy advocacy and networking, research and institutional development and sustainability. They conduct an annual gender sensitivity training dubbed as Sekswalidad Harapin, Oryentasyon Tuklasin with LBTI partnering organizations. GALANG has paved the way to the formation of four LBT people's organizations in six areas in Quezon City.

Plan Philippines

In 2014, Plan Philippines conducted an online survey to better understand the perceptions of its 400 staff members about SOGIE and the LGBTs. The survey result revealed the urgent need to address issues and concerns of LGBTs in schools, especially by the government and CSOs. A focused dialogue on SOGIE and the LGBTs was held in Eastern Samar in 2015 among local government unit officials, community leaders, parents, and the LGBT children and youth themselves. The result of the focus-group discussion pointed out that actions are already needed to address the concerns of the LGBTs on recognition, acceptance, and participation to reduce the incidence of violence, and continued discrimination and harassment.

209 UPCWS. 2014. The questions LGBT people have to face. Available at: http://outragemag.com/scare-tactics-prevent-hiv/
210 For instance, please see: https://www.youtube.com/watch?v=SV96IYVhyxo
211 ASEAN SOGIE Caucus. 2017. Bata at Bahaghari: Experiences of LGBT Children. ASC Discussion Series No. 1. Quezon City, Philippines. Please see: https://aseansogiecaucus.org/images/2017/20170303-ASC-bata-at-bahaghari.pdf

Government level response

Given the actions taken by some players in the public sector towards improving the LGBTI situation in the Philippines, there has been progress. At the policy level, LGBTI organizations have collaborated with the Philippine Commission for Human Rights (CHR), the nation's independent human rights institution, and its counterpart in the presidential palace, the Presidential Human Rights Committee (PHRC), to mainstream human rights for LGBTI persons within the broader human rights agenda. In 2012, the Supreme Court also launched a pilot programme to train trial judges on SOGIE.[212] The CHR also adopted Gender Ombud Guidelines in 2015, and has subsequently provided training to lawyers on how to handle persons with diverse SOGIE in investigation protocols. CHR, however, has limitations in that it cannot impose sanctions; it can only make recommendations for redress. Outright International, in partnership with the Philippine National Police Human Rights Affairs Office (PNP-HRAO) has also conducted trainings for police officers on gender and sexuality, and developed a quick guide for the media on how to report on LGBTI issues.

During the 3rd Cycle of the Universal Periodic Review, the Philippine Government received and accepted a recommendation from Mexico to address discrimination and violence in schools. The said recommendation was as follows: "take action to eradicate violence and discrimination against women and lesbian, gay, bisexual, transgender, and intersex persons, primarily in educational institutions". [213]

International level response

As a follow up to UNESCO's Asia-Pacific Consultation on School Bullying based on Sexual Orientation and Gender Identity/Expression, the delegates from that meeting returned to the Philippines and established a TWG to advance work on addressing SOGIE-based violence in schools. The composition of the Philippines TWG included representation from the Department of Education, ASEAN SOGIE Caucus, TLF Share, and the University of the Philippines College of Social Work, and Community Development. In time, the TWG expanded its network to work hand-in-hand with the Civil Society Coalition on the Convention on the Rights of the Child (CSC-CRC) to plan for the National Consultation on SOGIE-based Bullying in the Philippines Education Setting, which took place 23-24 August 2016.

Additionally, toward the end of 2017, the CSC-CRC, a member of the TWG and the convener of the national consultation, organized a consultation with children on the National Plan of Action for Children (NPAC) 2017-2021. This initiative was one of the recommendations that came out of the national consultation. As a result of the discussions from the national consultation, CSC-CRC allotted slots for LGBTI children to take part in the NPAC. Another TWG member, ASEAN SOGIE Caucus, supported the participation of these youth participants. Considering that the NPAC will inform the Philippine Development Plan, it was agreed that the youth participants must be included in this process.

8 Recommendations

Based on the examined research evidence and documentation of interventions, as well as outcomes from the *National Consultation on SOGIE-based Bullying in the Philippine Education Setting* held on 23-24 August 2016 in Quezon City, Philippines, the following recommendations at the school, community and policy level are proffered.

At the school level

- **Review existing curricula, including textbooks and other learning materials, with an end goal of removing content that reinforce negative stereotypes and discrimination towards LGBTI students;**
- **Support student-led initiatives to promote human rights, inclusive education, and diversity;**
- **Create in-school support groups for LGBT students;**
- **Enhance capacity of child protection committees in schools and communities to monitor, document, and respond to cases of SOGIE-based bullying;**

212 International Gay and Lesbian Human Rights Commission (IGLHRC). 2014. *Violence: Through the Lens of Lesbians, Bisexual Women and Trans People in Asia – Philippines.*
213 Report of the Working Group on the Universal Periodic Review: Philippines (A/HRC/36/12).

- Conduct capacity assessment of teaching and non-teaching staff to address violence on the basis of SOGIE in schools and to deliver inclusive education for all students, LGBTI and non-LGBTI. It is essential to ensure that this activity is included in the annual School Improvement Plans (SIP);
- Review and reform school policies that have detrimental effects on LGBTI students; and
- Provide services like referrals, counselors, and access to the justice system for youth and their parents who have been targets of violence on the basis of SOGIE and other school-related gender-based violence.

At the community level

- Increase awareness-raising activities with strong participation of school children and community-organized groups, such as transport facilitators who are in contact with school children in their daily school activities. These awareness-raising activities should include information about the causes, nature, scope, impact, and methods of addressing violence on the basis of SOGIE in schools (e.g. online campaigns through social media and other outlets including #PurpleMySchool);[214]
- Strengthen networks and linkages: there should be a platform where information, resources, and best practices on addressing school-based violence and discrimination, including violence on the basis of SOGIE, can be shared among stakeholders at all levels; and
- Strengthen existing monitoring and referral mechanisms by sharing information about reporting and monitoring, which can be used by children, parents, and teachers to report cases of violence in schools on the basis of SOGIE.

At the policy level

- Enhance the DepEd's monitoring and documentation instruments for child protection and bullying cases by adding elements to ascertain whether cases were SOGIE-related (e.g. actual or perceived SOGIE of the victim);
- Strengthen compliance on legal frameworks including the DepEd Order No. 40 of 2012, the Anti-Bullying Act of 2013, and the Responsible Parenthood and Reproductive Health Act of 2013; and;
- There is need for maximization of the Magna Carta of Women of 2009, in particular the utilization of the gender and development (GAD) budget, which amounts to five percent of the total budget of each agency, in order to fund research and the development of curricula, learning materials, and teaching methodologies that are gender-sensitive and gender-responsive.

Lastly, there is need for additional research on the nature, scope, and impact of violence in schools on the basis of SOGIE in Philippines. This can be carried out by individual researchers and through partnerships among government, academics, and international and local NGOs. Particular research is also needed to determine implementation of child protection policies of schools and whether they are in sync with that of the DepEd.

9 Conclusion

The Philippines, an archipelago with diverse cultures, continues to face evolving challenges on violence-related issues, including violence in schools on the basis of SOGIE. LGBTI students often find that their schooling experience is marred by negative attitudes and stereotypes, disadvantageous treatment and inequalities. Many Filipino LGBTI students experience, bullying, types of discrimination. It is clear that rigid gender norms and deeply-rooted inequalities are the foundation for violence on the basis of SOGIE. Intensity and scale of such violence is further compounded by prejudices and marginalization of SOGIE in Filipino schools, including through lack of comprehensive, SOGIE-inclusive sexuality education and materials. Violence in Filipino schools based on SOGIE has deep and lasting consequences. These include negative impact on school performance and overall educational attainments of LGBTI students, and negative impact on their well-being and health, including mental health. Violence on the basis of SOGIE in schools in the Philippines is also linked with lower economic and employment prospects of those who experience it. Finally, violence on the basis of SOGIE in schools curtails students' right to education.

214 For more information about the campaign, please see: www.campaign.com/purplemyschool

In recent years, lawmakers and school administrators in the Philippines have recognized that violence on the basis of SOGIE in schools is a serious problem. This has translated into the design and implementation of a range of interventions to address it. Progress has also been made in adapting and developing anti-discrimination laws and policies that directly or indirectly address violence on the basis of SOGIE in and outside the school settings. However, while the Philippines is a signatory of the UNCRC, and the country has enacted national laws as listed in this report with school-based issuances of policies and guidance on protecting every learner, particular challenges remain. This includes those regarding consistent implementation, monitoring and documenting the progress and challenges of these policies.

ANNEX 3

Thailand Country Brief

Violence on the basis of Sexual Orientation and Gender Identity or Expression (SOGIE) in Schools

1 Introduction and objectives

This is a Thailand-specific brief on school violence on the basis of sexual orientation and gender identity or expression (SOGIE). Its purpose is to address a need to broaden awareness and understanding about discrimination based on sexual orientation, gender identity or expression in educational institutions, while also identifying best practices and policies for addressing them. It is a direct outcome of the *Regional Consultation on School-Related Bullying, Violence, and Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression* (SOGIE) organized in Bangkok, Thailand, by the Asia-Pacific regional offices of UNESCO and UNDP in June 2015.[215] In addition, this brief is informed by discussions from a national meeting, *Respect for All: Thailand Consultation on Safe and Inclusive Education Environments* held on 20-22 June 2016, in Bangkok, Thailand. The brief provides a critical assessment of existing knowledge on the topic, covering both published peer-reviewed literature, as well as additional literature search undertaken by an independent consultant with experience in research and advocacy surrounding LGBTI issues in Thailand.

2 Background

In Thailand, a growing body of research indicates that lesbian, gay, bisexual, transgender, and intersex people (LGBTI), and other sexual and gender minorities experience lower education outcomes than the general population.[216] According to the World Bank (2016), violence against LGBTI students is a serious problem which affects their equal enjoyment of high-quality education, along with other negative consequences.[217] The 2014 *Being LGBT in Asia: Thailand Country Report* states there are many issues faced by LGBT individuals in academic institutions involving admissions, school regulations and curricula, and the treatment of LGBT individuals by their teachers and peers.[218] The same report concluded that school regulations do not protect LGBT individuals from harassment and bullying that is based on their sexual orientation or gender identity.

Violence on the basis of SOGIE in educational settings targets students[221] who are, or who are perceived as lesbian, gay, bisexual and transgender (LGBT); and others whose gender expression does not fit into binary gender norms (masculine and feminine) such as boys perceived as 'effeminate' and girls perceived as 'masculine'. Students who are intersex (I) may also be the

BOX 16

DEFINITION OF SCHOOL-RELATED GENDER-BASED VIOLENCE, INCLUDING VIOLENCE ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION (SOGIE)

School-related gender-based violence

School-related gender-based violence (SRGBV) is defined as acts or threats of sexual, physical or psychological violence occurring in and around schools, perpetrated as a result of gender norms and stereotypes, and enforced by unequal power dynamics.[219]

Violence on the basis of SOGIE

A gendered type of bullying that is based on actual or perceived sexual orientation and gender identity or expression.[220]

215 The consultation involved participation by 13 country delegations including over 100 representatives from governments, specifically from Ministries/Departments of Education and those working on human rights; civil society organizations; academic institutions; and UN agencies. Technical experts working on research, prevention and responses to bullying, violence, and SOGIE-based discrimination also participated. Delegates from regional and international organizations such as ActionAid International, Gay, Lesbian and Straight Education Network (GLSEN), Human Rights Watch and Plan International also participated, and in some cases, supported technical discussions, information sharing and provided broader links to global and regional initiatives. Over the course of the consultation, delegates were given time to meet and develop country plans. These plans were influential in the planning for next steps at the national level and informed the planning of national consultations. Another significant output of the Regional Consultation was a meeting report that presented major findings and recommendations from the meeting. The report was circulated widely to meeting participants and education stakeholders and shared online at: http://unesdoc.unesco.org/images/0023/002338/233825e.pdf

216 World Bank. 2017. *Economic Inclusion of LGBTI Groups in Thailand.* The World Bank Group. 17 May 2017.

217 World Bank. 2013. *Inclusion Matters: The Foundation for Shared Prosperity.* The World Bank Group. Washington, D.C.

218 UNDP and USAID. 2014. *Being LGBT in Asia. Thailand Country Report.* UNDP: Bangkok.

219 Unequal power dynamic means a power imbalance exists between those who are the target of violence, including bullying, and those who are perpetrating the violence. Please see: UNESCO and UN Women. 2016. *Global Guidance on Addressing School-related Gender-based Violence.* UNESCO, Paris and UNWomen, New York.

220 UNESCO and UN Women. 2016. *Global Guidance on Addressing School-related Gender-based Violence.* UNESCO, Paris and UNWomen, New York.

221 The report uses 'students' to refer to all learners in educational settings. However, where research addressed only select members of this group – such as 'children' or 'young people' – it is so stated.

BOX 17

BROADER CONTEXT OF SRGBV IN THAILAND

Thailand's most recent Global Student-based School Health Survey conducted in 2008 found that one in three boys (32 percent) and more than one in five girls (23 percent) reported being subjected to bullying in the past month.[226] A prominent Thai study, which surveyed 2,300 students recruited from eleven schools across the country, found that school violence (fights and bullying among peers) is common in the upper grades of primary school and lower secondary school in all regions of Thailand, and is possibly more common in Thailand than in other countries.[227]

victims of violence, although there is currently not enough available scientific data on this.[222] Like other forms of school-related violence, violence based on SOGIE can occur in classrooms, playgrounds, toilets and changing rooms, around schools, on the way to and from school, and online.[223] Violence on the basis of SOGIE has a significant impact on students' education and employment prospects and on their health and well-being. It affects students who are targeted by violence and students who are perpetrators and/or bystanders.

3 Contributing factors to violence in schools on the basis of SOGIE

The *World Report on Violence against Children* (2006) suggests that while, potentially, any learner can be affected, those who are different from the majority are most likely to be singled out for abuse.[224] Disability, religion, material status or family economic background, or even school group membership become grounds for social discrimination and marginalization, which often triggers and results in violence. In particular, students who are, or who are perceived to be LGBTI tend to be disproportionately affected.[225] Their SOGIE status, in addition to other marginalized social markers, makes them even more vulnerable to violence and discrimination by peers and teachers.

On one hand, there has been growing societal openness, social and political activism, and some legislative and policy progress to address the rights of LGBTI learners in schools. On the other hand, negative attitudes and harmful behaviours in educational settings continue to negatively affect the lives of many LGBTI students.[228] Based on the research evidence examined for this brief, several societal and school level factors for violence based on SOGIE in educational settings have been identified.

At the societal level

Societal perceptions that justify school violence based on SOGIE

Evidence suggests that broader social normalization of violent attitudes and behaviours outside the school settings justifies violence and bullying in schools. For instance, Sombat Tapanya, based at the Department of Psychiatry, Faculty of Medicine at Chiang Mai University, surveyed bullying among 2,300 students recruited from eleven schools across the country.[229] This survey, published in 2007, found that Thai society perceives bullying among children to be normal behaviour. Another study, commissioned by the Ministry of Social Development and Human Security, with 4,002 participants aged 10-25 from thirty communities and thirty schools across eight Thai provinces, concluded that violence is a part of the everyday lives of children at school to such an extent that it is perceived to

222 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, page 21. Please see: http://unesdoc.unesco.org/ images/0024/002447/244756e.pdf
223 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO.
224 *The World Report on Violence against Children* (2006) quotes studies from several low- and middle-income countries that reveal extensive school bullying directed particularly at members of lower socio-economic groups or ethnic minorities. The report finds that most bullying is sexual- or gender-based, both in terms of the selection of victims (i.e. those perceived as not conforming to prevailing sexual and gender norms) as well as in the nature of the abuse, with verbal bullying consisting predominantly of sexual and gender derogatory language. Please see: https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/491/05/PDF/N0649105.pdf?OpenElement
225 UNESCO. 2012. *Education Sector Responses to Homophobic Bullying.* Good policy and practice in HIV and health education: Booklet 8. Paris, UNESCO. Available at: http://unesdoc.unesco.org/images/0021/002164/216493e.pdf (This publication will be updated in 2016 and released during an International Ministerial Meeting on Education Sector Responses to Violence based on Sexual Orientation and Gender Identity/Expression 17-18 May 2016.)
226 Center for Disease Control and Prevention (CDC). 2008. *Global School Health Survey Results Thailand 2008.*
227 Tapanya, S. 2006. A survey of bullying among students. Chiang Mai: Psychiatric Department, Faculty of Medicine, Chiang Mai University. (This study first focused on the Chiang Mai area only, and then expanded to other areas.)
228 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand.* The World Bank Group, Washington, D.C. and Bangkok.
229 The study first focused on the Chiang Mai area only, and then extended to other areas.

be an ordinary matter.[230] A 2014 study entitled *The Suffering of Thai Children in the Whirlpool of Violence: Ways of Advocating for the Prevention of Violence in Educational Institutions* commissioned by the Ramajitti Institute, analysed risk factors that influence the use of violence. Findings indicate that when bystanders, such as parents or school staff, do not react to acts of violence in schools, it enables children to become either the perpetrators or the victims of violence.[231] Acceptance and normalization of violence and bullying in the community contributes to the acceptance and justification of violence in schools on the basis of SOGIE.

