

Building inclusive democracies

A guide to strengthening the participation of LGBTI+ persons in political and electoral processes

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Foreword

by the UNDP Administrator

Achim Steiner

Administrator, United Nations Development Programme (UNDP)

“All human beings are born free and equal in dignity and rights”. Article One of the Universal Declaration of Human Rights remains as powerful today as it did since it was signed in 1948. Notably, it has been a catalyst for positive change in the treatment of lesbian, gay, bisexual, transgender, queer and intersex (LGBTI+) people: from challenging laws that discriminate to advocating for equal treatment to the recognition of diverse gender identities. Much progress has been made in recent years. That includes the fact that the number of countries that criminalize private, consensual same-sex relationships has decreased from 113 in 1990 to 62 in 2023.¹

In countries where discrimination still persists, LGBTI+ people are exposed to the risk of arrest, prosecution and imprisonment. A small number of countries have even begun to consider extending existing criminalization, even to the point of considering bans on relevant work by human rights defenders and introducing the death penalty for so-called ‘aggravated homosexuality’. Deeply embedded homophobic and transphobic attitudes and social norms also leave many LGBTI+ people extremely vulnerable to discrimination. Far too often, they are singled out for hate-motivated violence, or even murdered. Many are even disowned by their own families. That oppressive culture and atmosphere also extends to the realm of electoral and political participation. LGBTI+ people face structural, organizational, and individual barriers to political participation. That includes criminalization, persecution, discrimination, and exclusion from decision-making as well as harassment and physical, sexual, and psychological violence. Many also have to overcome numerous obstacles such as safety concerns and discrimination by voter registration teams. There is also a need to consider how technology like artificial intelligence and algorithms which drive the spread of misinformation can also exacerbate bias, discrimination, and exclusion from political processes.

1. <https://database.ilga.org/criminalisation-consensual-same-sex-sexual-acts>

Through this publication, the United Nations Development Programme (UNDP) aims to provide policymakers, Electoral Management Bodies, legislators, and civil society with a clear set of tools and best practice from 80 countries to help break down these barriers. This is vital to ensure the exercise of civic and political rights, freedom of expression and association, and access to public services. The publication benefits from the contributions of a wide range of stakeholders while it is also informed by UNDP’s work globally to help fight stigma and discrimination including notable efforts to advance decriminalization. Through tailored initiatives such as Being LGBTI in the Caribbean and #WeBelong Africa, UNDP is also working to ensure that governments are more responsive to the needs of LGBTI+ people, while boosting participation.

UNDP itself aims to advance the principles of participation, inclusion, equality, and non-discrimination in all of our projects and programmes — everything from building peace to tackling climate change. This is based on a recognition that all of us must play a part in speaking out against the hate, discrimination, and violence that many LGBTI+ people face on a daily basis, including when it comes to their participation in pivotal political and electoral processes. Crucially, fostering such inclusive governance is one of the proven means to promote stability, peace and progress across the Global Goals. As we mark its 75th Anniversary in 2023, there is still much work remaining to help weave the promise of the Universal Declaration of Human Rights into the very fabric of every country: ensuring that every individual, everywhere is free and equal in dignity and rights.

Foreword

by the UN Independent Expert on protection from violence and discrimination based on sexual orientation and gender identity

Victor Madrigal-Borloz
United Nations
Independent Expert on
protection from violence
and discrimination based
on sexual orientation and
gender identity

The Universal Declaration of Human Rights recognizes that all human beings are born free and equal in dignity and rights. Nevertheless, every day around the world lesbian, gay, bisexual, trans and gender diverse persons, and intersex persons (LGBTI+) continue to experience discrimination and violence based on their sexual orientation, gender identity and sex characteristics. In 2016, the United Nations Human Rights Council created the mandate of the Independent Expert on protection from violence and discrimination based on sexual orientation and gender identity (IE SOGI). The creation of the mandate was a political recognition of the fact that, unless gender identity and sexual orientation are considered, the actions of the UN to address and eradicate violence and discrimination will not be complete.

During my mandate as IE SOGI, which started in 2018, I have witnessed multiple obstacles to the realization of the human rights of LGBTI+ persons and their struggle to overcome them, and I have worked to promote their protection and broader social inclusion. The work of the mandate has become a truly unique collective construction, with dozens of States and thousands of organizations, UN agencies and individuals contributing to eight fact-finding country visits, dozens of thematic inquiries, hundreds of communications in individual cases and thousands of bilateral, group and global dialogues. This collective work has yielded thematic reports on topics of fundamental importance for the lived experience of LGBTI+ persons, including criminalization of same-sex intimacy, legal recognition of gender identity, disproportionate impact of Covid-19 on LGBT communities and populations, socio-cultural and economic inclusion, the right to health, the harmful so-called conversion therapies, armed conflict and participation in peacebuilding, bodily autonomy and integrity, and comprehensive sexuality education.

During the last three decades, as the work of the UN in relation to sexual orientation and gender identity has unfolded, we have learned that the ability of LGBTI+ persons to be in public spaces with full openness and full respect of their identities is a key factor of social integration. Political participation of LGBTI+ persons, which is a fundamental component of that objective, remains however a great concern. This is highlighted by their low representation in democratic institutions, their systematic exclusion from public policy formulation and decision-making processes, and the absence of systematic evidence and data gathering by State and non-State actors alike.

The groundbreaking research that you are about to read addresses these concerns. It systematically describes challenges and gathers good practices from actors promoting the political rights and participation of LGBTI+ persons around the world, especially in the Global South. It is a most valuable contribution to our field of concern. It is my sincere hope that it will become a useful tool for political parties and leaders, electoral management bodies, legislators, human rights defenders, and journalists willing to foster the meaningful participation of LGBTI+ persons in democratic processes.

New York,
27 October 2023

Acronyms and abbreviations

AU	African Union	OSCE	Organization for Security and Co-operation in Europe
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women	SIDA	Swedish International Development Cooperation Agency
CSO	Civil society organization	UDHR	Universal Declaration of Human Rights
EMB	Electoral management body	UNDP	United Nations Development Programme
EOM	Election observation mission	USAID	United States Agency for International Development
EU	European Union		
ICCPR	International Covenant on Civil and Political Rights		
ID	Identity document		
IFES	International Foundation for Electoral Systems		
LGBTI+	Lesbian, gay, bisexual, trans and intersex		
MP	Member of parliament		
NDI	National Democratic Institute		
ODIHR	OSCE Office for Democratic Institutions and Human Rights		
OECD	Organisation for Economic Co-operation and Development		
OHCHR	Office of the United Nations High Commissioner for Human Rights		

Purpose of this guide

This document aims to provide guidance and practical tools for stakeholders taking part in political and electoral processes to promote and ensure the participation and inclusion of LGBTI+ persons in all roles of those processes, including as voters, candidates, elected representatives, electoral administrators and activists.

As a collection of good practice, this document includes actions and strategies gathered from a wide range of stakeholders, including political leaders, political parties, electoral management bodies (EMBs), civil society organizations (CSOs), legislators, the media, election observers and international electoral assistance practitioners. The examples featured come from more than 80 countries from all the world's regions, and especially from the Global South. They identify entry points for the greater participation of LGBTI+ persons throughout the electoral cycle and the wider political process and, more importantly, highlight the need to embrace sexual and gender diversity as a way to build stronger and more inclusive democracies.

The scope of this publication, however, goes beyond the boundaries of the electoral domain and explores the wider sphere of politics, understanding political participation as a broad phenomenon that involves formal and informal mechanisms that influence and shape political power and policy development. For that reason, examples of good practice featured in this publication not only concern the participation of LGBTI+ persons in elections, but also the exercise of human rights in the wider political process. In democratic systems, meaningful political participation is generally based on the free exercise of civil and political rights, including the rights to vote and to be elected; the rights to freedom of expression, association and peaceful assembly; the right to participate in the formulation of government policy; equal access to public service at all levels of government; and the participation in non-governmental organizations and associations concerned with the public and political life of the country. For their human rights to be respected, upheld and

sustained, LGBTI+ persons and the organizations, groups and structures that support and speak for them should be able to exercise such rights wherever they live and at all times.

This guide seeks to inspire, strengthen, and empower a wide range of stakeholders as agents of change, with strategies and entry points for promoting the rights and participation of LGBTI+ persons in politics and elections. In doing so, political and electoral stakeholders can consult and join efforts with LGBTI+ activists, organizations and movements to identify participation gaps and design intervention strategies that match their needs and expectations. The approaches and considerations suggested by this guide are based on good practice, and its applicability will ultimately depend on the country context.

Despite its broad scope, this document is by no means an exhaustive and comprehensive publication, and all involved in putting it together acknowledge the need for further research on the opportunities and barriers to greater participation by LGBTI+ persons in all aspects of comprehensive electoral processes. This guide can be understood as an introductory survey to the topic, and hopefully more information and ideas will be generated over time as part of an ongoing learning process.

Key findings and observations

- 1. Political representation of LGBTI+ persons** is small and limited. Official and reliable data are difficult to find, but according to one comprehensive survey, in 2013 there were 107 openly LGBTI+ Members of Parliament holding office at the national level in 24 countries. Available information from the following decade suggests little improvement in general. Research has shown that the representation of LGBTI+ leaders in elective office typically has a positive impact on the adoption of legislation and policies recognizing the rights of the population, and the role of supportive allies is also a key factor to success.
- 2. Political parties** in various regions and from diverse ideological backgrounds have supported the participation of LGBTI+ leaders in decision-making and elective office, including by recognizing the rights of the community in their foundational documents and policies, adopting voluntary candidate quotas and nominating LGBTI+ candidates, providing training for LGBTI+ party members, and supporting the work of internal LGBTI+ groups and networks or associated entities.
- 3.** Around the world, **electoral management bodies** have adopted policies to guarantee the right to vote of trans and non-binary persons without discrimination, including respectful identification procedures, training for polling staff and targeted voter education campaigns. Some examples include the electoral administrations of Bangladesh, Brazil, Chile, Colombia, Mexico, Guatemala, India, Pakistan and Peru.
- 4.** LGBTI+ intergroups and caucuses have been created within the **parliaments** of several countries, including Brazil, North Macedonia, Poland, the United Kingdom and the United States, as well as the European Union. These parliamentary platforms gather Members of Parliament from different political parties to promote legislation recognizing the rights of LGBTI+ persons – for example, in areas such as decriminalization of same-sex relations, non-discrimination laws, legal recognition of trans identities, marriage equality, protections on the bodily integrity of intersex persons and the prohibition of so-called conversion therapies.
- 5.** In several countries, anti-LGBTI+ statements and hate speech spread by politicians and the media have led to an increase of **violence against LGBTI+ persons** in political and electoral processes. Strategies to prevent and counter this violence include violence monitoring initiatives, awareness-raising campaigns, hate crime and hate speech legislation, and training of security and criminal justice personnel, among others.



Introduction and overview



Introduction and overview

There has been unprecedented improvement in social acceptance of gender and sexual diversity in much of the world over the past few decades. The LGBT Global Acceptance Index developed by the Williams Institute at the University of California, Los Angeles (UCLA) School of Law shows that 56 out of 175 analysed countries have experienced increases in acceptance between 1981 and 2020.²

This positive change in social attitudes was coupled with the depathologization of homosexuality and trans identities. The removal of these categories from the International Classification of Diseases in 1990 and 2018, respectively, signified and contributed to positive change in social attitudes. These trends were also echoed in the evolution of legal frameworks that have allowed and in some cases driven the advancement of LGBTI+ (lesbian, gay, bisexual, trans and intersex) persons' rights worldwide. A growing number of countries from all regions have made considerable progress in this area in recent years, with the Latin America and the Caribbean, North America and Western Europe taking the lead in both the legal recognition of LGBTI+ rights and the shift in social attitudes.

These major social transformations cannot be understood without acknowledging the commitment and tireless efforts of LGBTI+ activists, organizations and movements, whose struggle for human rights has contributed to building stronger communities and advancing towards more inclusive societies. The expression of LGBTI+ identities can be understood as a political act, especially in contexts of discrimination and violence where their mere existence challenges dynamics and structures of oppression. Around the world, 'pride' parades celebrate the progress made so far and affirm the rights of LGBTI+ persons, often as a commemoration of the 1969 Stonewall riots in New York City or other historical landmarks at national levels in other countries. From the emergence of the homophile movement after World War II to the gay liberation movement and lesbian feminism in the late 1960s, queer activism in the 1980s or the decolonial shift in the 21st century, movements for sexual and gender diversity have evolved throughout history.

Nowadays, there is a growing consensus on the need to recognize these movements as diverse and heterogeneous spaces and to consider intersectionality and power dynamics within LGBTI+ communities, integrating dimensions such as ethnicity, gender, age, disability, economic condition, and migratory status. Empowering and amplifying the voices of marginalized groups has led to the development of more inclusive agendas over time, beyond mainstream views traditionally linked to the interests of those with more power and privilege. Furthermore, Indigenous and intercultural contributions by activists and movements from the Global South are increasingly valued and acknowledged within LGBTI+ communities.

Global progress on the rights of LGBTI+ persons: the evolution of legal frameworks

- From the beginning of the 21st century to 2020, at least 23 countries have decriminalized same-sex relations.
- As of 2020, 57 UN Member States have developed broad legal protections against discrimination based on sexual orientation, 48 have enacted laws providing grounds for enhancement of criminal liability for offences committed based on sexual orientation, four have banned the so-called conversion therapies, and 28 have adopted marriage equality.³
- As of 2019, at least 90 countries and territories have adopted some sort of legal gender recognition with a diversity of requirements.⁴

Their identities, realities and experiences enrich and shape the global pursuit of dignity and human rights.

Despite the progress made, LGBTI+ persons around the world still experience widespread social exclusion, discrimination and violence. In a broader context, as noted in a 2018 UNDP report, their daily realities may include “familial and social disapproval, threats of violence, challenges in finding and maintaining employment, poor access to health services, bullying and other ostracization in schools [...], challenges finding secure and private housing and challenges in establishing and building relationships and a network of supportive friends.”⁵ Moreover, in several countries there are current trends to criminalize same-sex relations and impose harsher sanctions, including the death penalty, as well as legislative developments and judicial decisions undermining the freedom of expression and association in relation to sexual and gender diversity.

In addition to endangering their well-being and ability to fully engage in society, restrictive legal frameworks, discriminatory policies and regressive social attitudes also have major impacts on the ability of LGBTI+ persons to fully participate in political and electoral processes. As voters, candidates, elected representatives, political party members, electoral administrators, activists and civil society representatives, LGBTI+ persons face numerous challenges that undermine their political rights. An increasing number of national governments and electoral management bodies (EMBs) have taken steps towards making electoral and political processes more inclusive for LGBTI+ citizens. This publication aims to learn from these practices and make this knowledge available for stakeholders in other countries to protect and promote the political rights of citizens with diverse sexual orientation, sex characteristics and gender identity and expression, and ensure their access to the electoral process. Acknowledging and valuing the contribution of LGBTI+ persons as full citizens to political and electoral processes is key to consolidating democracy and building more inclusive societies.

Information sources

As an emerging field of study, political participation of LGBTI+ persons remains a largely underresearched topic. This contrasts with the notable increase of political science research on LGBTQ topics since the mid-1990s, including publications on public opinion, LGBT rights, policy area studies, queer and feminist theory and local government.⁶ This publication is in debt to the work of pioneering scholars who set the foundations of this specific area of research dealing with political representation and participation of persons with diverse gender identity and sexual orientation.⁷

This practical guide also draws inspiration from previous research in the field of electoral inclusion, including studies on the political participation of women, youth, persons with disabilities and ethnic groups, which paved the way for a better understanding of inequality dynamics affecting underrepresented groups in political and electoral processes. Although this guide may have some parallels in its structure and logic with recent gender and electoral inclusion research conducted by the United Nations Development Programme (UNDP) and other international partners, its main difference is that its focus relies exclusively on the emerging research area of the political and electoral participation of LGBTI+ persons.

With the support of the Electoral Assistance Division of the UN Department of Political and Peacebuilding Affairs, UNDP developed in 2019 the Gender and Elections topic area of the ACE Electoral Knowledge Network. This is an online knowledge repository providing comprehensive information and customized advice on electoral processes, including a large set of resources on the political participation of LGBTI+ people. The Gender and Elections topic area of the ACE Electoral Knowledge Network set the initial foundations for the global policy research conducted by UNDP on political and electoral participation of LGBTI+ persons. This guide can be understood as a continuation and deepening of that initial research, and an attempt to produce knowledge on the specific topic of political and electoral participation of LGBTI+ persons as an independent area of study.

Key resource



The **ACE Electoral Knowledge Network**, the world's largest online community and repository of electoral knowledge, provides comprehensive information and specialized advice on all aspects of electoral processes. In 2019 UNDP developed its Gender and Elections topic area, which includes a large volume of content on women's political participation and the gender dimension of electoral processes. This topic area also includes documents, strategies and examples from stakeholders addressing gender equality in the electoral process from a non-binary perspective, in order to advance the realization of political rights of LGBTI+ persons. The different sections of the topic area include an analysis of the barriers affecting the electoral participation of LGBTI+ persons as well as strategies put in practice by a wide range of stakeholders, including EMBs, to promote political inclusion.

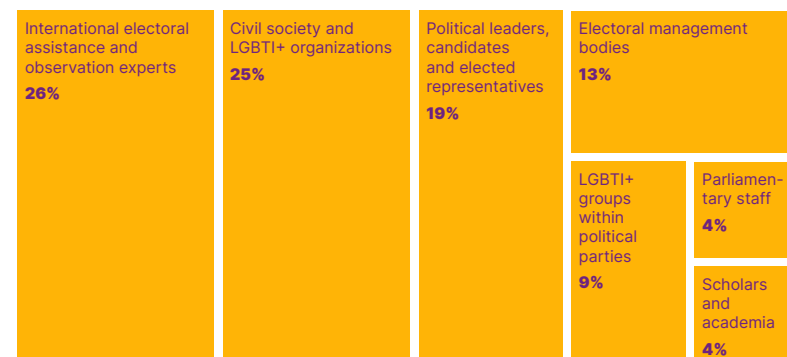


The full ACE Electoral Knowledge Network's resource section on gender and elections is available online <https://aceproject.org/ace-en/topics/ge/>

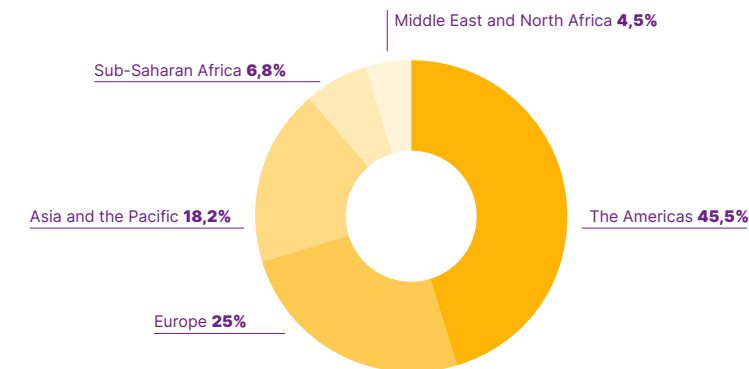
Methodological approach

Three important approaches were used to gather information for this guide: desk research, written submissions and interviews. A total of 100 persons in 39 different countries were interviewed by the author in the period going from October 2019 to September 2020; they participated through 88 in-depth online interviews, of which 80 were with just one person (one on one) and eight were group interviews. The graphics below show the regional distribution and the professional profile of interviewees.

Profile distribution of interviewees



Regional distribution of the interviews



Terminology on gender and sexual diversity

LGBTI+ persons are a heterogenous and extremely diverse group. Throughout this publication, there are references to a wide range of terms and concepts around gender and sexual diversity. The following glossary offers some definitions that can be useful for readers. However, most of these definitions are not universally accepted, since terminology related to gender and sexuality differs

among cultures and languages and evolves over time. Also, there is a growing recognition in many parts of the world that identities related to gender and sexuality are not fixed and immutable but rather should be understood as part of a spectrum, and thus at the individual level they may evolve over the course of a lifetime. In any case, it is important to consider the contextual dimension of language, approach LGBTI+ persons with respect and be open to the terms that they use to refer to themselves.

Glossary on gender and sexual diversity

LGBTI+ stands for 'lesbian, gay, bisexual, trans and intersex', with the plus sign used to denote inclusivity of other sexual and gender minority groups. This acronym generally refers to persons with diverse sex characteristics, gender identity or sexual orientation. There are several alternative acronyms, such as LGBTQIA+, which stands for gay, bisexual, trans, queer or questioning, intersex, asexual and other groups.

In general, a wide range of words have long been used in different cultures to refer to persons with diverse genders and sexualities, such as hijra (Bangladesh, India and Pakistan), muxe (Mexico), travesti (Argentina and Brazil), meti (Nepal), fa'afafine (Samoa), fakaleiti (Tonga), kuchu (Uganda), two spirit (North America), skesana (South Africa), hamjensgara (Iran) and motsoalle (Lesotho), among many others. These terms may have culturally specific meanings that differ from Western understandings of gender identity or sexual orientation.

When referring to specific cases or examples, this publication reproduces their own terminology, using the term referred by the source.

Lesbian refers to women sexually or romantically attracted to other women.

Gay refers to persons sexually or romantically attracted to other persons of their same gender. This term is often used to refer to homosexual men.

Bisexual, also known as **bi**, refers to persons sexually or romantically attracted to persons of more than one gender, but not necessarily simultaneously, in the same way or to an equal degree. Bi+ can also be understood as an umbrella term inclusive of diverse identities belonging to the bi spectrum.

Trans, also known as **transgender**, is an umbrella term that refers to persons who identify with a different gender to the one assigned at birth. Different cultures use different terms to refer to persons with diverse gender identity.

Intersex refers to persons born with sex characteristics that do not match the typical definitions of male or female, such as sexual anatomy, reproductive organs, hormonal patterns and chromosomal structures.

