

# Sex, gender and sexuality

## Human rights issues in development cooperation

### Introduction

Discrimination based on sexual orientation, gender identity and expression and sex characteristics (SOGIESC) is prohibited by international human rights instruments, which the majority of states have ratified. Nevertheless, persons with a sexual orientation and/or gender identity that does not conform to – perceived – majority norms face disproportionate discrimination, marginalisation and violence. The situations and forms of discrimination vary in different contexts, but human rights violations persist in all world regions. In many countries there are lesbian, gay, bisexual, transgender, transsexual and intersex (LGBTI) organisations or groups struggling against this injustice, striving for equal rights, providing safe spaces and celebrating diversity, LGBTI community and culture. The capacity of these organisations varies, as do the strategies they apply. Many work through advocacy and awareness-raising to change legal and social norms about LGBTI people, and provide social support and counselling.

Development cooperation has started to pay attention to discrimination on grounds of SOGIESC in policy formulation and programming. It is still perceived as a highly sensitive and political issue, which cannot be easily addressed with development partners, especially where LGBTI people are criminalised.

The 2011 strategy on [‘Human Rights in German Development Policy’](#) (PDF, 485 KB), issued by the German Federal Ministry for Economic Cooperation and Development (BMZ), explicitly addresses discrimination based on sexual orientation and gender identity.

It calls for improving respect for the human rights of LGBTI people through development cooperation by working on the root causes of their discrimination.

This requires development practitioners to address key questions similar to those that arise when dealing with other groups suffering discrimination, such as women or people with disabilities: Which social norms cause discrimination? How can these norms be changed over time? Who is engaged in these processes and can be supported by development programming?

This tool seeks to motivate development practitioners to consider human rights relating to sexual orientation and gender identity in development cooperation programmes. It introduces the relevant human rights framework and gives examples of how German development cooperation has dealt with human rights relating to sexual orientation and gender identity so far.

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## Why bother?

International human rights instruments prohibit discrimination on grounds of sexual orientation and gender identity. Laws and practices infringing on the human rights of LGBTI people should be repealed and stopped. Then again, in their work development cooperation practitioners have to prioritise and target interventions. Besides legally binding human rights obligations, there are a number of other reasons why they should consider human rights relating to sexual orientation and gender identity in development cooperation programmes:

- **Promoting the human rights of LGBTI people contributes to poverty reduction:** LGBTI people often live in poverty due to legal and social discrimination, which can negatively impact on their economic opportunities and their enjoyment of human rights, such as access to adequate housing, health, education and work. Discrimination against LGBTI people often starts at school, potentially leading to an early exit from or poor performance within formal education; discrimination in the workplace makes LGBTI people more vulnerable to unemployment and dismissal; social stigma prevents LGBTI people from having adequate access to health care and forces them to take extra precautions when moving around in public; and last but not least, LGBTI people are often rejected by their families and thus lack an important social and informal economic safety net.
  - **Discrimination against LGBTI persons creates economic costs:** [A 2014 study conducted by USAID and the Williams Institute](#) analyses the economic effects of discrimination against LGBT people in 39 countries around the world, of which 29 are 'emerging economies'. It finds that violations of the human rights of LGBT people are likely to have a harmful effect on a country's level of economic development. Discrimination in the workplace and at school as well as restrictive access to physical and mental health, for example, lead to lost labour time and productivity, underinvestment in human capital and the inefficient allocation of human resources, acting as a drag on economic output. The study also found a positive correlation between per capita GDP and legal rights for LGBT people – countries with more rights for LGBT people have a higher per capita income and higher levels of well-being. [A 2018 study](#) based on data from over 120 countries confirms these results, particularly stressing the positive correlation of per capita GDP with legal codification of the rights of LGBT people.
- [Research on India commissioned by the World Bank](#) (PDF, 1.6 MB, not barrier-free) confirms that denial of the rights of LGBT people has economic repercussions: In India lost workplace productivity and health problems connected with homophobia cost the country between US\$ 2 billion and US\$ 31 billion in 2012. Anti-gay stigma and discrimination lead to depression, suicide and HIV treatment disparities, which in turn trigger direct health costs. In addition to such direct costs, the study shows that being gay can bring violence, job loss, family rejection, harassment in schools and pressure to marry. As a result, many gay people have less education, lower productivity, lower earnings, poorer health and a shorter life expectancy.
- **Intersectional discrimination of women:** Women are often confronted with multiple discrimination due to their sex and gender. This discrimination can be multi-layered due to their sexual orientation or gender identity. UN Special Rapporteurs have attributed additional risks faced by so-called '[women human rights defenders](#)' defined as including both female human rights defenders, and any other human rights defenders who work in the defense of women's rights or on gender issues. As they are perceived to challenge widely accepted socio-cultural norms about femininity, sexual orientation and the role of women in society, they are targeted for or exposed to gender-specific threats and gender-specific violence. This is particularly true for lesbians, bisexuals and transgender people (LBT): so-called 'curative' or 'corrective rape' is one of the specific risks they face, a form of gender-based violence, which perpetrators describe as a 'treatment' to 'convert' their victims to heterosexuality. (See [VAWG's 2015 brief on violence against sexual and gender minority women](#) (PDF, 1.5 MB, not barrier-free)).
  - **Other donors work on sexual orientation and gender identity, too:** So far, German state development cooperation has run but a few programmes targeting or including LGBTI persons, mostly in the area of HIV/AIDS prevention, and more recently also on network-building among LGBTI organisations. Other donors, such as the Swedish International Development Cooperation Agency (SIDA) and the United State Agency for International Development (USAID), have taken active steps to mainstream