The most recent survey conducted by the World Bank in 2017, with over 3,500 Thai respondents (2,302 LGBTI and 1,200 non-LGBTI), on exclusion and discrimination of LGBTI individuals, including in school settings, suggests mixed perceptions when it comes to LGBTI persons being more vulnerable to discrimination and exclusion.[232] More than two-thirds of all LGBTI respondents agree that they experience more discrimination and/or exclusion than non-LGBTI persons do, while one-third of LGBTI respondents disagreed.

In the above-mentioned study, the non-LGBTI sample also showed mixed perceptions of LGBTI vulnerability. Nearly half of non-LGBTI respondents (47 percent) agreed that LGBTI persons experience more discrimination and exclusion, while just over half (53 percent) disagreed. Mixed perceptions about the vulnerability of LGBTI persons, by LGBTI and non-LGBTI individuals alike, may possibly stem from the high levels and overall normalization of SOGIE-based discrimination and exclusion in Thailand (along with high levels of gender inequalities). It may be that both samples (LGBTI and non-LGBTI persons) believe that being LGBTI inherently comes with the experience of discrimination and exclusion.[233]

In 2009, the Wisdom Society for Public Opinion Research of Thailand (WPORT) conducted an important study among 2,000 students in Bangkok.[234] The study, which reflects the reality of online violence in Thailand, revealed that over 60 percent of respondents thought that cyberbullying was a negative behaviour that should not be engaged in, while concurrently agreeing that it is an ordinary matter that anyone might get involved in. In the same study, over 30 percent of respondents thought that people are free to cyber-bully others as they wish; these students viewed cyberbullying as a way of venting one's emotions.

Quantitative data collection carried out in Thailand in 2009 with 2,000 students found that 60 percent of the surveyed students believed that cyberbullying was "negatively avoidable" behaviour which should be prohibited, but some 35 percent believed that cyberbullying might be an "acceptable behaviour".[235] In 2011, another study identified seven types of cyberbullying, namely, 1) sending electronic messages with angry and vulgar language; 2) repeatedly sending nasty, mean and insulting messages; 3) talking someone into revealing secrets or embarrassing information and then sharing it online; 4) sending or posting gossip or rumours about a person to damage his or her reputation or friendships; 5) pretending to be someone else and sending or posting material to get that person in trouble or danger or damage that person's reputation or friendships; 6) repeatedly sending messages of intense harassment and denigration, including threats; and 7) intentionally and cruelly excluding someone from an online group. Of these, the first two were the most frequent.[236]

The 2014 Mahidol University study with Plan Thailand and UNESCO indicates that violence against transgender and same-sex attracted children and youth is a reality, and that the intensity of such violence depends on the perceptions and motivation of the perpetrator, as well as the nature of the relationship between

230 Pradubmook-Sherer, P., Sherer, M., Mattiko, M., Peeraphan, S., Chamnansuk, P. and Sawangchareon, K. 2008. Socio-cultural dimensions that affect violent behavior among children and youth. Bangkok, Thailand, Ministry of Social Development and Human Security.

231 Sunchai, N. and Koensak, S. 2014. The suffering of Thai children in the whirlpool of violence: Ways of advocating for the prevention of violence in educational institutions, page 60. http://www.childwatchthai.org

232 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand.* The World Bank Group, Washington, D.C. and Bangkok.

233 Ibid.

234 Wisdom Society for Public Opinion Research of Thailand. 2009. Cyberbullying behaviours of Thai youth in Bangkok Metropolis. These findings also presented in Ruthaychonnee S. and Smith, P. K. 2013. Bullying and cyberbullying in Thailand: A review. *International Journal of Cyber Society and Education,* Vol. 6, No. 1, June 2013, pp. 31-44.

235 Musikaphan, W. 2009. A study of cyberbullying in the context of Thailand and Japan. Nakhon Pathom: National Institute for Child and Family Development, Mahidol University, Thailand.

236 Songsiri, N. and Musikaphan, W. 2011. Cyber-bullying among secondary and vocational students in Bangkok. *Journal of Population and Social Studies*, 19 (2), 235-242.

the victim and the perpetrator.[237] This study made another important observation, namely that Thai society mistakenly considers itself accepting of sexual and gender diversity. Instead, the violence faced by Thai LGBT students underscores the reality that Thai society, at best, tolerates them rather than accepts them.[238]

Social stigma, prejudice and discrimination on the basis of SOGIE in educational settings

While there is a widespread perception that Thailand, as a society, accepts diverse sexualities and gender identities, most research suggests this is a misconception.[239] Jackson (1999) describes Thai society as "tolerant but unaccepting" toward same-sex attracted individuals and concludes that the perception of Thailand as a "gay heaven" is a myth. A review of recent research on the problems faced by LGBT individuals in Thailand suggests that many of the problems noted by Jackson (1999) are still common. Heterosexism and trans prejudice dominate Thai society, which therefore does not genuinely accept transgender and same-sex attracted people. Instead, research indicates that there is little tolerance toward sexual and gender minorities in mainstream Thai culture. According to a 2013 study conducted by International Labour Organization (ILO) on the experiences of LGBTI Thai individuals in the workplace:

> **" LGBT persons in Thailand still face stigma and many forms of discrimination in many areas in life, including in employment and education. Different groups of people of different sexual orientation and identity experience varying degrees of social acceptance, but transgender persons - *katoeys, sao praphet song*, transwomen and transmen - face the strongest and most extensive discrimination and exclusion by mainstream society, and as a result are deprived of many opportunities in education, work and life." [240]**

This mirrors findings from the World Values Survey (WVS), which examined Thailand and over fifty other countries to determine prevalent sentiments toward sexual orientation and gender identity or expression. It found that in polling from 2005-2008, only 1.2 percent of Thai respondents believed homosexuality was "always justifiable". This placed Thailand in the fourth quartile, that is, the quartile that was the least accepting of homosexuality, of all the countries surveyed.[241]

At school and other educational settings

Biased and stigmatizing coverage of LGBTI topics in health and sexuality education

According to a 2008 review of gender and LGBTI topics in lower secondary schools in the Core Curriculum of Basic Education, issued by the Office of the Basic Education Commission (OBEC) and commissioned by the Foundation for SOGI Rights and Justice (FOR-SOGI), sexual and gender diversity topics were mandated to be taught under the rubric of "sexual deviations". Though content in textbooks, as permitted by the core curriculum, varies across publishers, the list of sexual deviations includes mention of sexual practices and preferences and associates them with other 'deviant' behaviours like frequent masturbation or paraphilia. Gender bias against women in the curricula is also represented by stereotypical roles for women and men, and stigmatization for those who do not conform to such roles.[242] Perpetuating strict gender roles and classifying sexual diversity as a sexual deviation may exacerbate bullying and harassment already faced by LGBTI students.[243]

Understanding how sexuality education is taught in Thailand is also important for understanding the causes, types, and forms of violence in schools based on SOGIE. In 2016, the Centre for Health Policy Studies at Mahidol University, the Ministry of Education, and UNICEF Thailand collaborated to review how comprehensive

237 Mahidol University, Plan International Thailand, and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventive measures in 5 provinces of Thailand. UNESCO Bangkok.
238 Ibid.
239 Jackson, P. A. 1999. Tolerant but unaccepting: The myth of a Thai "gay paradise." Jackson, P. A. and Cook, N. M. (eds), *Genders and Sexualities in Modern Thailand.* Silkworm Books, Chinagmai, Thailand, pp. 226-242; Jackson, P. A. (2013). Cultural pluralism and sex/gender diversity in Thailand: An introduction. Duangwises. N. and Jackson, P. (eds) *Cultural Pluralism and Sex/Gender Diversity in Thailand.* Princess Maha Chakri Sirindhorn Anthropology Centre, Bangkok, Thailand, pp. 14-27; Ojanen, T. T. Sexual/gender minorities in Thailand: Identities, challenges and voluntary-sector counseling. *Sexuality Research and Social Policy*; 2009; 6(2): 4-34. Please also see: http://gothaibefree.com/
240 Suriyasarn, B. 2014. *Gender Identity and Sexual Orientation: Promoting Rights, Diversity and Equality in the World of Work.* (PRIDE) Project, Bangkok and ILO.
241 Smith, T. W., Son, J. and Kim, J. 2014. *A Compilation of Cross-National Studies of Attitudes towards Homosexuality and Gay Rights.* NORC at the University of Chicago, The Williams Institute.
242 Wongwareethip, W. 2016. Gender and sexual diversity in Thai textbooks: Analysis of health education textbooks on the lower secondary level. Bangkok, Thailand, Foundation for SOGI Rights and Justice.
243 UNDP and USAID. 2014. *Being LGBT in Asia. Thailand Country Report.* UNDP: Bangkok.

sexuality education (CSE) is being taught in Thai schools. They surveyed 8,837 students and 692 teachers from 373 general secondary schools and from 25 vocational institutions across six regions of Thailand. The major findings from this review concludes that current Thai sexuality education has limitations when it comes to teaching about gender, sexual rights, power, sexual and gender diversity, and violence, and that only a few learning activities are presented around these topics. Furthermore, many sexuality education teachers are not trained on issues related to gender and SOGIE.

Importantly, this study revealed that many students show support for gender inequality, with almost 50 percent of the respondents agreeing that the use of domestic violence is acceptable in some situations. In the study, half of all students and 36 percent of teachers thought that same-sex sexual relations are wrong.

The above findings are unsurprising given the unequal portrayal of men and women in Thai textbooks. *The Gender Dimension in the Thai Educational System*, a study conducted by the National Committee on the Policy and Strategy for the Advancement of Women, examined 538 different Thai textbooks being used in pre-schools through to higher education.[244] The findings indicate that the presentation of men and women, and their supporting imagery, was imbalanced. Overall, men are often portrayed or referred to as being superior to women (e.g. as brave, strong leaders). Women, on the other hand, are portrayed as polite and sweet. These stereotypes were also evident in regards to occupations. Biases such as these in textbooks both belie and support a lack of understanding about gender sensitivity and awareness among students, teachers, and parents.

Deficiencies of sexuality education policies

Several studies in Thailand have observed that sexuality education policies have failed to increase understanding of and respect for gender and sexual diversity[245] and that the "very conservative" social culture also means that "people deny issues of sexual activity among the young".[246] UNICEF's research on implementation of comprehensive sexuality education in Thailand concluded that Thai teen pregnancy is on the rise due to young people not receiving adequate sex education.[247] This means young people are engaging in unsafe sexual practices, which also increases their risk for contracting HIV and other sexually transmitted diseases.

Insufficient policies that protect against violence on the basis of SOGIE

In the earlier mentioned study conducted by Mahidol University, Plan Thailand and UNESCO Bangkok, of the LGBT respondents, 30.9 percent reported physical abuse, 29.3 percent reported verbal abuse, and nearly one in four reported sexual harassment that they perceived to be due to their sexual orientation or gender identity. Only one-third responded because of the bullying (e.g. retaliated, talked with a friend, or reported the incident). Nearly two-thirds of the students that had experienced anti-LGBT bullying said that they did not report or say anything, and of that majority, 23 percent said that they did not report it because "nothing would happen even if someone were told". Compounding this reality was the fact that schools lacked specific anti-bullying policies and teachers and administrators were not aware of the scope and scale of the issue, and thus rarely did anything to address it. This reflects the urgent need for the education sector to make efforts to create an enabling environment where targets of this form of violence can report such incidences and have trust in the system's ability to respond.

244 National Committee on the Policy and Strategy for the Advancement of Women. n.d. *The Gender Dimension in the Thai Educational System.*

245 Mahidol University, Plan Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventive measures in 5 provinces of Thailand. UNESCO Bangkok; Mahidol University, Ministry of Education and UNICEF Thailand. 2016. Review of the implementation of comprehensive sexuality education, Thailand.

246 Bottollier-Depois, A. 2014. Thai teen pregnancy on the rise as sex education misses the young. AFP, 17 January 2014.

247 Mahidol University, Ministry of Education and UNICEF Thailand. 2016. Review of the implementation of comprehensive sexuality education. Thailand. Please also see: AFP 16 January 2014. Google News as cited in UNDP and USAID. 2014. *Being LGBT in Asia. Thailand Country Report.* UNDP Bangkok.

4 Manifestations and scale of violence in schools based on SOGIE

There are multiple forms of violence based on SOGIE in educational settings in Thailand. Based on the research evidence examined for this brief, the following are identified:

- **Bullying, harassment, and teasing;**
- **Verbal abuse, including gossiping online or offline;**
- **Physical violence, including slapping or kicking;**
- **Sexual violence including mock-rape (being the victim of a simulated rape), or inappropriately having one's genitals, breasts or buttocks touched;**
- **Social exclusion and discriminatory practices, including exclusion from both offline and online groups; and**
- **Institutional violence, including stigmatizing coverage of LGBTI topics in health education, discrimination in student selection and application processes, inflexible regulations regarding access to toilets, mandatory gendered uniforms, and hairstyles that are assigned on the basis of one's sex at birth.**

Research suggests that a relatively new form of violence in schools has emerged using modern communication technologies to perpetrate cyberbullying.[248,249] This is true for Thailand and many other countries. Research by Ramajitti Institute (2014), which collected data from over 78,000 Thai youths ranging from primary school students to university students, found that 31 percent of those surveyed indicated that they or their friend had been cyber-bullied.[250] A qualitative study focused on the perceptions youth have about cyberbullying, which collected data from 136 15-24-year-old youth in Central Thailand, found that one in three secondary students reported having been subjected to verbal, sexual, or psychosocial bullying using technology in the past month.[251] The study conducted by Wisdom Society for Public Opinion Research of Thailand with 2,000 students in Bangkok found that over 50 percent of surveyed students had experienced cyberbullying in one way or another.[252] Also, in the previously mentioned study by National Institute for Child and Family Development, Mahidol University (2009) with 2,000 Thai students, nearly 59 percent of respondents had been cyber-bullied more than once per month.[253] The research did not focus specifically on cyberbullying against LGBTI students, but the findings indicate that cyberbullying may be more prevalent in Thailand than previously thought, affecting all types of learners.