Other useful concepts:

Affirmed (or preferred) name is a name chosen by an individual, including many trans and non-binary persons, to use instead of the name that they were assigned at birth.

Allies refers to heterosexual and cisgender persons who support the rights of LGBTI+ persons and use their privilege in society to counter discrimination against them.

Allosexual refers to persons who experience sexual attraction towards other persons, in contrast to asexual persons.

Aromantic refers to persons who do not experience or rarely experience romantic attraction towards other persons.

Asexual refers to persons who do not experience or rarely experience sexual attraction towards other persons. It can also be understood as an umbrella term inclusive of diverse identities belonging to the asexual spectrum, such as **demisexual** persons, who can feel sexually attracted to other persons provided that there is an emotional or romantic connection, among other asexual identities.

Cisgender refers to persons whose gender identity matches their sex assigned at birth, in contrast to trans persons.

Coming out refers to the personal process that LGBTI+ persons go through when they decide to share their sexual orientation, sex characteristics or gender identity with other people. Although for many people coming out is considered a liberating and beneficial experience, in some contexts it may involve risk of exclusion, discrimination or harassment in a family or at work, school or elsewhere in society, and it may compromise personal safety. In contrast, **outing** is understood as the deliberate or unintentional disclosure of a LGBTI+ person's sexual orientation, sex characteristics or gender identity by someone else without their consent.

Crossdresser refers to persons who wear clothing associated with a gender other than the one they were assigned at birth, as a form of self-expression.

Deadnaming means referring to a trans or non-binary persons by a name they used before their transition, including the name that they were assigned at birth. Many trans and non-binary persons may find this painful or harmful, and it may be unintentional or a deliberate attempt to deny and invalidate their gender identity.

Endosex refers to persons born with sex characteristics that match the typical definitions of male or female, in contrast to intersex persons.

Gender non-conforming refers to persons whose gender expression does not conform to traditional gender norms and conventional expectations of masculinity and femininity.

Heterosexual, also known as **straight**, refers to persons who are sexually or romantically attracted to persons of the opposite gender.

Hijra refers to a traditional third gender identity that is present in various countries in South Asia, including India, Bangladesh, Pakistan and Nepal, among others. At least in these four countries, the identity of third gender persons has legal recognition.

LGBTIphobia is hatred of, aversion to or hostility toward LGBTI+ persons based on their sexual orientation, sex characteristics and gender identity and expression. This term was developed to gather in a single word different types of discrimination and violence directed against LGBTI+ persons. Although its use is not widespread in English-speaking contexts, it is common in other languages, such as Spanish (LGTBIfobia), French (LGBTIphobie) or Portuguese (LGBTIfobia).

Misgendering refers to using words to address another person, such as pronouns among others, that do not reflect their gender identity. Many trans and non-binary persons may find this painful or harmful, and it may be unintentional or a deliberate attempt to deny and invalidate their gender identity.

Muxe is a traditional and precolonial gender identity for the Zapotecan Indigenous people from the isthmus of Tehuantepec in Mexico. It refers to persons who were assigned the male sex at birth and later adopted feminine roles. In contrast, **nguiu** is understood in the Zapotecan culture as persons who were assigned the female sex at birth and later adopted masculine roles.

Non-binary refers to persons whose gender identity is not exclusively male or female.

Pansexual refers to persons sexually or romantically attracted to persons of all genders.

Pride refers to the reaffirmation of dignity and visibility of LGBTI+ persons and communities, in opposition to shame and stigma. Pride marches and protests are often a collective celebration of social and self-acceptance of LGBTI+ persons and communities, in line with the right of peaceful assembly.

Queer can be understood as an umbrella term for persons who are not heterosexual or cisgender. It also refers to those who challenge gender and sexual norms, thereby breaking binary thinking and placing themselves out of the mainstream.

Questioning refers to persons who are unsure or are exploring their own sexual orientation or gender identity.

Travesti refers in French- and Spanish-speaking contexts to persons who wear clothing associated with a gender other than the one they were assigned at birth. In some countries from South America, including Brazil and Argentina, it is a particular form of gender identity of trans persons.

Understanding gender and sexual diversity

Gender identity

reflects a deeply felt sense of one's own gender.

Sexual orientation

refers to a person's sexual or romantic attraction towards other persons.

Gender expression

is the way in which individuals express their gender through actions and appearance.

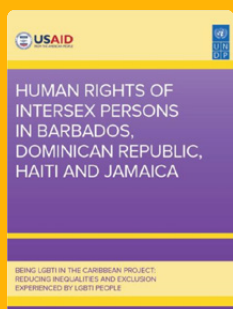
Sex characteristics

refer to physical and biological features, including genitalia and reproductive organs, hormonal patterns and chromosomal structures, as well as secondary characteristics such as muscle mass and hair distribution.

International human rights principles

The right of LGBTI+ persons to participate meaningfully in political processes is rooted in the principle of non-discrimination and equal enjoyment of rights contained in the Universal Declaration of Human Rights (UDHR) and other human rights instruments. Article 25 of the International Covenant on Civil and Political Rights (ICCPR), a legally binding international treaty, not only recognizes the right of all citizens to take part in the conduct of public affairs, but also “to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors”, and “to have access, on general terms of equality, to public service in his country.” Also legally binding is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In its Article 7, the convention places a positive obligation on States party to the convention to take appropriate measures to eliminate discrimination against women in the exercise of the rights to vote, to be eligible and to hold public office at all levels of government. Furthermore, Article 4 of CEDAW encourages the use of special temporary measures. These CEDAW provisions protect all sorts of women, including lesbian, bisexual and trans women, as is borne out by General Recommendations No. 27 and 28 issued by the Committee on the Elimination of Discrimination against Women, which highlight the intersectionality of discrimination faced by women and refer to sexual orientation and gender identity among the multiple dimensions of discrimination.

Key resource



In the framework of the project Being LGBTI in the Caribbean, UNDP and the US Agency for International Development (USAID) conducted a study in 2022 to analyse the human rights of intersex persons in Barbados, the Dominican Republic, Haiti and Jamaica. This research provides an account of the discrimination faced by intersex persons in the Caribbean region, especially those in rural areas or living in poverty. The publication includes an overview of intersex rights and addresses issues including legal frameworks, healthcare services, violence against intersex individuals, the legal recognition of their identities and other needs.



The full publication is available online

<https://www.undp.org/latin-america/publications/human-rights-intersex-persons-barbados-dominican-republic-haiti-and-jamaica>

Non-discrimination provisions in core international human rights treaties ensure that everyone has the right to be free from discrimination, including on the basis of sexual orientation, gender identity and sex characteristics. Article 2 in both UDHR and ICCPR establishes the obligation for States party to respect and to ensure the human rights of all individuals “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” Similarly, Article 7 of UDHR and Article 26 of ICCPR recognize the principle of equality before the law.

The United Nations treaty bodies have consistently shown in their jurisprudence, general comments and concluding observations that discrimination on grounds of sexual orientation and gender identity is forbidden under international law. In *Toonen v. Australia* (1994), the UN Human Rights Committee concluded that reference to sex in Articles 2 and 26 of ICCPR must be interpreted as including sexual orientation. In *Young v. Australia* (2003) and *X v. Colombia* (2007), the committee stated that differences in treatment of pension benefits for same-sex partners were a violation of the right to be free from discrimination based on grounds of sexual orientation. In their general comments and concluding observations, several UN treaty bodies have also called attention to discrimination based on sexual orientation and gender identity, and expressed concerns about human rights violations towards LGBTI+ persons.⁸



So long as people face criminalization, bias and violence based on their sexual orientation, gender identity and sex characteristics, we must redouble our efforts to end these violations.

Antonio Guterres, United Nations Secretary-General⁹

An important aspect of the UN electoral assistance framework, which regulates electoral technical support provided by the United Nations at the request of Member States, is the inclusion of underrepresented groups, as highlighted by UN resolutions, guidelines, and policies. The 2021 UN General Assembly Resolution 76/176 ‘Strengthening the role of the United Nations in the promotion of democratization and enhancing periodic and genuine elections’ urges States to remove discriminatory laws, regulations and practices that hinder the public participation of persons and discriminate on the basis of sexual orientation and gender identity, among other characteristics.¹⁰ Furthermore, the UN electoral guidelines and policies also address the inclusion of underrepresented groups in electoral assistance. The Policy Directive on Principles and Types of UN Electoral Assistance (2021) highlights the promotion of inclusiveness as one of the key principles in the provision of UN electoral assistance, which requires the involvement of underrepresented or marginalized groups.¹¹ Also, the Guideline on United Nations Electoral Needs Assessment (2012) includes the participation of underrepresented groups among key assessment areas, and as a topic of relevance when it comes to recommendations.¹² UN electoral assistance is guided by various principles including respect for human rights as well as national sovereignty and ownership, and is norm-based but not prescriptive. While assistance providers can propose options to government and election authorities, the local context and national decisions must always be respected.

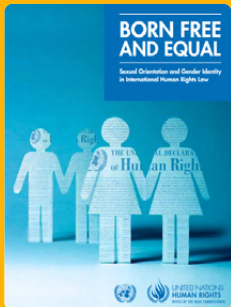
Several non-binding declarations underline the importance of guaranteeing the full enjoyment of human rights for LGBTI+ persons, including the Declaration of Montreal¹³ and the Yogyakarta Principles. Those principles address a broad range of international human rights standards and their application to sexual orientation and gender identity issues. Principle 25 of the Yogyakarta Principles recognizes the right of every citizen “to take part in the conduct of public affairs, including the right to stand for elected office, to participate in the formulation of policies affecting their welfare, and to have equal access to all levels of public service [...], without discrimination on the basis of sexual orientation or gender identity.”¹⁴

Promoting the participation of LGBTI+ persons in politics and elections is also key to fulfilling the 2030 Agenda for Sustainable Development.¹⁵ Sustainable Development Goal 16 (SDG 16), which aims to promote just, peaceful and inclusive societies, includes among its targets to “ensure responsive, inclusive, participatory and representative decision-making at all levels.” Furthermore, one of the targets of SDG 10, which focuses on reducing inequalities, is to “empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.” As the main promise of the 2030 Agenda for Sustainable Development, the principle ‘leave no one behind’ focuses “on discrimination and inequalities (often multiple and intersecting) that undermine the agency of people as holders of rights”.¹⁶ Another relevant principle is ‘do no harm’, which is interpreted as preventing and mitigating the negative impacts of all actions to avoid to the fullest extent possible any harm towards affected populations (which could include LGBTI+ persons wherever they live).¹⁷

Barriers to the political participation of LGBTI+ persons

As they seek to fulfil roles in electoral processes including as voters, candidates, political leaders, elected representatives, electoral administrators, activists and civil society members, LGBTI+ persons face barriers and obstacles that restrict and hinder the full exercise of their right to meaningfully participate in politics and elections. They often experience exclusion, lack of visibility, discrimination and violence based on sexual orientation, sex characteristics and gender identity and expression. Barriers to the political and electoral participation of LGBTI+ persons can be classified as structural, individual, organizational and violence-related, as shown in Table 1 below. From an intersectional perspective, LGBTI+ persons have a different experience of barriers in political and electoral processes depending on their gender, ethnicity, age, disability, migratory status and other characteristics. In some countries, the COVID-19 pandemic caused additional burdens on LGBTI+ persons, including in terms of increased violence, loss of jobs and lack of contact and support from their community, which also had an impact on their political and electoral participation.

Key resource



In the publication ‘Born free and equal: sexual orientation and gender identity in international human rights law’, the Office of the United Nations High Commissioner for Human Rights establishes the source and scope of some of the State obligations to protect the human rights of LGBTI+ persons. This publication is designed as a tool to help States better understand the nature of their obligations and the steps required to fulfil them. It is equally addressed to civil society activists and human rights defenders seeking to hold governments accountable for human rights violations.



The full publication is available online.

<https://www.ohchr.org/sites/default/files/Documents/Publications/BornFreeAndEqualLowRes.pdf>

- At the **structural** level, restrictive legal frameworks, exclusionary policies and institutional practices, and discriminatory social attitudes can lead to social and political marginalization of LGBTI+ persons across the board.
- At the **organizational** level, exclusionary policies, practices and attitudes in different institutions and organizations involved in political and electoral processes, such as parliaments, political parties and EMBs, may undermine the political participation and rights of LGBTI+ persons.
- At the **individual** level, exclusion and fear experienced by LGBTI+ persons and their distrust in political institutions and lack of knowledge and economic resources may limit their possibilities to participate in political and electoral processes. For a better understanding of barriers at the individual level, it is important to recognize that LGBTI+ persons are not responsible for the discrimination and violence that many of them experience throughout their lives.

→ Regarding **violence** in political and electoral processes, LGBTI+ persons can experience physical, psychological, sexual, economic and digital violence based on their sexual orientation, sex characteristics and gender identity and expression.

The barriers faced by LGBTI+ persons to participate in political and electoral processes need to be understood as context specific. Some challenging environments can pose threats to the basic human rights of LGBTI+ persons, including the criminalization of their identities and same-sex relations, legal restrictions to freedom of association and expression, and generalized violence and discrimination. In those contexts, ensuring the personal safety and security of LGBTI+ activists, leaders and human rights defenders is generally considered a priority.

Table 1. **Barriers to the political participation of LGBTI+ persons**

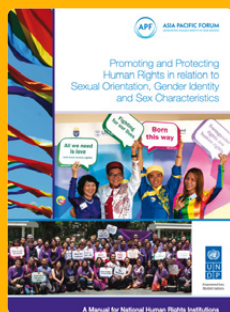
Structural	Organizational	Individual	Violence
Criminalization and persecution	Discrimination and exclusion from decision-making within parliaments, political parties, EMBs and other organizations	Ostracization from family and friends	Hate speech and incitement to violence in political processes, the media and the digital sphere
Social, economic and political exclusion	Exclusion from party candidate lists	Internalized LGBTIphobia and lack of self-acceptance	Physical, sexual and psychological violence against LGBTI+ candidates and elected representatives
Social prejudice and discriminatory attitudes	Political parties provide less resources and fewer visibility opportunities for their own LGBTI+ candidates	Fear to come out publicly	Harassment and violence within parliaments, political parties, EMBs and other organizations
Restrictive legal frameworks undermining human rights	Candidate and voter registration do not recognize gender identity and affirmed name of trans persons	Lack of information and knowledge about political processes	Politically motivated violence, persecution and threats against LGBTI+ persons in the public space and the digital sphere
Low political representation and lack of role models	Voter disenfranchisement based on sexual orientation, sex characteristics and gender identity or expression	Lack of access to economic resources and networks	
Stereotyped media coverage		Distrust in political institutions, EMBs and security forces	
Restrictions to freedom of expression, association and peaceful assembly			
High cost of election campaign			

This table was developed based on information and perspectives from interviews conducted in the framework of this research.

NHRIs protecting the rights of LGBTI+ persons

National human rights institutions (NHRIs) are key stakeholders for the protection and promotion of human rights. In accordance with the Paris Principles, which set international standards in this matter, effective and credible NHRIs require independence, a broad mandate, adequate resources, and cooperation with international bodies.¹⁸ Around the world, NHRIs can use a broad range of strategies to defend the rights of LGBTI+ citizens, including the recognition of LGBTI+ persons in NHRI programmes and activities, the audit of national laws and public policies that affect LGBTI+ persons, educational and awareness-raising activities on gender and sexual diversity, and the promotion of dialogue with LGBTI+ organizations and groups, among other actions.

In the Asia and Pacific region, UNDP and its partners have developed some **key resources** regarding the efforts of NHRIs in protecting and promoting the rights of LGBTI+ persons:



The full publication is available online.

<https://www.undp.org/asia-pacific/publications/promoting-and-protecting-human-rights-relation-sexual-orientation-gender-identity-and-sex-characteristics-manual-national>



The full publication is available online.

<https://www.undp.org/publications/capacity-national-human-rights-institutions-address-human-rights-relation-sexual-orientation-gender-identity-and-hiv>

Defending the rights of LGBTI+ persons in challenging environments

In 2023, UNDP hosted several online South-South learning events for LGBTI+ activists, human rights leaders and allies from challenging country environments, in the framework of the #WeBelongAfrica project. This dialogue platform allowed LGBTI+ leaders to share lessons learned, strengthen their capacities, and develop strategies to counter anti-LGBTI+ discrimination and violence.



A video of the learning event is available online.

<https://www.youtube.com/watch?v=m4r0ESpGs8I>

2	Flores A, 'Social acceptance of LGBTI people in 175 countries and locations, 1981 to 2020', The Williams Institute, UCLA School of Law, 2020. https://williamsinstitute.law.ucla.edu/publications/global-acceptance-index-lgbt/	10	UN General Assembly Resolution 76/176, 'Strengthening the role of the United Nations in the promotion of democratization and enhancing periodic and genuine elections', 2021. https://digitallibrary.un.org/record/3955076	17	UN Sustainable Development Group, 'Conflict sensitivity, peacebuilding and sustaining peace' (good practice note), 2022, p. 15. https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/goodpracticenote.cs-pb-sp.220510.v6.final_web-compressed.pdf
3	ILGA World, 'State-sponsored homophobia: global legislation overview update', 2020. https://ilga.org/state-sponsored-homophobia-report	11	UN, 'Policy on principles and types of UN electoral assistance', 2021. https://dppa.un.org/sites/default/files/ead_pd_un_ea_principles_types_20210303_e.pdf	18	UN Development Programme (UNDP) and Office of the United Nations High Commissioner for Human Rights (UN OHCHR), 'UNDP-OHCHR toolkit for collaboration with national human rights institutions' 2015. https://www.undp.org/sites/g/files/zskgke326/files/publications/UNDP-UHCHR-Toolkit-LR.pdf
4	ILGA World, 'Trans legal mapping report 2019: recognition before the law', 2020. https://ilga.org/trans-legal-mapping-report	12	UN, 'Guideline on United Nations electoral needs assessment', 2012.		
5	O'Malley J et al, 'Sexual and gender minorities and the Sustainable Development Goals', UNDP, 2018. https://www.undp.org/content/undp/en/home/librarypage/hiv-aids/sexual-and-gender-minorities.html	13	Declaration of Montreal on Lesbian, Gay, Bisexual, and Transgender Human Rights, adopted at an international conference in Montreal, Canada in July 2006. https://www.declarationofmontreal.org/		
6	Tadlock B and Taylor J, 'Where has the field gone? An investigation of LGBTQ political science research', in Brettschneider M, Burgess S and Keating C (ed.), <i>LGBTQ politics: a critical reader</i> . New York University Press, 2017.	14	The Yogyakarta Principles address a broad range of international human rights standards and their application to sexual orientation and gender identity (SOGI) issues. In November 2017 a panel of experts published additional principles expanding on the original document reflecting developments in international human rights law and practice since the original presentation of the principles in 2006, The Yogyakarta Principles plus 10. The full text of the Yogyakarta Principles and the Yogyakarta Principles plus 10 are available at: www.yogyakartaprinciples.org		
7	Valuable contributions to this field include the work of numerous scholars, such as Phillip Ayoub, Mandi Bates Bailey, Mauro Cabral, Javier Corrales, Donald P. Haider-Markel, Moira Perez, Ravi K. Perry, Blas Radi and Andrew Reynolds, among many others.	15	O'Malley J et al, 'Sexual and gender minorities and the Sustainable Development Goals', UNDP, 2018. https://www.undp.org/content/undp/en/home/librarypage/hiv-aids/sexual-and-gender-minorities.html		
8	United Nations (UN), 'Born free and equal. Sexual orientation and gender identity in international human rights law', 2012. https://www.ohchr.org/sites/default/files/Documents/Publications/BornFreeAndEqualLowRes.pdf	16	UN Sustainable Development Group, Leave No One Behind (Web page). https://unsdg.un.org/2030-agenda/universal-values/leave-no-one-behind		
9	UN, 'Secretary-general at ministerial event, urges bolder efforts to end rights violations against lesbian, gay, bisexual, transgender and intersex community', 25 September 2018. https://press.un.org/en/2018/sgsm19237.doc.htm				



1

LGBTI+ political leaders

1.

LGBTI+ political leaders

In recent years, openly LGBT leaders have become more visible and their representation in public office has increased around the world. Political representation of LGBTI+ persons in democratic institutions can contribute not only to the realization of their right to be elected, in line with Article 25 of ICCPR, but also to increasing visibility of their communities' realities, needs and interests and advancing their human rights through dialogue, public policy and law-making.

The growing participation of LGBTI+ persons in decision-making processes is part of a larger paradigm shift in political culture that places inclusion at the core of representation, contributing to extending citizenship rights to traditionally excluded groups and building more inclusive democracies.

The growing participation of LGBTI+ persons in politics is occurring alongside their increasing visibility as public figures. By showing to the world their sexual orientation, sex characteristics and gender identity and expression, LGBTI+ leaders can express political identities and defy gender-based social norms and stereotypes. Giving visibility to gender and sexual diversity and ensuring a positive representation of LGBTI+ persons in decision-making positions can help to transform assumptions and therefore promote the meaningful participation in public life of the broad LGBTI+ community. Historically, visibility has been key to transform social attitudes and promote public acceptance of sexual and gender diversity. Nonetheless, LGBTI+ pioneers and frontrunners in the field of politics generally had to face enormous challenges, including backlash, violence, and rejection in many cases, and they paved the way for younger generations, opening the political space for other LGBTI+ leaders.

What human rights principles are at stake?

- The right to participate in public affairs (Article 25 of ICCPR).
- The right to run as a candidate and be elected (Article 25 of ICCPR)
- The right to participate in nongovernmental organizations and associations concerned with the public and political life of the country (Article 7 of CEDAW).
- The right to freedom of expression (Article 19 of ICCPR).
- The right of peaceful assembly (Article 21 of ICCPR).
- The right to equality and non-discrimination (Article 2 of ICCPR).