the rights of LGBTI people as an important human rights issue in their development programmes.

- **There are good partners to work with on the ground:** Social movements and civil society organisations are at the heart of the SOGIESC movement in all world regions. They connect international donors and activists, and are experts in understanding people's needs inside the country as well as the movement's opportunities and limitations. The 30 minutes documentary '[The Time Has Come](#)' interviews LGBTI activists from different world regions and highlights the expertise, strategies and strength of today's international LGBTI movement. Many civil society organisations (CSOs) and movements in partner countries are engaged in capacity building, litigation and policy reform, advocacy work or leadership development. Many of them work almost exclusively with volunteers and face security and funding challenges. Some of them are not officially registered, as registration usually requires an association's objectives to run in line with national legislation, which in turn raises further barriers, such as their activities being declared illegal, taxation hurdles, etc.

#### How many LGBTI people are there?

From a human rights perspective, the discrimination of LGBTI people is a structural problem, irrespective of how many people are affected. For countries, where data exists, studies estimate that there are between 2–10% LGBTI people among the population (see, for example, [a 2016 survey by Dalia Research](#), [the 2016 data of the UK Office for National Statistics](#), [a 2015 study by the Public Religion Research Institute](#), p. 46, PDF, 3.7 MB, not barrier-free). Real figures may be higher as stigmatisation increases the risk of under-reporting when collecting data. Also, the categories used in studies do not always match people's identifications: same-sex sexual encounters do not automatically lead to the self-identification as gay or bisexual. In a 2005 study on India, where 37–50% of all men interviewed have had same-sex sexual encounters, the majority of these men would not identify themselves as homo- or bisexual (see [SIDA \(2005\): Sexual Orientation and Gender Identity Issues in Development](#) (p. 13, PDF, 527 KB, not barrier-free).

## Resources

Human Rights Watch (2018): [Audacity in Adversity. LGBT Activism in the Middle East and North Africa.](#)

Park, A. (2016): [A Development Agenda for Sexual and Gender Minorities](#), the Williams Institute. (PDF, 1.3 MB, not barrier-free).

World Bank (2015): [Sexual Minorities and Development: A Short Film](#).

Coyle, D. & Boyce, P. (2015): [Same-sex Sexualities, Gender Variance, Economy and Livelihood in Nepal: Exclusions, Subjectivity and Development](#), Evidence Report No. 109, Institute of Development Studies (IDS).