The majority of the data about violence in schools based on SOGIE in Thailand is qualitative in nature and based on interviews and consultations with the LGBTI community. However, the earlier mentioned Mahidol University, Plan International Thailand, and UNESCO Bangkok's study (2014) with 2,070 students from five Thai provinces found that:

- **55.7 percent of LGBT-identified students had experienced bullying based on their identity;**
- **36.2 percent reported social victimization;**
- **30.9 percent reported physical victimization;**
- **29.3 percent reported verbal victimization; and**
- **24.5 percent reported sexual victimization based on their identity.[254]**

Multiple investigations into the issue demonstrate that students with diverse SOGIE are challenged regularly, and alienated by inflexible school policies regarding access to toilets, mandatory gendered uniforms, and regulated hairstyles.[255] The *Being LGBT in Asia* report reveals that most schools in the region require students to wear uniforms, and Thailand is no different.[256] As school and university policies for uniforms are gendered

248 Smith, P. K. and Sharp, S. 1994. School bullying: Insights and perspectives. London, Routledge. https://www.questia.com/library/103854313/school-bullying-insights-and-perspectives
249 Tokunaga, R. S. 2010. Following you home from school: A critical review and synthesis of research on cyberbullying victimization. *Computers in Human Behavior*, 26 (3), 277-287.
250 Ramajitti Institute. 2014. Report of the situation and mobilization of life quality development for children and youth, 2013-2014.
251 Samoh, N., Boonmongkon, P., Ojanen, T., Samakkeekarom, R. and Guadamuz, T. E. 2014. Youth perceptions on cyberbullying. *Journal of Behavioral Science for Development*, 6(1), pp. 351-364.
252 Wisdom Society for Public Opinion Research of Thailand. 2009. Cyber-bullying behaviours of Thai youth in Bangkok Metropolis. Ruthaychonnee, S. and Smith, P. K.. 2013. Bullying and cyberbullying in Thailand: A review. *International Journal Of Cyber Society And Education*, Vol. 6, No. 1, June 2013, pp. 31-44.
253 Musikaphan, W. 2009. A Study of Cyber-bullying in the Context of Thailand and Japan. Nakhon Pathom, National Institute for Child and Family Development, Mahidol University, Thailand.
254 Mahidol University, Plan International Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventive measures in 5 provinces of Thailand. Bangkok, Thailand.
255 For example: Qualitative interviews with LGBT individuals in Thailand, part of the World Bank study documenting the experiences of exclusion and discrimination among LGBTI individuals including in schools, found that exclusion also arose as a result of school regulations (uniform, hairstyle, bathrooms) that do not recognize and respect gender diversity among students. For more information, please see: World Bank. 2017, forthcoming). *Economic Inclusion of LGBTI Groups in Thailand*. The World Bank Group; Washington, D.C. and Bangkok, Thailand.
256 UNDP and USAID. 2014. *Being LGBT in Asia. Thailand Country Report.* UNDP, Bangkok.

(skirts for women and pants or shorts for men), and secondary schools require hairstyles that conform to strict gender norms, transgender students are constrained to present themselves in a manner that does not affirm their gender identity or expression. This can also have adverse implications on their equal participation in educational activities (e.g. classes, examinations, work placements, and/or graduation ceremonies) and retention.[257] Although some institutions strictly enforce these policies, especially during exams or graduation ceremonies, there are other institutions that have more flexible implementation of uniform policies, thereby enabling some transgender students to study at these institutions. For example, Thammasat University has allowed transgender women to receive their graduation diploma in their clothing of choice, but this leniency remains an anomaly in Thai education institutions.[258] In practice, this limits the educational choices of transgender students while others are barred entry altogether.[259]

Transgender individuals and 'masculine' lesbians (toms) are particularly vulnerable to discrimination in education settings. This happens for two reasons. First, their gender identity may not match their gender assigned at birth, and therefore they are not properly identified in school documents. Second, some masculine lesbians choose not to wear a skirt, which is often compulsory for female students in school settings.[260] Such experiences force LGBTI students to use strategies of survival (e.g. becoming less visible, hiding their identity, concentrating on their studies, skipping classes, leaving school, etc.).

The negative consequences of uniform, hairstyle, and bathroom regulations are not limited to transgender students; they are also problematic to gay and lesbian students. Furthermore, evidence suggests a practice of not accepting visibly transgender or gay students into various educational programmes. Anecdotally, this issue appears to be particularly prominent in professional fields such as psychology, psychiatry or medicine, as well as in the faculty of education, where trans students are denied their right to finish their internships, a pre-requisite for undergraduate degrees, because they are not dressed according to their gender assigned at birth. Besides this direct type of discrimination, transgender individuals may also face indirect pressure from teachers and parents, who discourage them from studying in certain fields.[261]

Despite some available evidence on violence in schools on the basis of SOGIE, both quantitative or qualitative, large data gaps persist, and the actual scale of the problem remains under-examined. For instance, there is more data on LGBTI individuals living within cities than in rural areas. Data disaggregated by sexual orientation or gender identity when it comes to education outcomes do not exist because there is no routine collection of data on sexual orientation and gender identity in Thailand. Research focused specifically on violence based on SOGIE against bisexuals[262] and intersex people in schools currently does not exist.

5 Impact and consequences of violence in schools based on SOGIE

Violence in schools based on SOGIE has long-term consequences for the children who experience it, whether they are LGBTI or simply are perceived to be by others. In education settings in Thailand, the impact of violence on the basis of SOGIE may include:

- **Poor academic performance and educational achievement (including higher dropout and absenteeism rates);**
- **Negative impact on a student's well-being and health, including mental health (e.g. increased rates of suicide and other risk-taking behaviours);**
- **The perpetuation and acceptance of violence inside and outside of schools; and**
- **Negative impact on an individual's employment and economic performance.**

257 Suriyasarn, B. 2014. *Gender Identity and Sexual Orientation: Promoting Rights, Diversity and Equality in the World of Work (PRIDE) Project Thailand.* Bangkok, Thailand, International Labour Organization (ILO).
258 UNDP and USAID. 2014. *Being LGBT in Asia. Thailand Country Report.* UNDP, Bangkok.
259 Ibid.
260 For instance, please see: UNDP and USAID. 2014. *Being LGBT in Asia: Thailand Country Report.* Bangkok, UNDP.
261 Suriyasarn, B. 2014. *Gender Identity and Sexual Orientation: Promoting Rights, Diversity and Equality in the World of Work.* PRIDE Project Thailand. Bangkok, Thailand, ILO.
262 Jackson, P. A. 2013. Cultural pluralism and sex/gender diversity in Thailand: An introduction. Narupon, D. and Jackson, P. K. (eds) Cultural pluralism and sex/gender diversity in Thailand. Princess Maha Chakri Sirindhorn Anthropology Centre, Bangkok, Thailand, pp. 14-27.

Table 4

Link between bullying in schools based on perceived SOGIE and risky behaviours [269]

RISKY BEHAVIOUR	NON-BULLIED STUDENTS	NON-LGBT BULLIED STUDENTS*
Attempted suicide	1.20%	6.70%
Engage in unprotected sex	2.50%	9.20%
Consume alcohol	13.40%	24.70%
Have unauthorized absences	15.20%	31.20%

** Students bullied because they were perceived to be LGBT*

Academic performance

An unfriendly and hostile educational environment for LGBTI students affects their academic performance and educational attainment. According to a 2014 report of the International Labour Organisation (ILO), LGBT students in Thailand face discrimination in schools by teachers and other students, which hampers their learning and encourages them to drop out,[263] which in turn, further reduces their skills and knowledge related to the workplace.[264]

Results from the most recent survey on exclusion and discrimination of LGBTI individuals, conducted by the World Bank (2017) with over 3,500 Thai respondents (2,302 LGBTI and 1,200 non-LGBTI), show that discrimination in a wide range of areas correlates to lower educational outcomes for LGBTI students. Furthermore, LGBTI individuals who face discrimination in accessing education or training had a lower probability of attaining a bachelor's degree than LGBTI individuals who do not encounter discrimination. Analysis from this research indicates that LGBTI who face discrimination attained lower educational outcomes than LGBTI who did not face discrimination.[265]

The Mahidol University, Plan International Thailand and UNESCO Bangkok study (2014) found that the consequence of this type of bullying often resulted in the victim's absenteeism from school; bullied LGBT youth were twice as likely to have missed school in the past month.[266] The *Being LGBT in Asia* report noted that in 2009 the University Presidents Council of Thailand mandated university students to wear clothing befitting their gender assigned at birth. This has led to many transgender students being kicked out of school or dropping out.[267]

Impact on well-being and health, including mental health

Mental health, depression and risky behaviour

The study mentioned above by Mahidol University et al. linked depression (measured with the Centre for Epidemiologic Studies' Depression Scale) to school-based bullying targeting students believed to be LGBT. The study revealed that those who had been bullied because they were perceived to be LGBT were more likely to be depressed than those who had not been bullied (22.6 percent versus 6 percent, respectively). These findings suggest that depression is likely to affect a higher proportion of LGBTI persons than non-LGBTI persons, especially those who face anti-LGBTI stigma and victimization, parental rejection, and/or feel they have to conceal their LGBTI identity.[268]

263 Suriyasarn, B. 2014. *Gender Identity and Sexual Orientation: Promoting Rights, Diversity and Equality in the World of Work*. PRIDE Project Thailand. Bangkok, Thailand, ILO.
264 The Williams Institute and USAID. 2014. The relationship between LGBTI inclusion and economic development: An Analysis of emerging economies. USAID.
265 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand.* The World Bank Group, Washington, D.C. and Bangkok.
266 Mahidol University, Plan International Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventing measures in 5 provinces of Thailand. UNESCO Bangkok.
267 UNDP and USAID. 2014. *Being LGBT in Asia: Thailand Country Report.* UNDP, Bangkok.
268 Ojanen, T., Ratanashevorn, R. and Sumonthip, B. 2016. Gaps in responses to LGBTI issues. *Thailand: Mental Health Research, Services, and Policies.*
269 Mahidol University, Plan International Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventing measures in 5 provinces of Thailand. Bangkok: UNESCO.

Being bullied for SOGIE-based reasons has been linked with higher rates of alcohol consumption, unprotected sex, absenteeism, and suicide.[270]

These findings underscore the need for violence and bullying prevention, along with the need for psychosocial support for those who are targeted (many of whom do not self-identify as LGBT).[271]

A 2013 study with 190 Thai transgender women aged 15-25, focusing on influences on loneliness, depression, sexual risk behaviour and suicide ideation among Thai transgender youth, linked depression (measured with the Depression Anxiety and Stress Scale-21/DASS-21) to education levels.[272] The study found that those transgender youth that had not completed high school, had higher levels of depression, but reported feeling less lonely (measured with the UCLA Loneliness Scale) than those who had attained a higher educational level.[273]

Those targeted on the basis of SOGIE, along with depression, may also develop post-traumatic stress disorder, which in turn, has further consequences on students' overall health and well-being (e.g. pregnancy, self-medication with illicit substances, or dropping out of school).[274]

Limited employment prospects and lower income

New data provides a picture of the negative economic impact that many Thais face due to stigma (i.e. negative stereotypes, perceptions, and discrimination) directed at them because of their sexual orientation or gender identity. Underlying the economic impact is the discrimination they face in many other areas of life, including in educational settings.

Results from the most recent survey conducted by the World Bank (2017) with over 3,500 Thai respondents (2,302 LGBTI and 1,200 non-LGBTI) indicate that LGBTI individuals who faced discrimination in accessing education and training had lower incomes than LGBTI individuals who did not face discrimination in those specific areas.[275] In this study, a clear link between income and discrimination became clear because discrimination in education and training resulted in a 2.5 percent decline in the probability of attaining 60,000 Thai Baht or more in annual income. Furthermore, ILO in Thailand found that discrimination, violence, and exclusion in education limited job opportunities and often followed many young LGBT persons into the workforce.[276]

Further victimization

The other related, negative effect stemming from the violence that LGBTI and non-LGBTI students experience in schools based on real or perceived SOGIE includes further victimization. Thai students who were so targeted reported that when they sought help from teachers, they were sometimes told it was their fault.[277] This demonstrates why many students choose to suffer in silence rather than seek help – seeking help often does not change anything. Furthermore, it was found that most Thai schools have not begun creating structural solutions to the problem of SRGBV, including violence based on SOGIE, such as issuing preventative measures, creating inclusive curricula and LGBTI-inclusive school policies (e.g. flexible school uniform policies), or monitoring regulations and their implementation. One reason for this is that schools do not view violence based on SOGIE as a problem for which specific measures are needed. As a result, solutions to the problem are generally ad hoc in nature. For example, it was reported that gender-normative boys and transgender girls often were put into separate rooms during a scouting camp and while attempting to mediate disputes.[278]

Other effects

Finally, another long-lasting effect of violence that LGBTI (and non-LGBTI) students experience in, around and outside their educational settings includes intergenerational transmission of violence.

270 Ibid.
271 Ibid.
272 Yadegarfard, M., Ho R. and Bahramabadian, F. 2013. Influences on loneliness, depression, sexual-risk behaviour and suicidal ideation among Thai transgender youth. Cult Health Sex. 2013;15(6):726-37.
273 Ibid.
274 UNDP and USAID. 2014. *Being LGBT in Asia: Thailand Country Report.* Bangkok, UNDP.
275 World Bank. 2017, forthcoming. *Economic Inclusion of LGBTI Groups in Thailand.* The World Bank Group, Washington, D.C. and Bangkok.
276 Suriyasarn, B. 2014. *Gender Identity and Sexual Orientation in Thailand: Promoting Rights. Diversity and Equality in the World of Work.* (PRIDE) Project, Bangkok, ILO.
277 Mahidol University, Plan International Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventing measures in 5 provinces of Thailand. UNESCO Bangkok, p. 5.
278 Ibid.

BOX 18

INTERGENERATIONAL TRANSMISSION OF VIOLENCE

Attitudes towards gender equality are often rooted in childhood experiences, meaning negative childhood experiences affect relationships in adult life. Studies from various countries in the Asia-Pacific region indicate that when boys experience or witness violence in their childhood, they are more likely to use violence in relationships as adults.[279] Research also suggests that girls who are physically and sexually abused in childhood are at increased risk of victimization in adulthood, including being involved, or exploited, in sex work later in life.[280] While there are no specific Thai-based studies addressing childhood experiences of violence on the basis of SOGIE in schools and relationships in adulthood, a study conducted by the Child and Adolescent Mental Health Rajanagarindra Institute (2009) indicates that the most important risk factor for engaging in violent behaviours was witnessing illegal activities, including other forms of violence, among one's family or community members. Youth who had witnessed illicit activities were 1.7 times more likely to engage in violence than youth without prior exposure.[281] Also, a doctoral dissertation, *Social Structure Involving with Children and Youths' Violence at School: A Case Study of a School in Central Thailand*, found linkages between violence and the relationships between students. For example, relationships were characterized by non-acceptance of interpersonal differences.[282]

6 Review of the policy response

International commitments

Thailand is a signatory to several key international instruments, including:

- International Covenant on Civil and Political Rights;[283]
- International Covenant on Economic, Social and Cultural Rights;[284]
- UN Convention on the Rights of the Child;[285]
- Convention on the Elimination of All Forms of Discrimination Against Women;[286] and
- Regional Plan of Action on the Elimination of Violence against Women and Children.[287]

Therefore, Thailand has a legal obligation to promote and protect the rights of women and girls, and to prevent and respond to all forms of violence against children.

National laws and policies

Historically, while Thailand has not criminalized any LGBTI characteristics or behaviours (e.g. sexual relations between individuals of the same sex or what is referred to as cross-dressing), there has also been an absence of any legal regime to provide protection for LGBTI individuals.[288] Additionally, the registration of LGBTI organizations is hampered by a bureaucratic legal system that makes it difficult to meet registration requirements (e.g. evidence and sufficient funds).[289] However, despite a policy backdrop that does not allow change of legal sex following gender transition, or the registration of same-sex partnerships, recent interpretations of the anti-discrimination clauses based on sex in the Thai Constitution that include LGBTI characteristics, provide signs of promise.[290]

279 Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against Women and How Can We Prevent It?* Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific. Bangkok, UNDP, UNFPA, UNWomen and UNV; Martin, S. L., Moracco, K. E., Garro, J., Tsui, A. O, Kupper, L. L., Chase, J. L., & Campbell, J.C.. 2002. Domestic violence across generations: findings from northern India. International journal of epidemiology. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Kishor, S. and Johnson, K. 2004. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Barker, G., Contreras, J.M., Heilman, B., Singh,A.K.,Verma, R.K., & Nascimento, M. 2011. *Evolving Men: Initial Results from the International Men and Gender Equality Survey (IMAGES)*. Washington, D.C., ICRW and Rio de Janeiro, Instituto Promundo.

280 For example, please see: Pan-American Health Organization (PAHO). 2013. *Summary Report: Violence Against Women in Latin America and the Caribbean: A Comparative Analysis of Population-based Data from 12 Countries*. Washington, D.C., PAHO; UNICEF. 2014. *A Statistical Snapshot of Violence against Adolescent Girls*. UNICEF, New York, p. 9 citing Daigneaulta, I., Hébert, M., & McDuff, P. 2009. Men's and Women's childhood sexual abuse and victimization in adult partner relationships: A study of risk factors. *Child Abuse & Neglect*, Vol. 33, no. 9, 2009, pp. 638-647; Wilson, H. and Widom, C. 2010. The role of youth problem behaviour on the path from child abuse and neglect to prostitution: A prospective study. *Journal of Research on Adolescence*, Vol. 20, no. 1, pp. 210-236; Heise, L. L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London: STRIVE as cited in Solotaroff, J. L. and Pande, R. P. 2014. *Violence against Women and Girls: Lessons from South Asia*. World Bank Group, Washington, D.C.