Although numeric representation of LGBTI+ persons in democratic institutions might not be sufficient by itself to ensure the adoption of progressive laws and policies in this area, evidence suggests that there is a strong link between the number of LGBT elected parliamentarians and the passing of key legislation for the recognition of the human rights of this group. In certain countries, LGBTI+ elected representatives have been able to effectively channel the priorities of their community throughout the political and legislative process, contributing to setting human rights agendas and achieving

historical milestones in a number of areas, including decriminalization of same-sex relations, equality and non-discrimination legislation, legal recognition of gender identity, marriage equality, bodily integrity of intersex persons, expungement of homosexual convictions and the prohibition of the so-called conversion therapies, among many others. Straight and cisgender allies, especially in positions of political leadership, have also frequently played a key role in transforming mindsets, amplifying the voices of LGBTI+ persons and advancing their human rights in political and electoral processes.

1.1.

Political representation of LGBTI+ persons

The growing number of openly LGBTI+ leaders in elective office is coupled with their increasing visibility as public figures. Around the world, in different country contexts, many of these political leaders and other LGBTI+ persons who engage in politics have faced backlash, violence and smear campaigns.

However, these LGBTI+ political figures are often viewed as role models who may inspire others and therefore increase the participation of LGBTI+ persons in electoral processes. Under certain conditions, their visibility also can help to promote and sustain shifts in social attitudes leading to greater acceptance of gender and sexual diversity. Furthermore, the diverse identities of LGBTI+ political leaders, in terms of gender, ethnicity, age, disability and migratory status, among other characteristics, shape their experience of political participation and, from an intersectional perspective, have an impact on the barriers and participation opportunities that they find throughout their careers.

1.1.1. Descriptive representation of LGBTI+ persons

Limited data exist regarding the history, number and location of openly LGBTI+ persons holding public office. Yet even in the absence of official registries or a global baseline, some research initiatives have made efforts to find more information by reviewing public data.

One of the difficulties in identifying LGBTI+ elected representatives is that some of them have decided to hide or not disclose (or remain 'in the closet', in the words of a commonly used term) for multiple reasons, such as avoiding discrimination, social rejection, harassment and violence. Therefore, research initiatives tracking the representation of LGBTI+ persons holding public office can only include in their database LGBTI+ representatives who have come out of the closet and are open about their gender and sexuality.

According to the LGBTQ Representation and Rights Research Initiative at the University of North Carolina at Chapel Hill,¹⁹ which conducts research and gathers data on political representation of LGBTQ persons, in 2013 a total of 107 openly LGBT members of parliament (MPs) were in office at the national level in 24 countries, including 83 gay men, 19 lesbian women, four bisexual and one trans MP.²⁰ At the beginning of 2018, a total of 326 openly LGBT representatives had been elected as national MPs in 48 countries since 1976. Of them, 302 served in lower chambers and 59 in upper chambers. All were elected with the exception of 24 MPs to upper chambers who were

appointed. Regarding the regional distribution of LGBTI+ elected representatives, as of 2018 most openly LGBT MPs had been elected in Europe, North America and Australasia. Elsewhere, 23 LGBT national MPs had been elected in Latin America, 13 in South Africa, eight in Central and Eastern Europe, and four in Israel.²¹

The number and visibility of openly LGBTI+ MPs varies for different groups in the overall community, with lesbian women as well as bisexual, trans and intersex persons having smaller numbers. Over time, there have been four gay men national MPs for every lesbian MP,²² with far fewer openly bisexual and trans officeholders at the same type of legislative body.²³

Regarding the political participation of trans persons, the LGBTQ Representation and Rights Research Initiative at the University of North Carolina at Chapel Hill identified from 1977 to 2015 a total of 126 openly transgender and gender variant individuals running for office to national and sub-national legislatures, local government and elected judgeships in 209 electoral races in 30 countries and being elected 72 times.²⁴ Although the election of the first openly intersex mayor dates to 2011, there are no known cases of openly intersex MPs so far.

- In 2020 the Parliament of **New Zealand** became the national legislature with the largest proportion of openly LGBTQ representatives ever recorded, at 11 percent. They contributed to the notable diversity of that session of the institution, in which 48.3 percent of parliamentarians were women, 20.8 percent were Maori (the Indigenous population), 9.2 percent were of Pacific descent and 1.7 percent were under 30 years of age.
- As of January 2023, the Parliament of the **United Kingdom** had 65 openly LGBT+ MPs from five different parties.²⁵ It has been one the legislatures with the highest number of openly LGBTI+ representatives worldwide in the past few decades.

Key resources



'Out in office: LGBT legislators and LGBT rights around the world' was published in 2013 by the LGBTQ Representation and Rights Initiative at the University of North Carolina at Chapel Hill. This groundbreaking research analysed

national parliaments around the world between 1976 and 2013 to collect data about the representation of LGBT MPs based on those who were open about being a member of the community. It also assessed the linkages between the presence of openly LGBT MPs and the adoption of progressive laws recognizing the rights of the population.



The full publication is available online.

https://lgbtqrightrightsrep.files.wordpress.com/2015/08/annual-report_may20finalversion.pdf



'Standing out: transgender and gender variant candidates and elected officials around the world' was published in 2013 by the LGBTQ Representation and Rights Initiative at the University of North Carolina at Chapel Hill. This publication

collected data on the number of transgender and gender-variant candidates and elected representatives from 1977 to 2015, highlighting the experiences of trans and intersex political leaders globally.



The full publication is available online.

https://lgbtqrightrightsrep.files.wordpress.com/2015/10/lgbt_report_trans_v4.pdf

Visibility:

What does it mean to be seen as a LGBTI+ political leader?

Positive aspects	Concerns
<ul style="list-style-type: none">→ Openly LGBTI+ leaders in the political arena can become role models for other persons and inspire them, opening the public and political space for others.→ The visibility of openly LGBTI+ political leaders can bring positive change in social attitudes and contribute to increasing acceptance of diversity.→ Openly LGBTI+ political leaders can enhance visibility of the interests and needs of the community, contributing to substantive representation.→ The visibility and voices of openly LGBTI+ political leaders can contribute to sensitize cisgender and straight leaders and citizens, and build bridges with allies who support positive change.→ Through their engagement with policies and legislation, openly LGBTI+ political leaders can work to advance human rights for the population in general as well as for LGBTI+ persons and other groups.	<ul style="list-style-type: none">→ When becoming visible public figures, openly LGBTI+ political leaders may face violence, discrimination and threats, especially in contexts of hostility towards gender and sexual diversity.→ For some LGBTI+ persons, increasing their self-acceptance and self-esteem is likely to be an important step before coming out as political leaders.→ Tokenistic practices can exploit the visibility of LGBTI+ leaders, including by putting them in a symbolic role to create the impression of diversity and equality and hide the lack of real change.

This table has been developed considering information and perspectives from interviews conducted in the framework of this research.

1.1.2. Visibility of LGBTI+ political leaders

Historically, visibility has been a recurring theme in the public and political participation of LGBTI+ leaders. Many of them along with LGBTI+ activists have often stated that becoming visible and raising their voices is a way to fight social prejudice, claim for human rights, and build bridges with allies supporting positive change. Some of the notable pioneers are listed below:

- In the **Netherlands**, Coos Huijsen came out as gay in 1976, becoming the first known openly gay member of a national legislature in the world.
- In the **United States**, Harvey Milk won election to the San Francisco Board of Supervisors in 1977, becoming the first openly gay elected official in California and one of the first in the country.
- In **New Zealand**, Georgina Beyer was elected mayor of Caterton in 1995, becoming the world's first openly transgender mayor, and in 1999 she became the first openly transgender national MP worldwide.
- In **Iceland**, Jóhanna Sigurgardóttir became prime minister in 2009, being the world's first openly lesbian head of government.
- In **Australia**, Tony Briffa became the world's first openly intersex mayor in 2011, when she acceded to this position in the City of Hobsons Bay, in Victoria.
- In **South Africa**, Zackele Mbhele was elected to the national parliament in 2014, becoming the first openly gay black MP in Africa.

Harvey Milk, one of the most prominent early LGBTI+ leaders in the United States, advocated in the late 1970s for the visibility of gay political and social leaders as a response to what he called a "conspiracy of silence". The idea that increased visibility of LGBTI+ realities can lead to a positive transformation of mindsets and policy frameworks is an important guiding principle for many other LGBTI+

social activists and political leaders around the world. This can be a difficult and dangerous path. In contexts of hostility against gender and sexual diversity, visibility tends to increase the risks associated with public exposure, including ostracism, discrimination, and violence.

In recent times, the transnational dimension of visibility of LGBTI+ leaders and groups asserting their rights seems to have been strengthened, as in many cases their influence and impact extends beyond national borders and encourages LGBTI+ persons in other countries to engage in political processes. "As noted in a 2016 analysis in Europe, "The visibility of LGBT life, even when examples come from external contexts, can aid LGBT people in seeing their situation as shared and can inspire them to become politically active."²⁶

For multiple reasons, some LGBTI+ political leaders prefer to stay in the closet and this personal decision is in line with their right to privacy. The reasons might include security concerns or feeling uncomfortable and considering their sexual orientation, sex characteristics and gender identity and expression to be private issues, or irrelevant to their political engagement.



“Like every other group, we must be judged by our leaders and by those who are themselves gay, those who are visible. For invisible, we remain in limbo – a myth, a person with no parents, no brothers, no sisters, no friends who are straight, no important positions in employment.... We must give people the chance to judge us by our leaders and legislators. A gay person in office can set a stone, can command respect not only from the larger community, but from the young people in our own community who need both examples and hope.”

— Harvey Milk’s ‘Hope’ speech (1978)

1.1.3. Diversity in the representation of LGBTI+ political leaders

LGBTI+ leaders are diverse, and they have different identities in terms of gender, ethnicity, age, disability, migratory status, and other characteristics that contribute to shape their personal experiences and their understanding of social and political dynamics. In the 1980s, the concept of intersectionality was introduced and developed in feminist theory by Kimberly Crenshaw as a way to describe and highlight the interactions among gender, ethnicity and other categories that mark people’s life through social practices, institutions, and cultural ideologies.²⁷ The intersectional perspective can contribute to a better understanding of LGBTI+ persons as a diverse and heterogenous group as well as the different barriers and opportunities that LGBTI+ leaders experience related to their gender, age, ethnicity, disability, migratory status, and other identity categories when participating in political processes.

The leadership of young LGBTI+ representatives



The Queer Youth Dialogues were launched in 2021 as a year-long digital campaign to build a stronger global youth movement supporting the human rights of LGBTIQ persons. This was a joint effort of the UN Office of the Secretary-General’s Envoy on Youth, the

Global Queer Youth Network, ILGA World and the UN Human Rights Council’s Special Procedures.

In September 2021, an online townhall dialogue titled Queerly Politics was held in the framework of this initiative. At this event, elected young LGBTIQ+ representatives from different countries had the opportunity to discuss their motivations Promoting, challenges, and opportunities for political participation.



More information about Queer Youth Dialogues is available online.

<https://www.un.org/youthenvoy/qyd/>

1.2.

Promoting change for LGBTI+ rights

Beyond the numeric representation of LGBTI+ persons in politics, substantive representation requires that legislation and public policies acknowledge and respond to the actual needs of this population.

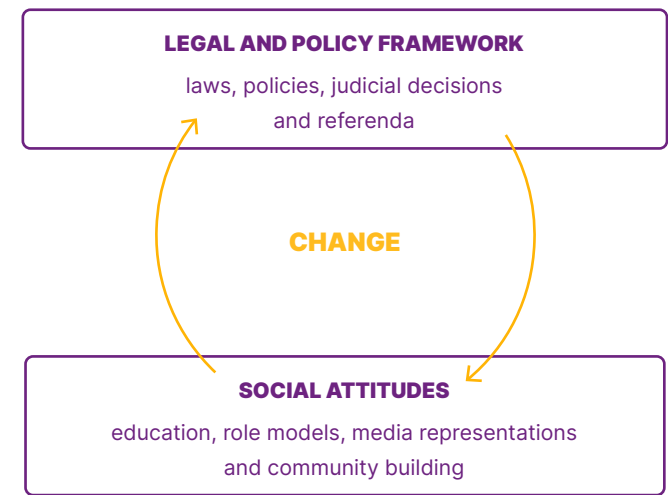
Research has shown that the election of LGBTI+ leaders to representative bodies can to some extent be associated with the passing of inclusive laws benefitting the community. Positive change in relation to the rights of LGBTI+ persons can come both from shifts in social attitudes leading to greater acceptance of gender and sexual diversity as well as legislative, public policy and judicial decisions that confront discrimination, uphold rights and promote more inclusive societies.

One area of concern for LGBTI+ activists and leaders is the practice of tokenism, which refers to symbolic and superficial concessions that leave inequality power structures unaddressed. While the descriptive representation of LGBTI+ leaders is important, their mere presence in political institutions is not sufficient to ensure positive and lasting change, which requires addressing the barriers that LGBTI+ persons regularly face to their ability to exercise their human rights, participate in their communities and thrive. Building networks of allies and supportive friends can help LGBTI+ political leaders reach agreements, promote political dialogue, and contribute to the adoption of laws and policies recognizing the rights of LGBTI+ persons.

1.2.1. Substantive representation of LGBTI+ persons: paths for change

There is an ongoing debate as to how or whether the participation of LGBTI+ representatives in elective office and decision-making bodies has an impact on the adoption of inclusive laws and policies in favour of LGBTI+ rights. Several examples from studies indicate that increased political representation of LGBTI+ persons is often associated with policy making benefitting their group. According to

the findings from a study of the introduction of pro-LGBT bills at the state level in the United States from 1992–2007, as the number of openly LGBT legislators increased, the introduction of state legislation in favour of LGBT rights also grew. This suggests that substantive political representation of LGBTI+ persons can be achieved by increasing the number of elected LGBTI+ representatives.²⁸ Another analysis also shows that there is a relationship between having openly LGBT MPs and adopting progressive laws that recognize the rights of this group, since on average countries with LGBT MPs tend to have equality provisions in their legislation while countries without LGBT MPs tend to neglect the recognition of LGBT rights in their law-making process. This research analysis also found that out of the 10 countries that had recognized same-sex marriage by 2010, eight had openly LGBT MPs at the time the law was passed.²⁹



History shows that there are different paths to promote social change and foster the rights of LGBTI+ persons. Changes in attitudes and greater social acceptance of gender and sexual diversity can lead to an increased action by governments, legislators, and judges in support of LGBTI+ rights, which often results in the adoption of inclusive laws and policies. The reverse can also be true, with inclusive legislation, policies, and judicial decisions recognizing LGBTI+ rights eventually leading to greater social acceptance and change of mindsets.³⁰ The recognition and advancement of human rights of LGBTI+ persons may require a wide range of strategies depending on the context, ranging from legislative and policy developments to judicial decisions, educational programmes, positive media representation, community building and mobilization.

1.2.2. Tokenism

Tokenism is a risk and concern for many LGBTI+ political leaders. It refers to symbolic and superficial concessions to underrepresented groups without affecting the dynamics of inequality and the status quo. The practice of tokenism was common in the United States in the late 1950s in the context of racial segregation and was widely criticized by the civil rights movement. In the field of politics, tokenism can occur, for example, when a political party appoints LGBTI+ candidates in uncompetitive positions on its candidate lists without them having a real chance of being elected, or when LGBTI+ groups and networks are created within the parties with no capacity to influence decision-making processes. Institutions can also adopt policies that provide formal recognition of the rights of LGBTI+ persons without properly consulting members of the community about their real needs or providing the necessary resources and budgetary allocations for effective implementation. To promote positive and lasting change, the mere presence of LGBTI+ people in elected positions and in institutional spaces is not enough. They must be able and willing to substantively participate in the development of inclusive laws and public policies.



Possible paths for change: legislation, public policy and court rulings

- In 2015, the Ministry for Education and Employment of **Malta** issued a policy on trans, gender variant and intersex students in schools to address the specific needs of these groups and promote a safe environment in the educational system.³¹
- The Parliament of **Bhutan** decriminalized same-sex relations in 2020.³²
- In **Brazil**, the Supreme Federal Tribunal issued a ruling in 2019 criminalizing discrimination based on sexual orientation and gender identity under the country's anti-racism law.³³
- The National Assembly of **Pakistan** passed the Transgender Persons (Protection of Rights) Act in 2018, prohibiting discrimination against transgender persons and enabling them to obtain identification documents and modify their gender in the citizens' registry.³⁴
- In **Ireland**, results from a referendum on marriage equality in 2015 showed more than 62 percent of voters in support of allowing same-sex marriage. As a result of this referendum, the Constitution was amended and new legislation was enacted to guarantee marriage equality.³⁵

1.2.3. The role of allies

Cisgender and straight allies in public office, particularly in positions of leadership, can play an important role in promoting acceptance of gender and sexual diversity, amplifying the voices of openly LGBTI+ leaders and advancing human rights agendas.³⁶ While historical changes in legislation and public policies have been often led by LGBT political leaders, in many cases cisgender and straight allies in decision-making positions have been leaders themselves or have otherwise contributed substantially to pave the way for the recognition of LGBTI+ rights. One of the positive effects of the increasing political representation of LGBTI+ officeholders is their influence on the views and perspectives of cisgender and straight decision makers regarding LGBTI+ persons, and the creation of allies who support policy and law-making in favour of the group.³⁷ Since LGBTI+ officeholders tend to be a minority in parliaments and other decision-making bodies, they rely on cisgender and straight allies to advance the human rights of the community through policy and law-making processes.³⁸ Within representative institutions, allies support their LGBTI+ colleagues and help ensure that their voices are heard, thereby contributing to constructive and inclusive environments for the promotion of human rights.

Consultative session on Transgender Persons Protection and Political Inclusion in Karachi, Pakistan.
© UNDP Pakistan
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Examples of tokenism in the political participation and rights of LGBTI+ persons

- An LGBTI+ leader is selected as a candidate by its political party in an uncompetitive position within the candidacy list that makes it highly unlikely the person will be elected.
- An LGBTI+ person is offered a leadership position within a political party but has no actual power or influence in the decision-making process.
- A political party organizes activities and events acknowledging and claiming support for LGBTI+ persons during the 'pride' month but ignores the rights of the population during the rest of the year.
- A political party creates an internal LGBTI+ group lacking independence, resources and capacity to meaningfully participate in the decision-making process.
- An EMB includes an LGBTI+ representative in a working group on electoral inclusion without considering the actual needs of this group in the electoral process.
- Media reports give visibility to a LGBTI+ candidate but focus exclusively on their sexual orientation, sex characteristics or gender identity, without addressing any substantive issues regarding their platform.

1.3.

Suggestions for LGBTI+ political leaders

The suggested approaches, strategies and interventions below can be useful for LGBTI+ political leaders across the world as they seek to increase the participation and rights of LGBTI+ persons. When making decisions and taking action, they should carefully assess the context

and the community's specific needs as well as the possible impacts from the perspective of their personal security and the 'do no harm' principle.

1. **Take all required security measures and precautions to make sure you are safe and be aware of reputational risks and potential attacks in the public space and the digital sphere.**
2. **Be open to continued learning, improving your knowledge and skills, and seeking mentorship and leadership opportunities.**
3. **Take care of yourself to avoid burnout and stress, especially in contexts of hostility towards gender and sexual diversity.**
4. **When elected, promote inclusive laws and policies that improve the rights and lives of all people, including those of historically marginalized communities such as LGBTI+ persons.**
5. **Be as visible and open about your gender and sexuality as you are comfortable being, considering your needs and context.**
6. **Be aware of tokenistic practices, which give visibility to LGBTI+ persons in a symbolic role to create the impression of diversity and equality and yet hide the lack of real change.**
7. **Value diversity within the LGBTI+ community and take into account the needs of different groups, considering gender, ethnicity, age, disability and other conditions.**
8. **Build a supportive network of friends and allies.**
9. **Promote positive change and the rights of LGBTI+ persons when the opportunity arises.**

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2

Political parties

2. Political parties

Political parties play a central role in representative democracy. They articulate citizens' interests and demands and seek to translate them into political programmes and public policy, and they act as gatekeepers of political representation in terms of the access of persons and groups to elective positions in democratic institutions.

In practice, some political parties have directly or indirectly contributed to discrimination and violence against LGBTI+ persons and other traditionally marginalized groups. Yet in general, safeguarding human rights is key to the internal democracy of political parties. This entails refraining from depriving citizens and minorities of their basic human rights and avoiding discrimination based on gender, religion or ethnicity, among other grounds.³⁹ In line with these principles, political parties that acknowledge and accept basic standards of fair and just societies can engage in promoting and protecting the human rights of LGBTI+ persons, regardless of their ideological background and their place in the political spectrum.

Despite the centrality of human rights in democratic systems, in many countries party ideology is a strong influence on parties' commitment to the participation and rights of LGBTI+ persons. The protection of marginalized communities has been historically high on the agenda of left parties, and the ideology of left and socially liberal parties tends to be perceived as more open to the inclusion of persons with diverse gender identities and sexual orientations.⁴⁰ Globally in early 2013, slightly more than half (59 of the 111) of openly LGBT national MPs were from social democratic, socialist, communist and green parties. Support from conservative parties for the rights and participation of LGBTI+ persons is rapidly growing in various countries, with an increasing number of conservative and right-wing openly LGBT MPs, following closely behind centrist and liberal MPs.⁴¹ Despite resistance and pushbacks in some contexts, global trends show that parties from across the political spectrum are increasingly coming to the realization that defending the rights of LGBTI+ persons

goes beyond party ideology and is important for building strong and inclusive democracies (and perhaps to gain electoral support). In the European Parliament, for instance, political groups showing higher support in key votes on LGBTI rights between 2014 and 2019 included the Greens/European Free Alliance, which supported every analysed vote, followed closely by the Progressive Alliance of Socialists and Democrats (98 percent of support), the European United Left/Nordic Green Left (97 percent), and the Alliance of Liberals and Democrats for Europe (94 percent).⁴² The case of South Africa is another example where parties from different sides of the political spectrum have engaged to some extent with the rights of LGBTI+ persons, including the African National Congress (ANC), the Democratic Alliance (DA) and the Economic Freedom Fighters (EFF).

