

# Conference to Advance the Human Rights of and Promote Inclusive Development for Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) Persons



**Washington, DC**  
November 12-14, 2014



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# I. Executive Summary

In November 2014, the U.S. Department of State and the U.S. Agency for International Development (USAID), with the support of the Council for Global Equality, co-hosted a conference that brought together representatives of over 30 governments, eight multilateral institutions, and 50 civil society organizations from over 50 countries to discuss challenges and opportunities in advancing the human rights of, and inclusive development for lesbian, gay, bisexual, transgender and intersex (LGBTI) persons around the world. This conference followed two prior conferences where government and non-governmental groups came together for similar discussions in 2011 and 2013 in Stockholm and Berlin, and reflected growing support for LGBTI equality, both financial and political. The Washington, D.C. conference showed a notable increase in government participation and ownership of the event, including a rise in the number of Latin American government participants, a [joint communiqué](#) emerging from 25 government and multilateral agency participants, and clear leadership directed toward future government collaboration and ongoing work.

In preparation for the conference, the U.S. government intentionally reached out to a large number of supportive governments who have the capacity to invest either in foreign assistance or political support. In this way, the conference shifted from being a “donor” conference to one that also addressed development and diplomatic support. Through discussions about intersex issues at the conference itself, the conference title and focus have shifted to embrace intersex issues (thus changing from LGBT to LGBTI.<sup>1</sup>)

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<sup>1</sup> Throughout this report, we attempt to include the letter “T” in LGBTI where intersex issues were a substantive part of the discussion. In all other places, we have maintained the use of the acronym “LGBT.”

## Through plenary and workshop sessions, over 200 participants addressed opportunities and obstacles to advancing the human rights of LGBTI people globally.

Key themes emerged throughout the three days about the importance of addressing issues related to sexual orientation and gender identity in the context of broader consideration of human rights, development, sexuality, and democratic practices. A number of themes impacting LGBTI civil society emerged across the three-day event:

- The relative lack of attention to **transgender and intersex issues** was a leitmotif of the discussions. Speakers pointed to the paucity of funding for organizations in these communities; the difficulty of identifying transgender-specific funding; non-financial needs of transgender and intersex groups, including organizational development and mentoring; concern that transgender populations could be marginalized as LGBTI issues become mainstreamed; and recognition that the challenges faced by intersex persons differ, in important respects, from those impacting lesbian, gay, bisexual, and transgender populations..
- The need for greater **research and data** regarding economic and political disenfranchisement, discriminatory impacts, and needs of the LGBTI community surfaced repeatedly across the three-day discussions, largely with respect to engaging governments and multilateral organizations most effectively.
- Concern was repeatedly expressed that **detailed donor requirements** often put small but otherwise effective local organizations at a disadvantage in applying for, obtaining, and/or accounting for the expenditure of needed funds. These requirements also can impede the ability of recipient organizations to focus on their missions.
- **Increased security for LGBTI organizations** was deemed critical, particularly in countries where LGBTI rights are under attack. Foreign diplomatic missions can assist with these security needs.
- Many speakers and discussants referenced the need to **mainstream LGBTI needs** across development programs and policy agendas of governments, organizations, and other actors.
- Finally, speakers urged examination of **how donors make decisions** with local LGBTI communities on the ground, with a view to ensuring that donor practices do not harm LGBTI populations unintentionally.

## **A [joint communiqué](#) was signed by the governments of:**

Albania	Chile	Iceland	Switzerland
Argentina	Croatia	Israel	United Kingdom
Australia	Czech Republic	Netherlands	United States
Austria	Denmark	Norway	Uruguay
Belgium	Finland	Serbia	
Brazil	France	Spain	
Canada	Germany	Sweden	

### **As well as:**

The African Commission on Human and Peoples' Rights,  
The European Union,  
UNAIDS,  
and UNDP

This first-ever sign-on statement signaled a new level of commitment by governments and multilateral agencies to address these issues more significantly and collaboratively. In the communiqué, signing governments pledge to consult with civil society, actively seek new government and corporate donors to LGBTI civil society organizations and issues, and to integrate LGBTI issues into both development and diplomatic work, among other activities.

Analogously, participating NGOs issued a set of [recommendations](#) for governments, private donors and international allies including that:

- the level of funding in support of work to promote and protect the human rights of LGBTI persons overall should be increased by fully integrating the human rights concerns and needs of LGBTI persons within all bilateral and multilateral assistance programs;
- bilateral and multilateral funding agencies should enact policies and procedures to ensure that neither they nor those funded to implement programs (contractors and sub-contractors, grantees and sub-grantees) discriminate on the basis of sexual orientation, gender identity, gender expression, or bodily diversity in employment or service provision;
- civil society advocates and organizations should be actively involved, alongside private foundations and other funding agencies, in shaping donor strategies and structures to maximize effective coordination of responsive funding;
- without compromising the security of grantees, governments should be more transparent about their funding and funding mechanisms; and
- to the degree feasible, data should be disaggregated for L, G, B, T, and I populations.

In summary, the conference significantly advanced the discourse on the human rights of LGBT persons among and between civil society organizations, governments, and private donors. While many challenges still exist and were identified in the course of the conference, the commitment by all sectors was evident, as was the desire for collaboration. All parties voiced their support for the Dutch and Uruguayan governments' joint leadership of the next conference in 2016.

## II. Key Lessons from Plenary Sessions



L to R: Virginia Bennett, Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor, United States Department of State (USA), Mihcael Heflin, Open Society Foundations (USA), Geetanjali Misra, Executive Director, CREA (India), and Kees van Baar, Ambassador, Human Rights (Netherlands). Photo: Julie Dorf

### Framing Sessions

Opening speakers<sup>2</sup> placed the conference’s discussions of the human rights of LGBTI persons within the context of globalization and a devolving global dialogue around homosexuality and LGBTI issues, arguing that the dialogue over homosexuality and LGBTI issues was marked by:

- populist arguments of traditional culture against supposed Western cultural values;
- politically manipulated “moral panics”;
- the surrogacy of the human rights of LGBTI persons for larger geo-political competitions, or a “global culture war”; and
- juxtaposition of an authentic natural desire for rights against equally authentic insecurities.