281 Noij, F. and Chitrapon V. 2015. *Evaluation of the Thailand National Child and Youth Development Plan 2012-2015*. Evaluation Report November 2015. https://www.unicef.org/evaldatabase/files/Thailand_NCYDP_Final_Report_2015-003.pdf

282 Thasuk, J. 2010. *Social Structure involving Children and Youths' Violence at School: A Case Study of a School in Central Thailand*. Doctoral dissertation, Srinakharinwirot University, Bangkok, Thailand, p. 184.

283 International Covenant on Civil and Political Rights opened for signature 16 December 1966, 999 U.N.T.S 171 and entered into force 23 March 1976.

284 International Covenant on Economic, Social and Cultural Rights opened for signature 16 December 1966, 993 U.N.T.S 3 and entered into force 03 January 1976

285 G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989) *entered into force* 02 Sept. 1990.

286 Convention on the Elimination of All Forms of Discrimination against Women opened for signature 1 March 1980, 1249 U.N.T.S and entered into force 03 September 1981.

287 The ASEAN Secretariat Jakarta. 2016. *ASEAN Regional Plan of Action on the Elimination of Violence against Women* (ASEAN RPA on EVAW). https://acwc.asean.org/wp-content/uploads/2016/10/Final-ASEAN-RPA-on-EVAW-IJP-11.02.2016-as-input-ASEC.pdf

288 Ojanen, T. T. 2009. Sexual/gender minorities in Thailand: Identities, challenges, and voluntary-sector counseling. *Sexuality Research and Social Policy*, 6(2), pp. 4-34.

289 UNDP and USAID. 2014. *Being LGBT in Asia: Thailand Country Report*. Bangkok, Thailand, UNDP Bangkok.

290 Sanders, D. 2011. The Rainbow Lobby: The Sexual Diversity Network and the military-installed government in Thailand. Jackson, P. A. (ed.), *Queer Bangkok: 21st Century Markets, Media and Rights*. Chiang Mai, Thailand, Silkworm Books, pp. 229-250.

A forthcoming literature review on discrimination and exclusion of LGBTI persons in Thailand, prepared for the World Bank Group by the Faculty of Learning Sciences and Education, Thammasat University, has identified the following characteristics of Thai law pertaining to LGBTI and violence based on SOGIE:

- **In the absence of prohibition or specific recognition, there is ambiguity as to the status of same-sex unions and partnerships;**
- **Constitutional protections against discrimination do not explicitly include LGBTI and are, therefore, open to interpretation;**
- **Language on sexual orientation is not clearly articulated in the current Gender Equality Act;**
- **Sex changes among transgender individuals are not legally recognized;**
- **The concept of hate crime is not included in law, which may create additional risks for LGBTI individuals; and**
- **There are limited policies regarding access to learning opportunities and safe learning environments.**

Same-sex partnerships have never been recognized under Thai law, enabling many types of discrimination and exclusion to take place. For instance, same-sex couples are unable to adopt a child legally. They also face a range of other limitations and restrictions that heterosexual couples do not,[291,292] including the inability to use one's spouse's surname, to visit one's spouse in hospital and/or make medical decisions on their behalf, and to receive tax deductions or welfare provisions that are available to legally married heterosexual couples. Further, they are not entitled to a partner's inheritance.[293,294]

Further, transgender identity is not recognized by Thai law, which only recognizes male and female.[295] Transgender persons face additional obstacles in health insurance coverage in that it does not include gender-affirming surgery that is legal and available in some private and public hospitals. While Thai law allows intersex individuals to change their personal title or legal sex on Thai state documents, the same does not apply to transgender persons.[296]

Constitutional protections for LGBTI persons remain open to interpretation. This is true for both the 2006 Constitution and the current Constitution that came into effect in April 2017. Neither makes any explicit reference to sexual orientation or gender identity or expression in the clause related to anti-discrimination.[297,298] However, the 2006 Constitution did make reference to *Phet*,[299] the Thai word for gender/sex, in Article 30, which is the anti-discrimination clause outlining protection from unequal treatment.[300]

Article 3 of the Gender Equality Act, B.E. 2558 of 2015 prohibits discrimination against a person "due to the fact that the person is male or female or of a different appearance from his/her own sex by birth". However, since sexual orientation is not explicitly stated, it is unclear if protection covers discrimination on the basis of sexual orientation. Article 17 of the Act does not prohibit discrimination that is carried out with the intention "to eliminate the obstacles or to encourage the persons to exercise their rights and freedom as other persons, or for protection of the persons' safety and welfare, or for the compliance with religious principles, or for the national security".[301]

291 Preechasilpakul, S. 2013. Sexual diversity in the legal system. Foundation for SOGI Rights and Justice, Faculty of Law, Chiang Mai University, Teeranat Kanjanaauksorn Foundation and the Thai Health Promotion Foundation, Bangkok, Thailand.

292 Sanders, D. 2011. The Rainbow Lobby: The Sexual Diversity Network and the military-installed government in Thailand. Jackson, P. A. (ed.), *Queer Bangkok: 21st Century Markets, Media and Rights*. Chiang Mai, Thailand, Silkworm Books, pp. 229-250.

293 Preechasilpakul, S. 2013. Sexual diversity in the legal system. Bangkok, Thailand, Foundation for SOGI Rights and Justice, Faculty of Law, Chiang Mai University, Teeranat Kanjanaauksorn Foundation, and the Thai Health Promotion Foundation.

294 Sanders, D. 2011. The Rainbow Lobby: The Sexual Diversity Network and the military-installed government in Thailand. Jackson, P. A. (ed.), *Queer Bangkok: 21st Century Markets, Media and Rights*. Chiang Mai, Thailand: Silkworm Books, pp. 229-250.

295 Preechasilpakul, S. 2013. Sexual diversity in the legal system. Foundation for SOGI Rights and Justice, Faculty of Law, Chiang Mai University, Teeranat Kanjanaauksorn Foundation and the Thai Health Promotion Foundation, Bangkok, Thailand.

296 Chokrungvaranont, P., Selvaggi, G., Jindarak, S., Angspatt, A., Pungrasmi, P., Suwajo, P. and Tiewtranon, P. 2014. The development of sex reassignment surgery in Thailand: A social perspective. *The Scientific World Journal*, Article ID: 182981. doi:10.1155/2014/182981

297 Draft Constitution of the Kingdom of Thailand 2016 Unofficial English Translation. 2016. http://www.un.or.th/wp-content/uploads/2016/06/2016_Thailand-Draft-Constitution_EnglishTranslation_Full_Formatted_vFinal.pdf

298 Bremmer, I. 2016. Here's what you need to know about Thailand's new Constitution. *Time*. http://time.com/4448655/thailand-constitutional-referendum/

299 In contrast to prevailing Western understandings, where sex, gender, sexual orientation, gender identity and gender expression form separate and independent dimensions, Thai *phet* tends to be understood as fixed, mutually exclusive combinations of these characteristics. For example, a male person identifying as *gay* may be understood to be a different phet than a heterosexual man, by virtue of being attracted to men. However, this understanding only applies to everyday discourse, and in Thailand only men and women are legally recognized as distinct *phet*. The concepts of gender, sexual orientation and gender identity are somewhat redundant in this category-based scheme, and academics and activists use them more than the general population. None of these terms has a universally accepted translation in Thai, and several alternative translations exist. Please see: Preechasilpakul, S. 2013. *Sexual diversity in the legal system*. Foundation for SOGI Rights and Justice; Faculty of Law, Chiang Mai University; Teeranat Kanjanaauksorn Foundation; and the Thai Health Promotion Foundation, Bangkok, Thailand; Ojanen, T. T. 2009. Sexual/gender minorities in Thailand: Identities, challenges, and voluntary-sector counseling. *Sexuality Research and Social Policy*, 6(2), pp. 4-34.

300 Sanders, D. 2011. The Rainbow Lobby: The Sexual Diversity Network and the military-installed government in Thailand. Jackson, P. A. (ed.), *Queer Bangkok: 21st Century Markets, Media and Rights*. Chiang Mai, Thailand, Silkworm Books, pp. 229-250.

301 Human Rights Watch. 2015. Thailand Gender Equality Act. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/100442/120478/F764760666/THA100442%20Eng.pdf

Table 5

Review of existing Thai policies and laws

LAW/POLICY	ORGANIZATION	AREAS COVERED BY THE LAW/POLICY						
		Rights, equality	Gender and sexual diversity	Bullying and its consequences	Cultural and structural violence	Critique of gender identities and roles	School-level measures	Building safe environments
Gender Equality Act Protecting individuals of all genders; forbidding exclusionary actions or negligence/limitations on rights or benefits	Ministry of Social Development and Human Security							
Adolescent Pregnancy Prevention and Alleviation Act The Ministry of Education has a responsibility to create a sexuality education curriculum, teach it to students, train teachers and offer protection and assistance to students who become pregnant	Ministry of Social Development and Human Security; Ministry of the Interior; Ministry of Labour; Ministry of Education; Ministry of Public Health							
Child Protection Act Ensuring that children receive comprehensive protection	Ministry of Social Development and Human Security; Ministry of the Interior; Ministry of Education and Ministry of Justice							
Student Welfare System Policy Working with homeroom teachers and educational personnel to develop, provide care and referrals for at-risk students	Office of the Basic Education Commission							
Policy on Child Protection in Educational Institutions Ensure that children are safe from violence; the curriculum and various school activities should include and teaching about gender and sexual diversity and violence	Office of the Basic Education Commission							
Teach Less, Learn More Aimed at primary and secondary schools, activity-based learning focused on building student's critical thinking through the search for information and reflection	Office of the Basic Education Commission							
Life Skills The Core Curriculum of Basic Education aims to build safe and inclusive learning environments	Office of the Basic Education Commission							

As this seems to signify that the act does cover sexual orientation, the Department of Women's Affairs and Family Development, the principle government agency responsible for the Gender Equality Act, does accept complaint cases from gay and lesbian victims. However, hate crimes are not recognized in Thai criminal law. Research suggests that intersex individuals and transgender women are at heightened risk of hate crime, including sexual violence in prisons when placed with male inmates, because of non-recognition of their de facto gender.

Ensuring access to learning opportunities and safe learning environments has, in tangible terms, been advanced by the above-mentioned Gender Equality Act. The concept of safe learning environments is also enshrined in a child protection strategy for educational institutions issued by OBEC in 2015. The premise of this strategy is that "all children in basic education institutions receive protection and are happy about studying in educational institutions that provide a safe environment".[302] Based on the strategy, OBEC developed a child protection policy for educational institutions to ensure that children are safe from bullying, violent punishment, and sexual harassment. However, while the progressive nature of this strategy is reflected in the definition of sexual harassment used by the strategy – defined as including verbal and other forms of sexual harassment – it does not mention physical touching.

A summary of national laws and policies is provided in Table 5. It is important to note that although it may seem as if Thai laws and policies already comprehensively address relevant issues, in practice, this depends on the implementation and monitoring of such laws.

7 Review of good practices

This analysis was informed by a literature review that sought to ascertain what topics students, teachers and other staff and stakeholders should know, understand or have skills in, and what kinds of protection and care students should receive. It was also informed by a lesson plan for teaching about gender and sexuality in Thailand that was produced as a part of the School Rainbow project.[303] In addition, the analysis was further informed by information on education sector responses discussed at the *Respect for All: Thailand Consultation on Safe and Inclusive Education Environments* meeting held on 20-22 June 2016 in Bangkok, Thailand.

At the government level, programmes exist across various Ministries. These include:

Ministry of Education
- comprehensive sexuality education
- positive discipline programmes

Ministry of Public Health
- school health programmes
- adolescent mental health programmes

Ministry of Social Development and Human Security
- children and youth protection programmes
- domestic violence prevention programmes

Ministry of Justice
- human rights education in school programmes

Programmes are also being implemented by national and international development agencies working to address violence in schools including violence on the basis of SOGIE. For example, as part of the *Being LGBTI in Asia* programme to promote coordinated and evidence-based action in this area, UNESCO and UNDP have co-convened a national technical working group since mid-2015. This partnership, with support from more than eighteen working group members, aims to build a closer collaboration around SOGIE issues between government, namely, the Ministry of Education, the Ministry of Social Development and Human Security, the Ministry of Justice, and the Ministry of Public Health, and civil society partners.

302 Office of the Basic Education Commission (OBEC). 2015. Protecting children in educational institutions under the administration of the Office of the Basic Education Commission). Bangkok, Thailand, p. 15.
303 Mahidol University, Plan International Thailand and UNESCO Bangkok. 2014. Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted: Types, prevalence, impact, motivation and preventing measures in 5 provinces of Thailand. Bangkok, UNESCO.

Table 6

Examples of Thai projects and activities to ensure school safety

PROGRAMME	ORGANIZATION	AREAS COVERED BY THE PROJECT/ACTIVITY						
		Rights, equality	Gender and sexual diversity	Bullying and its consequences	Cultural and structural violence	Critique of gender identities and roles	School-level measures	Building safe environments
"Power of Rights" card game and a rights-related bingo game Games for learning about human rights in the classroom, including the issue of violence against children and youth.	Ministry of Justice							
"Dare to do good – end family violence" Project A project for building skills about violence in families and schools.	Raks Thai Foundation							
Multicultural Curriculum A curriculum for preparing teachers and educational staff for 21st Century learning in order to increase understanding of cultural diversity.	Faculty of Education, Chiang Mai University							
Respect for All Project focused on creating inclusive, welcoming school and community environments where young people and families of all backgrounds and experiences can thrive free from bullying and violence.	Path2Health and Plan Thailand							
One Educational Service Area, One School Psychologist A pilot project to trial the involvement of one clinical psychologist per educational service area, covering 20 educational service areas during the pilot stage`.	Office of the Basic Education Commission							
One Hospital, One School Establish counseling centres in hospitals, beginning at the community hospital level. These centres will work in collaboration with the student welfare systems of schools by providing counseling on psychosocial issues and youth health, with preventative, curative and rehabilitative roles.	Department of Mental Health, Ministry of Public Health							
Gen-V Clinic Focuses on providing comprehensive care for LGBTI and questioning youth as well as working with parents (providing them with information, building their understanding and positive attitudes to facilitate appropriate care for children).	Faculty of Medicine, Ramathibodi Hospital, Mahidol University							

Table 6

Examples of Thai projects and activities arranged to ensure school safety

PROGRAMME	ORGANIZATION	AREAS COVERED BY THE PROJECT/ACTIVITY						
		Rights, equality	Gender and sexual diversity	Bullying and its consequences	Cultural and structural violence	Critique of gender identities and roles	School-level measures	Building safe environments
Wellness Class activity An activity for health education classes to build understanding about sexuality, the changing body, respect for gender and sexual diversity, sexual skills, and the search for life goals, as well as getting learners to question everyday violence.	The Matches Group	✓	✓	✓	✓	✓	✓	
LGBT camps Building self-awareness, awareness about discrimination and human rights, as well as exchanging knowledge within a peer group.	Rainbow Sky Association of Thailand (RSAT)	✓	✓	✓	✓	✓		✓
The Hub Saidek Youth Club Providing knowledge and adjusting attitudes among street children to increase their self-worth and encourage reintegration with their families, communities and the educational system.	Childline	✓	✓	✓				✓
School Rainbow project Awareness campaigns on bullying and violence against LGBT students.	UNESCO, UNAIDS, Youth Voices Count, Youth LEAD & APCOM	✓	✓	✓	✓	✓	✓	✓

8 Recommendations

The following list of recommendations at the school, community, and policy level is proffered based on the examined research evidence and documentation of interventions, as well as outcomes from discussions at the *Respect for All: Thailand Consultation on Safe and Inclusive Education Environments* meeting held 20-22 June 2016, Bangkok, Thailand.