What human rights are at stake?

- The right to run as a candidate and be elected (Article 25 of ICCPR)
- The right to freedom of association (Article 22 of ICCPR)
- The right to equality and non-discrimination (Article 2 of ICCPR).

Around the world, increasing numbers of parties from across the political spectrum contribute to promoting the rights of LGBTI+ persons and their participation in politics and elections both within internal party organization and throughout the electoral process.

At the internal level, political parties in different countries have developed inclusive foundational documents and internal norms ensuring the rights of LGBTI+ persons and have created and supported LGBTI+ groups and networks within the party or as associated entities. Through training and sensitization sessions, many political parties raise awareness of LGBTI+ rights among party members and support the development of a party culture that values and respects diversity. Some parties also encourage the participation of LGBTI+ leaders in governing boards and internal decision-making processes, which is a positive step towards the development and consolidation of inclusive political leadership.

In the pre-election period, candidate recruitment and nomination are key entry points for ensuring that candidate lists include leaders with diverse gender identity and sexual orientation. Adequate funding for LGBTI+ candidates can also be a strong factor that influences their chance of winning, especially in candidate-centred electoral systems. There are some examples of fundraising structures such as political action committees that endorse LGBTI+ candidates and support their campaign funding. **In the electoral period**, parties can promote inclusive policies in their electoral platforms and highlight the visibility of their LGBTI+ candidates during the campaign. Also, in some countries LGBTI+ persons and the population in general can benefit from electoral codes of conduct banning discrimination or hate speech on the basis of gender identity and sexual orientation, among other grounds. **In the post-election period**, parties can engage in inclusive policy development processes promoting the rights of persons with diverse sex characteristics, gender identities and sexual orientation. Moreover, inter-party dialogue initiatives can be instrumental in building consensus across party lines, setting common agendas and advancing LGBTI+ rights.



A challenging environment: restrictions to party freedoms

In different countries, political parties and their members face restrictions to their freedoms when they support the rights and participation of LGBTI persons. Key freedoms for political parties and their members include the rights to freedom of expression, association and peaceful assembly, among others. Party registration and campaign freedoms are particularly important elements for the enjoyment of these rights.

In the **Philippines**, the LGBT political party Ang Ladlad won the landmark case *Ang Ladlad v. Commission on Elections* before the Supreme Court in 2010, which granted its registration as a political party and allowed its participation in the electoral process. Ang Ladlad was established as a political party with priority objectives of defending and expanding the rights of LGBT persons and addresses their needs.⁴³ In 2009, the Commission on Elections (COMELEC) refused to register Ang Ladlad as a party on moral and religious grounds, citing the Bible and the Koran and arguing that the organization tolerated “immorality which offends religious beliefs”. Ang Ladlad appealed COMELEC’s decision before the Supreme Court, and the Commission on Human Rights intervened in favour of the petitioner. The Court ruled in favour of Ang Ladlad and granted its registration as a political party, rejecting all the reasons given by COMELEC and highlighting “government neutrality in religious matters”.⁴⁴

Internal party organization

In many places worldwide, political parties across the political spectrum support the participation and rights of LGBTI+ persons within their internal organizations and make efforts to become affirming spaces with open and inclusive party cultures.

Many parties have taken a stand for gender and sexual diversity in their foundational documents and internal rules, where they set out their philosophy and values. Some have created and sustained LGBTI+ groups and networks within their own organization or as associated entities, an approach that has played a major role in promoting the rights of LGBTI+ persons and increasing their participation in political processes within and outside the party. Conducting training and sensitization sessions for party members is another internal strategy used by some parties to raise awareness of LGBTI+ rights and build and sustain inclusive party cultures.

2.1.1. Foundational documents and internal rules

Political party statutes, often referred to as party constitutions or by-laws, are internal governing documents that usually define the party's principles and philosophy, internal organization structures and governing bodies, membership systems, candidate and leadership selection, and policy development processes, among other issues.⁴⁵ In various countries, political parties with diverse ideological background have made concrete references in their statutes, foundational documents and internal norms to the rights of LGBTI+ persons or, more broadly, to human rights and the principle of non-discrimination (including, sometimes, a specific ban on discrimination on the basis of sex characteristics, sexual orientation and gender identity). These references can contribute to creating and supporting a party culture where sexual and gender diversity is valued and an organization structure where LGBTI+ members and leaders are considered in decision-making. In **Australia**, the Australian Labour Party's constitution includes among the party's objectives "the elimination of discrimination and exploitation on the grounds of class, race, sex, sexual orientation, gender identity, intersex status, religion, political

affiliation, national origin, citizenship, age, disability, regional location, economic or household status".⁴⁶ In **South Africa**, the Democratic Alliance constitution sets out that any party member is guilty of misconduct if they mobilize "discrimination against any person on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth".⁴⁷ In **Canada**, the Green Party developed an internal code of conduct that all members are expected to follow. It forbids any form of violence and discrimination on the basis of gender identity and gender presentation, among other grounds.⁴⁸ In **Colombia**, the statutes of the party Polo Democrático Alternativo include a 10 percent quota for Afro-descendent, Indigenous and LGBTI persons in the internal governing bodies to promote the participation of these communities.⁴⁹

2.1.2. LGBTI+ groups and networks

In various countries, parties from across the political spectrum have created, maintained and supported groups and networks specifically dedicated to discussing and promoting the rights of LGBTI+ persons. Similar to the actions and priorities of youth and women's wings within many parties, LGBTI+ political groups and networks contribute to advancing the rights and participation of their community and mobilize for reform within parties or across party lines.⁵⁰ Within parties, these networks can bring together and empower LGBTI+ party members and leaders, sensitize party members to their priority issues, develop policy positions, and promote the inclusion of LGBTI+ leaders in internal decision-making processes and candidate lists. Externally, they can give visibility to issues related to gender and sexual diversity, help communicate LGBTI+ policies to affected communities, raise awareness among the public, and provide contact points for LGBTI+

communities to safely engage with political parties. For LGBTI+ groups and networks to be effective, they need to be properly resourced and have access to funding so that they can meet and conduct activities.

In some cases LGBTI+ groups and networks are integrated within the party structure with various degrees of formality, ranging from structured and hierarchical groups recognized in the statutes and with representation in deliberating and governing bodies, to loose and informal networks of like-minded individuals. There are also LGBTI+ groups and networks with their own legal identity as separate organizations to some degree associated with the party, often under the form of associations that in some cases can have a special status recognized within the party. On university campuses, some student groups representing LGBTI+ integration might have a particular political lens or ideology. As regards the territorial scope of action of LGBTI+ political groups and networks, some are structured and primarily active at the national level while others operate in a more decentralized manner.

LGBTI+ political groups and networks have a wide range of membership systems and eligibility criteria. In some cases, membership is reserved for LGBTI+ persons; in others, allies are welcome to be part of the group. Membership in some groups and networks is reserved only for members of the associated party, but this is not a requirement in others, especially when the group is a separate entity from the party. Some groups and networks, especially those that are active in multiple countries, might include among its members not only individuals but also organizations.

Listed below are examples of such groups and networks in different countries.

- In **Israel**, there are several LGBTI+ groups and networks associated with political parties, such as Yesh Atid's LGBT Caucus⁵¹ and Likud Pride,⁵² among others.
- In **Poland**, the political party Wiosna ('Spring'), which was dissolved in 2021, developed an internal LGBTI+ group known as Teczowa Wiosna ('Rainbow Spring') to defend the rights of persons with diverse gender identity and sexual orientation.⁵³

- In **Mexico** a number of parties have internal groups dedicated to promoting the rights of the LGBTI+ community at the national level, including the Movimiento Regeneración Nacional (MORENA)⁵⁴ and Revolución Democrática (PRD)⁵⁵ and, in the case of the Partido Revolucionario Institucional (PRI) there is a local group in Mexico City.⁵⁶
- In **Colombia**, Polo Democrático Alternativo was the first party in Latin America to create an openly LGBTI+ wing, called Polo de Rosa.⁵⁷
- In the **United Kingdom**, the main political parties have developed LGBTI+ groups, including LGBT+ Conservatives,⁵⁸ LGBT+ Labour,⁵⁹ LGBT+ Liberal Democrats⁶⁰ and the LGBTIQA+ Greens.⁶¹
- In **Honduras**, the statutes of the Partido Libertad y Refundación (LIBRE) establish a Secretariat for Sexual Diversity as part of its governing body.⁶²
- In the **United States**, Log Cabin Republicans, which is affiliated with the Republican Party, has a mission of representing LGBT conservatives and allies.⁶³
- In **France**, political groups and networks promoting gender and sexual diversity include Fièr-e-s et Révolutionnaires within the Parti Communiste Français⁶⁴, the LGBT Commission within Europe Écologie/Les Verts⁶⁵, Homosexualités et Socialisme⁶⁶ associated with both the Parti Socialiste and the Parti Radical de Gauche, and GayLib⁶⁷, formerly linked to the Union pour un Mouvement Populaire, among others.
- In the Bolivarian Republic of **Venezuela**, the political party Voluntad Popular was associated with the social movement ProInclusión. The movement sought to support LGBTI+ persons in organizing and building networks and promoting their rights, and its approach was based on coordinating and collaborating with other vulnerable groups in fighting discrimination. ProInclusión conveyed the needs and demands of vulnerable groups to decision-making

structures within the party, proposing administrative actions, public policies and local and nationwide legislative initiatives.⁶⁸

- In **France**, Homosexualités et Socialisme (HES)⁶⁹ is an association created in 1983 by members and supporters of the Parti Socialiste to raise awareness within the party of issues related to gays and lesbians. As an independent organization, it sought to strengthen collaboration between the Parti Socialiste and civil society. The Parti Socialiste amended its statutes in 2015, which allowed HES to become an associated body. In 2019 HES also went into partnership with the Parti Radical de Gauche and nowadays it remains associated with both parties.⁷⁰
- In **Spain**, the LGTB Federal Group of the Socialist Workers' Party (PSOE)⁷¹ seeks to amplify the voice of persons with diverse gender identities and sexual orientations in the political sphere. The group is active across the country and is composed of territorial delegates in different regions who lead decentralized groups and work at the local level. In the Valencian Community, for instance, the group contributes to organize and celebrate the rural 'pride' and in Galicia it also works to promote visibility in rural areas.⁷²
- Rainbow Labour is the LGBTIQ group of the **New Zealand** Labour Party.⁷³ It was created in 1997 to advocate for the needs of the broad LGBTIQ community within the party and more broadly. Since 2004, Rainbow Labour has had a representative in the party's governing body, which gives it some influence in ensuring diversity and inclusion in the party's policies and structures. Membership requirements include being a member of the party and belonging to the LGBTIQ community, although the group also has supporters and allies who do not necessarily identify as LGBTIQI.⁷⁴
- In **Sweden**, Öppna Moderater (Open Moderates)⁷⁵ is one of the official sections within the Moderate Party, along with youth, senior and women's wings. Membership requirements include being a member of the party or its youth wing and paying a fee, and all persons are welcome

regardless of their sexual orientation and gender identity as long as they are supporters of LGBTIQ rights. As an official section of the Moderate Party, Open Moderates holds one seat in the party's board and participates actively in the decision-making process.⁷⁶

Structures and entry points in support of the rights of LGBTIQ persons through political parties in South Africa

African National Congress (ANC)

The ANC Women's League created an LGBTIQ desk in 2020.⁷⁷ Furthermore, LGBTIQ activist Mapaseka ('Steve') Letsike was appointed as a member of the ANC's National Executive Committee in 2023, explicitly to represent LGBTIQ interests in the party's highest decision-making body.⁷⁸

Democratic Alliance (DA)

The DA has long had the largest number of openly LGBT parliamentarians. The DA Rainbow Network is an informal network of party members within the DA who are willing to promote the rights of LGBTIQ persons. Unlike the DA Women's Network, DA Youth and the DA Student organization, which are formally recognized as auxiliary organizations in the party constitution, the DA Rainbow Network is not formally recognized in the party foundational documents. Although it is an informal group at the national level, party structures at provincial, regional and branch levels can decide to create their own official LGBTIQ networks.⁷⁹

Economic Freedom Fighters (EFF)

The EFF support the rights of LGBTIQ persons in South Africa and across the African continent, and condemns laws criminalizing same-sex relations. The party was critical of Uganda's anti-homosexuality bill that was introduced in early 2023 and later that year led a protest outside the Ugandan High Commission in South Africa, urging the Ugandan president not to sign the bill into law.⁸⁰





European LGBTI+ political networks

European political parties are blocs or associations of national parties and individual members from European countries with shared ideological interests. They contribute to strengthening the process of regional integration and developing political awareness at the European level.⁸¹ Many European political parties have created groups and networks to advance the rights of LGBTI+ persons.

Rainbow Rose is the LGBTI+ network “bringing together people from Socialist, Labour and Social Democratic parties across Europe”.⁸² In 2015, it obtained the status of associated organization within the Party of European Socialists (PES). The network’s main goal is to influence European laws and policies to promote LGBTI+ rights, working with the PES and associated national parties as well as with the Progressive Alliance of Socialists and Democrats at the European Parliament and other institutions. The budget of Rainbow Rose is based on membership fees from national LGBTI+ political networks and it also receives contributions from PES.⁸³

LGBTI Liberals of Europe⁸⁴ was created in 2018 when several LGBTI+ networks associated with liberal parties in European countries joined together to develop an umbrella organization at the European level. Although LGBTI Liberals of Europe is a fully independent organization, it has strong ties with the Alliance of Liberals and Democrats for Europe (ALDE) party and is a member of the European Liberal Forum (ELF), the official think tank and political foundation of ALDE. LGBTI Liberals of Europe has three kinds of membership: full member organizations, associate member organizations and individual members, which are only accepted in countries where there is not a liberal LGBTI+ organization.⁸⁵

Rainbow Platform is a pan-European initiative created to advance the rights and representation of LGBTIQ+ persons from a liberal perspective, including in the lead up to the 2024 European Parliament elections. At the 2022 ALDE party congress in Ireland, 34 liberal parties signed its Dublin Declaration, which recognizes the need to foster the political participation of the LGBTIQ+ community in Europe and to promote inclusion and diversity programmes within liberal political parties.⁸⁶

European Queer Greens⁸⁷ is a network within the European Green Party (EGP) where party members and representatives can have a platform to discuss and promote the rights of LGBTI+ persons. The network was created in 2008 and its goals include integrating gender and sexual diversity into policy-making, increasing cooperation on this issue between politicians at the European and national levels, supporting the participation of LGBTI+ leaders and advancing LGBTI+ rights within the EGP and green national parties. The network also facilitates discussions between green national parties and supports policy development in a consultative role.⁸⁸

European Center-Right LGBT+ Alliance⁸⁹ is a network of LGBT+ organizations of political parties linked to the European People’s Party (EPP). It was established as a network in 2013 when a number of these organizations gathered and decided to work together at the European level. The alliance has been in discussion with the EPP leadership about becoming an EPP-associated entity in the future. In addition to having eight full members, it has individual members in countries where there is no LGBT organization associated with political parties that are members of EPP, as well as two observers from outside the European Union: LGBT+ Conservatives in the United Kingdom and Likud Pride in Israel.⁹⁰

The **LGBTIQ Working Group in the European Left**⁹¹ is a network that seeks to promote and integrate LGBTIQ perspectives into the European Left party’s policy debates and decision-making. The group is composed of representatives from national parties that are members of the European Left as well as activists affiliated to the party at the European level. The group’s coordinators play a liaison role with the higher bodies of the European Left and contribute to the development of the party’s policy positions regarding sexual and gender diversity.⁹²

2.1.3. Training and sensitization

Through training and sensitization initiatives, political parties of different ideological backgrounds raise awareness of LGBTI+ rights among their members and contribute to promote open and inclusive party cultures where gender and sexual diversity is valued. These capacity-building and sensitization efforts can target a wide range of audiences, including the party's elected representatives, candidates, leaders, members or supporters, when they are conducted internally, and they can also be open to citizens and the larger public as part of an external strategy for awareness raising. LGBTI+ groups and networks associated with the parties may play a role in the organization of training sessions.

→ In **Ireland**, the Sinn Féin party developed Moving On: A Policy for Lesbian, Gay and Bisexual Equality. This policy includes a plan with a detailed calendar of educational measures to promote equality within and beyond the party. It foresees training sessions for full-time activists and elected representatives at national and council levels to raise awareness of concerns of lesbian, gay and bisexual communities.⁹³

→ Rainbow Platform, a pan-European initiative led by liberal parties, has organized trainings for LGBTI+ leaders and party members in different countries to strengthen their capacities. In 2022, training workshop were held in **Poland**⁹⁴, **Sweden**⁹⁵ and **Hungary**⁹⁶, among other countries, in the framework of the Rainbow Platform Diversity Academy.

→ In **Belgium**, the LGBTIQI group of Groen (the Flemish Green Party), known as Roze Groenen (Pink Greens), organizes talks across the country with LGBTI+ political leaders to sensitize and raise awareness among party members of human rights and gender and sexual diversity.⁹⁷

2.2.

Political parties throughout the electoral process

In their external strategies, political parties can promote the participation and rights of LGBTI+ persons at different stages of the electoral process.

In the pre-election period, candidate recruitment and nomination and funding mechanisms offer opportunities to identify and support LGBTI+ persons for political representation and leadership positions. In the electoral period, some entry points for political parties to support the participation and rights of LGBTI+ persons include introducing concrete policy proposals in favour of LGBTI+ rights in party platforms, supporting campaigns of LGBTI+ candidates or

candidates otherwise supportive of LGBTI+ rights, and adhering to codes of conduct for the electoral process that forbid discrimination and violence against LGBTI+ persons, among other groups. In the post-election period, political parties can integrate LGBTI+ rights into policy development, translating their platforms into action through government policies and legislation in parliament and engaging in internal reflection processes reflected in discussions and policy

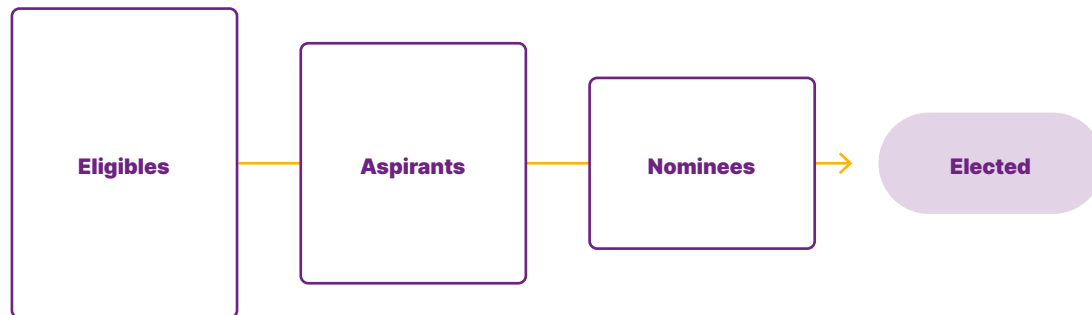
documents. Inter-party dialogue also allows political parties to work across party lines, build consensus around policies that affect LGBTI+ persons, and consider common strategies to promote their rights.

2.2.1. Pre-election period

2.2.1.1. Candidate recruitment and nomination

The selection of candidates for elections is a process structured through different stages. Many eligible persons fulfil all the formal and legal requirements to become a candidate, but only a small share of them are likely to put themselves forward as possible candidates. There are a number of considerations that need to be taken into account before taking this step, such as power and influence, community support, personal life plan, access to economic resources and available time.⁹⁸ LGBTI+ persons who decide to be open about being a member of the community might also need to consider the personal impacts of coming out politically as well as risks involved with public exposure, such as possible violence, hate speech, discrimination, mockery and scorn, especially in contexts of hostility towards gender and sexual diversity.

Figure based on 'Figure 3: Stages of candidate recruitment' in UNDP and NDI (2012), 'Empowering women for stronger political parties: a guidebook to promote women's political participation', p. 22.



The nomination of candidates by a party's gatekeepers is a key stage in the process in some contexts, and it can be influenced by internal and external factors. Internally, factors such as aspiring candidates' track records, influence within the party and access to campaign funds may be important in candidate nomination. At the external level, parties usually take into account how potential candidates are perceived by voters and the electoral support they can get. Those perceived by party leaders as possible liabilities are generally excluded from the candidate selection process. In contexts with low social awareness or acceptance of gender and sexual diversity, it is common for mainstream parties to refuse to consider or include openly LGBTI+ persons in their candidate list. Usually, as described elsewhere, this is also the case in parties "with weak internal organization, lack of internal democracy, or unclear rules of recruitment, [where] decisions tend to be made by a limited number of elite members, typically men".⁹⁹

Although the political representation of openly LGBTI+ persons remains low in most countries, some political parties make efforts to include them in winnable positions in their candidate list. For many parties able and willing to select them, the nomination of openly LGBTI+ candidates is generally based on merit and is also in line with the principle of inclusion and the idea that representative institutions need to mirror the diverse composition of society. It is common that parties with inclusive candidate recruitment and nomination processes not only promote the participation of LGBTI+ persons, but also other underrepresented groups such as women, youth, persons with disabilities and diverse ethnic minorities. In some cases, LGBTI+ groups and networks are formally represented on a party's candidate selection committee and therefore have a say in the composition of the candidate list that includes persons with diverse gender identity and sexual orientation.

→ In **Brazil**, the civil society group Vote LGBT+ mapped LGBT+ registered candidates in the 2018 and 2020 elections, considering their self-declared sexual orientation and gender identity. In the lead-up to the 2020 elections to city councils across the country 556 openly LGBT+ registered candidates were identified, of whom 97 were elected. Regarding the ideological profile of the LGBT+ candidates, 65 percent corresponded to left-wing

parties, 22 percent to centrist parties and 13 percent to right-wing parties. Five political parties (15 percent of all registered parties) did not present any openly LGBT+ candidates.¹⁰⁰ About 49 percent of the LGBT+ candidates were black, and 47 percent were women.

