



## Advancing an Inclusive Human Rights Agenda:

*Funding the Human Rights of Lesbian, Gay, Bisexual,  
Transgender and Intersex (LGBTI) People*

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**Rabbi Eliezer said, “Other people’s dignity should be as precious to you as your own.”**

— Mishnah, Pirkei Avot 2:10

## OVERVIEW

Donny Reyes was approached by six police officers as he was exiting a taxi outside his office in Tegucigalpa, Honduras in March 2007. The officers demanded to see his identification and then ordered him into their police car. When he refused, the police beat him, saying, “We have to clear these queers from here.” Reyes was then arrested, taken to a police station and thrown in a cell with 57 other men. An officer locked him in, allegedly shouting to the prisoners: “Look, I’m bringing you a little princess, you know what to do.” Reyes was beaten, stripped and raped by four of the inmates. The following morning, he was released after agreeing to pay a \$10 fine to the police. Reyes is the director of Asociación LGTB Arcoiris de Honduras, “Honduras LGBT Rainbow Association” (known as Arcoiris), the first legally recognized organization promoting the rights of lesbian, gay, bisexual and transgender people in Honduras. Despite the protection this status should afford—and the fact that Reyes immediately reported the incident to the Public Prosecutor—police have continued to intimidate him and his colleagues, forcing Arcoiris to relocate its office.

Honduras is not the only place where LGBTI people confront hatred, discrimination and violence. Throughout the world the lives of LGBTI people are circumscribed by laws, social practices and institutions that deny them their fundamental rights to life, liberty and security. Human rights violations based on sexual orientation and gender identity persist across nations, cultures, race and class. Same-sex sexual conduct between consenting adults is still illegal in more than 80 countries and punishable by death in seven countries. In all countries of the world, transgender and intersex people are discriminated against for their gender identity or expression. Former United Nations High Commissioner for Human Rights Louise Arbour stated that

*[n]either the existence of national laws, nor the prevalence of custom can ever justify the abuse, attacks, torture and indeed killings that gay, lesbian, bisexual, and transgender persons are subjected to because of who they are or are perceived to be... Excluding LGBT individuals from [the protection of the law] clearly violates international human rights law as well as the common standards of humanity that define us all.<sup>1</sup>*

Advocacy for the human rights of LGBTI people is an integral part of the core mission and values of American

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<sup>1</sup> Louise Arbour, United Nations High Commissioner for Human Rights. Presentation at the International Conference on LGBT Human Rights. 26 July 2006. Web. Accessed 19 July 2010.

Jewish World Service (AJWS). Committed to advancing the rights of the world’s most marginalized people, AJWS supports over 400 grassroots, community-based organizations in Africa, Asia and the Americas that are working to create a just and equitable world. We believe that human rights are universal, indivisible and interdependent, and that all persons are entitled to their full expression. When we speak of LGBTI rights, we are not calling for “new,” “special” or “additional” rights. We are calling for the fundamental human rights to which all individuals are entitled. As a grassroots human rights and development funder, we have a unique responsibility and role to play.

Grassroots organizations are at the forefront of the struggle for LGBTI rights and face challenges at every level. LGBTI organizations and activists are frequently marginalized within human rights movements. Many LGBTI organizations are unable to register legally or to manage funds, and they encounter a variety of other operating challenges. Most of these organizations are severely under-resourced: 40 percent of local LGBTI organizations in the developing world work with annual budgets under \$25,000; most of these organizations have few to no paid staff.<sup>2</sup>

Sexual rights activists surveyed by Human Rights Watch reported that their organizations “receive project funding, but little general support—undermining their ability to maintain staff or plan for the future.”<sup>3</sup> Intersex and transgender groups with any kind of budget, let alone staff, are rare exceptions. According to “Giving Out Globally,” a report issued by Arcus Operating Foundation, just \$20 million was spent on LGBTI issues in the developing world in 2005.<sup>4</sup> LGBTI rights are often perceived as affecting only LGBTI people and are rejected in favor of other human rights and development issues that are seen as more universal or urgent. Some donors believe that there is a limited demand for LGBTI work in the developing world. Others are deterred by conservatism, fear of controversy and regressive social mores.

This marginalization is mirrored within human rights movements. Lesbian and bisexual women face bias and exclusion from women’s rights organizations. Transgender men have been treated as “traitors” and excluded from feminist or lesbian groups. AJWS grantees cite the

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<sup>2</sup> Funders for Lesbian and Gay Issues, “A Global Gaze: Lesbian, Gay, Bisexual, Transgender and Intersex Grantmaking in the Global South and East 2007.” Web. Accessed 19 July 2010.

<sup>3</sup> Human Rights Watch, “Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide.” Web. Accessed 19 July 2010.

<sup>4</sup> Arcus Foundation, “Giving Out Globally: A Resource Guide of Funding Mechanisms to Support Lesbian, Gay, Bisexual and Transgender Rights in the Global South and East.” Web. Accessed 19 July 2010.

“invisibility” of lesbians, bisexual women and female-to-male transgender people within the LGBTI movement. Organizations that claim to be inclusive frequently sideline transgender concerns. Intersex issues are often not even addressed.