At the school level

- Integrate the principles enshrined in policy into the design of educational curricula, activities and projects. When schools adopt and enact policies to protect LGBTI students, it helps to build understanding among students, teachers, school personnel, and parents that SRGBV, including SOGIE-based violence, is not a private matter;
  - Develop curriculum on LGBTI that promotes human rights and respect for human dignity;
  - Integrate discussions on SOGIE, SOGIE-based violence, human rights, and the promotion of gender equality into pre- and in-service training for teachers;
  - Support teachers to work with diverse groups and networks including civil society and LGBTI groups;
- Promote a whole-school approach that strengthens the interconnected layers of a school system. This includes establishing a supportive and inclusive school ethos and environment, strengthening curriculum delivery and teaching practice, and creating connections with parents, communities and other stakeholders to improve social and emotional well-being at school; and
- Assist students seeking help (e.g. counseling, helplines, etc.) because many Thai students accept being victimized and will suffer in silence. This has obvious negative educational, emotional and other health outcomes for students while also compounding the fact that it hampers research into the state of violence based on SOGIE in Thai schools.

BOX 19

SCHOOL POLICIES AND ACTIVITIES CHECKLIST FOR REDUCING SRGBV [304]

The school's vision
Does the school have a vision or targets related to gender and sexual diversity or school violence?

Vision on violence and bullying related to gender and sexual diversity
Does the school have a vision, mission statement, or any activities addressing negative behaviours including violence based on SOGIE?

Gender curriculum
Does the school teach about or arrange any activities for enhancing students' knowledge, understanding, and skills in navigating gender role and stereotypes?

Education for understanding discrimination
Does the school teach any materials or hold any activities to enhance students' understanding of discrimination and its consequences?

Clear regulations or measures to address negative behaviours
Do teachers, school staff, and students have a shared understanding and agreement about what constitutes harmful attitudes and behaviours, and does the school have regulations or measures to respond to cases of violence on the basis of SOGIE?

Presence of experts and counselors
Does the school have a psychologist or other staff that the students can contact for counseling when they experience problems?

Clear and systematic policy
Does the school have long-term measures and systematic ways of eliminating the root causes of problems that target directors, teachers, staff, students, and parents for anti-violence measures to ensure safe school environments?

Support for LGBTI students
Are LGBTI students, teachers, and staff accepted and provided with psychological and material support (e.g. specific toilets, use of preferred personal titles, school uniforms etc.)?

Support for projects and activities
Does the school encourage staff and students to participate in, or develop activities, that increases understanding of gender and sexual diversity, as well as critique and address the issue of SRGBV, including SOGIE-based violence?

At the community level

- Encourage the active participation of parents and the community in efforts to prevent and respond to violence based on SOGIE in schools. This includes providing training and education, and raising awareness on SOGIE among parents and community members;
  - Engage with mainstream media and other communications channels to promote human rights and gender equality to achieve safe and inclusive education environments for all, including LGBTI learners;
  - Energize the systematic capacity-building of students to promote student-led initiatives addressing violence on the basis of SOGIE in schools; and
- Enlist NGOs and CSOs to assist with mainstreaming SOGIE into curricula by teaching training courses to share specific knowledge, and by providing continuous technical support to the school community.

At the policy level

- Create policies and measures that are inclusive and have particular emphasis on eliminating violence and discrimination based on SOGIE;
- Develop inclusive anti-bullying policies that explicitly cover all LGBTI students. These policies should include reporting mechanisms, defined modes of intervention for identified cases of school violence, assistance for victims, and working with perpetrators to reform their negative behaviours and attitudes. As a result, those targeted should gain confidence that when they report incidents or make complaints, these will not be ignored and they will not face retaliation;
- Introduce privacy policies. Building trust is a very important matter, because it means that those who are targeted can access help when needed, and perpetrators can also express their real thoughts, feelings, and needs;

304 This checklist has been identified by the participants of the Regional Consultation on School-Related Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression (SOGIE) organized in June 2015 in Bangkok.

- Enact responsible technology use policies to prevent online bullying and other misuses of technology; and
- Integrate SOGIE indicators into existing school-based child protection monitoring and evaluations.

Lastly, there is need for additional research on violence on the basis of SOGIE in all types of education settings in Thailand, not only in schools but covering educational institutions of all types across Thailand (e.g. primary and secondary schools, continuing education institutions, high schools, universities, colleges, juvenile centres, and others). In addition, research should be undertaken to examine various policies and programmes addressing violence on the basis of SOGIE in education settings. Research efforts should focus on capturing best practices in preventing and responding to violence based on SOGIE in Thai schools to build inclusive education for all students.

9 Conclusions

The research published since 2002 reveals patterns of violence against children and youth; the state of knowledge on gender-based violence, including violence on the basis of SOGIE; and gaps in this knowledge base. Conclusions from this brief are summarized below and then expanded upon.

- One study on violence based on SOGIE focuses on LGBTI students as one group without disaggregating the data by the diverse sub-groups of the LGBTI spectrum;
- Most studies have focused on describing the situation rather than on analysing the root causes or factors enabling violence based on SOGIE in educational settings;
- Schools and the educational sector consider violence based on SOGIE to be a temporary or personal issue and do not link it to the broader context of cultural or structural violence;
- School-based sexuality education has limitations in terms of content, especially when it comes to the inclusion of gender and SOGIE-related subjects; and
- Stakeholders lack the necessary knowledge, understanding and tools for reducing violence on the basis of SOGIE in education settings in a systematic and programmatic way.

Research conducted between 2002 and the present day provides data about types of violence, the magnitude of the problem, its consequences, its perpetrators, and ways of alleviating the problem. However, there has been greater emphasis on describing the situation than to analysing its root causes. Only a few studies have examined structural problems, such as cultural and structural violence, that perpetuate violence based on SOGIE in schools. Measures to address the problem have often been ad hoc in nature.

Most studies have not explicitly examined the complex and diverse sexual orientations and gender identities or expressions of the LGBTI spectrum, or have done so insufficiently. Overall, the analysis of differences between lesbian, gay, bisexual, transgender or intersex students in experiencing violence in schools is missing from the general discussions about violence on the basis of SOGIE in educational settings in Thailand.

All of the studies cited here recommended the need for engaging stakeholders (e.g. school administrators, teachers, and parents), in a programmatic and systematic way, in order to address violence based on SOGIE.

Most of the studies, to a varied degree, analysed the types of violence in school on the basis of SOGIE. Some have examined factors influencing such violence. However, there are hardly any studies describing the linkage between the violence experienced and witnessed in schools and the violence experienced at the family, community and/or society level. For instance, studies focusing on the violence that LGBTI individuals experience outside the education sector tend to examine basic data, such as the types, scale, manifestations, and consequences of such violence. Studies have not explicitly examined attitudes towards SOGIE in the context of educational settings. They also have not explicitly examined the school community's basic understanding of SOGIE, or how one's SOGIE status is respected among the school community. Studies that addressed sexuality education and the presentation of gender in textbooks reflect that one cause of school violence is precisely because the SOGIE dimension is not featured in school discussions. These studies indicate that teachers lack sensitivity and awareness about SOGIE as well as the broader concepts of gender and gender equality.

ANNEX 4

Viet Nam Country Brief

Violence on the basis of Sexual Orientation and Gender Identity or Expression (SOGIE) in Schools

1 Introduction

This is a Viet Nam specific brief on school violence on the basis of sexual orientation and gender identity or expression (SOGIE). This brief was developed to address a need to broaden awareness and understanding about violence and discrimination on the basis of SOGIE in educational institutions, while also identifying best practices and policies. It is a direct outcome of a *Regional Consultation on School-Related Bullying, Violence, and Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression* organized in June 2015 in Bangkok, Thailand, by the Asia-Pacific regional offices of UNESCO and UNDP.[305] Additional input was elicited during a Policy Dialogue on Ensuring Safe and Inclusive Education Environments in Viet Nam held in Viet Nam in 2016 and organized by UNESCO, the Ministry of Education and Training (MoET), ICS Centre (a national LGBTQ organization in Viet Nam) , with support from UNDP and the Embassy of the Netherlands.[306] The brief provides a critical assessment of existing knowledge published on the topic. Given the dearth of published peer-reviewed materials on this topic, the brief development process included an additional literature search undertaken by an independent consultant with experience in research and advocacy surrounding LGBTI issues in Viet Nam and the Asia-Pacific region.

This brief forms part of the *Being LGBTI in Asia* Initiative, under which UNESCO, with support from UNDP, contributes to education sector responses to make schools safer and more inclusive for LGBTI learners. This education project works in Vietnam and beyond in order to:

- Strengthen regional leadership, advocacy, and mobilization for increased awareness about the importance of the education sector's response to homophobic violence in the Asia-Pacific region;
- Scale up the availability of comprehensive, evidence-based programmes to prevent and respond to violence based on SOGIE in educational institutions in the context of the Being LGBTI in Asia Initiative, Phase II; and
- Link to UNESCO's three-year project *"Education and Respect for All: Preventing and Addressing Homophobic and Transphobic Bullying in Educational Institutions,"* which has strengthened evidence generation and advocacy in Asia and other regions.

BOX 20

DEFINITION OF SCHOOL-RELATED GENDER-BASED VIOLENCE, INCLUDING VIOLENCE ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION (SOGIE)

School-related gender-based violence

School-related gender-based violence (SRGBV) is defined as acts or threats of sexual, physical or psychological violence occurring in and around schools, perpetrated as a result of gender norms and stereotypes, and enforced by unequal power dynamics.[307]

Violence on the basis of SOGIE

A gendered type of bullying that is based on actual or perceived sexual orientation and gender identity or expression.[308]

305 The consultation involved participation by 13 country delegations including over 100 representatives from governments, specifically from the Ministries/Departments of Education and those working on human rights, civil society organizations, academic institutions and UN agencies. Technical experts working on research, prevention and responses to bullying, violence, and SOGIE-based discrimination also participated during the consultation. Delegates from regional and international organizations such as ActionAid International, Gay, Lesbian and Straight Education Network (GLSEN), Human Rights Watch and Plan International also participated and, in some cases, supported technical discussions, information sharing and provided broader links to global and regional initiatives. Over the course of the consultation, delegates were given time to meet and develop country plans. These were influential for the next steps at the national level and informed the planning of national consultations. Another significant output of the Regional Consultation was a meeting report that presented major findings and recommendations from the meeting. That report was circulated widely to meeting participants and education stakeholders and shared online at: http://unesdoc.unesco.org/images/0023/002338/233825e.pdf

306 On 28 July 2016, supported by the Embassy of the Netherlands in Viet Nam and UNDP in Asia and the Pacific's initiative Being LGBT in Asia, the Ministry of Education and Training Viet Nam, UNESCO and ICS Centre (ICS), a civil society partner, organized the Policy Dialogue on Ensuring Safe and Inclusive Education Environment in Viet Nam to promote evidence-based actions among education policy makers and practitioners from education, health and other sectors to ensure safe and inclusive learning environments for all students regardless of sexual identity. Participants from the governmental education sector and civil society partners were presented with an overview of SOGIE-based bullying including the causes, nature, scope, and impact of school-based violence against LGBTI students. Research evidence shared at the workshop put the issue of SOGIE-based bullying in the context of Viet Nam. Participants shared good practices to prevent and address school violence including many creative initiatives responding to both specific needs and vulnerabilities of LGBTI students. Subsequently, a set of policy recommendations were developed to ensure smooth cross-sectoral collaboration between the concerned stakeholders.

307 Unequal power dynamic indicates a power imbalance between those who are the target of violence, including bullying, and those who are perpetrating the violence. Please see: UNESCO and UNWomen. 2016. *Global Guidance on Addressing School-related Gender-based Violence.* Paris, UNESCO and New York, UN Women.

308 UNESCO and UN Women. 2016. *Global Guidance on Addressing School-related Gender-based Violence.* Paris, UNESCO and New York, UN Women.

BOX 21

FACTORS FOR SCHOOL VIOLENCE (INCLUDING BULLYING BASED ON SOGIE) IN ASIA-PACIFIC AND VIET NAM

Five driving factors in Asia-Pacific[313]

1. Gender inequalities and rigid gender expectations;
2. Societal norms, traditions, and the acceptance of violence;
3. Disciplinary approaches within schools and by parents, teachers, and other students;
4. Insecure or unsafe home and family environments; and
5. Weak prevention or security mechanisms within communities.

Four unique, Viet Nam-specific factors, identified through this review

1. Cultural taboos around openly discussing sexuality;
2. Social stigma, discrimination and shame associated with gender non-conformity and SOGIE;
3. Gender-blind educational materials and gender inequitable messages in textbooks and national curricula; and
4. Comprehensive sexuality education programmes not adequately addressing gender and SOGIE issues.

2 Background

Violence on the basis of SOGIE in educational settings targets students[309] who are, or who are perceived as lesbian, gay, bisexual, transgender (LGBT) and others whose gender expression does not fit into binary gender norms (masculine and feminine), such as boys perceived as 'effeminate' and girls perceived as 'masculine'. Students who are intersex (I) may also be the subject of violence, but there is currently not enough available scientific data on this.[310] Like other forms of school-related violence, violence based on SOGIE can occur in classrooms, playgrounds, toilets and changing rooms, around schools, on the way to and from school, and online.[311] Violence on the basis of SOGIE has a significant impact on students' education and employment prospects and on their health and well-being. It affects students who are targeted by violence and students who are perpetrators and bystanders.

3 Contributing factors to violence in schools on the basis of SOGIE

In 2014, a comprehensive UNESCO review of school bullying, violence and discrimination on the basis of SOGIE discovered five fundamental driving factors for violence (see above).[312] These factors are common in Viet Nam, however, the causes of school violence based on SOGIE in Viet Nam are by no means universal. In addition, this review identifies four specific factors at play when it comes to violence based on SOGIE in Vietnamese schools, namely, cultural taboos around openly discussing sexuality, social stigma, and shame associated with gender non-conformity and SOGIE, gender-blind educational materials and gender inequitable messages in textbooks and school education curriculums, and lack of comprehensive sex education, which includes gender and SOGIE-issues (see Box 21).

309 The report uses 'students' to refer to all learners in educational settings. However, where research addressed only select members of this group – such as 'children' or 'young people' – this is stated.
310 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO, p. 21. Please see: http://unesdoc.unesco.org/ images/0024/002447/244756e.pdf
311 UNESCO. 2016. Out in the open. Education sector responses to violence based on sexual orientation and gender identity/expression. Paris, UNESCO.
312 UNESCO. 2015. From Insult to Inclusion: Asia-Pacific report on school bullying, violence and discrimination on the basis of sexual orientation and gender identity. UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*. Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.
313 UNESCO. 2015. From Insult to Inclusion: Asia-Pacific report on school bullying, violence and discrimination on the basis of sexual orientation and gender identity. UNESCO Bangkok.