- In **Paraguay**, Yren Rotela was part of the candidate list for the 2018 Senate elections presented by the party Kuña Pyrenda, which means “the place where women put their foot” in the Guarani language. Although Rotela did not win a seat, she was the first trans woman to stand for election in the country. As a progressive and feminist party, Kuña Pyrenda is committed to promoting the participation of a diversity of women and this philosophy is reflected in the formation of party lists.¹⁰¹
- In **Thailand**, the Future Forward Party embraces the principles of gender and cultural diversity.¹⁰² This principle is mirrored in the candidate recruitment and nomination process. The party’s candidate list for the 2019 elections to the lower house of the National Assembly included transgender, non-binary and lesbian persons as well as candidates with disabilities and from diverse ethnic backgrounds.¹⁰³
- In **New Zealand**, Rainbow Labour is represented in the moderation committee of the Labour Party that decides on the composition of candidate list for elections. The representative advocates for rainbow candidates and supports diversity and inclusion in the candidate selection process.¹⁰⁴
- In **South Africa**, the candidate selection process in the Democratic Alliance is open to citizens who align with the values of the party. People who put themselves forward as potential candidates go through a series of interviews and assessments. Throughout this process, diversity is highly valued from a perspective of ethnic background, language, gender, age and sexual orientation, among other issues. Although the party does not have a proactive approach

to increase the number of LGBTI+ candidates, individuals with diverse sexual orientation and gender identities are welcome to participate in the candidate selection process. This has allowed the Democratic Alliance to have LGBTI+ representatives elected to parliament and to positions in different levels of government.¹⁰⁵

In various countries, some political parties have adopted voluntary quotas for LGBTI+ persons in their candidate lists. Although quota mechanisms for LGBTI+ persons in the workforce can be found in some countries, for instance in the case of trans quotas in the workplace in different regions of Argentina,¹⁰⁶ the use of quotas for this community in the field of politics is not very common. The current lack of demographic data on sexual orientation, gender identity and sex characteristics (including in most population censuses) often make it difficult to defend, justify and design quota systems for LGBTI+ persons. Voluntary political party quotas for LGBTI+ persons can be understood as an affirmative action mechanism to address de facto inequalities in the access to political representation and to promote the meaningful participation of this community in decision-making. In **Turkey**, the People’s Democratic Party adopted a 50 percent quota for women and a 10 percent quota for LGBT candidates in the 2015 legislative elections. In **Australia**, the Queensland Labour Party also adopted affirmative action measures for LGBTI candidates, with a minimum quota of 5 percent in winnable seats, as established in its 2017 rules book.¹⁰⁷

2.2.1.2. Campaign funding

Access to funding can be a major concern for all candidates, including LGBTI+ ones, especially in candidate-centred electoral systems where they are responsible for fundraising and managing their own campaign funds. Money plays an important role in increasing the chances of being recruited as a candidate, winning nomination and financing viable election campaigns. Ensuring that candidates with diverse gender identity and sexual orientation have access to appropriate funding and networks of donors, especially in early stages, can contribute to level the playing field, help them get elected and promote inclusive representation in political institutions.

In nationwide elections to city councils in **Brazil** in 2020, the civil society group Vote LGBT+ conducted research on the access of openly LGBT+ candidates to campaign funding. According to its findings, LGBT+ candidates received from their political parties less than 6 percent of available campaign funding, and in cities with more than 500,000 inhabitants, the funding assigned to LGBT+ candidates was less than 2 percent. On average, left-wing parties invested twice as much campaign funding in LGBT+ candidacies than centre and right-wing parties combined.¹⁰⁸

A few parties around the world provide specific financial support to their LGBTI+ candidates. This is the case of the Conservative Party of the **United Kingdom**, which established the Candidates' Fund through its affiliated organization LGBT+ Conservatives, providing a maximum amount of £5,000 (about US\$6,000) per candidate per year¹⁰⁹.

Additionally, private efforts to support campaign funding for LGBTI+ candidates include some political action committees (PACs) in the United States. These independent organizations endorse candidates who identify as LGBTI+ or are vocal allies, give them campaign funds and promote their visibility. Often, a PAC's support is seen as a seal of approval that may attract other individual and corporate donors in line with the organization's principles. The following are examples from the **United States**:

- Established in 1991, the LGBTQ Victory Fund is the oldest PAC endorsing and supporting LGBTQ candidates. Its efforts have had great impact, especially at the state level.¹¹⁰
- The non-partisan advocacy group Trans United Fund promotes political inclusion of trans and gender-diverse people and their allies, supports political leadership capacities and endorses candidates committed to the community, providing them with campaign donations, visibility and volunteer support.¹¹¹ In 2017, the fund supported a number of trans candidates running for office in local and state legislative elections across the country, several of whom were successful in places including the city council of Minneapolis, Minnesota and the lower house of the state of Virginia's legislature.¹¹²

The spike in the number of transgender candidates in local and state legislative elections that year prompted some media reports describing 2017 as "the year of the trans candidate".¹¹³

- Equality PAC endorses and supports openly LGBTQ candidates and strong allies running for federal office who are committed to passing legislation and ensuring full rights for LGBTQ persons. In 2018, the organization contributed US\$3 million to support incumbent and non-incumbent candidates in the midterm elections, and made history by supporting two successful Senate campaigns and electing four new openly LGBTQ members of Congress.¹¹⁴

2.2.2. Electoral period

2.2.2.1. Electoral campaign

During electoral campaigns, political parties and candidates seek electoral support to win political office. Electoral campaigns can be very different depending on the country and the election. While presidential systems tend to promote candidate-centred campaigns, in parliamentary systems political parties usually play a predominant role.¹¹⁵ In both systems, political parties can back and support their LGBTI+ candidates' campaign activities and work with them to improve their visibility in media and social networks.

- Ahead of the 2019 elections to the **European Parliament**, Rainbow Rose launched a campaign in social media presenting candidates of the Party of European Socialists (PES) who openly identified as LGBTI or were strong allies. These candidates signed ILGA Europe's Come Out Pledge, showing their commitment to LGBTI rights and equality. The campaign was launched with Frans Timmermans, lead candidate of the PES, signing the pledge. Rainbow Rose offered visibility support to these candidates, offering them digital and visual materials and posting their videos on social networks.¹¹⁶

2.2.2.2. Political party platforms

In many countries political parties present publicly their issues-based policy platforms or manifestos before the election, as a way to attract voters and keep them informed about their main policy positions and preferences. Policy measures contained in election platforms can be understood as a sort of accountability mechanism in relation to the electorate since they show party commitments as a promise to voters. Political party platforms can contain references to gender and sexual diversity as well as concrete policy proposals to advance the rights of LGBTI+ persons. This provides an opportunity for direct communication between political parties and LGBTI+ persons and communities, which can promote confidence in the political system. Beyond the inclusion of references to gender and sexual diversity in political party platforms, true commitment to the human rights of LGBTI+ persons requires political will and boldness on the part of parties to actually pursue (and successfully achieve) inclusive legislation and policies after the election.

→ In **South Africa**, the Democratic Alliance manifesto for the 2019 general election included references to measures to fight discrimination against LGBTIQ+ persons. Policy proposals in this area include sensitization training in government services and schools, promoting LGBTIQ+ rights through foreign policy, fighting bullying and harassment in schools, protecting the financial security of LGBTIQ+ elderly and ending discrimination against LGBTIQ+ families in adoptions.¹¹⁷ Also, the political party Economic Freedom Fighters (EFF) included a chapter on LGBTIQ equality in its 2019 manifesto, committing to implement public awareness campaigns and training efforts, expedite identity document (ID) requests for trans citizens, invest in gender-affirming treatment and other health care services that are especially important for the community, and enact legislation to increase criminal sentences for so-called corrective rape, allow the implementation of gender-neutral toilets, and forbid discrimination against LGBTIQ persons in employment and adoption processes.¹¹⁸

→ In the 2019 general election in the **United Kingdom**, most major parties included references to LGBTI+ rights in their election manifestos. There was a wide consensus on inclusive education among political parties, with for example references to committing to support the inclusion of LGBT+ persons in schools in election manifestos of four main parties (Conservative, Labour, Liberal Democrat and Green). Other policy issues considered in election manifestos of some of these parties include gender recognition, hate crimes against LGBT+ persons, global LGBT+ rights and health care for persons with diverse sex characteristics, gender identity and sexual orientation.¹¹⁹

2.2.2.3. Electoral codes of conduct

In some countries political parties adhere to codes of conduct as a common effort to set ground rules for the electoral process and promote ethical conduct and peaceful campaigns. Codes of conduct can be developed by the parties themselves or by EMBs or other national authorities. Depending on the context, codes of conduct for political parties can be voluntary or mandatory, and their provisions may be legally binding and include sanctions for violations.¹²⁰ In some cases, electoral codes of conduct for political parties include provisions forbidding hate speech, incitement to violence and discrimination on the basis of gender identity and sexual orientation.

→ In 2015, the Election Commission of **Nepal** developed a code of conduct for the electoral process in consultation with key stakeholders. Provisions applicable to candidates and political parties state that “any activity shall not be conducted or cause to be conducted in a manner that incites hatred or enmity among religions, religious communities, castes, genders, languages, classes, regions or communities.” It also forbids criticism “causing harm to the private life of the candidates and members of political parties.”¹²¹

→ In **Peru**, the National Jury of Elections developed an electoral ethical agreement for different electoral processes to which political parties have been encouraged to adhere voluntarily to since 2015. The agreement for the 2020 parliamentary elections included provisions rejecting “any kind of discrimination against a person or groups of persons based on race, ethnicity, sexual orientation, gender identity, age, origin, religion as well as any kind of defamation or xenophobia undermining the dignity of any person.” Signatory parties also committed to “promote inclusive and effective representation in our candidate lists, based on the principle of equal opportunity, the application of gender parity and alternance, as well as to prioritize the inclusion of youth, members of native and peasant communities, Indigenous peoples, Afroperuvian population, and other minority or historically excluded groups.”¹²²

2.2.3. Post-election period

2.2.3.1. Policy development

Around the world, parties from across the political spectrum integrate the rights of LGBTI+ persons into the policy development process. Parties can mainstream gender and sexual diversity into party debates and policy documents on a variety of issues, such as health care, education, employment and refugee protection, among many others. They can also develop specific road maps, resolutions and statements in order to advance the rights of LGBTI+ persons. Setting policy priorities and developing legislative agendas that take into account the needs of LGBTI+ persons can help parties contribute to inclusive policy reform. LGBTI+ groups and networks within the party can play an important role in policy development, influencing the party internal debate, and in some cases they have formal representation on the party platforms and structures in charge of policy-making.

→ In the **Russian Federation**, the Russian United Democratic Party (‘Yabloko’) opposes discrimination on the grounds of sexual orientation and gender identity as well as the stigmatization of LGBTI persons. This position is set out in programme documents and statements.¹²³

→ The **Africa** Liberal Network was created in 2003 as an alliance of liberal democratic parties from the region to increase their influence in politics, share knowledge and experiences and strengthen their skills from the perspective of liberal values. The network currently brings together 47 liberal democratic political parties from 30 African countries.¹²⁴ The network’s executive committee issued a policy statement in 2016 supporting without reservation the rights of LGBT persons and other sexual minorities in line with the Marrakesh Declaration, which refers to equality before the law and non-discrimination. In this statement the executive committee also expressed concern over the situation of LGBTQ refugees and called on all African governments to protect the human rights of LGBTQ individuals.¹²⁵

→ In **New Zealand** the Green Party developed a ‘rainbow’ policy to celebrate diversity and promote equal opportunities for rainbow communities in law and practice. Specific policy points include, among other issues: amending discriminatory laws; ensuring rainbow families have equal access to legal partnership arrangements and rights, including adoption; developing health programmes in collaboration with rainbow communities; banning discrimination on the basis of gender identity and sex characteristics; and involving intersex persons in policy development.¹²⁶

→ In **Ireland**, in 2020, Fine Gael LGBT sent a policy document with 16 key submissions to the Fine Gael Parliamentary Party, which is composed of party representatives in the national and European parliaments. The majority of proposals were included in the party’s programme for government. These measures included, among other things, providing adoptive leave and benefits for same-sex couples, creating a health policy for trans people, allowing a ban on conversion therapy and the expungement of convictions for homosexual acts.¹²⁷ The Fiánna Fail party has also set out a plan with concrete measures to protect LGBTI rights, which include developing a sexual health education strategy in schools, introducing hate

crime legislation to protect minorities and ensuring public funding for HIV pre-exposure prophylaxis (PrEP).¹²⁸

- At the **European** level, the presidency of the Party of European Socialists adopted a LGBTI Roadmap in June 2017.¹²⁹ This policy document sets out legislative priorities and political objectives at the European and national levels as well as guidance to increase inclusion and participation of LGBTI+ persons within the party. The roadmap's priorities include equality and non-discrimination, combatting hatred and intolerance, the rights of refugees and asylum seekers and freedom of movement for all families. Furthermore, as an associated organization, Rainbow Rose has representation with voice and vote in the party's decision-making and governing bodies, including thematic networks where policy papers are discussed.¹³⁰

2.2.3.2. Inter-party dialogue

In various countries, political parties have engaged in dialogue and cooperation with other parties to promote the rights of LGBTI+ persons. Political party dialogue offers an opportunity for parties to openly communicate, exchange ideas and join efforts to promote reforms. Cooperation mechanisms among parties can take place in the political arena or in parliament, and they may include a wide range of practices such as grand coalitions to form a government or win a vote, parliamentary committees and intergroups, institutionalized party dialogue around areas of interest and informal and non-structured dialogue.¹³¹

- In the lead-up to the 2016 national peace agreement referendum, the Observatory on Political Participation of LGBTI people in **Colombia** organized a two-day talk for political parties' representatives and LGBTI activists, aiming at discussing the implementation of LGBTI inclusion clauses in the peace agreement between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) guerrilla group. LGBTI groups recommended developing strategies to support LGBTI participation in political parties and government bodies and promoting educational and outreach initiatives to fight discrimination against the community.¹³²

- A number of LGBTI groups and networks at the **European** level established an informal communication platform known as European LGBTI Political Networks to exchange views and experiences and define common strategies to promote the rights of LGBTI persons. In the framework of this dialogue, Rainbow Rose, LGBTI Liberals of Europe and the Center-Right LGBT+ Alliance launched a joint statement on the occasion of the International Day against Homophobia, Transphobia and Biphobia (IDAHOBIT) in 2020, calling for a European Union LGBTI Strategy with clear commitments. European Queer Greens has also joined this conversation along with other LGBTI networks from across the political spectrum.¹³³

- In **Guatemala**, the National Democratic Institute (NDI), an international non-governmental organization (NGO), supported the participation of six candidates from five political parties in a public debate on LGBTI+ issues in the electoral process in 2015. It was the first of its kind and allowed citizens to learn more about the candidates' positions regarding issues such as gender identity policies, discrimination and violence against this community.¹³⁴ NDI and the LGBTQ Victory Institute gave continuity to this work in the lead-up to the 2019 general elections.

- In **New Zealand**, the Cross-Parliamentary Rainbow Network and the Human Rights Commission reached an agreement in 2018 to organize twice-yearly meetings with the gender and sexual diversity community to discuss strategies to advance the human rights of members of this group. Some areas of interest include how to reduce discrimination, improve access to health care for trans and intersex persons, promote legal gender recognition, and improve the dignity and security of intersex persons.¹³⁵

Suggestions for political parties

Political parties around the world can consider the following strategies to promote the participation and rights of LGBTI+ persons. In doing so, many of them would benefit greatly in terms of support and success by strengthening internal democracy and broadening their scope by reaching out to voters with diverse genders and

sexualities. When considering these suggestions, parties should assess the context and specific needs of the LGBTI+ community and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

1. **Include provisions on non-discrimination and LGBTI+ rights in foundational documents and internal rules and develop effective mechanisms for resolution of discrimination cases.**
2. **Create and strengthen LGBTI+ networks within the party or as associated entities to help increase their influence and voice and ensure safe spaces.**
3. **Provide training and sensitization to party members and leaders to raise awareness of LGBTI+ rights.**
4. **Promote the participation of LGBTI+ leaders in governing boards and internal decision-making, and make sure that candidate lists include LGBTI+ leaders in winnable positions.**
5. **Ensure that LGBTI+ candidates get appropriate funding for campaign costs so that they can compete on a level playing field.**
6. **Include concrete policy measures in electoral platforms to advance the rights of LGBTI+ persons and communicate these directly to LGBTI+ persons and communities.**
7. **Support campaign activities of LGBTI+ candidates and ensure they receive good visibility.**
8. **Subscribe to electoral codes of conduct for political parties banning discrimination and violence against LGBTI+ persons.**
9. **Develop party policies and plans to advance LGBTI+ rights and create a culture of inclusion.**
10. **Engage in inter-party dialogue and build consensus to promote LGBTI+ rights through policy and legislation.**

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The background is a yellow-to-orange gradient. It is decorated with various colorful shapes: a large purple circle with the number '3' inside, a white pill-shaped bar, a red pill-shaped bar, a green pill-shaped bar, an orange pill-shaped bar, a red pill-shaped bar, a cyan pill-shaped bar, a yellow pill-shaped bar, a cyan circle, a pink pill-shaped bar, a pink circle, a pink pill-shaped bar, a blue circle, a green pill-shaped bar, a white pill-shaped bar, a brown pill-shaped bar, a red pill-shaped bar, a blue pill-shaped bar, a blue circle, a blue circle, and a blue pill-shaped bar.

3

Electoral Management Bodies

3.

Electoral Management Bodies

EMBs have the responsibility of administering credible elections that genuinely reflect the will of the people, where all eligible citizens can fully exercise their right to vote and to be elected without harassment or discrimination. Therefore, and in line with non-discrimination provisions under international law, inclusion can be understood as a key component of the mandate of EMBs.

This means that EMBs can promote and aim to ensure the participation of commonly disenfranchised groups, which vary by context but often include women, youth, persons with disabilities, Indigenous people, ethnic minorities and LGBTI+ persons, among others. As International IDEA put it: “As upholders of democratic values, EMBs have behavioral and access responsibilities to the community they serve, even where these are not defined in the electoral legal framework. Some of these responsibilities relate to issues such as transparency, gender balance, sensitivity to customs and traditions, treatment of ethnicity, providing electoral access to marginalized groups and creating conditions that are conducive to fair electoral competition”.¹³⁶ According to international good practice, EMBs have a role to play in helping establish conditions where all citizens are free to participate in the electoral process, regardless of their sex characteristics, sexual orientation and gender identity and expression.

EMBs do not work in isolation; they form part of a larger context where legal frameworks, institutional practices, social attitudes and cultural stereotypes may hinder the participation of LGBTI+ persons in politics and elections. Electoral institutions often reproduce social bias based on cisgender and straight privilege, leaving out the life experiences of historically excluded populations, including LGBTI+ and especially trans persons.¹³⁷ Especially in hostile environments where they openly experience discrimination and violence, LGBTI+ persons may feel disempowered and excluded from the political process, and this can result in low participation rates.

Actual and not just perceived exclusion from the electoral process can occur for example in the case of trans persons, whose gender identity is not always formally recognized in official documents. In some cases, this leads to discrimination in polling stations, voter disenfranchisement and the impossibility of standing for election according to their own gender identity and affirmed name. By recognizing these challenges, EMBs can advance the political rights of LGBTI+ persons and enhance their participation and civic engagement.

What human rights are at stake?

- The right to vote (Article 25 of ICCPR).
- The right to run as a candidate and be elected (Article 25 of ICCPR).
- The right to have access to public service in one's country (Article 25 of ICCPR).
- The right to access public information (Article 19 of ICCPR).
- The right to equality and non-discrimination (Article 2 of ICCPR).

A growing number of EMBs have been contributing to the promotion of the rights of LGBTI+ persons and their participation in politics and elections both within their internal organization and throughout the electoral process.

At the internal level, EMBs in various countries have adopted non-discrimination and anti-harassment policies, which include general protections in recruitment and human resource management. Some EMBs also have developed specific policies to promote the participation of LGBTI+ persons in the electoral process and have integrated this priority in their strategies and action plans. Another possible entry point for EMBs is to mainstream electoral inclusion in their institutional structures and create specific units or departments to promote the participation of LGBTI+ persons and other underrepresented groups in the electoral process. Furthermore, internal training and capacity-building strategies for electoral staff and polling officers can raise awareness of the political rights of LGBTI+ persons and promote their access to the electoral process.

In the pre-election period, a growing number of EMBs worldwide have taken measures to ensure that candidate and voter registration are inclusive processes in which the gender identity and affirmed names of trans persons are acknowledged and accommodated. Furthermore, EMBs in various countries reach out to LGBTI+ persons through civic and voter education and get-out-the-vote campaigns to promote their participation and civic engagement. Outreach campaigns can also be addressed to the general public to raise awareness of sexual and gender diversity. In some cases, EMBs also support training efforts to strengthen the capacities and leadership skills of LGBTI+ persons, especially in the framework of electoral processes. **In the electoral period**, EMBs in a range of countries take specific measures to ensure inclusive voting procedures where LGBTI+ and especially trans citizens can exercise their right to vote in a safe environment without harassment or discrimination. **In the post-election period**, EMBs can engage in post-election reviews to identify lessons learned on the participation and rights of LGBTI+ persons and commit to improving their work in this area.



The right to participate in public affairs: Article 25 of ICCPR

Every citizen shall have the right and the opportunity, without any of the discriminations mentioned in Article 2 and without unreasonable restrictions:

- a. To take part in the conduct of public affairs, directly or through freely chosen representatives;
- b. To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- c. To have access, on general terms of equality, to public service in his country.

Internal organization of EMBs

Within their internal organization, EMBs around the world are increasingly finding ways to support the participation and rights of LGBTI+ persons and make efforts to become an affirming space with open and inclusive organizational cultures.