Speakers noted that the closing space for civil society and public dissent in many countries creates significant road blocks for those seeking to work with LGBTI communities and those struggling to address violations and abuses of the human rights of LGBTI persons. However, speakers also noted opportunities. They noted that discriminatory legislation and anti-LGBT crackdowns create not only opportunities to drive global resources to support the fight for the human rights of LGBTI persons, but also important opportunities to organize across issues and sectors and to situate LGBTI issues in a larger context of human rights and democratic principles.

<sup>2</sup> PowerPoint presentations from the opening speakers are available on the password-protected conference site at [globalequality.org](http://globalequality.org).



Another speaker noted research showing that while nine of eleven government development agencies had adopted workplace provisions protecting their own individual staff on the basis of sexual orientation and gender identity, only one had extended those non-discrimination protections externally to contractors and program beneficiaries. She also noted that when LGBTI people are denied full participation in society, it negatively impacts their country's economic development. The need for additional research on how these donor agencies apply a "do no harm" approach was encouraged, including careful consideration of whether the policies and practices of the largest international donor agencies are transforming (or reinforcing) unequal power relationships.

Another speaker raised concern regarding donor implementation of development programs, particularly in leveraging HIV/AIDS funding to support LGBTI concerns. She noted that it is not an easy task to take traditional development tools and apply them, unfiltered, to the human rights of LGBTI persons and the unique development needs of LGBTI communities. Instead, she suggested that the unique needs of LGBTI communities must first be identified, after which programs could be built around those needs. The inclusion of intersex issues is an example of the need for a new paradigm, as it challenges identity-based understandings of the LGBTI community and invites us to consider issues of bodily integrity and gender expression as development objectives in and of themselves.

**Taken together, the opening speakers encouraged participants to consider important questions throughout the conference and in their work going forward:**

- How can and do donors make decisions together with LGBTI communities on the ground? Are programs designed in capitals, followed by a search for partners on the ground to implement? Is there sufficient consultation on the ground first?
- How can donors reform existing practices that may unintentionally harm LGBTI populations or exacerbate power dynamics?
- How will identity-based funding of LGBTI initiatives – whether through integrated programs to support a supposedly unified LGBTI community, on the one hand, or individually as unique lesbian, gay, bisexual, transgender or intersex programs, on the other – impact or potentially complicate the possibility for intersectional or transformative approaches to development?
- How can we avoid perpetuating the "global culture war" in our support of the human rights of LGBTI persons and of LGBTI communities?

## Diplomacy and LGBTI Equality

**The role of diplomacy in advancing the human rights of LGBTI persons was a major conference theme. The former President of the Human Rights Council and the African Commission on Human and Peoples' Rights stressed, *inter alia*, that:**

- non-binding human rights documents, such as UN resolutions, invest responsibility in multilateral organizations to bring those resolutions to life and to stimulate robust



bilateral engagement to enforce them;

- civil society plays a critical role in educating diplomats and politicians on LGBTI needs; and
- thematic issues (e.g., family and health issues) can expand or narrow the scope and content of diplomatic dialogue.

As examples, HIV/AIDS can serve as an important opening for discussion of the human rights of LGBTI persons and decriminalization, while discussions of marriage equality can be a stumbling block for dialogue on LGBTI issues with opposing countries. Speakers emphasized, in this context, the universality of human rights as a counterpoint to cultural relativism.

### **Two government representatives (Norway and the Netherlands) urged participants to:**

- make clear that proponents of the human rights of LGBTI persons underscore that this is not a quest for new rights or privileges, but the realization of universal rights that apply to every person;
- listen carefully and respectfully to the arguments of those who oppose recognition and protection of the human rights of LGBTI persons; and
- build partnerships with diverse stakeholders to coordinate intersectional approaches.

They encouraged humility in such a dialogue, with reflection on the individual evolution of each nation on these questions, and on the fact that many Western nations have made progress only very recently on sexual orientation and gender identity issues and still must address issues such as elimination of forced sterilization as a prerequisite for legal gender recognition (to change gender markers).

Another important tool noted in fighting discrimination against LGBTI people is to insist on the visibility of local partners who must lead the way in navigating local politics. Governments can help build partnerships with diverse stakeholders; they also can coordinate intersectional efforts among NGOs, individual citizens, politicians, religious groups, and the private sector.

*“We are not inventing new rights, we are talking about rights that belong to every human being.”* -Ambassador Laura Dupuy Lasserre (Uruguay)

## **Role of Multilateral Organizations**

**The role of multilateral organizations in promoting the human rights of LGBTI persons was explored by representatives from UNDP, UNAIDS, the World Bank, the Inter-American Commission on Human Rights, and the Pan-American Health Organization (PAHO). Key points from that discussion included:**

- Some World Bank member countries believe the World Bank should do more to emphasize the link between human rights and development outcomes, e.g., the

example in which the World Bank froze a major health sector project in Uganda in response to the Anti-Homosexuality Act.

- There is great need for, and a shortage of empirical research data relevant to, LGBTI population needs/realities in facilitating conversation with client or member countries.
- Civil society is a crucial partner for multilateral agencies, but authentic local voices are more important than global North voices in pressing for local action and inclusion.
- Where polling data exists, it suggests growing public acceptance for LGBTI inclusion and for removal of discriminatory laws. One example cited was in the UNAIDS Caribbean region.
- The British Commonwealth could do more to take up the issue of colonial-era laws with heads of relevant states.
- Multilateral bodies can play an important role in supporting countries' efforts to implement their international and regional human rights obligations. For instance, the Inter-American Commission can engage states and assist them in drafting or amending national legislation and in giving advice and recommendations where appropriate and relevant.
- The new Special Rapporteur on the Rights of LGBTI Persons in the Inter-American Commission has had direct positive impact on individuals and communities, and on the institution.
- The 2013 PAHO resolution on addressing the disparities in health service access and utilization for LGBT persons and the 2010 resolution on human rights and health point to the important and sometimes painstaking groundwork needed for multilateral bodies to build support for states in this area. That groundwork helped Ministers of Health in the Americas region recognize the importance of promoting human rights while improving public health strategies and shaping outcomes.