AJWS understands that we will not make real and lasting progress toward social justice if we leave the most isolated and disenfranchised behind. As an organization dedicated to the rights of the most marginalized people, AJWS makes a point of being responsive to LGBTI communities and their struggles. We are part of a growing movement of grantmaking organizations that have incorporated LGBTI human rights into their funding approach.

AJWS provides grantees with flexible, long-term funding. We seek out and strengthen nascent organizations, provide a special focus on protection and security, and strive to ensure that our grantees are empowering the most marginalized people. AJWS’s grants address gaps in funding, provide technical assistance, support networking among like-minded organizations, push for inclusion of LGBTI and other minority perspectives within social movements, promote our grantees’ work to other donors and amplify grantee voices in international arenas. Furthermore, we understand that there is a tangible connection between the lack of human rights among LGBTI people and poverty—legal, political and social inequalities often place LGBTI people at an economic disadvantage and heighten poverty levels.

For these reasons, AJWS is well positioned to address the challenges that LGBTI communities face, and we recognize that advancing an inclusive human rights

agenda requires a long-term investment. Indeed, we have already witnessed the strides that our grantees have made over the past five years by providing critical services to LGBTI communities, changing community attitudes and combating harmful laws and policies. This progress has been made with small investments that have created a profound and lasting impact.

We also know that we can do more. By increasing our advocacy efforts and grantmaking in the developing world, we can ensure that LGBTI rights are taken up by the global community as an integral part of advancing social justice—not just for LGBTI people but for all people.



RAINBOW COMMUNITY OF KAMPUCHEA—PRIDE EVENT.

## Diversity Within the LGBTI Movement

AJWS acknowledges a broad spectrum of sexual orientations and gender identities. The term “LGBTI,” as it is employed in this paper, is not intended to limit the breadth of the communities with whom we partner or to prescribe the terms individuals use to describe their sexual orientation or gender identity. Nor is it meant to generalize the way our partners identify their own organizations. Our grantees use a range of terminology to define the communities in which they work, including: LGBT, LGBTI, LGBTIQ, queer, gender loving people, same-sex lovers, men who have sex with men (MSM), women who have sex with women (WSW), sexually diverse communities, sexual minorities, transgender and transsexual. These choices stem from the diverse linguistic, cultural, sociopolitical and historical contexts in which our grantees operate. Throughout this document we use different terminology (LGBTI; LGBT; LBT) to reflect the self-definition of grantees.

There has been significant debate about whether intersex issues belong in LGBT movements. Some intersex people do not identify with LGBT rights movements while others advocate strongly for gender identity to be at the center of LGBT work. AJWS believes there is strategic value in including the “I” and framing the human rights of intersex people within the movement in order to foster understanding and alliances among the identity-based groups in the countries where we work. We have also learned from our grantees that discussing intersex issues can be a productive entry point for broader conversations about the reality of sexual and gender diversity in the general population.

## WHY LGBTI RIGHTS MATTER

Around the world, people face widespread discrimination, persecution and violence because of their real or perceived sexual orientation or gender identity. People are routinely denied employment, deprived of equal access to important health information and services, expelled from schools, thrown out of their own homes and forced into hiding or exile. People are tortured, imprisoned or executed by their own governments simply for engaging in adult, consensual same-sex sexual conduct or challenging “normal” gender roles or expression.

In many parts of the world, homosexuality is still considered a sin, an illness or a perversion. Transgender and intersex individuals are pathologized and targeted for violence as punishment for being “gender outlaws.” LGBTI people are frequently described as a threat to the cultural integrity and welfare of their countries and deemed outside the scope of rights and legal protection. In fact, human rights violations against LGBTI people are often passionately defended in the name of culture, nation, religion, morality or public health. Politicians vilify and call for the persecution of LGBTI people, using them as scapegoats to distract from their countries’ social ills or political instability.<sup>5</sup>

In a number of countries, LGBTI people—along with sex workers and drug users—are among those considered “social undesirables” and have been targeted for extrajudicial executions as well as “social cleansing” operations by paramilitary groups, death squads or insurgent groups.<sup>6</sup> Torture and other cruel, inhumane and degrading treatment are prohibited under international law. Yet in countries all over the world, LGBTI people are targeted for torture or ill treatment by state officials and private individuals, not only for their activism or political beliefs but simply for how they express themselves and for the sexual partners they choose.<sup>7</sup>

Widespread stigma and prejudice, inflamed by government leaders and legally sanctioned by discriminatory laws, foster an environment in which human rights violations against the LGBTI community thrive with impunity. Such laws often act as legal cover and license for human

rights violations. Inflammatory homophobic and transphobic public statements by government leaders stoke public fear and loathing, and often set off harassment and violence against LGBTI people. Such violence is committed by police and members of the communities where LGBTI people live and usually goes unpunished.<sup>8</sup>

Statutes that criminalize homosexuality and other discriminatory laws can result in impunity for arbitrary arrest and detention of LGBTI people or those suspected of being LGBTI. Once in detention, LGBTI people are at serious risk of physical and sexual abuse. Transgender women are at higher risk of torture or ill-treatment if they are housed in male prisons or jails.<sup>9</sup> Even when criminal sanctions against homosexuality or “immorality” are not actively enforced, the laws are often used to harass, intimidate or exploit LGBTI people. Newspapers in Uganda are known to publish names and photos of individuals who are alleged to be gay or lesbian, exposing them to public harassment and violence, loss of employment or ostracism by their families.<sup>10</sup>