Rigid gender norms and deeply-rooted inequalities

> **" Bullying on the basis of sexual orientation and gender identity/expression (SOGIE), also called homophobic and transphobic bullying, stems from gender stereotypes, roles and norms"**
>
> – UNESCO, 2016[314]

Schools are a prime site for the reinforcement of rigid, heteronormative gender relations and power dynamics in Viet Nam. The adherence to and enforcement of such rigid gender norms and unequal power relations between men and women remains ones of the most significant causes of violence based on SOGIE in Vietnamese schools. According to a 2009 study on sexuality in contemporary Viet Nam, Vietnamese gender norms are cited as being rooted in a culture that embodies patrilineal descent, patrilocal residence, male privilege, and hierarchical relationships. Despite rapid changes in sexual behaviours and perceptions about sexuality over the last half-century, a period of immense socio-economic transformation in Viet Nam, the gender structure continues to be defined by reference to a biological and essentialist understanding, namely, the idea that our gender is defined by biological, not social or cultural characteristics.[315]

According to the Vietnamese MoET, violence and discrimination based on SOGIE in schools usually stems from gender stereotypes and gender bias.[316] A narrow understanding of physio-psychological characteristics of male and female puberty, hormones, and identity-establishment comes also into play. Evidence from a large-scale study conducted by UNESCO (2016) with self-identified LGBTI students, school staff, and parents, which included 3,698 survey participants and 365 participants and in-depth interviews, showed distinct gaps in all education stakeholder groups' awareness and understandings of both SRGBV and SOGIE.[317]

Prejudices and marginalization of LGBTI in Vietnamese schools

> **" I believe uniforms are meant to erase the wealth differences among students and represent tidiness. I don't think they decide a student's values and worth. If uniforms make LGBT students suffer and drop out of schools, should we not reconsider this issue with an open heart?"**
>
> – Vo Duc Chinh, Headmaster[318]

Gender non-conformity serves as a trigger for prejudices and the marginalization of LGBTI students in schools. A quantitative study conducted with 3,698 lower and upper secondary students ages 11-18 in North, Central, and South Viet Nam confirmed that gender stereotypes and prejudices were among the most common factors behind student violence based on SOGIE.[319] One in three respondents felt they had faced a high degree of discrimination in the preceding twelve months because of their SOGIE-status.[320]

Appearance and perceived gender non-conformity

Prejudice against LGBTI students, and the subsequent marginalization of these learners, is largely based on perceived gender non-conformity, femininity, and 'weakness'.[321] According to the Asia-Pacific report on school bullying, violence, and discrimination on the basis of SOGIE, LGBTI students, including in Viet Nam, feel the most pressure over, and are most discriminated for, the following factors:

- **Gender non-conforming gestures;**
- **Appearance, including school uniforms;**
- **Posture; and**
- **Hairstyle, included mandated school haircuts and related regulations.**

A qualitative study with 2,363 respondents from 63 provinces in Viet Nam conducted in 2015 by the Institute for Studies of Society, Economy and

314 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.
315 Khuat, T. H., Le, B. D. and Nguyen, N. H. 2009. Sexuality in contemporary Viet Nam: Easy to joke about but hard to talk about. Knowledge Publishing House, VNN Publishing, p. 129.
316 Ministry of Education and Training (MoET). 2016. *Policy Dialogue on Ensuring Safe and Inclusive Education Environments in Viet Nam.* Ministry of Education and Training, Department of Teachers and Educational Administrators. Ha Noi, July 2016. Please also see: UNESCO. 2016. Reaching Out. Preventing and Addressing School-related Gender-based Violence in Viet Nam. Vol. 1. UNESCO Bangkok and UNESCO Ha Noi.
317 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam.* Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.
318 Statement collected during a Policy Dialogue on Ensuring Safe and Inclusive Education Environment in Viet Nam conducted in Viet Nam in 2016.
319 Luong, T. H. and Pham, Q. P. 2015. Is it because I am LGBT?: Discriminations on sexual orientation and gender identity in Viet Nam. The Institute for Studies of Society, Economy and Environment. UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi .
320 Ibid.
321 UNESCO. 2015. From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on The Basis of Sexual Orientation and Gender Identity. UNESCO Bangkok.

Environment (iSEE) revealed that the inability to wear uniforms that matched one's gender identity was affecting the quality of transgender students' learning as well as their psychology.[322] By not conforming to commonly accepted gender roles and expectations when it comes to dress and appearance, this translated into incidents of violence, harassment, punishment, discrimination, and the exclusion of the students.

Educational materials, negative attitudes, and school staff's behavior

Violence in schools based on SOGIE can also stem from institutionalized acts of gender-based violence or discrimination based on SOGIE that are embedded into everyday school practices. For example, texts books may contain materials with gender biases, and curricula and teaching practices may reinforce gender expectations and/or unsafe practices or attitudes.[323] According to UNDP's Viet Nam country report, there are very few schools with initiatives to teach diversity and tolerance, or interpersonal skills, and of those that do exist, they are mostly project-based.[324]

Moreover, issues relating to SOGIE generally lack visibility in schools, and many teachers and school administrators wrongly believe that LGBTI students do not exist at their schools. This results in limited school-level support or public support for students who are LGBTI. This in turn, as highlighted in the iSEE study, leads to further stigmatization, and marginalization of LGBTI students.[325]

A lack of gender diversity knowledge by students, school staff, and parents, combined with misunderstandings and misperceptions about sexuality can influence manifestations of violence in schools related to SOGIE. In Viet Nam, sex education and related school-based SOGIE education remains limited. This leaves non-LGBTI students, teaching and non-teaching staff, and parents in "corrective" mode, too often intervening in LGBTI or diverse gender expressions, and supporting (un)intentional encouragement of bullying based on SOGIE in school. For instance, findings from 48 focus group discussions and 85 in-depth interviews with students (including LGBTI students), school staff and parents revealed that many LGBTI students had experienced situations in which the school staff contributed to violence through their misunderstanding of SOGIE-related themes.[326]

Finally, data describing school-related violence based on SOGIE in Viet Nam is very weak. Lacking a robust evidence-base contributes to mixed understanding and interpretation of the real situation in Vietnamese schools. In addition, the available data does not provide a comprehensive or nuanced picture of the reality of each of LGBTI sub-groups and other related subjects. For example, research on the representation of sexually and gender diverse people in curriculum resources and/or school policies in Viet Nam currently does not exist.

4 Manifestations and scale of violence in schools based on SOGIE

> **" SOGIE-related school violence can be verbal, social, physical, sexual, and technology-based. It can be perpetrated in a range of settings in and around schools, from school bathrooms to virtual locations"**
>
> – UNESCO 2016[327]

UNESCO's flagship 2015 report, *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*, suggests that the forms of school violence based on SOGIE are complex and diverse, but include forms of verbal, psychosocial, physical, and sexual violence. The report highlights that different forms of school violence based on SOGIE can interact and overlap.[328]

322 Luong, T. H. and Pham, Q. P. 2015. Is it because I am LGBT? Discriminations on sexual orientation and gender identity in Viet Nam. The Institute for Studies of Society, Economy and Environment.
323 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi. See also: Leach, F. and Dunne, M. with Salvi, F. 2013. School-related gender-based violence: A global review of current issues and approaches in policy, programming and implementation responses to School-related Gender-based Violence (SRGBV) for the Education Sector. Background research paper prepared for UNESCO. London: University of Sussex; Carbone-Lopez, K., Esbensen, F. A. and Brick B. T. 2010. Correlates and consequences of peer victimization: Gender differences in direct and indirect forms of bullying. Youth Violence Juvenile Justice, 8, pp. 332–350.
324 UNDP and USAID. 2014. *Being LGBT in Asia: Viet Nam Country Report*. Bangkok.
325 Luong, T. H. and Pham, Q. P. 2015. Is it because I am LGBT? Discriminations on sexual orientation and gender identity in Viet Nam. The Institute for Studies of Society, Economy and Environment.
326 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.
327 Ibid.
328 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok.

BOX 22

GENERAL RATES (OF NON-SOGIE) SRGBV

In Viet Nam, the 2013 Global School-based Health Survey (GSHS) demonstrated that approximately one in six students, aged 13-17 years, reported being in a physical fight one or more times during the last twelve months. This behaviour was reported as more common for boys (26 percent) than girls (10 percent). [333] However, the reported experiences of bullying—one or more days within the last 30 days—were similar for boys and girls (23 percent and 24 percent, respectively).[333]

In Viet Nam, a range of studies have not only confirmed that school-related gender-based violence (SRGBV)[329] is a common phenomenon, but that students with diverse sexual orientation and gender identities or expressions experience higher rates of physical, psychological, sexual, social, and online violence (cyberbullying) than their non-LGBTI peers.[330] An online study conducted within Viet Nam in 2013 by the Centre of Creative Initiatives in Health and Population (CCIHP) found that more than half of all study respondents reported that their school was not safe for LGBTI students.[331] For many, school life comes with threats of physical, verbal, psychological, and sexual violence and social exclusion all because of one's actual or perceived SOGIE. These students' motivation, academic performance, and mental health suffer as a result.

Violence, such as bullying, based on SOGIE can occur when students are travelling to and from school and/or when students are in and around educational settings (including toilets, hallways, classrooms, and in some settings, staff lodgings).[334] In the iSEE study, schools were found to be the most likely place where children were attacked or discriminated against because of their actual or perceived SOGIE status.[335] The most commonly reported forms of school violence based on SOGIE in Viet Nam include physical violence and abuse, verbal harassment, discrimination, and bullying.

A 2014 study in Viet Nam that included more than 3,200 LGBT participants (aged 16+, but with an average age of 23), revealed that 44 percent rated stigma at school as serious. Common forms reported included teasing by friends, being insulted by teachers or school staff, and having school papers and exams rated unfairly by teachers.[336] Another study, this one from 2012 with 581 LGBTI Vietnamese students 14-22 years old, found that verbal bullying was the most common form of violence reported, and that this often related to being called derogatory names (75 percent).[337] Notably, this was the highest percentage in the region when compared to Australia, China, Hong Kong, Japan, Korea, Thailand, and the other countries included in this survey. This 70 percent figure is fairly consistent with the finding that 67.5 percent of LGBTI persons have heard, witnessed the comments, and/or received negative actions from schoolmates.[338]

Importantly, not all students with diverse sexual orientations and/or gender identities or expressions experienced violence based on SOGIE at the same rates. In a 2012 study from Viet

329 School-related gender-based violence – all forms of violence (explicit and symbolic), including fear of violence, that occur in education contexts (non-formal and formal contexts, on school premises, on the journey to and from school, and in emergency and conflict settings) which result in, or are likely to result in, physical, sexual, or psychosocial harm to children and youth (female, male, and transgender)) of all sexual orientations. SRGBV is based on stereotypes, roles, or norms, attributed to or expected of children because of their sex or gender identities. Please see: UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam.* UNESCO Paris, UNESCO Ha Noi and UNESCO Bangkok.

330 Horton, P. 2011. School bullying and power relations in Viet Nam. Research conducted on two Grade 9 classes' students in two upper-secondary schools in Hanoi. Linkoping University; Le, V. A. 2013. Solutions for preventing violent behaviours among upper-secondary students. Ministerial-level Task, Code B2011-37-03 NV, Viet Nam Institute of Educational Sciences; Hang, N. T. T. and Tam, T. N. T. M. 2013. *School Violence – Evidence from Research of Young Lives Việt Nam.* Oxford: Oxford Department of International Development, University of Oxford; Nguyen, N. T. 2012. *School Violence in Hanoi. Viet Nam.* Singapore National University.

331 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Centre of Creative Initiatives in Health and Population (CCIHP). UNDP and USAID. 2014. B*eing LGBT in Asia: Viet Nam Country Report.* Bangkok.

332 World Health Organization (WHO) and Hanoi Medical University. 2013. *Global School-based Student Health Survey: Viet Nam 2013 Fact Sheet.* Hanoi, WHO.

333 Quang Dao, V. 2015. Thế giới đau đầu với bạo lực học đường. VGP News: The Socialist Republic of Viet Nam Online Newspaper of the Government. http://baochinhphu. vn/Quoc-te/The-gioi-dau-dau-voi-bao-luc-hoc-duong/222245 (Accessed ?)

334 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam,* Vol. 2. UNESCO Bangkok and UNESCO Ha Noi, p. 9.

335 Luong, T. H. and Pham Q. P. 2015. Is it because I am LGBT? Discriminations on sexual orientation and gender identity in Viet Nam. The Institute for Studies of Society, Economy and Environment.

336 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok; Institute of Cultural Studies. Preliminary results shared by Tran Khac Tung.

337 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Centre of Creative Initiatives in Health and Population (CCIHP). UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok.

338 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok.

Nam, transgender students reported higher rates of victimization (55 percent) when compared to lesbian and gay students (47 percent).[339] Findings from the iSEE study in 2015 suggest that violence based on SOGIE was far more likely to occur against male students especially for those who had feminine expressions, were gender non-conforming, gay or bisexual and male-to-female transgenders. This study also reported that transgender people experienced the highest degree of discrimination, a finding that is consistent with other available data on school violence based on SOGIE in Viet Nam.

The perpetrators of the forms of violence based on SOGIE described above are teaching and non-teaching staff and other students. Findings from the earlier mentioned study conducted by the CCIHP in 2013 demonstrate that perpetrators are not strangers, but mostly "someone at school".[340] Nearly 25 percent of students perceived as LGBTI reported being harassed or bullied by teachers and/or school officials, while more than half of the respondents had been bullied by friends.[341] Findings from UNESCO's study in 2016 revealed that some LGBT students experienced situations in which the school's staff were the perpetrators of violence.[342] The majority of respondents to the 2012 study by Hoang and Nguyen indicated that 75 percent of the perpetrators of bullying based on SOGIE were male classmates, while 14 percent reported being victimized by school staff.[343]

5 Impact and consequences of violence on the basis of SOGIE in schools

Violence on the basis of SOGIE in schools has long-term consequences for the children who experience it, whether they are LGBTI or simply perceived to be by others. In education settings in Viet Nam, the consequences of violence on the basis of SOGIE equates to poor academic performance and educational achievement, greater dropout and absenteeism rates, and negative impacts on a student's well-being, physical health and mental health, including an increased risk of suicide.[344] Jointly, all of the studies from Viet Nam reviewed for this brief indicate that LGBTI youth experience clear negative outcomes related to academic performance as well as well-being, health and mental health.

School performance and educational achievement

School violence based on SOGIE, or even the fear of such violence, can profoundly impact LGBTI students' school performance and educational achievement, including negative consequences for participation, achievement, and the continuation of one's education.

School dropout rates

One online study about stigma, discrimination and violence against LGBTI persons at school revealed that 43 percent of LGBTI students who experienced violence could not maintain their educational performance, and some students even had to drop out. This same study showed that 85 percent of male-to-female transgender students dropped out of school and were unable to graduate from secondary schools because of bullying and assaults they experienced.[345]

Educational achievement

There is a clear relationship between school violence and reduced academic performance for LGBTI students. In one online study with 3,698 survey participants, LGBTI students who were victims of violence were particularly likely to

339 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Center of Creative Initiatives in Health and Population (CCIHP). UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok.

340 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Centre of Creative Initiatives in Health and Population (CCIHP). UNDP and USAID. 2014. *Being LGBT in Asia: Viet Nam Country Report*. Bangkok.

341 Luong, T. H. and Pham, Q. P. 2015. Is it because I am LGBT? Discriminations on sexual orientation and gender identity in Viet Nam. Ha Noi, The Institute for Studies of Society, Economy and Environment.

342 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi, p. XI

343 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Centre of Creative Initiatives in Health and Population (CCIHP). UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity*. UNESCO Bangkok.

344 Horton, P. 2011. *School Bullying and Power Relations in Viet Nam* [Ph. D. Thesis], Linköping: Linköping University; UNESCO and East Asia Pacific UNGEI. 2014. *School-Related Gender-Based Violence in the Asia-Pacific Region*. UNESCO Bangkok; UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi; UNESCO. 2016. *Reaching Out. Preventing and Addressing School-related Gender-based Violence in Viet Nam*, Vol. 1 UNESCO Bangkok, and UNESCO Ha Noi.

345 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Centre of Creative Initiatives in Health and Population (CCIHP). UNDP and USAID. 2014. *Being LGBT in Asia: Viet Nam Country Report*. Bangkok.

experience reduced academic performance and reduced participation and attendance, which sometimes led to dropping out of school.[346]

There is also evidence that discriminatory school environments may push same-sex attracted and gender diverse children and youth to cut short their education or affect their choices of study.[347] The hindered learning opportunities often further impact and isolate the affected students who fail to meet the expectations of both their schools and families.[348]

Impact on well-being and health, including mental health

Overall, the evidence indicates that exposure to and experience of SOGIE-based bullying in school may impact a child's mental and physical well-being, and health status.[349] Generally, the consequences of SOGIE-based violence in schools globally and in the Asia-Pacific region have been well documented, but less is known about such consequences in the context of education settings in Viet Nam. What we know is that victims of SOGIE-based violence are more likely than non-LGBTI students to experience reduced academic performance and participation, and have symptoms of negative psychological well-being including anxiety and depression, anger and hostility, low self-esteem and shame, post-traumatic stress disorder and memory loss among other symptoms, including self-harm and suicide.