Human Rights Watch (2009): [Together, Apart. Organizing around Sexual Orientation and Gender Identity Worldwide.](#)

Open Society Foundation & Global Action for Trans Equality (2013): [Advancing Trans Movements Worldwide – Lessons from a Dialogue between Funders and Activists Working on Gender Diversity.](#)

The Institute of Development Studies (IDS) at Sussex University runs research programmes on '[Sexuality and Development](#)' and on 'Sexuality, Poverty and Law' and regularly publishes on these themes. It also developed an online '[Sexuality and Social Justice Toolkit](#)' for practitioners and activists, which provides interactive tools on how to integrate sexual rights in development work, and explains why sexuality is a development issue.

Trans Respect versus Transphobia & Transgender Europe (2015): [Transrespect versus Transphobia. The social experiences of trans and gender-diverse people in Colombia, India, the Philippines, Serbia, Thailand, Tonga, Turkey and Venezuela.](#) Accessible in different languages at <https://transrespect.org/en/tvt-publication-series/>.

Trans Respect versus Transphobia & Transgender Europe (2012): [A Comparative Review of the Human-rights Situations of Gender-variant/Trans People.](#)

## The Trouble with Terminology

SOGIESC stands for Sexual Orientation and Gender Identity and Expression and Sex Characteristics. 'Sexual orientation' describes what gender(s) a person is sexually and/or romantically attracted to. 'Gender identity and expression' refers to a person's individual interpretation of gender, which may or may not correspond with the sex assigned at birth. It is how a person feels about and expresses gender and gender roles – clothing, behaviour, personal appearance etc. 'Sex characteristics' refers to a person's physical features relating to sex, including genitalia, chromosomes, hormones, and secondary physical features (see [Yogyakarta Principles](#)).

Most societies are based on the assumption that there are two complementary sexes, male and female, and that heterosexuality is the only acceptable way. This state of affairs is usually called heteronormativity. As a consequence, people with any other, non-conforming gender identity, or with a different sexual orientation, are stigmatised and often seen and treated as a threat to society and its norms.

There are a number of self-descriptions that people with a 'different' sexual orientation or gender identity use. Terms are a matter of self-identification. People can only decide themselves what terms describe best how they feel about themselves and their life practices. When working with people or groups, it is important to ascertain what they call themselves and what they like to be called.

LGBTI is a term commonly used, especially in the so-called Global North and within the international human rights framework. The acronym refers to

- Lesbians and gays, whose sexual orientation is typically understood as towards people of the same gender.
- Bisexual people with the ability to be sexually attracted to and/or love someone irrespective of the person's gender.
- Transgender people or short trans people, for whom the gender they live and identify with does not correlate with the sex they were assigned at birth. Being transgender is about gender identity (i. e. how people feel and identify) and expression (i. e. how people express themselves through appearance). The terms used can differ, depending on the gender

a person identifies with. Some transgender persons identify as transmen or transwomen, others do not. There are diverse regional names and concepts for trans identities (see infobox below).

- Intersex people or inter people have sex characteristics that are more diverse than the binary concept of male/female as defined by the medical system suggests. There is a wide range of different intersex conditions, some becoming apparent at birth, others later in life. With an estimated share of up to 1.7% of the population, the size of the intersex community might compare to the quantity of red-haired people in the world.

### Central concerns of the intersex community

Surgical procedures that aim at changing the physical appearance of intersex children so that their genitals and gonads fit the sex binary are still common, including within the EU. A [study focusing on Germany](#) (German only) concludes that there has been no decrease of such interventions since 2005. Intersex organisations define these so-called "sex-normalising treatments" as "**genital mutilations**" and as gross human rights violations. They have severe consequences for those subjected including infertility, mental distress, incontinence and loss of sexual sensation.

Intersex persons also experience discrimination later on in life. Stigma and a lack of knowledge on part of policymakers and service providers related to intersex conditions and the interests of intersex persons lead to inequalities in accessing health care or education. Often "sex characteristics" are not included as prohibited grounds of discrimination in national legislation. Intersex persons often tend to face obstacles when it comes to legal recognition, for instance if they want to change their assigned gender in legal documents. As very few states recognise more than two genders, this is particularly difficult when a person's gender identity does not conform to the binary norm.