In many of the countries where AJWS works, patriarchal and customary norms limit the participation of women in public life. Rigid gender roles often mean that women who display non-normative gender behavior or have lesbian relationships are considered an affront to patriarchal constructs. Punishment for women who breach the boundaries of communal standards for “appropriate” behavior can be severe and even deadly.<sup>11</sup> Sexual violence, such as “corrective rape” or forced pregnancy, serves not only as a tool of oppression to keep women in their place, but also as a warning to those who would dare violate compulsory sexual and gender roles and behavior. In Southern Africa, for example, in addition to verbal and physical harassment, young lesbians have reported being raped by male classmates in order to “be turned normal.”<sup>12</sup>

The policing of women’s sexuality is a powerful means by which men and the state exert dominance over women and regulate their sexual expression and reproductive lives. Accusing women of being lesbians, man-haters, prostitutes or unmarried is often used to discredit, intimidate, humiliate, undermine or silence women who dare to demand their rights or organize themselves.<sup>13</sup>

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<sup>5</sup> Human Rights Watch and the International Gay and Lesbian Human Rights Commission, “More than a name: State-sponsored Homophobia and its Consequences in Southern Africa,” 2003.

<sup>6</sup> See, for example, United Nations General Assembly, “Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions,” (2 July 2002) A/57/138, paras 37-38. See also Inter-Church Committee on Human Rights in Latin America, “Violence unveiled: Repression against lesbians and gays in Latin America,” (Toronto: April 1996).

<sup>7</sup> Amnesty International, “Crimes of hate, conspiracy of silence: Torture and ill-treatment based on sexual identity,” (Amnesty International Index, 2001) ACT 40/016/2001.

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<sup>8</sup> Human Rights Watch, “More than a name.”

<sup>9</sup> Transgender Law Center. Web. Accessed May 14, 2010. See also Amnesty International, “Crimes of Hate: Conspiracy of Silence.” Web. Accessed 19 July 2010.

<sup>10</sup> Amnesty International, “Uganda: Fear for safety/harassment,” AI Index: AFR 59/007/2006, 8 September 2006.

<sup>11</sup> Report of the Special Rapporteur on Violence Against Women its Causes and Consequences. United Nations. E/CN.4/1997/47 (12 February 1997) para 8.

<sup>12</sup> Human Rights Watch, “More than a name.”

<sup>13</sup> Cynthia Rothschild, “Written out: How sexuality is used to attack women’s organizing.” International Gay and Lesbian Human Rights Commission and the Center for Women’s Global Leadership, 2005.

Women activists working on sexuality and reproductive rights issues are particularly at risk for human rights abuses.<sup>14</sup>

Because they are often seen as a challenge to social norms for gender roles and expression, LGBTI individuals are vulnerable to gender-based oppression. Gender variant and gender non-conforming people, regardless of their sexual orientation, are frequently targeted for abuse by community members and authorities. Men, women and transgender people who defy socially enforced gender roles and norms of masculinity or femininity face insults, sexual assault and threats to their lives.

Transgendered and intersex bodies are regularly policed by laws regulating legal name or gender changes. In the few places where transgender people are able to change their legal status, it may come at the cost of sterilization, divorce, loss of custody, state-prescribed surgical or hormone treatment, pathologization, hefty costs or other degrading treatment. Some countries prohibit gender reassignment surgery for transsexuals while others require intersex individuals to undergo involuntary surgery. Often viewed by medical professionals as suffering from mental disorders, transgender and intersex individuals may be prevented from exercising their right to free development of their personality or denied access to proper health care.

## AJWS GRANTMAKING STRATEGIES IN SUPPORT OF LGBTI RIGHTS

AJWS is committed to addressing the broad array of human rights and development concerns affecting LGBTI communities. We currently support grassroots organizations in Honduras, Nicaragua, El Salvador, Bolivia, Peru, Nigeria, Ghana, Kenya, Uganda, India, Sri Lanka, Thailand and Burma that give voice to LGBTI communities and seek to eradicate oppression based on sexual orientation and gender identity. Our grantees provide health services and information, promote access to education and economic opportunities for LGBTI individuals, challenge stigma and discrimination, build strong and healthy LGBTI communities, conduct legislative advocacy and actively document human rights abuses.

The examples below illustrate some of the most pressing and pervasive issues facing LGBTI people and the ways in which AJWS grantees have addressed them.

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<sup>14</sup> Amnesty International, "It's in our hands: Stop violence against women," ACT/77/001/2004, 2004.

## Combating Discriminatory Laws and Policies

There is growing international recognition of the need to eliminate discrimination on the basis of sexual orientation and gender identity. A vast body of international human rights law has evolved since the adoption of the Universal Declaration of Human Rights in 1948. This includes the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as several human rights treaties that have been ratified by a large number of United Nations (UN) member states. The Yogyakarta Principles,<sup>15</sup> drafted in 2006, reiterate the binding legal standards of international human rights law and apply them to sexual orientation and gender identity.<sup>16</sup> Though the principles do not constitute an internationally recognized treaty, they affirm that LGBTI rights are indeed human rights and are increasingly employed to hold governments accountable.