## Inclusive Development Programming

Representatives of civil society organizations in four countries (Haiti, Nepal, Russia, the United States) and two government representatives (Argentina, Sweden) offered examples of development programming aimed at strengthening LGBTI communities.

Some presentations highlighted that the failure to promote and protect the human rights of LGBTI persons often requires LGBTI organizations to provide critical support services to their communities – both for ongoing (e.g., health) needs and in disaster circumstances. LGBTI organizations therefore require both funding and other capacity to deliver that support.

Other presentations focused on training programs that enable LGBT communities in the Global South and East to participate more actively in elections and government and to be

certified and trained for employment; one presentation included information regarding financial incentives being offered to businesses to employ transgender people.

The great demand for employment-related programming was emphasized, and frustration was noted about the difficulties experienced by local groups—even those with significant capacities and track records—in receiving funding directly from governments without the need for intermediaries.

### **Particular advantages to funding LGBTI-focused programs within mainstream development funding were highlighted through country examples:**

- In addition to providing relief for the LGBTI community after the 2010 earthquake in Haiti, SEROvie was able to intervene positively in a policy decision that would have discriminated against all-male households, by helping to expand relief-aid distribution beyond the limits of a policy that previously had allowed provision of relief only to women.
- Transgender individuals are often destitute or have extremely limited employment options outside of sex work. Transgender-specific employment programs, such as those provided by Blue Diamond Society in Nepal and the Ministry of Labor in Argentina, are essential components of poverty alleviation strategies.
- Paying particular attention to LGBT family structures and domestic family law can help identify many gaps in social welfare programs and basic support services. Often local LGBT family support groups such as Resurs in Russia step in to provide such social services.
- Larger LGBT organizations based in the North, such as the U.S.-based Victory Institute or Swedish RFSL, can offer support and partner with local groups in target countries in respectful, effective, and mutually beneficial ways.
- Advances on the human rights of LGBT persons in Argentina have resulted from activists working together with government over a period of ten years. One of the most innovative initiatives in that country is a reparations process for transgender people who were jailed unfairly before the country's gender identity law was passed.

## **Responding to Anti-LGBT Laws**

As part of one panel presentation, representatives of civil society and the donor community offered observations of overall donor community response and assistance in the face of increasing instances of proposed or passed anti-LGBT legislation. The speakers maintained that without donor engagement and international pressure, these laws generally have broad populist support that enables them to easily pass.

### **Donor engagement was evaluated positively in several ways:**

- Donors provide crucial and timely funding.



Conference Participants. Photo: Julie Dorf

- High-level international support allows activists to oppose bills more safely, despite the unrelenting hostility that anti-LGBTI campaigns can stir up in-country.
- Donors can help to consolidate coalitions, and to build multi-faceted support for long-term fights.
- International attention to anti-LGBT legislation facilitates critical international attention to other issues affecting all persons, including corruption, governance, economic, public health, and education issues.

**However, international donor attention and engagement can also have negative results:**

- It can increase domestic misperceptions of homosexuality, and of the fight against homophobic laws or policies, as a Western imposition.
- Funding can, at times, create internal resentments and minimize the impact of grassroots LGBTI movements.
- There can be resentment among the general public that such a small minority community can attract international attention, while the harsh reality of daily life for the average citizen may receive little international attention at all.
- Finally, it can impose donor priorities onto the agenda of grassroots LGBTI movements.

In response to some proposed or passed anti-LGBT laws, Western donors have suspended or redirected some types of aid. Redirection (vs. outright cut) of assistance is seen as helpful, and shows governments the seriousness with which donor governments consider laws that infringe on human rights. Strong, coordinated donor and diplomatic responses have, in some cases, had the effect of slowing efforts to introduce or move bills forward,





Sebastián Zoroastro, Ministry of Labor (Argentina), Yulia Malyagina, Founder, Resurus (Russia), Birgitta Weibahr, Policy Specialist in Human Rights and Democracy, SIDA (Sweden). Photo: Julie Dorf

as governments increasingly understand the potential adverse economic impacts of discriminatory legislation.

**The discussants closed with a series of recommendations to the international community.**

- Continue to present the fight against LGBTI oppression as a domestic fight, rather than a Western agenda. Don't speak for the community: amplify community voices and adhere to civil society recommendations and guidelines for international engagement.

- Consider funding programs aimed at changing local attitudes, even if these are difficult to design and measure using traditional development metrics; also, fund programs that address more immediate needs, including psycho-social support, livelihood programs, sustainable economic development and programs aimed at women who have sex with women (WSW).
- Whenever a delegation discusses LGBTI issues with high-level government officials, a local activist ideally should be included in that delegation.

## Select Other Conference and Report Findings

Finally, lessons learned from select other conferences and studies were brought to the attention of attendees in plenary, including the [Williams Institute's new study](#) finding that there has been a notable global increase in the acceptance of homosexuality over the past 20 years. The study examines responses to 2000 questions asked in hundreds of surveys since 1981, each including questions about attitudes regarding lesbians and gay men in 10 to 52 countries. The findings show that residents in 90% of all surveyed countries have become more accepting of homosexuality over the past 20 years. Age and gender were shown to have an impact on an individual's likelihood of accepting homosexuality.

Another [USAID and Williams Institute economic survey](#) found that when LGBTI persons are denied full participation in society because of their identities, their human rights are abused, and those abuses of human rights are likely to have a harmful effect on a country's level of economic development. This study analyzes the impact of the treatment of LGBTI persons on economic development in 39 emerging economies and other selected countries, presenting findings that demonstrate a link between the human rights of LGBTI persons and economic output. The findings suggest that LGBTI equality should be part of economic development programs and policies.