### Central concerns of the transgender community

'Transgender' is an umbrella term and there are many different ways in which a person can be transgender: Common to most of them is that they feel uncomfortable with the legal gender assigned to them because of their biological sex. Some transgender people feel discomfort with their body and would like to change it to a different gender and have this change recognised by law and society. For them, the right to surgery and hormonal treatment as well as the right to change their gender in their legal documents are essential. Others do not want to undergo intrusive surgical interventions but want to have the right to have their gender identity recognised in legal documents. However, in many countries surgical interventions are a precondition for changing the legal gender in the civil registry. Forced sterilisations or other surgical interventions disrespect the choices of transgender people over their body and compel them to fit into the medical category of man or woman. Thus, the goal of most transgender people is twofold: They want to have the right to and financial support for surgical and hormonal treatment as well as the right to having one's gender identity officially recognised in legal documents without surgical and hormonal treatment being a precondition for it.

The term LGBTI is often used in the Global North. People in the Global East and South often tend to refer to themselves as sexual minorities. Both labels have connotations:

- The term "sexual minorities" is a quantifier. As such, it might bolster arguments on what is considered normal, as it implies that there is a majority way. It might also suggest that SOGIESC rights are special rights or even minority privileges instead of human rights common to all.
- LGBTI is linked to the gay rights struggle in the Global North or 'The West' and is often criticised as being Eurocentric. Groups in the Global South argue for instance that the term LGBTI is based on a restricted catalogue of identities, which fails to grasp traditional trans identities common in their countries.

In fact, there is a multitude of cultural ways to think of and refer to one's sexual orientation and / or gender identity. Examples include metis in Nepal. Metis are mostly male-bodied feminine-presenting people. There are many local names for metis in Nepal such as natuwas (meaning dancers) in the Sunsari district. The term queer (the questioning and crossing of norms especially related to SOGIESC) originates in English speaking contexts. Other terms include MSM (men who have sex with men) and WSW (women who have sex with women).

To avoid categorisation that leads to stigmatisation and to appreciate the diversity of gender identities and sexual orientations, it is important to bear in mind that the identities embraced by LGBTI do not manifest themselves in the same way worldwide. Categories can change with time and place. Many people use their regional terms, but also the term LGBTI in order to be visible in international and regional human rights frameworks and discourses. The publication [Born Free and Equal: A quick guide to sexual orientation, sex and gender identity](#) (2012, PDF, 2.4 MB, not barrier-free) by the New Zealand Human Rights Commission provides a vivid illustration of the complexity of SOGIESC identities.

### Self-identification

A person's gender identity cannot be gauged from behaviour or appearance. Someone who chooses not to conform to gender roles or gender-specific clothing does not necessarily express a specific gender identity or sexual orientation. Therefore, one should ask about the terms people use to describe themselves or their movement, and how they prefer to be addressed with regard to gendered pronouns, such as she/he/they.

### Resources

[Glossary of terms relevant to SOGIESC/LGBTI](#)

[OHCHR fact sheet on intersex](#) (PDF, 153 KB, not barrier-free)

## SOGIESC in the international human rights framework

The prohibition of discrimination is a fundamental human rights principle and is enshrined in all core human rights treaties, including the [International Covenant on Civil and Political Rights](#) (ICCPR) and the [Covenant on Economic, Social and Cultural Rights](#) (ICESCR). Most partner countries of Germany have ratified the two covenants, along with other international human rights treaties.

### Common arguments and how to handle them: 'homosexuality is a Western import'

States that refuse to accept that human rights apply regardless of SOGIESC often argue that homosexuality is a cultural import of 'The West' and that a recognition of related rights contradicts what they claim to be their traditions, culture or religion. This argument is also often used to oppose the equality of women. However, non-heteronormative sexual orientations and gender identities have existed in all world regions (see the [OHCHR infographic on SOGIESC throughout history](#) (PDF, 870 KB, not barrier-free). In the case of many countries, it was in fact under colonial rule that homosexual acts were criminalised (see the [Human Rights Watch report 'This Alien Legacy'](#)). In short: colonial powers did not import homosexuality but homophobia.