### Fundación Igualdad LGBT "LGBT Equality

**Foundation"—Bolivia.** Fundación Igualdad, located in one of the most conservative cities of Bolivia, is an LGBT organization working to reduce stigma and discrimination through education and advocacy at the national and regional levels. One of the key materials in their campaign for "full citizenship for lesbian, gay, bisexual and trans in Bolivia" is a brochure about the Yogyakarta Principles. Since Fundación Igualdad views lack of information for LGBT people as a major barrier to equality, its staff uses the brochure to educate LGBT people about their rights and to lobby key stakeholders, such as the Bolivian Ministry of Health.

There are now LGBTI and other advocacy groups affirming diverse sexual orientations and gender identities in every region of the world. But with increasing visibility, LGBTI people and those who defend their rights face renewed and more virulent attacks, particularly in countries where the emergence of an LGBTI human rights movement is recent. Lack of legal protection allows these abuses to continue unchecked, and in many countries the law condones and even promotes them.

Discriminatory laws constitute an enormous challenge to the rights of LGBTI individuals to life, liberty and security. In more than 80 countries, consensual same-sex relations between adults are still criminalized; punishments include flogging, incarceration and—in six countries as well as

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<sup>15</sup> To download the full text of the Yogyakarta Principles, visit [http://www.yogyakartaprinciples.org/principles\\_en.htm](http://www.yogyakartaprinciples.org/principles_en.htm). Accessed 19 July 2010.

<sup>16</sup> For a more complete report on the Yogyakarta process, see Michael O'Flaherty and John Fisher, "Sexual orientation, gender identity and international human rights law: Contextualizing the Yogyakarta Principles." *Human Rights Law Review*, Vol. 8 No. 2, 2008.

parts of Nigeria—the death penalty. In other countries, LGBTI people are persecuted under broadly defined statutes criminalizing “debauchery” or “offenses against morality or public decency.” Laws against prostitution, cross-dressing or disturbance of “public order” are used as a pretext to abuse and detain transgender people, especially transgender women.<sup>17</sup> Those engaged in sex work are particularly vulnerable to abuse.

Under Nigeria’s criminal and penal code, consensual same-sex conduct between adults is punishable with 14 years imprisonment. In northern Nigeria, Shari’ah criminal penal codes stipulate that “sodomy” must be punished with death by stoning. An AJWS grantee in Nigeria is working to protest these laws and assist individuals targeted by them.

**The Independent Project for Equal Rights (TIP)—Nigeria.** TIP provides legal assistance to individuals who are being prosecuted based on sexual orientation and partners with local and international organizations to assist victims of homophobic abuse. In 2008, TIP mobilized local human rights organizations to protest proposed legislation that sought to outlaw same-sex relationships.

Some countries have discriminatory age-of-consent legislation that bans the “promotion” of homosexuality, which can be used to imprison LGBTI human rights defenders or impede the work of sexual health advocates. In Uganda, an anti-homosexuality bill recently under debate in the parliament not only reaffirms Uganda’s sodomy law but expands it to include criminalization of any activities deemed as “promoting homosexuality.” It imposes imprisonment for any person—including a friend, colleague or family member—who fails to report people they know or suspect to be LGBTI within 24 hours.<sup>18</sup> LGBTI organizations in Uganda (including several AJWS grantees) have formed a coalition with mainstream human rights and feminist organizations to organize political and media advocacy to oppose this legislation.

Concrete strides in overturning discriminatory laws have been made. On July 2, 2009, the Delhi High Court decriminalized same-sex relationships in the Indian capital by striking down Section 377 of the Indian Penal Code, a 148-year-old law used to legitimize discrimination against and harassment of sexual minorities. The Court ruled that by tacitly endorsing attitudes and acts of prejudice, Section 377 violated the Indian constitution, which guarantees equal treatment for all.

<sup>17</sup> Human Rights Watch, “Not worth a penny: Human Rights Abuses against Transgender People in Honduras.” 29 May 2009. Web. Accessed 21 July 2010.

<sup>18</sup> Akina Mama wa Africa, et. al., “Uganda: Anti-homosexuality bill threatens liberties and human rights defenders.” Press release, 10 October 2009.

**Salaam Initiative—India.** Staff of Salaam Initiative gathered information on human rights violations against sexual minorities that was used as evidence in the landmark Delhi court proceedings.

Such legal victories are incredibly important but they are only part of the story. Amitava Sarkar, the director of Santi Seva, an AJWS grantee building leadership in transgender communities, explained:

*This is a first step, a beginning for LGBT rights. We still have a lot to fight for, especially in rural areas. In fact, Section 377 means very little to LGBT people in rural areas, who are struggling for food, education and health...Section 377 is just the beginning.*

While not sufficient to realize the rights of LGBTI people on their own, challenges to legal discrimination are critical and can serve as an entry point for addressing the deep-seated and widespread abuses of the economic, social and cultural rights of LGBTI people.

### **Promoting Education, Health, Sustainable Livelihoods and Social Inclusion**

LGBTI people experience discrimination in all aspects of their lives, public and private. They may be denied employment or employment-related benefits or summarily dismissed from jobs; denied housing or forced out of their homes; ostracized from religious institutions and other communities; expelled from schools; and deprived of equal access to important health information or refused medical treatment when their gender identity or sexual orientation is visible.<sup>19</sup>

Transgender people face significant barriers in accessing health services, education and employment opportunities.