Representatives from the American Jewish World Service and Global Advocates for Trans\* Equality presented research from a [survey](#) of 340 groups promoting the rights of transgender and intersex people. The [survey](#) found that more than half of all transgender

and intersex groups operate on less than US \$10,000 per year, and that only five percent have annual budgets of more than US \$250,000. Recognizing the significant underfunding of these movements, the report emphasizes the difficulties transgender groups encounter in identifying and applying for transgender-specific funding, even within the LGBT donor community. The commentators noted that intersex-specific funding barely exists.

The report also found that transgender and intersex groups in high-income countries do not necessarily have access to more resources than transgender or intersex groups in low-income countries. Just as significantly, most groups surveyed were not “self-led” by transgender or intersex leaders, but were instead programs within larger organizations not focused exclusively on transgender or intersex issues. This points to significant room for both organizational and leadership development within the movement in high- and low-income countries.

# III. Key Themes and Recommendations from Breakout Sessions

Breakout sessions were held on a range of issues, including:

- intersex challenges;
- business engagement;
- issues impacting lesbians;
- LGBTI safety and security;
- HIV funding;
- gender identity and expression;
- identifying funding gaps;
- judicial and legal reform strategies; and
- faith-based efforts.



Break Out Session. Photo: Julie Dorf

Each was designed to explore emerging issues or concerns within the movement and to encourage cross-sector strategizing among government, civil society, private donors, corporate representatives and academics. The general themes and recommendations that emerged are highlighted here; not all represent consensus recommendations. Many of the ideas that emerged from these discussions are captured in more detail in the final government and civil society commitments and recommendations.

## Understanding Intersex Issues

- Fund the intersex movement – in its own right.
- Fund intersex-led organizations – in the global North, as well as the global South.
- Ensure that “LGBTI” funding tackles intersex issues as well as L, G, B and T issues.

## Business Engagement

- The adoption of a set of core global business principles (similar to the “Sullivan Principles” that applied to apartheid South Africa) to hold business accountable for its international policies and operations could be useful.



## The Invisible “L”

- Lesbian-specific experiences need attention, otherwise the issues go unaddressed.
- Think critically about actual lesbian representation in programming for LGBTI.
- Lesbian specific issues include: rape, forced marriage, lesbian female genital mutilation, hate crimes, emotional blackmail, custody, kidnappings, killings, institutionalization, bodily harm, etc.
- More investment is needed in lesbian health and sexuality, research and economic empowerment.

## Safety and Security

### **Key Challenges to safety and security:**

- Adverse or discriminatory laws increase the possibility of prosecution for LGBTI individuals.
- Non-recognition of LGBTI organizations adds to organizational and individual vulnerability.
- Poverty and general social instability already faced by LGBTI persons may exacerbate increasing threat conditions such as war and the lack of rule of law.
- Protection funding focuses on LGBTI activists, rather than all LGBTI individuals, which raises the question of how funders are defining “activist.”
- Violence within the family is often difficult to protect against.
- The role of international organizations in challenging hate speech and violence is not clear/needs to be discussed/further developed.
- Refugee protections are important but may have the unintended side effect of brain-drain, as talented activists leave.

### **Protection Strategies Recognize:**

- There is no one-size-fits-all approach.
- Visibility and documentation are crucial.
- National and regional mechanisms are important allies.
- Media training is needed.
- Information should be safeguarded carefully.
- There is a need to build allies within police and government.
- Long-term solutions are needed.

## Limits and Opportunities of HIV Funding

- HIV funders should provide greater flexibility in use of funds, for example for security costs, community building, social engagement, etc.
- HIV funding community should expand its current list of results indicators to capture data on human rights, community development, social change, etc.
- HIV funding community should reexamine “key populations” definition to ensure that the most marginalized and underserved communities are included and that those populations are receiving sufficient funding.
- HIV funding community should strengthen its gender analysis in its work (and considerations of gender should not be limited to only women and girls).
- HIV funding community should not misperceive men who have sex with men (MSM) and LGBTI to be synonymous terms.

## Gender Identity and Expression

- Transgender groups face barriers to accessing existing funding, because:
  - Their work does not always match preexisting funder agendas;
  - Funders fail to map actual needs;
  - Smaller trans groups lack capacity in the application process; and
  - Complications inherent in umbrella funding as opposed to trans-specific funding.
- Funders prefer to fund larger groups with more capacity, as opposed to smaller transgender groups.
- LGBTI organizations often work in favor of gay men and not necessarily for transgender or intersex people. Gay groups are getting the “LGBTI money.”
- Donors need to listen to transgender people and hire them as staff and appoint them to advisory boards.
- There is urgent need for a new line of funding. Trans and Intersex activists have called for a transgender fund and an intersex fund in which transgender and intersex people are making the decisions; these funds should be organized and led by transgender and intersex people themselves.

## Identifying a Common Research Agenda

- Create a task force made up of researchers, civil society and funders or commissioners of research to take the “needs and gaps” analysis further.
- A long list of research priorities was identified, including a mapping/review of what research has already been commissioned and published.
- Baseline surveys are needed of both attitudes and human rights violations in countries where these have not yet been done.

## Judicial and Legal Reform Strategies

- Use a human rights framework, but don't assume that mainstream human rights defenders will take up LGBTI cases.
- Legal reform can't stop at the courtroom door; it's about education and implementation, not just courtroom victories.
- Small steps are often needed to lay the groundwork for larger legal decisions.
- There should be a pool of available attorneys.

## Faith Voices

- Important to have extended engagement with religious leaders/groups – not just one-time meetings.
- Governments can play a convening role to bring faith leaders and activists together to discuss issues, to host forums/events for sharing of best practices.
- Important to expose when and how homophobia is an import and/or funded by outside groups or governments.

## Government and NGO Private Breakout Sessions

Governments and NGO participants held two separate and private sessions during the conference, during which they discussed key issues among peers alone. The governments finalized the language of their [joint communiqué](#), and the civil society and non-state funders worked together and in small groups to determine their recommendations to governments, private donors and international allies.