Both the ICCPR and the ICESCR ban discrimination on a variety of grounds, namely 'race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'. Sexual orientation, gender identity and expression and sex characteristics are not mentioned explicitly. This is mostly due to the fact that this type of discrimination had not been considered a human rights issue at the time these instruments were drafted in the 1950s and 1960s. However, the prohibition of discrimination in both covenants includes the notion of 'other status'; so, also at that time, it was explicitly recognised that other discrimination grounds may exist.

Treaty bodies (see ['ABC of Human Rights for Development Cooperation'](#) (2016, PDF, 166 KB)) are the expert bodies entrusted with the interpretation of human rights treaties. In 2009, the [Committee on Economic, Social and Cultural Rights](#) confirmed in its [General Comment No. 20](#) that both sexual orientation and gender identity are recognised as being among the prohibited discrimination grounds. State parties have to ensure that these grounds do not prevent persons from realising their human rights. These state obligations were reinforced by the Committee in 2016 in its [General Comment No. 22](#) on sexual and reproductive health, where it found that "criminalization of sex between consenting adults of the same gender or the expression of one's gender identity is a clear violation of human rights". In [General Comment No. 23](#), the Committee reaffirmed the right to equal job opportunities and working conditions irrespective of sexual orientation and gender identity. All three general comments include references to intersex persons as well. Over the years, treaty bodies have issued more than 350 recommendations to states on how to improve the situation for LGBTI persons.

In 2016, the Human Rights Council appointed the first ever [Independent Expert on the Protection against violence and discrimination based on sexual orientation and gender identity](#). To date, the Independent Expert has visited [Argentina, Georgia and Mozambique](#) and issued [thematic reports](#).



**Common arguments and how to handle them:  
'rights relating to SOGIESC are new rights'**

States opposed to guaranteeing human rights to LGBTI often claim that they are not obliged to do so, despite having ratified the ICCPR and the ICESCR. They argue that by interpreting 'other status' as including discrimination relating to SOGIESC, the ICCPR and ICESCR treaty bodies have 'introduced new human rights'. These states contend that they would have refused ratification had they known the treaty bodies' interpretation before. Treaty bodies are, however, tasked with interpreting the human rights treaties, which includes taking account of changing legal developments and practices. So, even if the treaty bodies' interpretation has evolved after treaty ratification by most states, their interpretation of states' human rights obligations advanced in the General Comments is widely considered authoritative.

## Resources

[ILGA](#) regularly analyses the output of treaty bodies and the Universal Periodic Review on SOGIESC-related issues

The [Universal Human Rights Index](#) allows quick access to Treaty Bodies recommendations and recommendations from the Universal Periodic Review, filter by theme (G2), for example, to access the country specific recommendations

## How German development cooperation engages

Until 2018, GIZ supported network building among parents of homosexual men and women in Ukraine with the aim of increasing tolerance for sexual minorities and eventually improving access to HIV prevention and treatment for homosexuals. As the parents often have a heteronormative background, they can act as agents of change by publicly advocating for more tolerance for those affected by HIV/AIDS and thereby countering their social stigmatisation (see [Working with civil society to promote LGBT-inclusion in Ukraine](#) (PDF, 2.8 MB, not barrierfree))

Until 2016, GIZ implemented a regional programme for the support of LGBTI organisations in countering discrimination on grounds of sexual orientation and gender identity. It worked together with African civil society organisations (CSOs) and networks, such as Pan Africa ILGA and the Coalition of African Lesbians to assist LGBTI organisations in enhancing their capacities in organisation and strategy formulation, cross-regional cooperation in networks and strengthening work processes with the African human rights system.