**Santi Seva—India.** Santi Seva is one of the only organizations in India that is comprised entirely of transgender individuals. Through two drop-in centers, Santi Seva provides counseling services, livelihood support and non-formal education. To address health needs, the organization conducts “health camps,” providing referrals to friendly doctors and supplying

<sup>19</sup> For example, see International Gay and Lesbian Human Rights Commission, “Off the map: How HIV/AIDS programming is failing same-sex practicing people in Africa,” 2007; Abramowicz, Marta (ed.), “Situation of bisexual and homosexual persons in Poland 2005 and 2006 Report” (Warsaw: Campaign Against Homophobia and Lambda Warsaw Association, 2007); Report by the Special Rapporteur on Adequate Housing. E/CN.4/2006/118. Commission on Human Rights, 27 February 2006, para 30; Human Rights Watch, “Hated to death: Homophobia, violence and Jamaica’s HIV/AIDS epidemic,” 2004; Human Rights Watch, “More than a name.”

free or subsidized medicines, nutritional supplements and toiletries.

Stigma, which can be particularly strong in remote rural areas and low-income urban settings, prevents LGBTI activities from taking place publicly and isolates LGBTI activists from one another. One AJWS grantee has found creative ways to overcome this isolation:



MEMBERS OF RAYS OF THE RAINBOW.

PHOTO JENNA CAPECI

**Rays of the Rainbow—Thailand/Burma.** Rays of the Rainbow is an organization comprised of LGBT migrant workers from Burma that works to change community attitudes toward LGBT people. Though the organization began by focusing on HIV/AIDS prevention within the LGBT community, over the past few years members have earned the respect of their wider community by generating local funds for a community school. Many of their fundraising activities—such as fashion shows and drag performances—subvert socially proscribed roles and expectations, while others cultivate a shared community between LGBT and non-LGBT individuals. Rays of the Rainbow has also begun to successfully engage straight-identified individuals in its workshops on sexuality and rights.

Young LGBTI people, because of their financial dependence on adults, are especially vulnerable to discrimination. Transgender youth have been cited as “among the most vulnerable and marginalized young

people in society.” The United Nations Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography cites how transgender youth—rejected and marginalized by their families and peers—face extreme difficulty when trying to find housing, obtain an education, get a job or access health services.<sup>20</sup> Transgender youth in Peru, for example, are particularly vulnerable to human trafficking and sexual exploitation.

**Capital Humano y Social Alternativo “Alternative Human and Social Capital” (CHS)—Peru.**

CHS provides education, technical training, life-skills programs, and health, legal and psychological support to transgender youth and advocates for better public policies to protect the rights of children and LGBTI youth.

**Asociación LGTB Arcoiris de Honduras “Honduras LGBT Rainbow Association” (Arcoiris)—Honduras.**

Discrimination often begins at home at an early age and continues through adulthood. Many LGBTI youth quit school or are forced out, which only puts them at a greater economic disadvantage later in life. Arcoiris trains LGBT youth to be peer educators on sexual and reproductive health, HIV/AIDS and human rights. Arcoiris members provide counseling to their LGBT peers living with HIV/AIDS in several hospitals in Tegucigalpa and conduct broad outreach and education activities. The organization also provides youth with computer skills training to help them gain employment.

In many countries, health services and information for LGBTI communities are severely lacking. Homosexuality is illegal in Ghana, and HIV/AIDS prevalence rates among men who have sex with men (MSM) are ten times higher than the general adult prevalence rate.<sup>21</sup>

**Centre for Popular Education and Human Rights (CEPEHRG)—Ghana.**

CEPEHRG runs a drop-in health clinic that provides counseling and referrals to MSM. To combat the stigma that may prevent individuals from accessing its services, CEPEHRG trains peer educators and conducts community outreach through an interactive theater project. The organization’s performances in schools and public meeting places, such as markets and taxi stations, engage communities directly around issues of sex, human rights abuse and HIV/AIDS.

<sup>20</sup> Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, E/CN.4/2004/9, 5 January 2004.

<sup>21</sup> Amfar: AIDS Research. “MSM, HIV, and the road to universal access: How far have we come?” August 2008. Web. Accessed 19 July 2010.

Several AJWS grantees use HIV/AIDS activities as an entry point for organizing and empowering LGBTI communities.

**Human Rights Education Institute of Burma (HREIB)—Thailand/Burma.** HREIB works along the Thai-Burmese border, providing human rights training to MSM health educators who already work on HIV/AIDS so that they can integrate LGBTI rights into their HIV-prevention outreach. HREIB reports that, “while many other organizations are working on HIV/AIDS awareness and providing medical services, [we] use this issue as an entry point to get access to LGBT people and then mobilize [them so that] they themselves are the contributors and actors for change.”

Over the past decade there has been a growing international emphasis on the HIV/AIDS vulnerability of MSM and transgender populations. This has brought important attention and funding to addressing their health needs and to countering discriminatory policies. At the same time, there is an urgent need to expand our knowledge base and ensure that equally critical issues are not overlooked by donors. For example, while there is abundant research on the social exclusion and health vulnerabilities of MSM, comparable research on the rape of lesbians, forced marriage of lesbians and the accessibility of healthcare systems for transgender people has yet to be conducted. The overwhelming focus on HIV/AIDS prevention has meant that other important issues that face LGBTI people have been overlooked.