As a place of work, EMBs in some countries have adopted non-discrimination and anti-harassment policies and promoted a safe professional environment for all staff, regardless of their sex characteristics, gender identity and sexual orientation. In an effort to better assure electoral inclusion, some EMBs have established specific units or departments to promote the participation of LGBTI+ persons and other underrepresented groups. Moreover, training and capacity-building initiatives offer EMBs an opportunity to sensitize electoral staff and polling officers about the rights to participation by all individuals and groups in the electoral process, an effort that can contribute to the professionalization of electoral management and improve their work in the service of citizens.

3.1.1. EMBs as a place of work

As a place of work, EMBs can adopt internal policies and procedures to promote a safe environment for their staff, including by seeking to prevent and address discrimination and harassment within the organization. A number of EMBs have integrated the principles of equality and non-discrimination in their recruitment procedures and personnel policies in an effort to make existing and potential new staff members feel safe and welcome, regardless of their sex characteristics, gender identity and sexual orientation. Building an inclusive workplace and welcoming a diversity of persons among their staff can help EMBs develop and remain a professional, independent, service-minded and efficient electoral administration that takes into account the needs of different population groups.

Independent EMBs often have the flexibility to develop their own employment rules. In other cases, usually in governmental EMBs, recruitment procedures for secretariat positions are often based on public service staffing guidelines and policies.¹³⁸ Regardless,

LGBTI+ persons have the right to have access to public service (including employment opportunities) in terms of equality, according to international principles.¹³⁹ Recognized good practice in the recruitment of EMBs' staff requires "holding an open selection process..., advertising widely for candidates and clearly specifying the skills, qualifications and personal attributes required for each position to be filled".¹⁴⁰ Selection committees can be instructed to assess the merits of all applicants on equal grounds and to avoid discrimination on any grounds, including sex characteristics, gender identity, gender expression and sexual orientation. Furthermore, as part of an effort to ensure greater diversity in applicants, EMBs can share public vacancy announcements among LGBTI+ associations and movements, as well as those of other underrepresented groups, to raise awareness about job opportunities and invite members of the community to apply.¹⁴¹

Several EMBs integrate non-discrimination provisions into their recruitment and personnel policies and ethical codes and include sexual orientation and gender identity among protected characteristics. Some anti-harassment policies also contain general protections for EMB staff and set out complaint procedures. Moreover, EMBs can adopt specific policies and procedures to address the needs of LGBTI+ staff.

→ The **Australian** Electoral Commission developed a workplace diversity programme that values individual differences within the organization, including gender and sexual orientation, among other dimensions. This programme goes beyond the concept of equal employment opportunities to highlight the positive contribution of a diverse workplace to the improvement of services for all Australians.¹⁴²

- In the **Guatemalan** Supreme Electoral Tribunal, according to a Gender Equity Policy introduced in 2016,¹⁴³ recruitment and selection of staff must be conducted in line with the principle of non-discrimination by reason of sex, age, disability status, language, cultural identity and sexual orientation and identity.¹⁴⁴
- In 2020, the Central Election Commission of **Bosnia and Herzegovina** passed a decision on zero tolerance towards sexual harassment and gender-based harassment in the work place.¹⁴⁵
- In **Nepal**, the Election Commission's 2013 Gender and Inclusion Policy states that "the workplace and working environment shall be developed with a gender and inclusion perspective". In line with this strategy, the Commission commits to "develop an employee code of conduct that discourages discrimination" with sanctions for discrimination in the workplace. Another commitment contained in the strategy is to develop and regularly update a staff roster disaggregated by gender (including third gender), ethnicity/caste and disability.¹⁴⁶
- In 2019, the Supreme Electoral Tribunal of **Costa Rica** developed guidelines for the respectful and equal treatment of LGBTI persons that all staff members must understand and comply with.¹⁴⁷
- In the **United Kingdom**, the Electoral Commission commits to ensuring "equal access to employment opportunities, learning and development, and promotion" as a diverse and inclusive workforce. In line with the 2010 Equality Act, the commission's Equality Scheme for Great Britain and Northern Ireland includes protections against discrimination on the basis of sex, gender reassignment and sexual orientation, among other protected characteristics.¹⁴⁸

- In **Mexico**, the National Electoral Institute adopted an internal protocol for trans staff in 2019 with specific measures to prevent discrimination and promote a safe working environment. The protocol establishes that gender identity specified by trans staff must be acknowledged within the organization even when not stated in official IDs, and it recognizes their right to be called by their chosen name and pronouns in their daily lives. The protocol bans discrimination on the basis of gender identity and expression in working conditions, including selection, recruitment, training, professionalization, promotion, assessment, rotation and permanence. In line with this policy, electoral staff have the right to use toilet facilities according to their gender identity and all toilet facilities must show announcements informing about the prohibition of discrimination on any grounds, including gender identity and expression. Furthermore, trans persons are entitled to paid leave to attend medical visits and follow procedures to obtain or update their IDs. Trans persons working in the electoral commission can also request sensitization sessions on non-discrimination to be delivered in their respective units and areas of work. The protocol provides examples of behaviours that constitute violence against trans persons in the workplace and it clearly states that sanctions will be levied for not calling trans persons by their name and pronouns, making unwanted jokes, compliments, comments or questions about the appearance and transition processes of trans persons, denying services without valid justification and preventing the use of toilet facilities.¹⁴⁹

3.1.2. EMB policies, strategies and action plans

EMBs develop policies that define key objectives and propose courses of action in relation to internal governance and the administration of electoral processes. As observed by International IDEA, strategic plans guide EMBs for a given period as "a management tool from which fundamental decisions on EMB activity flow – operational planning and prioritizing, resource allocation and service standards".¹⁵⁰ These plans can be publicly available, because as public documents, policies and strategies show what an EMB

stands for and gives visibility to the organization's vision, values, objectives and priorities. In terms of operational planning, a strategic plan encourages and makes it easier for an EMB to think ahead regarding the implementation of concrete activities in the shorter term and their longer-term impacts, including any possible constraints in the conduct of elections.¹⁵¹ Policies, strategies and action plans developed by EMBs in different countries integrate the priority of electoral inclusion and present entry points to foster the participation of LGBTI persons and other underrepresented groups.

→ In **Myanmar**, the Union Election Commission's Gender Equality and Women's Empowerment Policy and Action Plan for the period 2019–2022 includes the commitment to promote the participation of women, men and other genders (LGBTQI) throughout the electoral process.¹⁵²

→ In 2016, **Costa Rica's** Supreme Electoral Tribunal developed a policy on non-discrimination on the basis of sexual orientation and gender identity that relies on four pillars: sensitization and training of staff, development of protocols that guarantee respectful treatment, review of administrative, normative and procedural measures, and taking direct measures aimed at increasing staff diversity.¹⁵³

→ In **Nepal**, the Election Commission's adoption in 2013 of a Gender and Inclusion Policy was followed by a Gender and Inclusion Strategy for the period 2015–2020 to move forward with implementation and achieve the goals set out in the policy. Both documents include provisions on the rights of third gender persons and commitments to promote their participation as voters and candidates through inclusive electoral management.¹⁵⁴

→ In **Honduras**, the Supreme Electoral Tribunal in 2018 released a guidebook with basic guidelines to facilitate the interaction with LGTB persons in the Honduran electoral processes. This guidebook includes reference to the main LGBTI+ CSOs in the country and to key international and domestic legal instruments relevant to the participation of LGBTI+ persons.¹⁵⁵

In Latin America, several EMBs since 2017 have introduced specific protocols to guarantee the right to vote of trans and non-binary voters, including in Mexico, Colombia, Chile and Peru. These protocols often include measures to avoid discrimination against trans and non-binary voters at polling stations, training and sensitization for polling officers, voter education campaigns to promote the participation of these individuals, as well as reporting mechanisms and sanctions in case of non-compliance.



Dili, Timor Leste. © Rochan Kadariya/UNDP. Election day Timor-Leste





Trans engagement in Mexico: national EMB's protocol to ensure the right to vote of trans persons

In Mexico, the National Electoral Institute in 2017 adopted a measure to ensure the right to vote for trans people without discrimination. This legal instrument, known as the trans protocol, establishes guidelines aimed at promoting the effective participation of trans voters during election day, including transgender, transsexual and *travesti* persons. It is addressed to all stakeholders involved in electoral operations and procedures, including electoral staff, election observers, political parties' representatives, polling staff and citizens in general, and it is applicable to all elections and a wide range of citizen participation mechanisms. The document was developed through consultation mechanisms with trans people and LGBTI+ associations. The specific goals of this protocol include the following:

- a. "Adopt concrete measures to guarantee that all trans citizens have valid voting credentials and are correctly registered in the voter list [...].
- b. Integrate inclusion measures in the Electoral Training and Assistance Strategy [...] to guarantee equal treatment and no discrimination in the exercise of the right to vote of trans persons during Election Day.
- c. Provide information and suggestions that contribute to the sensitization and capacity building of electoral staff, political parties, independent candidates and citizens acting as polling officers [...].
- d. Contribute to eliminate all sorts of barriers that restrict in practice the right to vote of trans persons, including those of normative, attitudinal, procedural, material and communicational nature.
- e. Inform through an outreach campaign that trans persons can update their data and photography on the Federal Registry of Electors."¹⁵⁷

Trans engagement in Mexico City: local EMB's guidance to promote the vote of trans persons

An important precedent for Mexico's National Electoral Institute in developing its trans protocol was the work of the Electoral Institute of Mexico City (IECM) to promote the electoral participation of trans persons since 2012. At that time, the organization, then known as Electoral Institute of the Federal District (IEDF), issued an administrative order forbidding discrimination at polling stations and developed identification procedures that were respectful of trans voters. The 2012 electoral process, jointly organized with the National Electoral Institute, offered a first opportunity to put in practice this new policy. Ahead of the 2015 elections, IEDF signed an agreement with the Council to Prevent and Eliminate Discrimination in Mexico City (COPRED) and, together with the national EMB, they sent a leaflet to all polling stations in Mexico City explaining identification procedures for voters whose appearance and gender expression does not match their voter card.¹⁵⁶

Trans engagement in Colombia: national EMB's protocol to guarantee the vote of trans persons

In 2020, the National Electoral Council (CNE) of Colombia adopted a protocol to promote measures guaranteeing the vote of trans persons in terms of equality and without discrimination. This instrument establishes various measures to protect the electoral rights of trans persons, including voter identification procedures on election day, voter registration procedures, training and sensitization efforts and institutional cooperation mechanisms.¹⁵⁸

Measures to guarantee the right to vote on election day

- Trans persons can choose to take part in voting lines for women or men, regardless of their registered name and gender, or their gender expression.
- Under no circumstances should a lack of perceived consistency between a voter's gender expression and registered information in their ID (such as name, gender or photograph) be a valid reason to deny the right to vote. It is not permissible to ask trans voters for additional proof of identity.
- When gender expression does not match ID information, electoral authorities must address trans persons by their surname.

→ In case of discrimination, trans persons are entitled to issue a formal complaint, and authorities must transfer complaints to CNE.

→ When police searches are required, trans persons must be treated with respect. Trans women need to be searched by female police agents, and trans men by male police agents, unless otherwise indicated by the trans person.

Training and sensitization measures

- In its trainings for polling officers, the Civil State National Registry (RNEC) must explicitly forbid any discriminatory behaviour towards trans persons such as uncomfortable looks, unwanted questions about gender expression, and demeaning comments.
- The content of training for polling officers must be developed in consultations with LGBTI+ and trans organizations.
- Information posters underscoring the right to vote of trans persons must be visibly placed at the entrance of polling stations.
- Other stakeholders involved in the electoral process, such as security forces, political parties and citizen election observation organizations,

are responsible for instructing their members to avoid any discriminatory behaviours towards trans persons.

Voter registration procedures

- During the voter registration period, CNE and RNEC are expected to join forces with civil society and trans organizations to disseminate information on the voter registration process and promote the inclusion of trans persons in the voter list.
- RNEC is responsible for communicating to other government authorities any updates on the ID registered name and gender of trans persons.

Institutional cooperation mechanisms

- Public authorities must disseminate the protocol's content through their websites, social networks and interactions with the media.
- RNEC will include the content of the protocol in the electoral training system, an online capacity-building tool addressed to citizens and other electoral stakeholders.
- CNE will partner with LGBTI+ and trans organizations to disseminate information on the protocol's content and monitor the implementation of the adopted measures.

Upholding gender diversity engagement in Peru: EMB's protocol to guarantee the right to vote of trans and non-binary persons

During the second half of 2020, the National Office for Electoral Processes (ONPE) in Peru began developing a draft of a protocol to guarantee the right to vote of trans and non-binary persons, with support from International IDEA, and consultations with CSOs and other public institutions were conducted in late 2020 and early 2021. The protocol was adopted in March 2021 and first applied one month later in the general elections and in the second round of the presidential elections held in August. Since then, the protocol has been updated at least twice with support from CSOs to integrate lessons learned and improve its effectiveness.

- > The protocol forbids discrimination based on sexual orientation and gender identity and expression against voters, polling and electoral staff, party representatives and election observers.
- > The affirmed name and pronouns of trans and non-binary persons must be respected at polling stations, and voters should generally be addressed by their surnames.
- > Mockery and offensive comments about the personal appearance and gender expression of trans and non-binary persons should be avoided.
- > All persons will be allowed to use toilet facilities according to their gender identity.
- > Posters and leaflets regarding the protocol must be placed in visible places at polling stations.
- > Trans and non-binary persons will be informed about reporting mechanisms in case of violations of the protocol.
- > Throughout election day, ONPE staff are expected to provide training and sensitization in polling stations to ensure adequate treatment to trans and non-binary voters and therefore ensure a safe environment for them.¹⁵⁹

Trans engagement in Chile: EMB's protocol to respect the gender identity of trans persons during plebiscites

Following consultations with CSOs, the Chilean Electoral Service (Servel) in October 2020 introduced a protocol to respect the gender identity of trans voters ahead of a national plebiscite held that year. The protocol was later updated in the lead-up to a follow-up national plebiscite in 2022.

- > In the case of trans voters who updated their name and sex in the civic registry and the voter list in advance, Servel communicates this information (under strict conditions of confidentiality) to voting centre delegates who are at the polling stations assigned to these voters.
- > In the case of trans voters who did not update their name and sex in the civic registry, they are allowed to vote as long as their facial characteristics permit their identification. All staff and volunteers at polling centres are required to treat them in a dignified manner and use their affirmed name and preferred pronouns.¹⁶⁰

3.1.3. Institutional mechanisms for electoral inclusion

The commitment of many EMBs around the world to promote electoral inclusion of LGBTI+ persons and other underrepresented groups is reflected within their institutional and organizational structure. The political will of EMB members at the highest level of the decision-making process is essential for institutions to advance reforms aimed at promoting the participation of LGBTI+ citizens. Within EMB's Secretariat, a common approach is to mainstream electoral inclusion as a cross-cutting issue through the work of different technical units, including those in charge of gender equality, civic and voter education, training and capacity building, voter registration, candidate registration and voting operations, among others. In some cases, EMBs develop specific institutional mechanisms within the Secretariat especially dedicated to promoting the inclusion of underrepresented groups in the electoral process, including LGBTI+ persons. In the interests of legitimacy, it is important for LGBTI+ persons to be involved in the creation of such specialized mechanisms.

- In **Nepal**, the Election Commission formed a Gender and Inclusion Coordination Committee, chaired by one of the commissioners, as well as a gender and inclusion unit to assist the committee under the coordination of the commission's joint secretary, who is the gender focal person. The mandates of both the committee and the unit include promoting the participation of third gender persons as voters and candidates.¹⁶¹
- In **Costa Rica**, the Supreme Electoral Tribunal created a commission on non-discrimination on the basis of sexual orientation and gender identity, which is coordinated by the Gender Unit. The composition of this commission includes representatives from the legal department, human resources, the executive director's office, the Institute for Training and Studies on Democracy (IFED) and a tribunal staff member representing LGBTI+ persons. This commission developed an action plan for the period 2019 to 2024, with implementation the responsibility of the Gender Unit.¹⁶²

→ In **Bangladesh**, the electoral management wing of the Election Commission is responsible for ensuring the inclusivity of voting operations and making sure that polling officers allow transgender persons to exercise their right to vote without discrimination.¹⁶³

→ In **Guatemala**, the Supreme Electoral Tribunal created two new units in 2013: the Department for the Political Promotion of Women and the Department for Social Inclusion in 2013.¹⁶⁴ The Department for Social Inclusion leads capacity-building initiatives addressed to the LGBTI+ community, among other underrepresented groups. Through civic and voter education, the Department for the Political Promotion of Women aims to advance the political participation of all women, including lesbian, bisexual and trans women.¹⁶⁵

3.1.4. Training and capacity building

Training and capacity building help to build and sustain the professionalization of electoral administration and ensure impartiality, transparency, equality of access and efficiency in electoral processes through the work of EMB staff.¹⁶⁶ Through both long-term and short-term training strategies, EMBs provide training to core permanent electoral staff, temporary staff and large numbers of field staff and polling officers in large-scale events such as elections, referendums and voter registration campaigns. Training methods commonly used by EMBs include cascade training, mobile teams and simultaneous training. A wide range of materials may be developed for these trainings, including checklists, manuals and simulations, among others.¹⁶⁷ In some countries, EMBs have adopted mandatory and regular training programmes to enhance the skills of electoral staff and poll workers. These programmes can address a wide range of learning needs, including topics related to gender equality, diversity in the workplace and sexual harassment, among others.¹⁶⁸

EMBs in countries around the world address the political rights and electoral participation of LGBTI+ persons in training and capacity-building activities provided for permanent and temporary staff as well as polling officers. These training efforts, which are intended to help prevent discriminatory attitudes and practices, aim to sensitize staff about inclusion in electoral management and raise awareness of the challenges that LGBTI+ persons face in electoral processes. The issue of LGBTI+ participation and rights can be integrated in long-term capacity-building strategies for the professional development of permanent staff, as well as in short-term plans to ensure that polling officers and field staff receive proper training to carry out their responsibilities in a professional manner. Ahead of election events, EMB trainings for polling officers in a number of countries address non-discrimination and inclusive identification procedures for trans voters during voting operations, and training materials often cover this content.

- In the **United Kingdom**, the Electoral Commission has a mandatory induction programme for all new staff that includes equality and diversity training and refers to sexual orientation and gender reassignment as protected characteristics in line with the 2010 Equality Act. The commission also runs equality training sessions for all staff on a regular basis.¹⁶⁹ Training arrangements include an e-learning module, know-how workshops that explore how equality legislation is applied through the work of the organization, and training on equality impact assessments.¹⁷⁰
- In **Costa Rica**, over 130 staff members of the Supreme Electoral Tribunal received training on equal and respectful treatment of LGBTI persons in 2018. A total of seven workshops for staff were organized in that year, covering a wide range of topics, including human rights, international and national legal frameworks, human sexuality, gender identity and expression, analysis of the Inter-American Court's consultative opinion, civil registry reform and guidelines for respectful treatment of LGBTI persons. In 2019 the Gender Unit developed a training programme on the respectful and equal treatment of LGBTI persons and organized six courses with over 200 participants.¹⁷¹

- In the framework of training prior to the election, the Election Commission of **Bangladesh** instructs polling officers to allow transgender persons to exercise their right to vote without discrimination.¹⁷²
- During the 2014 presidential election in **El Salvador**, identification procedures for trans voters during election day were discussed in trainings addressed to the decentralized branches of the Supreme Electoral Tribunal known as Electoral Department Boards and Electoral Municipal Boards. Ahead of the 2018 legislative and local elections, the EMB's training strategy integrated LGBTI+ participation. Four persons who identified as LGBTI+, including two trans women, were included in the tribunal's recruitment plan for electoral trainers. Its handbook for polling officers also made reference to the participation of LGBTI+ persons. According to this handbook, lesbian, gay, bisexual, trans and intersex people should be able to exercise their right to vote in an environment without discrimination.¹⁷³
- In **Ecuador**, the National Electoral Council organized trainings in 2016 to sensitize electoral staff on LGBTI+ participation, including specific issues related to trans voters, in the framework of the Transgender Project.¹⁷⁴
- Ahead of the 2020 **Peruvian** parliamentary elections, the National Office of Electoral Processes included in trainings for polling officers instructions to allow trans persons to vote without discrimination, including when their gender expression does not match their name or gender marker in IDs.¹⁷⁵
- Since the 2015 general elections in **Guatemala**, the Supreme Electoral Tribunal has included a section on the participation of trans voters in the handbook for polling station members, with the purpose of sensitizing polling officers about inclusive identification procedures. Training for polling officers covers the electoral participation of LGBTI+ persons and instructs them to respect the voting rights of trans persons, regardless of their gender marker, name or appearance in IDs. Furthermore, the tribunal has

developed a long-term approach to capacity building and offers training and sensitization workshops to employees covering political participation of LGBTI+ persons. Since face-to-face workshops are not available in every part of the country for budget reasons, the tribunal developed an online course on inclusive citizen participation for all the staff, which contains references to human rights of LGBTI+ persons and the Yogyakarta Principles.¹⁷⁶



In **Mexico**, the National Electoral Institute's protocol to ensure the right to vote for trans people, implemented for the first time in the 2018 federal elections, establishes that all training provided to polling officers should integrate this topic. In those elections, considered the biggest in the country's history so far, around 1.4 million polling officers received training covering the participation of trans persons and respectful identification procedures on election day.¹⁷⁷

3.2.

EMBs throughout the electoral process

In their external strategies, EMBs can promote the participation and rights of LGBTI+ persons at different stages of the electoral process. In the pre-election period, candidate and voter registration procedures can be designed and implemented in ways that respect the dignity of trans persons. Furthermore, EMBs can engage in training initiatives to strengthen capacities and leadership of LGBTI+ persons and groups. Through civic and voter education, EMBs can promote the civic engagement and voting participation of LGBTI+ citizens and educate the wider public about sexual and gender diversity. In the electoral period, inclusive voting operations can contribute to preventing discrimination against LGBTI+ persons in polling stations and ensuring the voting rights of trans persons. In the post-election period, EMBs can assess the participation of LGBTI+ persons in post-election reviews and identify lessons learned for further refinement.