The German [Hirschfeld-Eddy-Foundation](#) (HES) is the human rights foundation of the [Lesbian and Gay Federation in Germany](#) (LSVD). HES works on the rights of LGBTI people in development cooperation and foreign policy, and promotes international networking and cooperation with partner organisations in the Global South and Eastern Europe. HES carries out national and international LGBTI human rights campaigns by providing information, raising public awareness, lobbying, sensitising and building alliances. HES supports LGBTI human rights defenders and projects in Tunisia, Subsahara Africa, Russia, Ukraine, the Western Balkans, Turkey and Central America. Between 2014 and 2017, the LSVD implemented the Masakhane-Project. It aimed to strengthen LBT human rights defenders in Namibia, Botswana, Zimbabwe and Zambia and to promote networking and alliance building in the region. The Masakhane-Project was a successful cooperation by the LSVD, the Coalition of African Lesbians and supported by filia. die frauenstiftung and the German Federal Ministry of Economic Cooperation and Development.

The Heinrich Böll Foundation (hbs) works on the rights of LGBTI people with partner organisations in various world regions, using a wide range of approaches including awareness raising, advocating for the recognition of human rights, lobbying, research and knowledge management. In Southern Africa, for example, [hbs](#) cooperates with organisations such as [Freegender](#), [Triangle](#), [Inclusive and Affirmative Ministries](#), [Women's Leadership Center](#) and [The Inner Circle](#) to promote dialogue and exchange of experiences and sensitise religious (Christian and Muslim) and traditional leaders ([sangomas](#)) as well as political representatives to campaign for the rights of sexual minorities in their (faith) communities. The [hbs office in Nairobi](#), Kenya works on [integrating SOGIESC issues](#) into established human rights organisations and cooperates with the [National Gay and Lesbian Human Rights Commission](#) (NGLHRC) in using the justice system for the protection of LGBTI human rights. [A EU-project of hbs in Sarajevo](#) in cooperation with the partner organisations Sarajevo Open Center and the CURE Foundation addresses, among others, civil servants in interior ministries as well as journalists and representatives of civil society organisations to raise their awareness of LGBTI issues. The Heinrich Böll Foundation in Tel Aviv currently cooperates with the Isha L'Isha-Haifa Feminist Center on creating a lesbian archive to support knowledge management on the lesbian movement in Israel. Its main feature is a website, which facilitates open access to a selection of historical documents relating to lesbian life in Israel.

## Building Blocks for Programming

To work effectively on issues related to sexual orientation and gender identity it is essential to get state partners on board. Political dialogue on the issue should be maintained and the discrimination of LGBTI people be raised on a continuous basis.

Development agencies can reconsider policies and practices within their own organisation as well as the approaches and implementation of their programmes.

### Measures to ensure that agencies practice what they preach:

- making SOGIESC-related rights visible as part of the human rights concerns in the organisation, for example by including the [Yogyakarta Principles](#) and the [Yogyakarta Plus 10 Principles](#) in human rights information and publishing it on the agency's website and intranet;
- integrating SOGIESC issues and respective rights in staff training and briefings;
- enabling agency staff to address SOGIESC issues and related rights in the field, by providing practical guidelines or promoting the use of existing toolkits, such as the [EU LGBTI foreign policy guidelines](#) (PDF, 98 KB, not barrier-free) or the [EU Guidelines on Human Rights Defenders](#) (PDF, 62 KB, not barrier-free).
- ensuring that internal organisational practice reflects what it preaches externally, such as by including SOGIESC as a part of the agency's own non-discrimination policy.





### Network development:

- support networking between SOGIESC and non-SOGIESC civil society organisations to overcome the isolation of sexual minorities and their advocates;
- facilitate cooperation between state actors and civil society;
- reference international or regional human rights material on SOGIESC rights in political dialogue
  - Discretion: be careful for instance not to mention partner organisations or individuals without prior approval;
- formulate quick reaction plans in countries with a repressive atmosphere towards LGBTI people in case of gross LGBTI human rights violations.