Many organizations have adopted a sexual rights framework to address these issues. The concept of sexual rights applies international human rights principles to issues of sexuality. Central to the notion of sexual rights is the fundamental right to bodily integrity and autonomy, including the right to comprehensive sexuality education and information; the right to choose one’s sexual partner(s); the right to access sexual and reproductive health care services; and the right to pursue a satisfying, safe and pleasurable sexual life.<sup>22</sup>

**Red de Jóvenes para la Incidencia Política “Youth Network for Political Advocacy” (Incideljóven)—Guatemala.** Incideljóven is a Guatemalan national youth network that conducts advocacy and education on adolescent sexual and reproductive health and rights. Incideljóven has worked to overcome strong political opposition to its efforts to integrate LGBTI rights into a curriculum for government officials, medical professionals, teachers and students about sexuality education and reproductive health.

Intersex people face a distinct set of rights violations and widespread stigma and discrimination. Intersex individuals are extremely marginalized in Uganda, for example, where children born with intersex conditions are at risk of being killed in ritual sacrifice upon birth. Many intersex adults experience physical and sexual violence, the denial of health care, employment and education, and exclusion from community and family life. They must also deal with an almost complete absence of information about intersex conditions, preventing many individuals from accessing accurate information or meeting others who share their experiences.



MEMBERS OF CEPEHRG’S STREET DRAMA GROUP.  
PHOTO MORGAN SOLOSKI

**Uganda-based Support Initiative for People with Atypical Sex Development (SIPD)—Uganda.** SIPD received its first grant from AJWS in 2009. The first intersex organization in East Africa, SIPD has worked to advance the rights of intersex children and adults by educating health care providers, faith leaders and civil society, and by advocating for the access of intersex people to health care, education and other services. SIPD views intersex rights as an entry point to opening Ugandans’ minds to the diverse spectrum of gender identities beyond the male-female binary, and ultimately leading to a broader understanding of gender and sexuality.

<sup>22</sup> United Nations Fourth World Conference on Women, “Beijing Platform for Action,” para 96. 15 September 1995. Accessed 21 July 2010.

# AJWS APPROACH TO LGBTI GRANTMAKING

## Advancing Human Rights

AJWS's grantmaking applies a rights-based approach to development. Central to our work is the premise that community development cannot take place where human rights are denied. We believe that marginalized communities, when mobilized from within, are powerful agents of change. As such, we work with grassroots organizations to advance their human rights agendas. AJWS's grantees are uniquely situated to raise awareness about and expand the boundaries of human rights frameworks and to empower people to defend and advance their own rights.

AJWS also seeks to capitalize on the gains made by the sexual rights movement by applying a sexual rights lens to our grantmaking. This approach simultaneously addresses intersecting issues such as gender, sexual orientation and reproductive rights. It also promotes movement building by bringing together diverse stakeholders from groups promoting women's rights, reproductive health, international development, HIV/AIDS prevention and treatment, and LGBTI rights.

## Providing Holistic, Long-Term Support

In all of AJWS's grantmaking, we support grantees' programmatic goals and strengthen their institutional capacity through a combination of flexible long-term funding, technical assistance, networking and advocacy. In recognition of our commitment to pursuing global justice through grassroots change, AJWS helps organizations that conceive their own visions and plans and that involve local people and communities in implementation.

We value multi-year partnerships and believe in the importance of supporting nascent organizations. In the case of our LGBTI grantees, AJWS is often among the initial donors or the first to provide operational—as opposed to project—funding. For two-thirds of our LGBTI grantees, AJWS was one of the first major donors; for half of these we were the first institutional funder. And for some, we were the first to provide capacity-building support or emergency assistance. Many of these groups have since gone on to secure more resources.

**Asociación Civil Equidad—Bolivia.** Founded in 2007, Asociación Civil Equidad is the first and only organization working to promote the economic, social, political and health rights of sexually diverse Aymara and Quechua indigenous communities in poor

urban and rural areas of Oruro, Bolivia. In 2008, AJWS awarded Asociación Civil Equidad its first institutional grant. With this funding, the organization is undertaking innovative education and health programs in the mining town of Oruro, where the homophobic culture condones sexual violence and hate crimes.

## Addressing the Unique Challenges of LGBTI Organizations

AJWS is flexible and sensitive to organizations that face organizational and financial limitations due to discrimination. Legal restrictions against LGBTI organizations often hinder their ability to register with the government, reducing their capacity to seek funding and undertake advocacy and outreach to communities. Discriminatory policies prevent transgender people from opening bank accounts under their names, making it harder to manage funding sources.

AJWS helps its grantees overcome these limitations and finds creative solutions when necessary. If an organization is unable to obtain legal recognition, we may still fund them. If an organization lacks the financial systems or government approval to manage international funds, AJWS works with established organizations to oversee the grant while also building the group's fiscal management capacity.

## Promoting Safety and Security

The multiplicity of challenges and threats facing LGBTI organizations requires AJWS to focus on protection and security for LGBTI activists. We work with our grantees to increase the physical security of their staff and membership and to strengthen their ability to monitor and document violations. During emergencies and incidents of violence against grantees, we are able to provide rapid response grants to cover legal fees, provide medical and psychosocial care, relocate staff and their families, and provide temporary food and shelter.