L to R: **Rajiv Shah**, Administrator, United States Agency for International Development (USA), **Virginia Bennett**, Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor, United States Department of State (USA) Photo: U.S. Department of State

## IV. High-Level Remarks

“This is the right thing to do, but make no mistake, allowing LGBT persons to contribute fully in their societies is also a strategic imperative. Greater protection of human rights leads to greater stability and greater prosperity not occasionally, not generally, but always.”

—U.S. Department of State Counselor Tom Shannon

“I want to make sure to say that I share my Albania story not as an example to be followed, reality is too complex for any country to serve as an example to another, but as a country that shows that even in environments that are considered inhospitable and conservative, through much effort and courage, progress is possible.”

—Albanian Minister of Social Welfare and Youth Erion Veliaj

“And perhaps most importantly, we’re ensuring that our work and our culture in our own organizations reflect these basic values. Equality in our workplace is a critical priority for me, for Secretary Kerry, and for all of us. So far, we’ve conducted LGBT 101 trainings that have been taken by more than 1,000 local staff in more than 30 countries around the world... that have USAID missions with large foreign national populations”

—USAID Administrator Rajiv Shah



L to R: **Javier Vasquez**, Human Rights Advisor, Pan American Health Organization (USA), **Fanny Gómez Lugo**, Human Rights Specialist, Rapporteurship for the Rights of Lesbian, Gay, Bisexual, Trans, and Intersex Persons, Inter-American Commission on Human Rights, Organization of American States (USA)  
Photo: Julie Dorf

A number of senior U.S. government leaders, as well as Ministers from Albania, Argentina, and Denmark, delivered high-level remarks during the conference, underscoring that LGBTI-inclusive development policies contribute to a range of strategic goals, including greater stability, prosperity, poverty reduction, social cohesion, and economic growth. Many of the speeches announced particular steps the governments were taking.

- **Ambassador Thomas A Shannon, Jr., Counselor of the Department, U.S. Department of State’s [full remarks](#)** are available on the State Department website.
- **USAID Administrator Rajiv Shah’s [full remarks](#)** are available on the USAID website.
- **USAID Deputy Administrator, Alfonso Lenhardt’s [full remarks](#)** are available on the USAID website.
- **Minister of Social Welfare and Youth Erion Veliaj of Albania’s [prepared full remarks](#)** are available on Council for Global Equality’s website.
- **The Minister of Development Cooperation Mogens Jensen of Denmark** sent video greetings and remarks to the conference.
- Other high level speeches include those from **U.S. Ambassador David Pressman** and **Minister Josefina Martínez Gramuglia** from the Embassy of Argentina.
- Other senior level government representation at the conference included **Ambassador Laura Dupuy Lasserre** from the Ministry of Foreign Affairs, Uruguay, and former President of the U.N. Human Rights Council; and **Ambassador for Human Rights Kees van Baar**, Ministry of Foreign Affairs, The Netherlands.



# V. Outcomes and Next Steps

A set of commitments and supporting initiatives were announced at or following the conference's conclusion, primarily through the joint communiqué by governments and multilateral agencies (full text at Appendix A) and the NGO and Non-state Donor Recommendations (full text at Appendix B).

Many of these pledges and initiatives will frame preparations for the next conference, which the Government of the Netherlands and the Government of Uruguay have agreed to jointly organize in early 2016, in Montevideo.

## **Two other announcements were made by governments:**

- Chile became the first Latin American government to become a partner of the Department of State's Global Equality Fund. Chile joins a group of other like-minded governments, corporations, private foundations and NGOs who are all dedicated to committing resources to advance the human rights of LGBTI persons through providing support to civil society organizations.
- The U.S. President's Emergency Plan for AIDS Relief (PEPFAR) also announced plans to provide funding for the Global Equality Fund to document how stigma and discrimination, including discriminatory laws and policies, impede efforts to address HIV/AIDS, as well as undermine human rights.

## **In addition, the following announcements and commitments were offered by civil society and non-governmental donors during the final plenary to sustain ongoing progress before the next conference in 2016.**

- A research task force will be organized by Iranti-org and the Williams Institute. As a step toward this, the Williams Institute has set up a discussion list focused on research and discussion pertaining to Sexual Orientation, Gender Identity and Intersex Issues from a human and economic development perspective.
- A global South LGBTI partners conference will be organized by CREA, UHAI and the Arab Foundation for Freedom and Equality.
- An initiative was announced to organize a global lesbian forum every two years.
- Private funders announced the creation of a transgender-led and trans-specific mechanism and fund with a convening in early 2015 to increase resources specifically to transgender groups at national and local levels.
- Astraea Foundation will be creating an intersex fund.
- The Global Philanthropy Project will be producing a report on best practices for the next conference to share lessons learned from the funding sector.
- The Arcus Foundation will pursue a "Sullivan Principles" type document to hold multinational corporations more accountable to LGBTI equality globally.

# Appendix A:

Joint Government and Multilateral Agency Communiqué From Conference to Advance the Human Rights of and Promote Inclusive Development for LGBTI Persons

**On the Occasion of the Annual Conference to Advance the Human Rights of and Promote Inclusive Development for Lesbian, Gay, Bisexual, Transgender and Intersex Persons held in Washington from November 12-14, 2014, the governments of Albania, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Iceland, Israel, the Netherlands, Norway, Serbia, Spain, Sweden, Switzerland, the United Kingdom, the United States and Uruguay, as well as the African Commission on Human and Peoples' Rights, the European Union, UNAIDS - the Joint UN Programme on HIV/AIDS, and the United Nations Development Programme, adopt the following communiqué:**

## Introduction

Collectively, as a group of governments and multilateral agencies committed to equality and inclusive development for all persons everywhere, we have gathered here in Washington, D.C. to share information, best practices and lessons learned as we work to promote and protect the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons around the world, and empower them to secure productive livelihoods.

We recognize that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms enshrined in the Universal Declaration of Human Rights. As we work to advance human rights globally, we also remain committed to continue to promote and protect the human rights and fundamental freedoms of LGBTI persons in our own countries.