Mental health and suicide

As a direct consequence of the harassment and exclusion experienced in schools and in other settings in Viet Nam because of their SOGIE-status, students who are (or are perceived to be) LGBTI are at increased risk of self-inflicted forms of violence including suicide. In a 2013 online study about stigma, discrimination and violence against LGBTI persons at school, one-third of those who experienced violence at school thought about committing suicide, and half of those had attempted suicide.[350] In a quantitative study with 3,698 lower and upper secondary students aged from 11 to 18, almost 25 percent of all students (LGBTI and non-LGBTI) experienced suicidal ideation and 14.9 percent attempted to engage in self-harm or suicide.[351]

Other health consequences

Other negative physical health and behavioural risks that stem from SOGIE-based bullying in schools:

- Self-harm: A community-based research study, which included Viet Nam, found high levels of self-stigma among young transgender people and men who have sex with men. Subsequently this resulted in high levels of associated risk behaviours (e.g. substance abuse and unprotected sex) as a coping mechanism.[352]
- Homelessness: Save the Children Viet Nam and the Institute of Social and Medical Studies completed a separate study on 170 LGBTI young adults, which found that discrimination against these children in school (and at home) contributed to an increased risk of homelessness.[353]
- Alcohol consumption: A 2015 MOET study with 3,698 survey participants found higher rates of alcohol consumption among LGBTI victims of violence (25.8 percent) compared to the remainder of the student victim group (18.4 percent).[354]
- Fear of and further victimization: In Viet Nam, a 2015 survey of 3,698 students found that levels of seeking help from adults were high, but that adults often neglected to tackle the problem or lacked the ability to help.[355] This results in victimized

346 Luong, T. H. and Pham Q. P. 2015. Is it because I am LGBT? Discriminations on sexual orientation and gender identity in Viet Nam. The Institute for Studies of Society, Economy and Environment. UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

347 UNESCO. 2015. *From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity.* UNESCO Bangkok.

348 UNESCO. 2016. *Reaching Out. Preventing and Addressing School-related Gender-based Violence in Viet Nam*, Vol. 1. UNESCO Bangkok and UNESCO Ha Noi, p. X.

349 Contreras, et al. 2012. *Bridges to Adulthood: Understanding the Lifelong Influence of Men's Childhood Experience of Violence Analyzing Data from the International Men and Gender Equality Survey.* Washington, ICRW and Rio de Janeiro, Promundo; Knerr, W. 2011. Parenting and the prevention of child maltreatment in low- and middle- income countries: A systematic review of interventions and a discussion of prevention of the risks of future violent behaviour among boys. Oxford, SVRI, Oak Foundation and South African Medical Research Council; UNESCO and UN Women. 2016. *Global Guidance on Addressing School Related Gender Based Violence*. Paris, UNESCO.

350 Hoang, A. T. and Nguyen, V. T. 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school. Centre of Creative Initiatives in Health and Population (CCIHP). UNDP and USAID. 2014. *Being LGBT in Asia: Viet Nam Country Report*. Bangkok.

351 Luong, T. H. and Pham Q. P. 2015. Is it because I am LGBT? Discriminations on sexual orientation and gender identity in Viet Nam. The Institute for Studies of Society, Economy and Environment. UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

352 The research included in Indonesia, Mongolia, the Philippines, and Viet Nam. Please see: Youth Voices Count. 2013. *'I feel like I don't deserve happiness at all'*, Policy Brief: Stigma among young men who have sex with men and young transgender women and the linkages with HIV in Asia. Bangkok, Youth Voices Count.

353 Save the Children. 2015. *Child Rights Situation Analysis*. Ha Noi, Viet Nam Country Office.

354 Luong, T. H. and Pham, Q. P. 2015. Is it because I am LGBT? Discriminations on sexual orientation and gender identity in Viet Nam. The Institute for Studies of Society, Economy and Environment. UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

355 Ibid.

students giving up and suffering in silence. The Vietnamese study found that when students saw incidents of violence, they usually ignored them; only a minority tried to get the perpetrator to stop or did something else in response (e.g. trying to protect the victim). Students may perceive that being involved in such violence is one way of ensuring their own safety.

- Finally, SRGBV including SOGIE-based bullying in schools has other negative physical health risks including eating disorders, substance abuse, genital-urinary symptoms,[356] injuries and disability, unwanted pregnancy, and HIV and other STIs.[357]

Research reveals that school violence on the basis of SOGIE has negative consequences for students' overall education and well-being. Witnessing and experiencing violence is also closely related to the perpetration of violence. A student's exposure to violence and regressive gender attitudes increases the likelihood that he or she will perpetrate violence.[358] In the long-run, school bullying based on SOGIE and other forms of SRGBV may adversely affect the employment prospects and the economic development of the country.[359]

6 Review of the policy response

A supportive policy and legislative environment is crucial for the elimination of violence in schools. This includes not only the establishment of relevant legislation and regulations, but also mechanisms for monitoring and enforcement. As such, in this section, we review Viet Nam's policy response at the national, regional, and international levels.

In 2015, UNESCO Bangkok hosted the first ever *Asia-Pacific Consultation on School-Related Bullying on the basis of Sexual Orientation and Gender Identity/Expression*. This ground-breaking event was attended by representatives from Viet Nam's MoET along with representatives from other Asia-Pacific governments, NGOs, and academic institutions. Viet Nam's representatives contributed their visions to the development of common regional commitments for educational reform on SOGIE as outlined in the event's report.[360] Viet Nam has reaffirmed these commitments by adhering to the International Conference on Population and Development (ICPD)'s Programme of Action and the Beijing Platform for Action, which calls for measures to protect all human beings from all forms of violence.[361] These steps demonstrate that Viet Nam's support for the rights of all children and young people to access quality education in safe, secure, and non-violent learning environments.

Existing international commitments

Over the years, Viet Nam has made many international commitments to reduce inequality, discrimination, and violence against specific groups of people in Vietnamese society. This includes signing onto many commitments focused explicitly or inexplicitly on the LGBTI community (Table 6 overleaf).

Existing national laws

The Government of Viet Nam has adopted laws reflecting universal non-discrimination values that provide the legal framework necessary to ensure inclusive education for all children regardless of SOGIE. Over the last few years, the Vietnamese Government, and the education sector in particular, have created favourable conditions to ensure safe, inclusive and friendly education environments. The government and the MoET have issued a number of legal documents relating to the promotion of gender equality and implementation guidance for ensuring safe learning environments that are both friendly

356 Genital-urinary symptoms may include dryness, burning, irritation, lack of lubrication, discomfort or pain, impaired function, urgency, dysuria, and recurrent urinary tract infections.

357 Cooksey, R. W. and McDonald, G. M. 2011. *Surviving and Thriving in Postgraduate Research* (4th Ed.). Melbourne: Tilde University Press. Please also see: UNESCO. 2016. *Reaching Out. Preventing and Addressing School-related Gender-based Violence in Viet Nam*, Vol. 1. UNESCO Bangkok and UNESCO Ha Noi; UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

358 Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. 2013. *Why Do Some Men Use Violence Against. Women and How Can We Prevent It? Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific*. Bangkok, UNDP, UNFPA, UNWomen and UNV; Martin, S. L. Moracco, K. E., Garro, J., Tsui, A. O, Kupper, L. L., Chase, J. L., & Campbell, J.C.. 2002. Domestic violence across generations: findings from northern India. International journal of epidemiology. 2002. In Heise, L. 2011. *What Works to Prevent Partner Violence?* An Evidence Overview. London, London School of Hygiene and Tropical Medicine; Kishor, S. and Johnson, K. 2004. In Heise, L. 2011. *What Works to Prevent Partner Violence? An Evidence Overview*. London, London School of Hygiene and Tropical Medicine; Barker, G., Contreras, J.M., Heilman, B., Singh, A.K., Verma, R.K., & Nascimento, M 2011. *Evolving Men: Initial Results from the International Men and Gender Equality Survey (IMAGES)*. Washington, D.C., International Centre for Research on Women (ICRW) and Rio de Janeiro, Instituto Promundo; ICRW and Plan. 2015. *Are Schools Safe and Equal Places for Girls and Boys in Asia? Research Findings On School-Related Gender-Based Violence*. ICRW and Plan Asia, February 2015.

359 World Bank. 2013. *Inclusion Matters: The Foundation for Shared Prosperity—Overview*. Washington D.C., World Bank.

360 UNESCO Bangkok and UNDP Bangkok. 2015. *Meeting Report: Asia-Pacific Consultation on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression*. UNESCO Bangkok. UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

361 United Nations Population Fund (UNDP). 2014. *Programme of Action of the International Conference on Population and Development, 20th Anniversary Edition*. New York: UNFPA.

Table 7

Viet Nam's international commitments to reduce inequality, discrimination, and violence

LAW	DESCRIPTION
Universal Declaration of Human Rights	Article 1: As a member of the UN, Viet Nam recognizes that all human beings are born free and equal in dignity and rights.
	Article 2: As a member of the UN, Viet Nam recognizes that everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
	Article 2(2): Viet Nam accepts that 'Other status' includes sexual orientation. State parties should ensure that a person's sexual orientation is not a barrier to realizing Covenant rights, for example, in accessing survivor's pension rights. In addition, gender identity is recognized as among the prohibited grounds of discrimination; for example, persons who are transgender, transsexual or intersex often face serious human rights violations, such as harassment in schools or in the work place" (E/C.12/GV/20).
Joint Statement on Ending Acts of Violence and Related Human Rights Violations Based on Sexual Orientation and Gender Identity	General Comment No. 14: As a member of the UN, Viet Nam co-signed this statement in 2011.
UN Convention on the Rights of the Child	The second country to ratify the UN Convention on the Rights of the Child in 1989, Viet Nam is obliged to take appropriate proactive measures to ensure effective equal opportunities for all children to enjoy their rights under the Convention, including positive measures aimed at redressing a situation of real inequality.
Action on Resolution on Human Rights, Sexual Orientation and Gender Identity	Viet Nam voted in favour of this resolution to overcome violence and discrimination against the LGBT community (A/HRC/27/L.27/Rev.1) and, in 2006, spoke in support of the United Nations High Commissioner for Human Rights' report, "Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity" (A/HRC/19/41).
Universal Periodic Review	In 2014, Viet Nam accepted Chile's recommendation to enact a law to fight against discrimination, which guarantees the equality of all citizens, regardless of their sexual orientation and gender identity (A/HRC/26/6, line 143.88).
Sustainable Development Goals	SDG4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all (Education 2030)
	SDG 10: Reduce inequality within and among countries

and inclusive. Regarding the promotion of gender equality and the rights of LGBTI persons, a number of legal documents have been issued, such as the Gender Law (2006), which set out the objectives and principles of ensuring gender equality in all areas of social life, including in the education sector. While this brief does not offer a comprehensive review of policies and laws that address SRGBV and violence based on SOGIE in schools, Table 7 presents a brief overview of Viet Nam's legal response.

Table 8

Viet Nam's national commitments to reduce inequality, discrimination, and violence

LAW	DESCRIPTION
Constitution (2013)	Article 16: stipulates that everyone is equal before the law, and no one shall be discriminated in their political, civil, economic, cultural, and social life. Article 26: the state has policies to ensure equal rights and opportunities for all citizens; all gender-relating discriminations are prohibited.
Civil Code (Amended 2015)	Article 5: Principle of equality In civil relationships, all parties are equal; the difference in nations, genders, social classes, economic statuses, beliefs, religions, education or careers will not be reasons for discrimination. Article 36 - Right to determining gender identity: Gender determination is "implemented where the gender of such person is subject to a congenital defect or has not yet been accurately formed and requires medical intervention in order to identify clearly the gender".
Education Law (2005)	Article 10: Rights and obligations to learn – Learning is the right and obligation of every citizen. Every citizen, regardless of ethnic origin, religion, beliefs, gender, family background, social status, or economic conditions, has equal rights of access to learning opportunities.
Children Law (2016)	Article 6: The law prohibits discriminating or stigmatizing children based on personal identity/characteristics (6.8) and also prohibits refusing or failing to act in a timely manner to intervene when children are in danger to their physical safety and dignity (6.15). Article 44: The law ensures education for all children, requiring the State to have specific policies to support and ensure that all children can go to school and to minimize the number of children dropping out of school (44.1), prioritizing equal access to education for all children (44.2). The State works towards a safe, healthy, friendly, and violence-free education environment for all children (44.4). Article 47: All levels of the government are required to be involved in the prevention and intervention of violence against children, as well as providing support for survivors.
Law on Gender Equality (2006)	This sets out the objectives and principles of ensuring gender equality in all areas of social life, including in the education sector. Article 5.5: Discrimination based on gender is limiting, excluding, not recognizing, or disregarding the roles and positions of men and women, creating inequality between men and women in all aspects of the society and the families. Article 10: Strictly prohibits gender-based discrimination or gender-based violence in any form.
Law on marriage and family (2014)	This eliminates the ban on same sex weddings, however, the law does not recognize same-sex marriage.
Directive 40/2008 /CT-BGDĐT by MOET, dated 22 July 2008	Launch of SRGBV-focused "Building friendly schools and active students" (2008-2013)
Action Plan 307/KH-BGDĐT, dated 22 July 2008	Launch of movement to build friendly schools and active students (2008-2013)
The Inter-Ministry Circular No. 34/2009 /TTLT BGDĐT-BCA, dated 20 November 2009	Provides guidance on coordinating and implementing safe schools in educational institutions.[362]

362 Ministry of Education and Training (MoET). 2016. *Policy Dialogue on Ensuring Safe and Inclusive Education Environments in Viet Nam*. Ministry of Education and Training, Department of Teachers and Educational Administrators. Ha Noi, July 2016.

Table 8

Viet Nam's national commitments to reduce inequality, discrimination, and violence

LAW	DESCRIPTION
Gender Action Plan for education sector, 2016-2020 (Decision 4996/ QD-BGDDT, dated 28th Oct 2016	Objective 5: Preventing school violence and school related gender-based violence and promoting a safe and friendly learning environment. Target 1: By 2017, a decree on safe, friendly and healthy educational environments preventing school related gender-based violence will be enacted. Target 2: By 2017, at least two online courses on gender equality and gender-related issues for school administrators and teachers/school counselors will be developed and disseminated by the MOET (an e-learning course on gender responsive has been completed). Target 3: 100 percent of the administrators, head teachers and school counselors (from kindergarten to university levels) have strengthened their capacity to address school-related violence through access to knowledge on gender, gender equality, gender mainstreaming and management of school violence.
National Comprehensive General Education Programme	Just recently approved by the MOET and only available in Vietnamese, this document mentions that to be qualified students have to be able to meet the set requirements for 'personal qualities' and 'capacity' which include bravery, loyalty (to the socialist republic and homeland), tolerance etc are identified as the key factors required for students at primary, lower and upper secondary education.
Decree No.80/2017/ND-CP, dated 17th July 2017 on Regulating a safe, healthy, friendly and non-violent educational environment	Recent efforts of both government and NGOs to address and respond to school violence (including SRGBV and SOGIE-based violence) have largely contributed to the process of developing and finalizing this most recent government policy. Specifically, Article 5 on preventing and coping with school violence (violence in general, including SRGBV and SOGIE) sets out regulations for violence prevention measures, supporting measures for learners, and intervention measures when violence occurs.
MOET's Implementation plan for SDGs by 2025 and orientation to 2030	The words used in this document, as well other related legal documents mentioned above, do not specifically mention the terms LGBT or SOGIE's. However, the meaning of the Vietnamese words covers or reflects LGBT and SOGIE inclusion. In addition, with reference to SDG Target 4.7, the implementation plan highlights the need to equip learners with knowledge and skills relating to gender equality, and prevention and coping with violence.

The Children Law 2016 endorses the principle of non-discrimination for all children. It recognizes many child rights and some obligations, responsibilities of different parties, and financial sources and international cooperation for children. However, the law does not mention SOGIE, so those who are of different sexual orientation and gender identity or expression are still facing challenges of integration.

Despite these commitments and intentions, global, regional, and local research demonstrates that schools and other educational institutions in Viet Nam are not always safe and inclusive spaces for children and young people.[363] Challenges exist, especially given the limited levels of public awareness and a general lack of familiarity with laws addressing SRGBV, or more specifically, violence in schools based on perceived or real sexual orientations, gender identities or expressions. Many of the existing SRGBV policies and laws, including more general laws addressing violence and gender-based violence, are fragmental or inconclusive. Their implementation is weak and their effectiveness is not being consistently monitored or evaluated.

363 UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

BOX 23

DEFINITION OF GOOD PRACTICES

Good practices are programmes that employ emerging and innovative approaches alongside evaluated practices that have been shown to produce positive effects. These practices can be used to inform the design and implementation of other, similar programmes to prevent and respond to violence based on SOGIE in Vietnamese schools.

7 Review of good practices

This review of emergent and effective good practices aims to highlight key areas and identify some approaches to preventing and responding to violence based on SOGIE in schools in Viet Nam. It provides concrete programme examples and, in some cases, offers guidelines on how programmes can be effectively implemented.