3.2.1. Pre-election period

3.2.1.1. Candidate registration

The registration of candidates by public authorities is an essential step to ensure ballot access to those standing for election and guarantee their right to be voted. EMBs are generally responsible for accepting the candidacies put forward by political parties and individual contestants and making sure candidates fulfil all legal requirements.¹⁷⁸ The registration of trans, non-binary and intersex candidates may raise specific challenges, especially since their

gender identity and affirmed name do not always match those in their official IDs. As per their inclusion mandates, a growing number of EMBs have registered trans candidates according to their gender identity and/or affirmed name, in line with the principle of self-determination, such as in the cases of Mexico and Bangladesh, among many other countries.

Lack of recognition of gender identity in the candidate registration process can jeopardize the political rights of trans persons, discourage them from standing for election and undermine the freedom to campaign on equal terms with other contestants. Having their birth name on the ballot, instead of their affirmed name, can feel invalidating for trans persons and hinder their efforts to seek electoral support during the campaign, especially when their communities know them by their affirmed name.

Another issue of relevance for candidate registration regarding LGBTI+ persons is gender quotas. Some legal frameworks for elections and political parties themselves have gender quotas that specify the share of representatives or candidates to be allocated for women.¹⁷⁹ Some countries allow trans women who stand for election to have access to gender quota mechanisms alongside other women in line with the principle of self-determination of gender identity. Around the world, an increasing number of EMBs and electoral dispute resolution bodies follow the same logic when it comes to the application of gender election quotas and allow trans women

to run for reserved seats or hold positions for women in candidate lists, even when the broader national legal system does not allow for gender recognition of trans persons, as was the case in Mexico and Venezuela. In Bangladesh, a person identifying as a trans woman who was registered under the third gender category was also allowed to run as a candidate and have access to the women's quota.

Regarding candidate quotas for LGBTI+ persons, a few examples of voluntary quotas implemented by political parties can be found in some countries, such as Turkey and Australia. However, it is extremely rare to find cases of legal and mandatory candidate quotas for LGBTI+ persons, in part due to lack of information regarding the demographics of this group and its extensive internal diversity. Ahead of the 2021 Mexican federal elections, the National Electoral Institute established mandatory legal quotas in candidate registration for persons with disabilities, Afro-Mexican citizens and LGBTI+ persons. This groundbreaking measure aimed at promoting substantive equality in political representation, in line with international human rights instruments.

Another obstacle for the registration of LGBTI+ candidates is the economic burden of high candidate fees and financial deposits that may be required by electoral authorities, which can have a disproportionate impact on economically disadvantaged candidates, including many LGBTI+ persons, women and other underrepresented groups. Although data are scarce, it seems evident that economic barriers for candidates hinder the participation of LGBTI+ persons in politics, and especially those sectors within the community that experience higher social exclusion and marginalization. In a number of countries, trans candidates for example have expressed concern regarding the requirement of fees they consider unaffordable or financial deposits in the candidate registration process. Such barriers can discourage potential candidates with relatively low incomes and limited access to economic resources or networks that can support their fundraising efforts. In the 2018 general elections in **Pakistan**, according to one observation, “the level of deposit required particularly disadvantaged female and transgender candidates”, with 80 percent of those candidates losing their deposits.¹⁸⁰



In 2003, Amaranta Gómez Regalado was the first *muxe* person standing for election in Mexico. As noted in an account of her candidacy, she was also “the first person in **Mexico** whose candidacy was registered by the electoral administrative authority (then the Federal Electoral Institute) with a different name to the one registered in her birth certificate, which was a historic landmark regarding the recognition of non-binary or dissenting identities.”¹⁸¹



Legal quotas for LGBTTTIQ+ candidates in Mexico elections

In advance of the 2021 Mexican federal parliamentary elections, the General Council of the National Electoral Institute adopted an agreement to modify the candidate registration process and establish legal candidate quotas for several groups, including LGBTTTIQ+ persons, Indigenous peoples, people with disabilities and Afro-Mexican citizens. In terms of identification for eligibility under the quota scheme, candidates seeking to apply for the Indigenous and Afro-Mexican quotas were required to provide a document by competent authorities confirming that they belong to these groups, and candidates with disabilities needed to provide medical certification. Eligibility was simpler for LGBTI+ candidates, who were required to provide a self-identification declaration stating that they belong to the gender and sexual diversity community.¹⁸² At the sub-national level, quotas for the youth and the elderlies were additionally recognized in some States of the Federation.



Controversy of gender quotas: 2018 elections in Oaxaca, Mexico

In the 2018 local elections in the state of Oaxaca, Mexico, the state-level Electoral and Citizen Participation Institute of Oaxaca (IEEPCO) developed regulations on the implementation of gender parity requirements in political party candidate lists. These regulations established that transgender, transexual and *muxe* candidates could be nominated under their self-perceived gender identity. A total of 19 candidates sought to take advantage of these regulations and stand for election according to their gender identity, which meant applying for women's positions in their party's candidate list, as part of the quota for women.

In May 2018, after approving these candidacies, IEEPCO received a complaint from LGBTTTIQ civic groups claiming that 17 of the 19 candidates were actually cisgender men who were pretending to have trans identities. Following an IEEPCO investigation, these candidates were barred from standing for election on grounds of fraud and candidate lists were adjusted accordingly. In June, the High Chamber of the Electoral Tribunal of the Federal Judiciary (TEPJF) partially revoked IEEPCO's decision and confirmed two of those candidacies, arguing that these two candidates had identified themselves as women from the beginning of the registration process, unlike the other controversial candidates who had made changes to their initial registrations.

The TEPJF ruling established that the expression of belonging to one gender is sufficient to justify self-identification without further requirements.¹⁸³ In this situation, TEPJF had to deal with a complex case and find a balance regarding protecting the political rights of women, Indigenous communities and trans persons.¹⁸⁴ Some trans groups opposed the tribunal's ruling, arguing that qualified self-identification, instead of simple self-identification, should be used in this case – for example, individuals claiming to run as Indigenous candidates in Mexico require a corroboration of identity by a group of persons from the community.¹⁸⁵

In 2020, the National Electoral Institute initiated a process to investigate the Movimiento Ciudadano party regarding some of its male candidates to the 2018 local council elections in Oaxaca who allegedly were registered as trans persons, when actually they were not, so that they could be included as women in the gender parity mechanism. The national EMB found the party at fault and sanctioned both the party and several of its former representatives with fines.¹⁸⁶

- In **Bangladesh**, the Election Commission recognizes the gender identity expressed by candidates in their nomination forms and allows transgender women to run for women's reserved seats if they choose to.¹⁸⁷ In 2019, Sadia Akter Pinky was elected as vice-chairperson of the Kotchandapur sub-district. As a transgender woman, she was able to run for a women's reserved seat.¹⁸⁸
- The National Election Council of **Venezuela** registered the candidate list presented by the party Voluntad Popular in the 2015 parliamentary elections. By doing so, it validated the candidacy of Tamara Adrian, who ran as a woman candidate according to quota provisions even though her gender identity as a trans woman had not yet been recognized in the civil registry.¹⁸⁹
- In the 2017 local elections in **Nepal**, the nomination of Badri Pun for the post of vice-chairperson of Annapurna Rural municipality in Myagdi District was rejected by electoral authorities. Since a male candidate was nominated by the party for the post of the chair, quota provisions required the vice-chair to be a woman. However, election authorities barred Pun, who was registered as a third gender person, from contesting the elections, denying their right to be elected.¹⁹⁰ The LGBT organization Blue Diamond Society denounced this decision as case of discrimination in its shadow report submitted to the Committee on the Elimination of Discrimination against Women (CEDAW).¹⁹¹
- In **Tunisia**, the candidacy of Mounir Baatour for the 2019 presidential elections was rejected by electoral authorities due to lack of compliance with formal requirements for endorsement signatures. As an openly gay person, Mounir Baatour's candidacy would have been the first of its kind in the country. The Independent High Authority for Elections justified its decision on procedural grounds, saying it was based on legal requirements, and did not refer to the sexual orientation of the candidate.¹⁹²



3.2.1.2. Voter registration and identification

One of the most important electoral operations that enable citizens to exercise their right to vote is the establishment of a comprehensive and inclusive voter list by relevant authorities. Voter registration structures and systems allow EMBs to verify that voters meet all eligibility requirements and to uphold the credibility and integrity of the electoral process (e.g., by making sure that no individual votes more than once).¹⁹³ There are various types of voter registration systems, which can be constructed in an active or passive manner and on a continuous or periodic basis. Different systems can work effectively depending on context and have different implications regarding the participation of LGBTQ+ voters, especially when it comes to persons who identify as trans or have non-binary identities.

In active systems, voters are required to visit a registration office in person to register to vote or to record changes in name or address. In some countries, voter registration is conducted on a continuous basis and voters just need to register once and subsequently update their information for voter lists if changes are needed. Other countries have periodic registration, where a new register is created for each election and voters need to register each time, often during a specific period. Other variants of active systems include registration teams that go door-to-door or the possibility for voters to check and update their information by mail (postal service) or virtually (through the Internet).¹⁹⁴

In passive systems, EMBs create voter lists by extracting information from the civil registry, citizenship or residency lists, or other official sources. In countries where such systems are used, eligible voters do not need to take action to ensure they are included in the voter list.¹⁹⁵

Within the broad LGBTQ+ community, trans, non-binary and intersex voters often face the greatest challenges in terms of voter registration. Some voter registration requirements may directly or indirectly restrict their participation and thus hinder their inclusion in voter lists. Common requirements for voter registration that may adversely affect the participation of trans, non-binary and intersex voters are listed in table 2. In certain cases, trans persons may have difficulties obtaining many forms of ID, including proof of citizenship, especially in contexts of social exclusion and violence. Furthermore, the gender identity and affirmed names of trans, non-binary and

intersex persons do not always match their official ID, and their appearance may also differ substantially from their ID photographs, especially when they have gone through a transitioning process. There might be further difficulties for trans, non-binary and intersex citizens when voter registration requires citizens to register in person, including concerns about safety related to having to go in person to registration facilities and discrimination from voter registration teams.

Table 2. **Voter registration requirements with possible adverse effects on trans persons**

Registration requirement	Possible adverse effects on trans and non-binary voters
Proof of ID	Difficulties obtaining citizenship and other forms of ID Their gender identity and affirmed name may not be reflected on official documents
Photographic ID	Their current appearance may not be reflected in the photographic ID
Registration in person	Safety concerns related to having to go in person to facilities to register. Distance from registration office Discrimination from registration teams

Table based on UNDP & UN Women (2016): “Inclusive Electoral Processes: A Guide for Electoral Management Bodies on Promoting Gender Equality and Women’s Participation”, p. 57

The right to legal identity for trans persons: the IDENTIFICATE project in Honduras

Since 2019, UNDP has provided technical support to Honduras’ National Registry of Persons to develop a new civic registry and produce and disseminate new national IDs. Through the IDENTIFICATE project, it was possible to register 5.5 million persons and deliver 4.9 million new ID cards ahead of the 2021 general elections.

The IDENTIFICATE project helped to remove barriers to the registration of trans persons because the new ID cards do not show gender identity, information that is however registered in a database under a binary form (man/woman). During the civic registration process prior to the general elections, citizens could also show their own gender expression when having their ID photos taken. Civil society organizations defending LGBTI+ rights monitored the project’s implementation, with a particular focus on its zero-discrimination protocol.¹⁹⁶



More information about the new ID systems and its impacts on trans persons is available online.

<https://www.youtube.com/watch?v=rplvarFEcNw>



“Since identity documents are a pre-requisite to effective enjoyment of many human rights, including electoral rights, transgender persons who are unable to obtain identity documentation that reflects their preferred gender are de facto disenfranchised.”¹⁹⁷

— Office of the United Nations High Commissioner for Human Rights

Various EMBs around the world have put in practice measures to promote the registration of trans voters, many of which need to be analyzed within a broader framework of national legislation and policies on gender identity.¹⁹⁸ In some countries, EMBs implement special registration campaigns to reach trans persons and other underrepresented groups and some also conduct outreach campaigns to inform these groups about registration procedures. In targeted registration campaigns, mobile registration teams have proved useful in approaching trans communities and promoting their registration, as shown in the case of Pakistan. Furthermore, in different countries EMBs make efforts to ensure that voter credentials reflect the gender identity and affirmed names of trans voters. Some EMBs have decided to draw on innovative solutions to respect the dignity of trans voters when issuing voter credentials. In Mexico, for example, where voter credentials must include the gender of voters by law, the national EMB offers voters the option of including this information through a QR code to avoid making the gender marker visible.

→ In **Brazil**, ahead of the 2018 general elections, the Superior Electoral Tribunal decided to allow transsexual and *travesti* voters to register with their gender identity and affirmed name.¹⁹⁹ The tribunal established a one-month period for trans voters to register their affirmed names and to update their gender identity in the voter list, so that voter cards with the updated information could be printed. These measures were adopted to help ensure

that they are treated with dignity on election day. In the words of Luiz Fux, the tribunal’s president at the time, “In light of the constitutional principles and according to the interpretation that the Supreme Federal Court gave to these norms, it is inadmissible that the exercise of citizenship remains subject to any sort of prejudice.”²⁰⁰

→ In line with the Supreme Court of **Nepal**’s landmark ruling in *Sunil Babu Pant and Others v. Nepal Government and Others* (2007), the Election Commission in 2010 included a third gender category in voter registration forms, in addition to ‘male’ and ‘female’. The entire registration process is based on self-identification, with no requirements for the expressed gender to match other IDs.²⁰¹ In 2017, official data showed that out of around 15 million voters, only 143 registered as third gender.²⁰²

→ Following the Inter-American Court’s consultative opinion on gender identity and same-sex marriage, the Supreme Electoral Tribunal of **Costa Rica** modified the registration system in the civic and voter registries, allowing name changes according to self-perceived gender through administrative procedure. Furthermore, there is no longer a gender marker in IDs.²⁰³

→ In a 2011 landmark ruling, the Supreme Court of **Pakistan** instructed the Election Commission (ECP) to register transgender voters in more inclusive ways and requested the National Database and Registration Authority (NADRA) to issue national identity cards for those who had not been registered yet. The commission conducts voter registration based on self-identification and citizens can express three different gender identity options in registration forms: male, female and transgender.²⁰⁴ In 2017, however, only 1,456 transgender citizens were registered in the voter list out of a total of 97.02 million registered voters, which suggests (although in the absence of reliable data on the size of the transgender population in the country overall) that members of this population continue to face discrimination in practice despite positive legal developments.²⁰⁵ In more recent

years, the commission has made efforts to increase the representation of transgender persons in the voter list. In 2017, the commission and NADRA launched a campaign to promote women's access to national identity cards and voter registration, in partnership with civil society and UNDP. In only eight months there was an increase of over 4.5 million women obtaining their identify cards and therefore being able to vote. Since then, the campaign extended its scope to transgender persons, persons with disabilities and other underrepresented groups.²⁰⁶

- During the 2017 **Ecuadorian** presidential election, trans citizens could for the first time vote under the names that matched their gender identity. Advocacy efforts of LGBTI+ groups helped ensure the adoption in 2016 of a law allowing trans citizens to modify their name (Article 78) and gender marker (Article 94) in the civil registry.²⁰⁷ These developments were later reflected in new ID cards issued for trans citizens as well as in the voter list. Ahead of the 2017 presidential elections, 271 Ecuadorian citizens changed their gender marker in the civil registry, received new ID cards and were included in the voter list; of them, 227 cast a vote on election day.^{208 209}
- In 2019, the Election Commission of **Bangladesh** included a third gender option in voter registration forms, in addition to 'male' and 'female'. The voter registration process is based on self-identification, according to human rights principles.²¹⁰ As of January 2020, around 350 voters are registered as third gender in the country.²¹¹
- The Election Commission of **India** includes the category of 'others' in voter registration forms, in addition to the categories 'male' and 'female'. As of 2019, the number of voters registered under the 'others' category throughout the country amounts to 40,000, which is a small share of the estimated total number of transgender persons in the country (for example, 487,803 transgender persons registered in the 2011 population census).²¹² Some proposed explanations for the relatively low usage of the 'others' category include the violence and discrimination that

transgender persons often face and the fact that some of them might not feel comfortable with the 'others' category and thus prefer to use 'male' and 'female' markers instead.

- Following the passing of the Gender Identity Law in 2012, the National Electoral Chamber of **Argentina** updated the voter list to reflect changes made by trans persons in the civic registry and ensure their right to vote according to their identification preferences. In line with Article 10 of the law, the National Registry of Persons informed the Secretary of the Electoral Registry of changes made by citizens in their IDs to ensure necessary corrections were made in the voter list. In addition, the civic organization LGBT Federation collaborated with the National Electoral Chamber in making it easier (via a new email address) for complaints and requests for changing mistakes to be received.²¹³
- In **Mexico**, the National Electoral Institute in 2023 adopted an administrative measure allowing non-binary persons to choose an 'X' in the sex section of their voting card, instead of the binary categories of 'male' and 'female'. This measure was a milestone for the recognition of the gender identities of non-binary persons in the country.²¹⁴

3.2.1.3. Electoral skills and leadership training for LGBTI+ persons

In some countries, EMBs develop specific training, leadership and capacity-building programmes to support the knowledge and skills of women, youth, LGBTI+ persons and other underrepresented groups. These capacity-building programmes can be implemented at different stages of the electoral cycle and pursue various goals, including promoting democratic values within communities, civic engagement of a particular population group, and leadership and communication skills of candidates ahead of election campaigns. With the goal of levelling the playing field, capacity-strengthening and training programmes aim to address de facto inequalities and ensure access to knowledge and skills about the political process.

→ In 2017, **Peru's** National Jury of Elections supported the establishment of Empower, the School for LGBTI Political Leadership (launched in partnership with Promsex and the LGBTQ Victory Institute, with support from the European Union and Hivos). The school aims strengthen the capacities of LGBTI+ leaders from different parts of the country and provide them with potentially useful skills and knowledge for the upcoming electoral process.²¹⁵ A follow-up course from the school took place in 2020, ahead of the 2021 general elections. It was conducted online due to COVID-19 pandemic considerations, and had a three-month duration. Some of the topics covered by the training programme included safety, organization building, political advocacy and public speaking.²¹⁶

→ In **Guatemala**, the Supreme Electoral Tribunal has organized training and capacity-building initiatives for LGBTI+ persons to promote their civic engagement and participation in politics and elections. In addition, since 2018 the EMB's Department for Social Inclusion has been implementing the Training Programme for Civic and Electoral Trainers, which is offered to teachers in schools and is based on a gender and inclusion approach, addressing the human rights of women, LGBTI persons and other underrepresented groups. The department also contributed to the creation of the Youth for Inclusion and Democracy Network, which has provided members of the LGBTI+ community with training and capacity building in at least eight regions, covering a wide range of topics, such as civic engagement, human rights, voter registration, advocacy and legal framework.²¹⁷

3.2.1.4. Civic and voter education

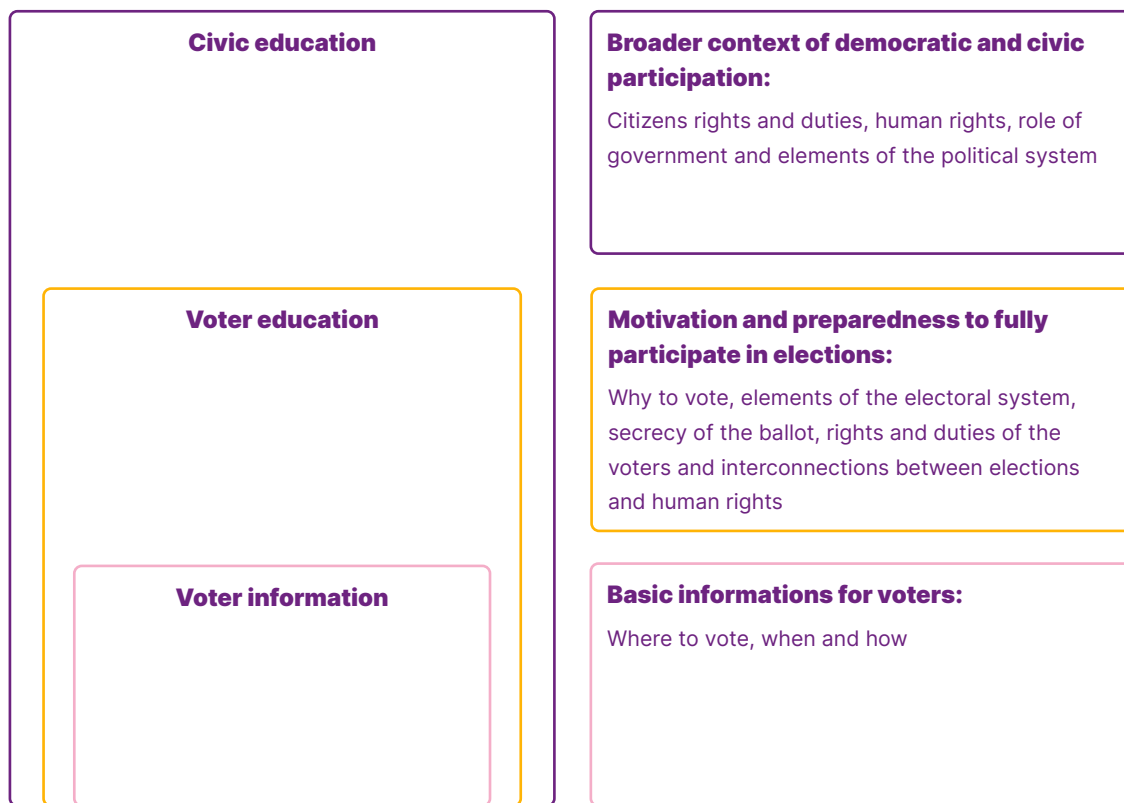
In order to fully exercise their voting and political rights, citizens need to have access to certain knowledge and information. As part of their mandate, EMBs have responsibility for informing and educating voters with an impartial perspective so that they can freely take part in the electoral process.²¹⁸ When done properly, voter outreach conducted by EMBs does not focus on explaining the policies and platforms of political parties and candidates, but instead on educating citizens on how to cast their vote or why it is important to participate in elections.²¹⁹ There are various types of voter outreach, which can be conducted at different stages of the electoral cycle:

→ **Voter information** provides basic facts that help to enable qualified citizens to vote, including the date and time of the election, required identification materials, the type of the election and the procedure to cast a ballot. Voter information is usually planned in the pre-election period and its implementation takes place in the lead up to election day, the beginning of voter enrolment or in association with other key events.