We are deeply concerned about the ongoing human rights abuses that LGBTI persons experience in all regions, in particular violence and other forms of intimidation that undermine their ability to live freely and safely and without discrimination. We recognize that LGBTI persons experience human rights abuses along with other vulnerable persons. A comprehensive, inclusive and participatory approach to human rights challenges is needed to ensure equality for all.

We welcome the adoption of the UN Human Rights Council resolution 27/32 on “Human rights, sexual orientation, and gender identity,” that followed the first-ever UN Human Rights Council resolution on the issue, 17/19, and look forward to further efforts on this issue in multilateral fora and institutions. Through these resolutions, governments have expressed their grave concern at acts of violence and discrimination against individuals because of their sexual orientation or gender identity. We urge all governments to continue their efforts in this regard.

We also welcome and commend the recent actions taken by the African Commission on Human and Peoples' Rights, the Inter-American Commission on Human Rights, the



Organization of American States, the Pan American Health Organization, and the Council of Europe in strengthening the global resolve to further human rights protection for LGBTI persons.

We recall the Co-Chairs' Summary of Conclusions from the Oslo Conference on Human Rights, Sexual Orientation and Gender Identity held in April 2013 and specifically the Co-Chairs' conclusion that "we look forward to working with all parties to take concrete and practical steps to address violence and discrimination based on sexual orientation and gender identity." We note that the Oslo conference included diverse and strong participation from all global regions.

We further recall that the Oslo Conference affirmed the ongoing need for systematic integration of human rights, sexual orientation and gender identity issues within all aspects of the United Nations system. We reaffirm this need and encourage all stakeholders, including governments, civil society organizations and inter-governmental organizations such as the United Nations to work collaboratively to advance the human rights of LGBTI persons. We furthermore applaud the positive steps taken in various countries in all regions to address acts of violence, repeal discriminatory laws and raise awareness about human rights. We encourage that such engagement be strengthened collectively.

We emphasize the importance of continuing to work together with diverse stakeholders and non-traditional allies such as the private sector, academic institutions, media, local authorities, faith leaders and civil society as we work to advance the human rights of LGBTI persons.

We further recognize the work of civil society organizations and human rights defenders from whom we have heard over the last three days. We commend their tremendous dedication and resolve to bring about a world free from violence and discrimination. We are gravely concerned by the serious challenges, difficult circumstances, and in some instances violent attacks that human rights defenders and organizations face as they work to achieve this important goal. We are inspired by their commitment, and recognize their rich diversity and unique views from different regions and across different cultures and traditions.

## **Together we affirm the following:**

1. We reaffirm the primary responsibility of states to promote and protect the human rights of all persons;
2. We recognize and celebrate the diversity that exists within and across LGBTI movements. We seek deeper understanding of and responsiveness to the unique needs of lesbian, gay, bisexual and transgender persons;
3. We remain deeply concerned about the high levels of violence and discrimination targeting LGBTI persons, and pledge to redouble our efforts to promote human rights protection of all persons, regardless of sexual orientation or gender identity;
4. As we support institutions and civil society to advance human rights and inclusive development, we affirm the importance and primacy of the principle of "do no

harm” in assistance and diplomacy efforts. We intend to continue to work in close consultation and collaboration with civil society to ensure our individual and combined international efforts do not undermine or further marginalize LGBTI or other marginalized or vulnerable persons;

5. We aim to integrate the human rights and development concerns of LGBTI persons in assistance and diplomacy efforts. In particular, we intend to continue to use an approach to development that respects human rights. As we work with partners in government and civil society, we seek to support access to services across sectors in a way that appropriately accounts for the needs of all persons without discrimination and with dignity;
6. We dedicate ourselves to exploring ways to strengthen our international assistance and diplomacy efforts to promote and protect the human rights of LGBTI persons, through cooperating with additional governments and identifying new sources of funding and engagement, including from the private sector;
7. We will strive to ensure flexible and timely support, especially to meet the needs of the most vulnerable persons worldwide, including LGBTI persons;
8. We intend to guide our assistance and diplomacy efforts on the basis of need and when possible on the basis of needs assessments. We also recall the importance of co-ownership of assistance and diplomatic efforts with host governments as we work to advance the human rights of LGBTI persons;
9. We underline that governments, funders, civil society organizations and other implementing organizations should ensure involvement of local LGBTI communities and their allies in the design, implementation, monitoring and evaluation of human rights and development cooperation efforts as appropriate;
10. We encourage the funds and programs of the United Nations and other international organizations to strengthen efforts to integrate the development and human rights concerns of LGBTI persons into their work;
11. As is best appropriate and feasible, we seek to provide technical assistance to governments who have committed to advance the human rights of LGBTI persons and/or support their inclusion in development programs;
12. To further strengthen cooperation, coordination and communication of assistance and diplomatic efforts, we plan to continue to meet annually to discuss implementation of this communiqué and other relevant issues. The next meeting is expected to be organized by the Netherlands in early 2016.

**For further information, please contact Chanan Weissman at [WeissmanC@state.gov](mailto:WeissmanC@state.gov) or (202) 647 4043.**

# Appendix B:

## Civil society and non-state donor recommendations from the conference to advance the human rights of and promote the inclusive development for lesbian, gay, bisexual, transgender (and intersex) persons Washington DC, November 2014

### Introduction

Since the first global donor forum, held in Stockholm in 2010, there has been considerable progress in recognizing, among concerned national governments and NGOs, that support for LGBTI human and civil rights must be more central within bilateral and multilateral assistance programs and priorities. Even the conference title, “Conference to Advance the Inclusive Development for Lesbian, Gay, Bisexual, Transgender and Intersex Persons” evolved to recognize the financial and non-financial means that governments can support human rights and human development of LGBTI people. The following guidelines and recommendations from civil society actors represented at the Washington conference are based on that recognition, build on that progress, and point to areas for continued improvement.