### Capacity building and programming:

- support capacity building of CSOs and / or National Human Rights Institutions (NHRIs) working on SOGIESC rights;
- support groups that combine service delivery with advocacy to help SOGIESC movements move from self-empowerment to political action;
- include SOGIESC rights in regional and / or country strategies;
- include sex education as part of teacher training in education programming;
- include LGBTI indicators at least within gender, sexual and reproductive health and rights and HIV / AIDS programmes;
- include SOGIESC rights in existing programmes, beyond health and education: for example, train legal professionals and law enforcement officers on SOGIESC rights and support legal advice centres in rule of law programming.

### Main Lessons Learnt

**Don't exert political pressure without consulting local groups:** The pressure of Western LGBTI activism with respect to the situation of LGBTI people in Africa and MENA has at times been counterproductive, leading to backlashes against LGBTI people. Talking about human rights rather than identities seems to be more promising, and coalitions with the broader human rights movement have been a key to success in the past. Litigation strategies have been successful where they focus on claiming that one's sexual orientation and gender identity is no justification for human rights violations in areas like the right to privacy. Without close cooperation with LGBTI organisations and movements, development cooperation will hardly have a positive impact in this area. The best starting point are local CSOs, local communities, regional and international organisations working on human rights related to sexual orientation or gender identity, or social movements working on gender and health issues. When working on a project, act as facilitator, not leader: LGBTI communities, while being vulnerable, are also highly resilient, and local LGBTI work is already done in many places. Cooperate closely with these communities and listen to them.

**Widen poverty analysis:** Poverty analysis should include LGBTI people, and reflect their diversity because this affects the structural and social barriers encountered. Men having sex with men encounter different obstacles than women having sex with women or transgender, for example. Likewise, the situation of LGBTI people may differ between rural and urban areas. In some countries, a woman who refuses to get married to a man might be excluded from access to resources, such as land, and thus be unable to secure her livelihood. The same may not be the case for men having sex with men in urban areas.

**Do no harm:** Programmes may unwillingly reinforce discrimination against LGBTI people, as has happened for instance in [relief projects after earthquakes in Haiti](#) (PDF, 12.6 MB, not barrier-free). To prevent this, LGBTI groups on the ground need to be carefully consulted during programme design and implementation. At the political level, when evaluating political measures, such as sanctions and conditionality related to LGBTI criminalisation, local civil society groups should be listened to. In 2011, more than [40 social justice movements and CSOs](#) argued that the use of aid conditionality as an incentive for increasing the protection of LGBTI rights in different African countries can actually worsen their situation. Aid conditionality can undermine local efforts of LGBTI groups to build coalitions with wider civil society and to establish ties with governments.

**Consider that there may be internal hierarchies among LGBTI:** The label 'LGBTI' suggests an equal share of and natural alliance between lesbians, gays, bisexuals, transgender, transexuals and intersex people. However, especially transgender and intersex people are frequently marginalised and underrepresented within LGBTI communities and organisations. Trans and intersex-led groups have significantly less access to available funding than organisations that are not self-led (see 2014 report of the Open Society Foundation [Lessons from a Dialogue between Funders and Activists Working on Gender Diversity](#)). In some cases, trans people feel that they are perceived as outsiders even by LGB communities and organisations and prefer working with organisations representing other excluded groups, such as persons living with albinism. In many places, however, specific trans- or inter-run organisations to collaborate with do exist. In a similar way, HIV/ AIDS programmes labelled 'LGBTI-inclusive' often primarily address gays, transwomen and bisexuals, or men having sex with men and do not include health issues of lesbians and transmen. Implicit biases within LGBTI-related programmes and movements should be considered and the label LGBTI should solely be used when all categories are included.

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**Registered offices**  
Bonn and Eschborn

Friedrich-Ebert-Allee 36  
53113 Bonn  
T: +49 (0)228 44 60-34 35  
F: +49 (0)228 44 60-17 66  
E [sv-menschenrechte@giz.de](mailto:sv-menschenrechte@giz.de)  
I [www.giz.de/menschenrechte](http://www.giz.de/menschenrechte)

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**Person responsible**  
Juliane Osterhaus, Bonn  
[juliane.osterhaus@giz.de](mailto:juliane.osterhaus@giz.de)

**Design/Layout**  
kipppconcept gmbh, Bonn

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