In Honduras, when Arcoiris's office was raided and its director was arbitrarily arrested, beaten and raped by other inmates at the encouragement of a police officer (see "Overview" above), AJWS provided a rapid-response grant to support emergency medical and psychosocial treatment. We also disbursed funds for Arcoiris to conduct a media campaign to raise awareness about increasing attacks against the LGBTI community.

As part of our safety and security strategy, AJWS supports groups at risk of harassment and violence to develop safety and security plans to protect their members. This has become critical given the increasing

criminalization of non-violent protest and human rights work. Through our collegial partnerships program, AJWS connects grassroots grantees to international and regional organizations that offer expertise on protection and security. These partners include Urgent Action Fund and Tactical Technology Collective.

**Equal Ground—Sri Lanka and Front Line—International.** When rule of law in Sri Lanka collapsed amidst political violence in early 2009, local politicians took advantage of these conditions to harass and threaten Equal Ground—an AJWS grantee that conducts trainings on sexuality and human rights—bringing its operations to a halt. AJWS connected Equal Ground to our collegial partner Front Line: The International Foundation for the Protection of Human Rights Defenders, which assisted Equal Ground in improving security for its office and community center.



MEMBERS OF GALCK AND MWA IN KENYA.  
PHOTO EVAN ABRAMSON

## Fostering Collaboration

AJWS frequently convenes grantees so that they can share strategies, build networks and advance shared advocacy agendas. We promote cross-organizational collaboration to help diverse organizations determine and pursue common goals.

**Fortress of Hope Africa (FOHA) and Minority Women in Action (MWA)—Kenya.** FOHA is a youth-led organization that works to empower disadvantaged adolescent girls, and Minority Women in Action (MWA) advocates for the rights of LGBTI women. The two organizations met for the first time at human rights training convened by AJWS. When they discovered that they both work in Dandora, a slum of Nairobi, they established an informal partnership. FOHA is now able to refer LGBTI or questioning young women to MWA for information and support.

Gender, race and class differences within LGBTI communities can either strengthen or hinder movement building, depending on how those differences are perceived and addressed. AJWS therefore places a particular emphasis on building networks that respect and draw strength from diverse perspectives.

**Gay and Lesbian Coalition of Kenya (GALCK)—Kenya.** GALCK is a coalition of LGBTI groups including MSM, LGBTI women, and transgender and intersex individuals. GALCK provides a space for the many smaller identity-based LGBTI organizations in Kenya to come together, share perspectives and articulate shared concerns for collective work. In addition to supporting GALCK's advocacy campaigns, AJWS funds enable GALCK to strengthen its capacity and reach LGBTI members and groups of various constituencies across Kenya, helping them to pursue common goals.

We foster collaboration at both the national and regional level.

**Asociación Salvadoreña de Derechos Humanos Entre Amigos “Salvadoran Association of Human Rights Among Friends” (Entre Amigos)—El Salvador.** Entre Amigos works to address the dearth of alliances between LGBT groups in El Salvador and the Central America region. With AJWS support, Entre Amigos is currently strengthening the Coalition of Gay Organizations in Central America (CONGA), the first network of LGBT groups in Central America. CONGA works to advance regional LGBT advocacy efforts, with a particular focus on addressing hate crimes and challenging restrictive sexual and reproductive health policies.

## Generating Visibility, Funding and Recognition

AJWS pursues partnerships with other donors, international networks and NGOs to facilitate access for our grantees to resources, training and policy-making bodies. When working with fledgling and small organizations, AJWS prioritizes helping them identify

new sources of funding. AJWS also works to promote our grantees' work in public forums, frequently nominating organizations for international awards.

**Centre for Popular Education and Human Rights (CEPEHRG)—Ghana.** CEPEHRG promotes the health and socio-economic well-being of LGBTI people and works to combat discrimination through public education. In 2008, AJWS successfully nominated CEPEHRG for the UN's prestigious Red Ribbon Award for Community Leadership and Action on HIV/AIDS, which enabled the organization to attract international attention and attend the International AIDS Conference in Mexico.

## RECOMMENDATIONS

Given the complexity of issues and the interlocking ways that systems of discrimination impact the lives of LGBTI people, a multifaceted approach is required for advancing the human rights of LGBTI people. Input from our grantees and partners, consultation with colleague organizations and research on the LGBTI funding landscape, has led AJWS to develop a series of recommendations that will further hone our grantmaking approach. We urge international donors to commit their support to LGBTI rights by adopting these strategies as well. Working in concert with a shared strategic commitment will enable us to respond better to the challenges that face LGBTI organizations in the Global South and take advantage of opportunities in the struggle for LGBTI rights. As we support grassroots organizations engaged in this risky and courageous work, we will prioritize the following strategies:

- Reach the most marginalized communities. Prioritize outreach and funding to communities that face multiple forms of discrimination and exclusion, including those based on race, socio-economic status, ethnicity, nationality and gender. Support lesbian-, trans- or intersex-only spaces so that these marginalized groups can strengthen their voices.
- Build the capacity of grassroots LGBTI groups. Establish long-term partnerships, provide flexible general operating grants and offer technical support to help grantees strengthen their institutions and access larger streams of funding. Areas for capacity building include leadership development, advocacy, policy analysis, financial management and strategic planning. Promote protection and security of LGBTI activists by supporting grassroots organizations to develop long-term strategies that mitigate threats. Work

with institutional partners to establish effective rapid response systems for emergencies.