### Guiding principles

These principles underlie the recommendations below:

- 1. Proactively extend, focus and adapt funding.** Assistance should be undertaken with a specific commitment to provide funding that surfaces and addresses the particular and linked experiences of people generally taken together as, ‘an LGBTI community.’<sup>3</sup>
- 2. Acknowledge intersecting marginalisation.** This funding approach will require thoughtful and cross-cutting attention to intersecting forms of marginalisation across sectors within this community. Assistance must integrate an intersectional lens to address experiences of marginalisation within LGBTI communities and the socio-economic contexts in which people are located; this approach must also address interlinkages with gender, race, class, age, health status, nationality, migration status, and many other social factors.
- 3. Recognise differential experiences.** Assistance will also require sensitively captured and disaggregated data that recognises different challenges for each sector within LGBTI communities, with particular emphasis on experiences of traditionally marginalized groups, including lesbians, transgender and intersex people.
- 4. Take into account global geopolitics.** To best address the realities and complexities in people’s lived experience, global geopolitics and other power imbalances always must be taken into account in analysis and in implementation.

<sup>3</sup> Principles 1, 2 and 3 resonate with affirmation #2 of the joint communiqué on recognizing diversity.

# Key Recommendations

## 1. Policy

Increase the level of funding for LGBTI rights overall by integrating the human rights concerns and needs of LGBTI persons within all bilateral and multilateral assistance programs, including development assistance, poverty eradication, human rights, education, health, women and gender, civic participation, children's rights and people with disabilities. This recommendation is consistent with affirmations #4, 5, 6, 10 and 11 of the [joint communiqué](#).

Stronger and coordinated efforts to promote human rights protection of all persons, regardless of sexual orientation, gender identity, gender expression and bodily diversity, must be at the heart of these efforts. These efforts should include support for free speech, assembly, and expression and fair access to employment, education healthcare and welfare. This recommendation is consistent with affirmations #1 and 3 of the [joint communiqué](#).

Increased funding and parallel diplomatic engagement should address the human rights and development needs of LGBTI persons, based on needs assessments and research that is community-based and participatory. Assessments and research must include economic and sociopolitical context. This recommendation is consistent with affirmation #7 of the [joint communiqué](#).

Bilateral and multilateral funding agencies should enact policies and procedures to ensure that they themselves, as well as those funded to implement programs (contractors and sub-contractors, grantees and sub-grantees) do not discriminate on the basis of sexual orientation, gender identity or gender expression and bodily diversity in employment or service provision. In parallel, funders should provide technical assistance to their own staff, and their contractors and grantees on how to integrate non-discrimination provisions in their policies, documents and practices, and promote affirmative policies and community-based leadership. This recommendation is consistent with affirmations #4, 5, and 11 of the [joint communiqué](#).

Economic programmes and cooperation, such as trade agreements, should not ignore human rights concerns but instead be taken as opportunities to address these concerns. This recommendation is consistent with affirmation #1 of the [joint communiqué](#).

## 2. Coordination<sup>4</sup>

Greater clarity, transparency, and consultation are needed among and between governments, private donors and wider civil society organizations, including LGBTI organizations. This must include agreement on fundamental goals and objectives and should seek both to avoid duplication of efforts and to diversify the distribution of funding.

Civil society advocates and organisations should be actively involved, alongside private foundations and other funding agencies, in shaping donor strategies and structures to

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<sup>4</sup> Recommendations related to Coordination relate to all of the affirmations of the joint communiqué so are not mapped individually.

maximize effective coordination of responsive funding. In particular, the geopolitics of trans, lesbian and intersex movements are complex and carry global funding implications. The particular issues of trans, lesbian and intersex groups are not sufficiently visible in current funding programmes. This requires critical and collaborative engagement to formulate assistance that disaggregates between sectors in the 'LGBTI community'. Trans-, lesbian- and intersex-led organisations must be part of LGBTI and related decision-making processes at all levels.

Equal participation of groups from the global South is needed in government/civil society deliberations, as well as marginalized communities from the North, in particular trans, lesbian and intersex groups, along with South-South coordination of groups working on LGBTI issues. Both should be encouraged actively.

Collaborative bilateral/donor/civil society mechanisms are needed to monitor and evaluate the destination and expenditure of LGBTI funding. Without compromising the security of grantees, governments should be more transparent about their funding and funding mechanisms. To the degree feasible, data should be disaggregated for L, G, B, T, and I populations.

Coordination must involve a regular scan and evaluation of available funding by region, theme, and purpose and should be carried out with a view to expanding the number of government and donor LGBTI allies. This must be a shared effort among governments, private foundations, and civil society and must involve a regular and institutionalized sharing of knowledge, best practices, strategies and lessons learned regarding effective support and diplomatic engagement.

Cooperation among governments and multilateral organizations should build on existing diplomatic coordination mechanisms, as well as coordination at the country level through embassies and other multilateral offices.

Governments and development agencies, as well as other multilateral platforms and organizations, should seek to increase support from existing donors and to attract new donors, including from the private sector, to advance LGBTI rights. In pursuing public/private partnerships, governments should be cautious that private stakeholders not redirect support away from civil society and into government-led initiatives. Consideration should be given to how multinational companies might be allies in raising with governments issues restricting the rights of LGBTI persons in the workplace.

### **3. Partner Relationships<sup>5</sup>**

In general, LGBTI civil society organizations in the global South and East should be prioritized. However, those in middle- and high-income countries are increasingly under tremendous pressure and should not be excluded from global funding for LGBTI rights, such as marginalized civil society organizations in the Global North. Groups that face multiple discrimination -- such as trans, lesbian and intersex-led organisations or groups working at the intersection of LGBT rights and race, for instance -- should be prioritized regardless of location. International and regional organizations that work in close collaboration with local groups and/or that fill a gap in the human rights movement should

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<sup>5</sup> Recommendations related to Partnership Relationships relate to all of the affirmations of the joint communiqué so are not mapped individually.



also be valued. The donor community must learn to work better within the structural and skill limits of intermediary organizations, and with a view to the relative and sometimes unique benefits of each. Where civil society organizations lack effective capacity, efforts should be redoubled to develop that capacity, and/or to work with intermediaries (regardless of location) that have the capacity to service global South and East groups.

There is no one-size-fits-all organizational approach to advancing the rights and development concerns of LGBTI populations around the globe. The role of different types of intermediaries is an area that requires further study to appreciate the strengths and weaknesses of various models. A concern and priority regardless of methodology is for the funds to reach the most affected individuals and groups.