There are currently a range of programmes being implemented in Vietnamese schools to prevent and address SOGIE-based violence, some of which are highlighted below.

School level responses

Plan International Viet Nam

Plan International Viet Nam—along with the Ha Noi Department of Education and Training (DOET), the Centre for Research and Applied Sciences in Gender, Family, Women and Adolescents (CSAGA), and the International Center for Research on Women (ICRW)—has implemented the "Gender Responsive School Pilot Model Project" to prevent and respond to SRGBV. The three-year project (2014-2016), which involved twenty secondary/high schools in Ha Noi, focused on providing teacher training on gender equality, SRGBV, and reproductive health as a way to encourage teachers to give lessons on related topics and integrate these into the curriculum. A key component of the project was establishing a psychological counseling room at the participating schools. The intervention also encouraged the formation of youth organizations and awareness-raising activities with parents. Thus far, nearly 2,300 students have received individualized counseling and over 4,100 students have received group counseling. The project has found that while only six percent of students in Viet Nam know about a public hotline for counseling, 21 percent of the students at the Plan International intervention schools have sought out counseling services.[364]

Nguyen Tat Thanh High School

Observing how SRGBV affected their school community, Nguyen Tat Thanh's administrators noticed problems for both those who bully and those who are bullied. They also found causes of GBV at their school to include intra-group violence as well as inter-group violence perpetrated by students' families or the school staff. To address this issue, they have tried to raise awareness among their students, teachers, and community members. Below is a list of activities that inform Nguyen Tat Thanh high school's holistic approach:

- Approaching the issue of violence through teaching life skills (i.e. anger management);
- Establishing student clubs to actively engage learners in extra-curricular activities and boost morale;
- Offering students psychological counseling services (supported by Hanoi National University of Education's Department of Psychology);
- Training teachers in counseling so that they can support students outside of counseling sessions (supported by Hanoi National University of Education's Department of Psychology);
- Offering capacity-building opportunities for school staff on related topics;
- Incorporating SRGBV content into classes;
- Working closely with parents to raise awareness about child development topics; and
- Enacting a gender-neutral uniform policy.

364 Plan International Viet Nam. 2016. Current situation of school-based violence in Ha Noi. Policy Dialogue on Ensuring Safe and Inclusive Education Environments in Viet Nam. 28 July 2016, Melia Hotel, Ha Noi. UNESCO. 2016. *Reaching Out. Preventing and Addressing SOGIE-related School Violence in Viet Nam*, Vol. 2. UNESCO Bangkok and UNESCO Ha Noi.

Dinh Tien Hoang High School

Dinh Tien Hoang presents us with a special case, as the school is considered far less selective than Nguyen Tat Thanh; it is considered to be a bottom-tier high school. Students who are unable to pass the exams for other schools are accepted here and often these students display unruly behaviour, learning deficits, or come from poor and/or broken families. The goal of this school is to lift students up so that they are able to achieve outcomes equal to students at more selective schools. Hence, the school has chosen to focus on building students' personal values and self-esteem via a general behaviour management education programme, such as:

- Homeroom teachers help actively monitor their students;
- Valuing the prevention of SRGBV over intervention;
- Educating and emphasizing legal understanding with a focus on personal values (rather than achievements);
- Working with the local community and local police around the school to help monitor and stop student conflicts; and
- Using student feedback—from a class president, a class secretary, and two misbehaving students in each class—to monitor and evaluate teachers' behaviours and attitudes.

Ha Noi Experimental Secondary School

Ha Noi Experimental Secondary School embraces progressive educational approach and applies inclusive philosophy into their teaching methodology by engendering attitudinal change in students about SRGBV. To do so, it uses the following activities:

- Providing extra-curricular activities;
- Having teachers train students to be peer educators to respond to SRGBV;
- Encouraging peer educators to continue to work with teachers to raise awareness among their peers;
- Incorporating anti-bullying content into classroom lessons;
- Holding teacher-organized small workshops to raise awareness in the school community;
- Using life skills lessons to impart anti-violence messages; and
- Using technical support from civil society organizations (CSOs) to supplement their efforts.

Ha Noi National University of Education

The following anecdote is from an informant in Viet Nam:

> **" I am so proud that my university (specifically the Social Work Department) is the first one in Viet Nam training future social workers (specifically fourth-year students) on the subject of doing social work with LGBT persons. From 2011-2016, we organized a lot of events and activities to educate teachers and students about LGBT and prevent violence against LGBT persons and LGBT students. For example, we organized the *Wear it Purple Day campaign*; a series of rainbow school talk shows (e.g. *Supporting the Prevent of Violence Based on SOGIE with Tu Thanh Thuy, and School Safety for LGBT students*); photos exhibitions (e.g. *Now or when* and *Open*); and contests like *Respect for diversity*. We also collaborated with an NGO to organize programmes and activities for our students like visiting the 'Queer' exhibition, seeing movies like *Road to the Sea* and *Miss Brave*, and joining other LBGT community activities. We specifically organized photo exhibitions on the occasion of the International Social Work Day and Vietnamese Social Work Day. We also organized a successful training course on social work with LGBTs for lecturers from other universities in Hanoi".**

Other interventions

Besides programmes officially adopted by schools, there have also been a number of other initiatives to make school environments more inclusive. Some successful examples and lessons learned are discussed below.

The Rainbow School programme

The Rainbow School programme was initiated by ICS Centre in 2014 as a campaign to raise social and community awareness about school bullying toward LGBT students. In 2016, it was developed to a leadership training programme to build the capacity and skillset of student and youth activists to make their schools safe and inclusive for LGBTIQ students. Participants

BOX 24

GOOD PRACTICE FOR ADDRESSING SCHOOL VIOLENCE BASED ON SOGIE[365]

Focusing on a multi-tiered response

Ensure an adequate response at various levels of the educational system, from the local school administration responsible for SOGIE anti-discrimination school policies, to those in charge of producing learning materials that are inclusive of gender and SOGIE issues, to training teachers and others who support students who experience or witness violence (e.g. by reporting and/or referring to mental health providers, medical practitioners and/or legal authorities)

Taking a 'whole-school' approach

Work with all school actors including students, their families, teachers, school administrators, non-teaching staff, community members, like-minded organizations, and the education sector as a whole to ensure a comprehensive response and adequate prevention.

Support anti-discrimination/anti-bullying laws and policies

Target the development or strengthening of anti-discrimination laws and policies that are SOGIE-inclusive. Anti-discrimination and anti-bullying laws and policies show institutional support while legitimizing and encouraging teachers' participation in efforts to prevent or respond to violence based on SOGIE in schools.

Expand sexual and gender equality education

Ensure that the entire school community, particularly students and teachers, receive adequate information and practical knowledge about diverse sexual orientations and gender identities and expressions. These should be culturally appropriate and should promote overall gender equality between men, women and others who might identify as in-between.

Put LGBT students in the centre of responses

All students, including LGBTI learners, can play a critical role in eliminating violence based on SOGIE in schools. Ensure that students' voices, particularly students who are or are perceived as LGBTI, are heard and their suggestions acted upon. It is important to develop empowerment programmes that build the capacity of young LGBTI advocates because they can and do serve as the best advocates for the issue.

Provide teacher-specific training

Violence in schools, including bullying or verbal harassment, based on SOGIE does not happen in isolation rather it is legitimized and enticed by the occurrence and acceptance of other forms of violence in schools. Equip teachers with practical knowledge and skills to recognize all possible types and forms of SRGBV including those based on SOGIE.

Conduct LGBTI and SOGIE-specific research

Targeted research is vital to understanding and consequently addressing violence based on SOGIE in schools. Therefore, it is important to collect data on the causes, extent, and manifestations and impact of violence based on SOGIE in schools. Then, by disaggregating data by each of the LGBTI sub-groups, one can obtain a nuanced picture of the situation of LGBTI students in schools in Viet Nam.

gained a better understanding about SOGIE and intersectionality, thereby developing strategic thinking about appropriate approaches for their contexts. Upon returning to their schools, the students and youth activists were coached and provided with technical guidance and small grants to implement their initiatives. From July 2016 to November 2017, the Rainbow School programme organized five courses, reaching 120 young activists in twenty provinces. As of January 2017, activists had successfully implemented fifty initiatives in forty-five high schools and colleges to raise the awareness of educators and students about LGBTIQ-inclusive schools. Many teachers showed their support to LGBTIQ students and pioneered initiatives in their schools.

The SOGIE 101 talk at Le Quy Don High School

Tran Huong Thao was a teacher at the Ho Chi Minh City University of Science, Ngo Thoi Nhiem Secondary School, and Le Quy Don High School. In 2015, Thao's continual advocacy efforts with

365 These good practices are outcomes of the *Regional Consultation on School-Related Bullying, Violence, and Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression* organized in June 2015 in Bangkok.

school administrators brought the SOGIE 101 talk for students to Le Quy Don. This marked the first time a secondary school in Ho Chi Minh City hosted an LGBTI-related programme.

Gender is Not Uniform Exhibition

Gender is not Uniform, a photo series started by two trans men, Huynh Tri Vien and Tammy Cao, has attracted widespread attention and support from LGBTI youth, many teachers, and the media. Stemming from his personal experiences of being forced to wear a female uniform (that he did not identify with) Vien created the photo series to show, side-by-side female-to-male (FtM) students in female uniforms and hairstyles and male uniforms and hairstyles. Below it there is an individual statement about their rights to freedom of (gender) expression. As explained, gender-specific uniform requirements can deter students from attending school and thus turning them away from education entirely. As part of his trans activism, Vien also advocates for students to be able to pick their own preferred names at school. What is written in their official papers does not have to determine how they are known socially.

Using school to engage parents with PFLAG (formerly known as an acronym for Parents, Families and Friends of Lesbians and Gays)

Cao Kim Chau, a core member of PFLAG Viet Nam and a school-teacher, has participated in many SOGIE and LGBTIQ talks in schools. As a school teacher, she had noticed that the negative language and prejudice of teachers hurts both students and parents. But it was when her son's teacher confronted her about his non-conforming SOGIE, that she felt personally hurt and insulted. As a result, Ms. Chau believes it is crucial to bring SOGIE education into schools to benefit all groups: students, teachers, and importantly, parents. She advocates that SOGIE education is good for all students in that it promotes general self-awareness (alongside the protection and acceptance of LGBTI students). She has observed that some schools have an easier time teaching LGBTI tolerance if they have already cultivated a diverse and inclusive environment. In wanting to support her child and other parents, she found that an educational setting, namely the school, was a critical location for sowing the seeds of love and tolerance in the society at large. Ms. Cao shows how involvement from organizations like PFLAG, by involving parents and teachers in educational settings, not only helps build SOGIE-based awareness, but can help prevent discrimination and violence.

8 Recommendations

Based on an extensive desk study of available research and documentation of interventions, as well as outcomes from discussions at the *Policy Dialogue on Ensuring Safe and Inclusive Education Environments in Viet Nam* held on 28 July 2016 in Ha Noi, the following recommendations at the school, community and policy level are proffered.

At the policy level

- Institute a policy on SOGIE mainstreaming in schools and education settings that ensures diversity content is mainstreamed;
- Review and revise textbooks, curricula, and teaching materials to ensure adequate, practical information and positive messages about SOGIE, including mainstreaming SOGIE-related information into existing sex education programmes;
- Incorporate aspects related to gender equality, and gender and sexual diversity into teacher trainings (including pre- and in-service trainings);
- Review and revise current legal documents and policies (i.e. the marriage law, the anti-violence law, the labour code and anti-discrimination policies) and/or develop and implement new ones to ensure they include and address violence based on SOGIE in schools;
- Include SOGIE as prohibited grounds for discrimination in the labour code, to address the institutionalization of discrimination, specifically in terms of hiring and protecting LGBTI teachers and staff;
- Establish clear guidelines and requirements for school counselors to help ensure they are sufficiently equipped to work with LGBTI students; and
- Initiate official flexible uniform and gender-neutral bathroom policies to accommodate gender diversity in schools.

At the community level

- Support teachers, parents, students, and schools to embrace diversity and improve knowledge about SOGIE diversity and cultivate values of equality;
- Provide specific training, education and raising awareness on SOGIE-related issues among parents and community members to increase participation in efforts to prevent and respond to violence based on SOGIE in schools;
- Build capacity of students, help empower the voice of students, and promote student-led initiatives to combat SOGIE-based violence;
- Establish school counseling models and provide technical support to strengthen the support that counseling rooms can provide to LGBTI students;
- NGOs and CSOs can assist with mainstreaming SOGIE into curricula and teaching manuals by organizing knowledge sharing sessions in schools, and supplying school libraries with SOGIE-related literature and books;
- Establish LGBTI ally clubs (e.g. Gay Straight Alliance or Lien Minh Cau Vong – Rainbow Alliance) and other student-run clubs that promote diversity and inclusivity;
- Advocate for legal and policy changes to promote safe and inclusive education environments; and
- Engage with mainstream media and communications agencies to provide correct knowledge and understanding of SRGBV/SOGIE-based violence.

At the school level

- Create a culture of non-violence and equality, which supports and promotes human rights and gender equality, to achieve environments that are safe, inclusive, and respective of LGBTI individuals;
- Adopt flexible regulations regarding school uniforms and the use of bathrooms for students with diverse gender identities and expressions;
- Conduct trainings to raise awareness and build the capacity of school administrators, teachers, parents, and students about SOGIE and violence based on SOGIE in schools;
- Hire a school social worker to support vulnerable students, including LGBTI students; and
- Establish and support LGBTI-friendly or LGBTI-designated support services in schools (e.g. counseling, referral, reporting) and designate and train staff to provide such services.

Last but not least, there is a need for additional research on violence on the basis of SOGIE in education settings in Viet Nam.

While there is need for further research on violence on the basis of SOGIE in schools, there is also need for those studies to be broader in scope and scale, covering educational institutions of all types across Viet Nam (e.g. primary schools, continuing education institutions, high schools and junior colleges, universities, colleges, among others). In addition, research should be undertaken to examine various policies, interventions and resources addressing violence on the basis of SOGIE in Viet Nam education settings. Finally, it is also important to build the capacity of public research institutions and enhance understanding of SOGIE-related terminology, particularly around categorizations of LGBT, thereby strengthening research methodology for future studies.

At present, Viet Nam lacks the common critical elements of a comprehensive education sector response to violence based on SOGIE in schools. Viet Nam could improve by fostering:

- Enabling policy environments that translate into pro-social and inclusive school policies and procedures;
- Inclusive curricula and learning materials;
- Professional development programmes for teachers and other school staff that include SOGIE themes;
- Enhancing learners' access to social and peer support, counseling, and other services; and
- An overall school climate that understands and appreciates diversity, including SOGIE.

9 Conclusion

In Viet Nam, there are still significant gaps in knowledge regarding violence in educational settings based on SOGIE. Further research is needed as a starting point to better understand the nature, scope, and impact of this problem. Viet Nam has ensured a legal environment that protects children from school-related violence. However, more needs to be done to create a positive legal and policy framework to protect all children, regardless of their sexual or gender identity or expression and/or their sex characteristics.

Several local and international NGOs in Viet Nam, some of which have been presented here, have taken the lead in addressing school violence based on SOGIE through interventions. While at the school level, programmes that address gender and sexuality awareness, i.e. those which have proven to increase the understanding and capacity of teachers to prevent and respond to violence based on SOGIE, are rare. Although there are a few exceptions, there has been little work done to incorporate SOGIE-related topics into curricula, to develop learner support services (e.g., counseling, referrals, and reporting), or design other supportive protections (resources, uniform flexibility, and unisex bathroom options). As such, schools in Viet Nam are not always safe and supportive environments for LGBTI students or those perceived to be LGBTI.

United Nations
Educational, Scientific and
Cultural Organization

School-related violence and bullying on the basis of Sexual Orientation and Gender Identity or Expression (SOGIE)

Synthesis Report on China, the Philippines, Thailand and Viet Nam

UNESCO Bangkok Office
Mom Luang Pin Malakul Centenary Building
920 Sukhumvit Road, Prakanong, Klongtoei
Bangkok 10110, Thailand
Website: bangkok.unesco.org
Tel: +66 2 391 0577 Fax: +66 2 391 0866