- Build strong and diverse LGBTI movements. Facilitate exchanges between grantees to share best practices and advance shared advocacy goals. Promote diversity and parity within LGBTI movements by encouraging well-established LGBTI organizations to expand their support for those isolated by socio-economic or geographic circumstances.
- Address economic, social and cultural rights as well as civil and political rights. Fund efforts to change discriminatory laws and policies and hold governments accountable for both implementing and enforcing improved policies. Build the capacity of groups to document and report on human rights abuses. Strengthen evidence-based advocacy by focusing on research gaps, such as LGBTI people's access to education and employment. Fund programs that support economic rights, access to health care and education.
- Support community-based approaches to combating stigma and discrimination. Fund efforts to change community attitudes and increase social inclusion. Support community-based popular education efforts, arts and culture, community service and faith-based initiatives.
- Advance LGBTI rights beyond LGBTI organizations. Identify progressive partners whose work can be inclusive of LGBTI communities and support broad-based coalitions. Promote activities that link grantees that work on other issues of discrimination—such as those promoting the human rights of indigenous people—to enable them to better understand LGBTI rights and challenge LGBTI rights violations within their own communities. Support LGBTI organizations to develop their understanding of human rights and link with mainstream human rights organizations and movements.

## GLOSSARY OF KEY TERMS

**Bisexual** A person who is attracted to male-identified and female-identified people.

**Gay** A male-identified man who is attracted primarily to other male-identified men. Sometimes used as a synonym for homosexual.

**Gender** The social and cultural codes used to distinguish between what a society considers “masculine” or “feminine” conduct. According to the World Health Organization, “[g]ender refers to the economic, social and cultural attributes and opportunities associated with being male or female at a particular point in time.”

**Gender expression** The external characteristics and behaviors which societies define as “masculine” or “feminine,” including such attributes as dress, appearance, mannerisms, speech patterns and social behavior and interactions.

**Gender identity** A person’s internal, deeply felt sense of being male or female, or something other than or in-between male and female.

**Gender non-conforming /gender variant** One whose gender expression differs from normative expressions of “masculine” and “feminine.”

**Heterosexual** A person attracted primarily to people of the opposite sex or gender.

**Homosexual** A person attracted primarily to people of the same sex or gender.

**Intersex** A general term used to describe the condition of individuals whose internal and/or external sexual morphology has characteristics not specific to just one of two sexes, but rather a combination of what is considered “normal” for “female” or “male.”

**Lesbian** A female-identified woman attracted primarily to other female-identified women, rarely used as a synonym for homosexual.

**LGBTI** Lesbian, gay, bisexual transgender or intersex; an inclusive term for groups and identities sometimes also associated together as “sexual minorities.”

**Sex** The biological classification of bodies as male or female, based on factors including external sex organs, internal sexual organs, reproductive organs, hormones

and chromosomes. Biological characteristics for male and female, however, are not mutually exclusive, and there are individuals who possess both.

**Sexuality** A characteristic of all human beings and a fundamental aspect of an individual’s identity. Sexuality encompasses sex, gender identities and gender roles, sexual orientation, eroticism, pleasure, intimacy and reproduction, as well as sexual knowledge, beliefs, attitudes, values and individual behaviors.

**Sexual orientation** The direction of an individual’s sexual/emotional attraction, whether to individuals of a different sex (heterosexual), same-sex (homosexual) or both sexes (bisexual).

**Sexual rights** Based on the evolving international human rights standards, sexual rights encompass the rights of all persons to exercise autonomy in the responsible exercise of sexuality and reproductive health without fear of persecution, discrimination, violence, or social or state interference. Sexual rights include, but are not limited to: the right to bodily integrity and freedom from all forms of discrimination, coercion, ill treatment or torture; the right to comprehensive sexuality education; the right to choose one’s sexual partner; the right to the highest attainable standard of physical and mental health (including access to sexual and reproductive health care services); and the right to pursue a satisfying, safe and pleasurable sexual life.

**Transgender** An umbrella term used for people whose gender identity or expression differs from the gender assigned to them at birth. Transgender men were born with female bodies but have a predominantly male gender identity. Transgender women were born with male bodies but have a predominantly female gender identity. Transgender people may or may not choose to alter their bodies hormonally or surgically. Transgender is not about sexual orientation: transgender people may identify as heterosexual, lesbian, gay, bisexual or other.

**Transsexual** One who has undergone sex reassignment surgery so that his/her physical sex corresponds to his or her internal gender identity.

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MEMBERS OF ARCOIRIS.



**American Jewish World Service (AJWS)** is an international development organization motivated by Judaism's imperative to pursue justice. AJWS is dedicated to alleviating poverty, hunger and disease among the people of the developing world regardless of race, religion or nationality. Through grants to grassroots organizations, volunteer service, advocacy and education, AJWS fosters civil society, sustainable development and human rights for all people, while promoting the values and responsibilities of global citizenship within the Jewish community.

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