In grant-making, donors should place greater priority on ‘knowledge sharing’ over ‘knowledge transfer’. This should include donor assistance to implementing organisations in the technical knowledge required for writing competitive grant applications (e.g., an adequate understanding of the donor-ascribed meaning of terms such as ‘outputs’, ‘objectives’, as well as how implementing organisations best can communicate context-specific information to donors). Each grant should have a genuine ‘lessons learned’ component, not just a monitoring and evaluation report.

Donor-grantee relationships should focus not only on money transfer, but on investing in human capabilities. For instance, biannual Skype calls might be arranged with partners (whether directly or through intermediaries); skills-building such as community organizing should be addressed; and best practices might be shared horizontally, across implementing partners funded in different regions but working in similar and related fields. In these efforts, great effort should be made to avoid placing upon grantees the burden of too many convenings where participation is implicitly or explicitly mandatory.

Donor-, government-, and institution-funded research and learning must be ‘mainstreamed’ with a view to connecting LGBTI advocacy and assistance programs to larger funding streams and policy priorities.

## **4. Grant-Making and On-the-Ground Support<sup>6</sup>**

There is an ever-pressing need for on-going structural, accessible, flexible and multi-year support to institutions and to civil society aimed at advancing LGBTI rights. As a rule, project funding should be given for 2-3 years, not less, to ensure sustainability.

Project funding should not rely on donor-driven assumptions, without due deference to partner knowledge, as otherwise it can generate ‘project silos’ that may be divorced from any genuine needs assessment. Funding limited to specific donor-driven projects can reduce the efficacy of LGBTI civil society organizations by inadequately resourcing (a) overall administrative costs and (b) long-term strategies needed to tackle systematic LGBTI rights violations. HIV-specific prevention and research funding, too, should be more responsive to LGBTI advocacy and needs, especially the most vulnerable in these communities such as transgender women, LGBTI adolescents and LGBTI communities where anti-gay laws affect their access to treatments.

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<sup>6</sup> Recommendations related to Grant-making and On-the-Ground Support relate to all of the affirmations of the joint communiqué so are not mapped individually.

To the greatest possible extent, governments, funders, civil society organizations and other implementing organizations should involve local LGBTI communities and their allies in the design, implementation, monitoring and evaluation of human rights and development assistance efforts at every level.

In meeting the various needs of LGBTI people on-the-ground, governments can recommend mechanisms for providing ‘safe spaces’ for LGBTI activists to meet, for example, in embassies; formulating joint statements on LGBTI rights along with foundations, other governments, NGOs etc.; and showing visible signs of support (e.g. joining LGBTI marches, monitoring trials, visiting imprisoned LGBTI activists and support for trans-, lesbian- and intersex-led actions). Funding should be flexible in responding to communities needs which may change as political climates and contexts change—even within a particular grant cycle.

Safety and security of activists and communities needs to be an integral part of all community support, diplomatic interventions and grant-making. In addition to considering how programs and activities impact general security for activists and communities, all organizational grant-making should consider whether funding for security needs to be included in the grant.

## **5. Content and Thematic Priorities**

Programmes and support must be designed with respect for local sexual and gender identities and diversities, some of which differ from Western notions of sexual and gender identities and bodily diversity. We need to have a conversation about gender norms, as well as social norms concerning bodies, sexualities and genders. Bilateral and multilateral assistance and private foundations should be gender-conscious, taking into account the potentially devastating side effects of overlooking gender for women and all gender non-conforming people. Donors need to work beyond binaries of male and female, to include people across the sex and gender spectrums.

Within the broad constructs of LGBTI rights, lesbian, trans, lesbian and intersex-specific issues have not been adequately funded and/or addressed politically and publicly by governments, private foundations or civil society. To progress on LGBTI rights, this urgently must change. As governments, donors and civil society add the “I” to “LGBTI,” there must be deliberate discussion of what this means in each region and country of engagement. This must include recognition that the intersex movement is in many ways a distinct movement, with distinct issues and an often different group of people.

The use of social and new media and technical solutions in LGBTI work has not been explored sufficiently, in comparison with investments by bilateral agencies and private foundations in the use of these to advance other social justice causes. Though not a substitute for the core support that so many LGBTI groups urgently need; this gap must be bridged. Funding resources should include investment in new technologies, social media, digital research methods, and communication capabilities, all needed not only to build LGBTI civil society, but to guarantee its sustainability and the ability to meet its goals.

Implicit throughout these five recommendations is awareness that LGBTI communities and movements have diverse priorities, strategies and methodologies. These diversities



should be valued, funded, and recognized as crucial to our collective impact. In this regard, we encourage regionally sensitive investment in:

- LGBTI-affirming faith-based leadership;
- Monitoring rising violence against LGBTI persons worldwide, with due attention to legal reform, strategic litigation efforts, and the pro-active prosecution of perpetrators;
- Educating health staff/doctors in issues related to dignity and respect for the diversity of our bodies (intersex) and gender identities/constructions, as well as implementing programmes focused on preventing, monitoring and responding to institutional violence in medical settings; and
- Migration and refugee needs, including access to healthcare, access to work, and the right to identity papers and social systems in the country of arrival, as well as the right to asylum in cases of LGBTI-specific persecution.

## Key Recommendations for Next Conference in Early 2016

**Finally, in preparation for the next LGBTI donor conference, organized by the Government of the Netherlands:**

- Governments should fund a preparatory NGO forum.
- Governments should prepare a report that quantifies their actual funding of LGBTI human rights, including HIV-related funding that has a genuine human rights component for these populations, as well as through which types of funding mechanisms and intermediaries.
- Governments should participate in efforts by the Global Philanthropy Project to produce a case studies/good practices report.
- LGBTI groups must be engaged in identifying case studies and good practices; and space should be created for those examples to be shared.
- A report should be prepared about the role of different types of intermediaries in order to appreciate the strengths and weaknesses of various models.

This work cannot be done without adequate resources.



