

Dear Senate Legal and Constitutional Affairs Committee,

My name is Mohamed Sarhan and this is my personal submission to the Senate Inquiry into the Marriage Equality Amendment Bill 2009.

I am a 33 year old xxxx and xxxxx and live in xxxxxxx. I am personally discriminated against by a definition in the Marriage Amendment Act 2004 specifically introduced for this purpose.

I want to see this legislation changed.

This discrimination means my relationship is denied the same formal and legal recognition afforded to heterosexual couples. I am currently denied the right to marry my partner should we wish to do so.

This discrimination is also faced by a number of my friends and members of my family, some of whom are in relationships which are denied the same formal and legal recognition afforded to heterosexual couples and all of whom are currently being denied the right to marry a partner of their choice should they wish to do so.

We cannot see why a minority in this country have the right to stop what the majority consider to be right. No government should be allowed to go against the wishes of its people. No one Religious sect should have a controlling power over the government. My Christian based religion is totally supportive of my partner and I wanting to be married, so not all Christians are represented even if the government does take Christianity into account in their decision about Marriage. We are tied of having one rule for heterosexuals and another for homosexuals, which is totally against what the UN human rights supports. How is the Australian government able to get away with such human rights abuse and not be punished?

I believe marriage is a profoundly meaningful way to demonstrate love and commitment, which is universally understood and recognised. It is an institution which pre-dates modern religions and has been a civil intuition in British and then Australian law for over 300 years.

Some people see marriage as a religious ceremony, but for many people it's not. It is not appropriate in Australia's secular and multi-faith society for this view to be enshrined in law. The majority (over 60%) of heterosexual marriages which occur each year in Australia are entirely civil, not religious.

Article 16 of the Universal Declaration of Human Rights and Article 23 of the International Covenant on Civil and Political Rights (ICCPR) both explicitly recognise the right of adults to enter into consensual marriage. All people, regardless of their sexual orientation or gender identity, should have access to the right to marry along with their other human rights as prescribed in the UDHR and other human rights instruments. The Australian Government is committing Human Rights Abuse on its own people.

I oppose discrimination in civil marriage laws on the basis of sexual orientation or gender identity and think denying anyone the right to marry because of their gender or sexuality is simply not fair.

Adults consensually entering into a marriage deserve equal civil recognition of their relationship, whatever their sexual orientation.

Approximately 25% of same-sex couples care for children. The right to marry would allow these couples to provide their children with the stability and security that comes with full legal protection and greater social acceptance. Married partners have immediate access to all relationship rights, entitlements, protections and responsibilities while de facto couples who must cohabit for a certain period before they have rights and protections. In countries with long-established civil union schemes hospitals, schools, employers, insurers and even some government agencies regularly fail to provide civil union partners with the same legal rights as married partners, even when the law makes this obligatory.

These families are being denied the same stability and security that heterosexual couples automatically enjoy.

I also think that it's wrong that Australia refuses to recognise marriages of same-sex couples legally entered into overseas in such countries as Canada, Spain and South Africa.

With the huge difference in rates of suicide between gay teenagers and their straight peers, our society needs to demonstrate to young people who are same sex attracted that they do have a healthy, normal life ahead.

Denying recognition not only stigmatises same-sex relationships and fuels discrimination, but also leads to other rights violations. Denying same-sex partners the right to marry sends out the message that these partners are not capable of the love and commitment that is often associated with marriage.

Creation of a "marriage-like" system will not adequately address the current inequity between the status of heterosexual and non-heterosexual couples a "different but 'equal'" arrangement further perpetuates discrimination.

Most Australians pride themselves on our nation's commitment to a fair go for all yet in 2004 the federal parliament amended the law to prevent same-sex couples from marrying. The government has extended some recognition and restrictions to same-sex couples; it should provide formal recognition and legal entitlements to them too.

I want to see discrimination on the basis of sexuality and gender identity removed from the Marriage Act 1961 and introduction of legislation to permit marriage regardless of sex, sexuality and gender identity as the UN Human Rights intended.

In addition to my personal submission, I fully endorse the submissions made by Amnesty International Australia and Australian Marriage Equality in favour of the Marriage Equality Amendment Bill 2009.

Mohamed Sarhan