→ **Voter education** seeks to ensure that citizens are able, ready and willing to participate in the electoral process. It deals with complex concepts and notions, addressing the secrecy of the ballot, rights and duties of voters, elements of the electoral system and connections between the electoral process and political rights.

→ **Civic education** deals with broader concepts related to civic engagement, such as citizens' rights and duties, roles of government and structure of political systems. It is generally conducted on an ongoing basis with a long-term perspective all throughout the electoral cycle. A wide range of stakeholders, including EMBs and other institutions, are involved in civic education programmes.²²⁰

In a number of countries, EMBs have launched voter outreach campaigns specifically addressed to LGBTI+ persons in order to inform them about the electoral process and to motivate their participation. In some cases, get-out-the vote campaigns target persons who identify as trans or have non-binary identities, and in such cases their key messages often centre around ID requirements and identification procedures in polling stations. Common delivery methods for voter outreach include face-to-face sessions, TV and radio spots, webinars and resource centres. From a long-term perspective, EMBs also develop civic education initiatives to address the civic engagement of LGBTI+ persons and educate the general public on the human rights of the community.



→ In 2019, the Election Commission of **India** appointed Mumbai social worker and transgender activist Gauri Sawant as one of its goodwill ambassadors in the state of Maharashtra. She was engaged to conduct door-to-door visits to motivate transgender persons to enrol during voter registration and exercise their right to vote.²²¹

→ In **Nepal**, the Gender and Inclusion Policy adopted by the Election Commission in 2013 includes a commitment by the commission to “conduct awareness raising campaigns to motivate women, third gender, youth and other marginalized groups to participate in electoral processes as voters and candidates.”²²²

→ In **Mexico City**, the Electoral Institute of Mexico City deploys a traveling library with games on the ground, targeting communities at risk of marginalization, poverty and exclusion. Educational interventions seek to promote civic engagement, focusing on democratic values and social inclusion of underrepresented groups, including LGBTI+ persons.²²³ Furthermore, the institute has issued several publications about the political rights of various underrepresented groups, including a booklet on the political and electoral rights of LGBTTI persons.²²⁴

→ In the lead-up to the 2018 general elections in **Pakistan**, the Election Commission developed voter education materials with an inclusion approach with the purpose of promoting the participation of underrepresented groups. One of the TV ads produced by the commission emphasized the participation of all eligible voters, including women, persons with disabilities, transgender persons and elderly people.²²⁵ Another voter information material developed by the commission is a pamphlet explaining important information for voters and measures taken to improve inclusivity. It states that “special measures have been taken for the inclusion of women, persons with disability, transgender and other vulnerable groups in the election process.”²²⁶

- > Ahead of the 2015 elections, the Supreme Electoral Tribunal of **Guatemala** conducted a television, radio and online voter education campaign to promote the registration of women, LGBTI+ persons and young voters. The campaign also included a strategy known as ‘no to vote manipulation’ that aimed to sensitize women and LGBTI+ persons through performing arts on the importance of exercising their right to vote without pressure or coercion.²²⁷
- > In **Peru**, the National Jury of Elections developed a National Plan for Civic Education and Training for the period from 2016 to 2019 with guidelines for the design and implementation of educational interventions.²²⁸ The plan included LGBTI+ persons among the groups to focus on regarding continuous civic education efforts for the promotion of political rights.²²⁹

3.2.2. Electoral period

3.2.2.1. The voting process and voter identification

Especially in contexts of hostility against sexual and gender diversity, fear of being discriminated against or attacked can discourage LGBTI+ voters from going to the polling station on election day and casting their ballot.

Trans, non-binary and intersex voters may face additional concerns or challenges even once that they are at polling stations, including during the identification process on election day. In some countries, EMBs have adopted special identification procedures to promote their participation, allowing trans and non-binary persons to exercise their right to vote even when their affirmed name, gender expression and appearance do not match their official IDs. Inclusive identification procedures generally require polling officers to verify the identity of voters according to physical features, avoiding unnecessary questions and remarks about their gender expression or name. Other measures to ensure a respectful treatment of trans, non-binary and intersex voters may include giving them preference in voting lines or allowing them to vote according to their self-perceived gender when there are gender-segregated polling stations for men and women.

- > In **Canada**, all persons are allowed to vote, even when their appearance does not match their ID photo, as long as their name and address on the ID matches the one on their voter registration. Furthermore, it is not compulsory to show a photo ID or ID that includes sex indicators. There are other identification options available for voters, such as credit cards, school transcripts or utility bills,²³⁰ so that transgender people whose names do not match the one on their IDs or who have not changed their gender marker can effectively participate and cast their vote. Also, if voters use two pieces of ID with different sex indicators, they can still vote, as long as their name and address match their voter registration.²³¹ As in many other countries where postal voting is allowed for some or all voters, transgender persons in Canada who are worried about being harassed or challenged publicly can decide to vote by mail or in advance at their returning office, instead of voting at their local polling station.²³²

- > The Election Commission of **Malaysia** committed in 2018 to allow transgender persons to cast their ballots even if their gender expression and appearance does not match their compulsory identification card (known as MyKad). According to media reports, in such cases the clerk would inform the presiding officer and transgender voters would need to fill in and sign a form to confirm their identity.²³³

- > In **Mexico**, the National Electoral Institute’s trans protocol includes provisions to ensure that trans persons can fully exercise their right to vote at polling stations on election day. No one can be denied the opportunity to vote if their gender expression differs from their sex and name in voting credentials. Furthermore, if anyone in the polling station opposes deliberately or even inadvertently the participation of a trans voter, that should be registered in the incident report form. Polling officers are also instructed to call all voters by their surnames if they address them at all. In all polling stations, a printed document should be available explaining the measures adopted by the EMB to promote the participation of trans voters.²³⁴

- In the 2014 presidential elections in **El Salvador**, polling officers were instructed to allow trans voters to cast ballots even when their physical appearance does not match their ID photograph.²³⁵ This guidance, which is especially useful for trans voters, instructs poll workers to verify their physical features and make sure that the name, number and signature in the ID match voter registration details.²³⁶
- In **Pakistan**, polling stations are segregated for men and women. Transgender voters can choose either the male or female stations according to their gender identity, and poll workers are required to accommodate. This is automatically applied considering NADRA's civil registry data, so that citizens under the categories female and female transgender/eunuch vote in a set of polling stations and citizens who selected the categories male, male transgender/eunuch and khasa-e-mushkil/transgender/ third gender vote in different polling stations.²³⁷ Additionally, ahead of the 2018 general elections the Election Commission developed a code of conduct for polling staff and security officials that orders them to ensure that proper guidance and help is provided to elderly, transgender, pregnant women and differently abled voters and instructs security officials to assist these groups as much as possible and allow them to take precedence in voting lines.^{238,239}
- **Ecuador** has gender-segregated polling stations and in the past trans voters were forced to line up according to their sex assigned at birth and not their current gender identity. This made many of them feel uncomfortable and experience harassment from other voters, polling staff and police officers.²⁴⁰ The 2016 legal reform contributed to ending this situation, allowing trans citizens to change the gender identity and name in their IDs, and vote with this documentation.²⁴¹



Barriers to the participation of LGBTI+ voters in the United States

According to self-reported data from the Human Rights Campaign Foundation's 2019 Voter Experience Study, many LGBTQ+ persons in the United States have experienced barriers to voting, particularly problematic among trans persons who are members of minority ethnic groups (e.g., black, Indigenous and Latinx).

- Over 10 percent of LGBTQ+ voters, more than 25 percent of transgender voters and over 40 percent transgender voters who were black, Indigenous and Latino had ever been turned away at the voting booth due to being unknowingly dropped from voter rolls.
- Due to voter identification requirements, around 25 percent of potential voters within the broader LGBTQ+ community who are black, Indigenous or Latino had either chosen not to vote or were ineligible to vote in at least in one election. The share is much greater among both all transgender potential voters (50 percent) and all transgender potential voters who are black, Indigenous or Latino (60 per cent).
- Over 5 percent of LGBTQ+ voters, 20 percent of transgender persons and over 30 percent of BIPOC transgender adults experienced discrimination and were prevented from voting because of their sexual orientation, gender identity or ethnicity.²⁴²

3.2.3. Post-electoral period

3.2.3.1. Post-election review and lessons learned

The post-electoral period offers EMBs an opportunity to assess the weaknesses and strengths of an electoral cycle and identify lessons learned that can improve the electoral administration performance in future elections. Through post-election reviews, evaluations and audits, EMBs can assess the inclusion of underrepresented groups, including LGBTI+ persons, at all stages of the electoral process, including in terms of any barriers they faced.

- In **Nepal**, as part of the capacity development of electoral staff, the Election Commission has committed to ensure the participation of employees in gender and inclusion auditing, in line with the Gender and Inclusion Strategy (2015–2020).²⁴³
- In **Mexico**, the National Electoral Institute's trans protocol instructs two of its internal structures, the Executive Directorate on Electoral Training and Civic Education and the Technical Unit on Gender Equality and Non-Discrimination, to provide information and observations regarding compliance with and use of the protocol to the National Council for the Prevention of Discrimination (CONAPRED) after the election. That council then reviews the inputs and can issue its specialized opinion and make recommendations to improve the protocol.²⁴⁴ The EMB for Mexico City has developed a number of gender analyses that are used to assess the EMB's performance in promoting the participation of women and LGBTI+ persons and issue recommendations for improvement.²⁴⁵



Mexico City Pride March. © Andres del Castillo/UNDP

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3.3.

Suggestions for electoral management bodies

EMBs around the world are encouraged to consider the following strategies to promote the participation and rights of LGBTI+ persons. When doing so, EMBs should assess the context and specific needs

of the LGBTI+ community and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

1. **Establish anti-harassment policies and ban discrimination based on sexual characteristics, gender identity and sexual orientation in recruitment and personnel policies to ensure safe spaces.**
2. **Ensure that all internal policies, strategies and action plans support the participation and rights of LGBTI+ persons and create a culture of inclusion.**
3. **Mainstream LGBTI+ rights into the work of different units within the secretariat and consider creating specific institutional mechanisms to facilitate the participation of LGBTI+ persons.**
4. **Provide training and sensitization to electoral staff, polling officers and other field staff to raise awareness of gender and sexual diversity, the rights of LGBTI+ persons, and identification procedures for trans and non-binary voters that meet their needs.**
5. **Partner with LGBTI+ groups to identify barriers to their participation in the electoral process, and jointly design strategies to promote the participation of LGBTI+ citizens.**
6. **Allow trans, non-binary and intersex candidates to register with their affirmed name and, to the extent permitted by law, with their gender identity.**
7. **To the extent permitted by law, allow trans, non-binary and intersex voters to register with their gender identity and affirmed name and issue voter credentials accordingly.**
8. **To the extent permitted by law, establish regulations allowing trans and non-binary candidates to have access to gender quotas according to their gender identity.**
9. **Strengthen the capacities and leadership skills of LGBTI+ persons and organizations.**
10. **Conduct civic and voter education campaigns to promote the engagement and electoral participation of LGBTI+ citizens and to raise awareness of sexual and gender diversity among the public.**
11. **On election day, make sure that polling stations are a safe environment for LGBTI+ persons and ensure that voting identification procedures are respectful of trans, non-binary and intersex voters.**
12. **Assess the participation and rights of LGBTI+ persons in post-election reviews through quantitative and qualitative methods, and identify lessons learned on this matter.**

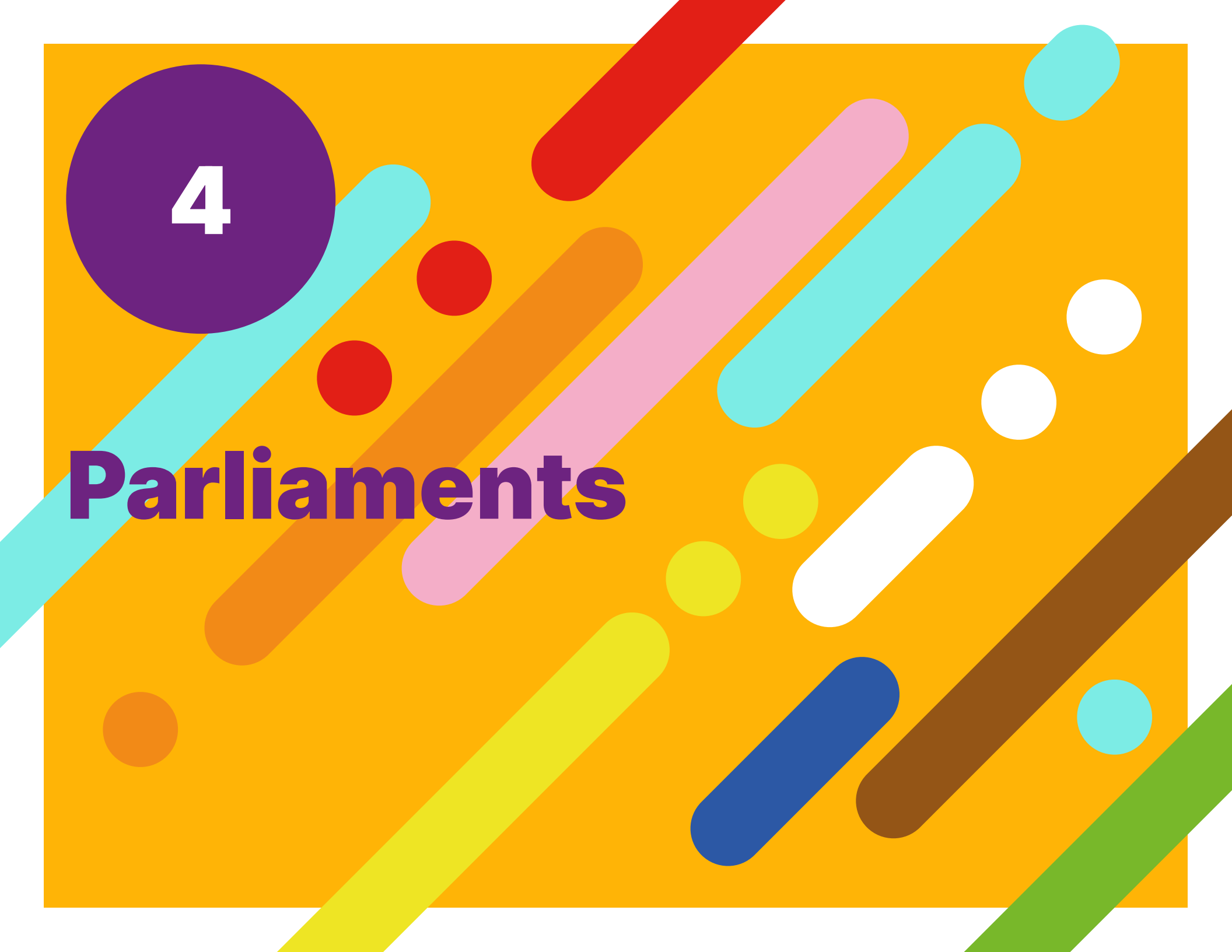
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4

Parliaments



4. Parliaments

Parliaments play an essential role in the promotion and protection of human rights through their core functions of representation, law-making and government oversight, as well as through relations with civil society and citizen outreach.²⁴⁶ Promoting and upholding the rights of all, including LGBTI+ persons, therefore is an integral part of the mission of democratic parliaments.

Another important characteristic of democratic parliaments is their ability to reflect and represent equal opportunities across a range of social and political diversity. As elected representatives, LGBTI+ legislators have the potential to promote diversity within parliaments and make them look more like the people they represent.

In various countries, parliaments contribute to advance the human rights of LGBTI+ persons through internal organization arrangements and the execution of core parliamentary functions. At the internal level, some parliaments establish institutional mechanisms for the protection of LGBTI+ rights and make efforts to ensure a safe working environment. The number and influence of LGBTI+ MPs in parliaments have increased in recent years, which has helped to give visibility to the community and amplify its voice. Through their legislative function, it is increasingly common that parliaments integrate the needs and interests of LGBTI+ persons in law-making processes and pass specific laws in favour of LGBTI+ rights. They also contribute to the oversight of the executive branch, scrutinizing the impact of governmental programmes and policies on LGBTI+ persons. Furthermore, parliaments build bridges with LGBTI+ organizations and movements and outreach to citizens raising awareness about LGBTI+ rights.²⁴⁷

Key resource



'Advancing the human rights and inclusion of LGBTI people: a handbook for parliamentarians' is a joint publication by UNDP and Parliamentarians for Global Action that was recently updated in 2022 and translated into several languages. It highlights the role of MPs in promoting inclusion of LGBTI persons in line with the Sustainable Development Goals and offers practical tools and tips for parliamentarians willing to promote the rights of LGBTI persons through their work.



The full publication is available online.

<https://www.undp.org/publications/advancing-human-rights-and-inclusion-lgbti-people-handbook-parliamentarians-0>

Internal organization of parliaments

The internal organization of parliaments offers numerous opportunities to promote the participation and rights of LGBTI+ persons. As a place of work, parliaments can take measures to ensure a non-discriminatory environment for all their members and staff, regardless of their sex characteristics, gender identity and sexual orientation. Furthermore, parliaments around the world integrate the issue of LGBTI+ rights in their institutional structure through the work of committees and inter-party groups or caucuses, sending a strong message in favour of inclusion and equality.

4.1.1. Parliaments as a place of work

As a place of work, parliaments can adopt measures to promote a safe environment and fight discrimination on the basis of sexual orientation, sex characteristics and gender identity and expression. Standing orders, codes of conduct and other internal rules often contain provisions on parliamentary ethics and conduct, general protections for members and sanctions for violations. In **Australia**, the Standing Orders of the House of Representatives forbid members to use offensive words against other members and recognize the authority of the speaker to sanction for disorderly conduct. Sanctions may include direction to leave the chamber as well as the naming and temporary suspension of a disorderly member.²⁴⁸ In the **United Kingdom**, the rules of behaviour and courtesies in the House of Commons, as reported in 2018, include provisions on parliamentary language: “The Speaker deprecates personal remarks about other Members. Any abusive or insulting language used in debate will be required to be withdrawn immediately.”²⁴⁹ In **Thailand**, in 2019, four newly elected MPs from the Future Forward Party with diverse gender identities succeeded in prompting the parliament to revise its sex-based dress code, which allowed them to dress according to their gender identities.²⁵⁰

The work of parliamentary staff in support of chambers, committees and individual members is essential for the proper functioning of the legislature. Putting in place anti-harassment and anti-discrimination policies, effective procedures for complaints, investigation and sanctions, and training and sensitization programmes can contribute to ensuring safe and inclusive working environments for LGBTI+ parliamentary staff. In the **United States**, the rules package adopted by the House of Representatives in 2019 for the first time banned employment discrimination against staffers and jobseekers on the basis of sexual orientation and gender identity.²⁵¹ The House of Representatives also developed a mandatory training on workplace rights and responsibilities for all members, officers and employees, which includes content on anti-discrimination and anti-harassment and specifies sexual orientation and gender identity as protected classes.²⁵²

In various countries, LGBTI+ parliamentary staff have joined together and created staff organizations to stand for their rights, promote equality and fight discrimination in the workplace. In the **United Kingdom**, ParliOUT is a network aimed at creating “a supportive and inclusive working environment by providing support, guidance, educational and networking opportunities to all staff and Members of both Houses of Parliament.”²⁵³ In the **United States**, the LGBT Congressional Staff Association is a non-partisan organization that seeks to advance the interests of staffers, fellows and interns who identify as LGBTQ and work in the House of Representatives. The association attends regular meetings with House administration and staff in charge of internal policies and provides members with networking opportunities.²⁵⁴ Another example is Egalité, an association of LGBTI+ staff members of **European Union** institutions, including the European Parliament. It was created in 1993 to fight all forms of discrimination based on sexual orientation, gender identity, gender expression and sexual characteristics. It seeks to ensure non-discriminatory treatment for same-sex couples and trans employees in European Union bodies and institutions.²⁵⁵

4.1.2. Parliamentary committees

Committees, also called commissions, are part of the institutional structure of most parliaments. They consist of small groups of assigned legislators who closely examine a specific matter on a permanent or a temporary basis. Although committee functions differ in each parliament, they can include detailed review of draft legislation, government action oversight, policy reporting and analysis, and special investigations. Committees that allow for public hearings regarding proposed legislation or oversight of government policies provide an opportunity for engaging with outside experts from the civil society and academic sectors. Holding public meetings also allows committees to engage with the media and inform citizens, thereby raising awareness and educating the public on relevant policy issues and the opinions and interests of many legislators.²⁵⁶

Integrating LGBTI+ issues into the work of committees is a way for parliaments to engage with this community and promote their rights through progressive legislation and effective oversight of governmental policies. The most common approach followed by parliaments is to mainstream issues and priorities relevant to the LGBTI+ community through the work of a wide range of committees, understanding that the rights of LGBTI+ persons are a cross-cutting issue. In the National Assembly of **South Africa**, a large number of portfolio committees can take action to promote and protect LGBTI+ rights within their area of competence.²⁵⁷

In some parliaments, committees that deal specifically and prominently with LGBTI+ rights can be found; often, these are multi-portfolio committees that also cover other topic areas, such as equality, women's rights or youth. Parliamentary committees that deal exclusively or extensively with LGBTI+ rights can send a strong message about the extent to which the parliament places value on this issue. Although these dedicated committees have a meaningful role, including in terms of overall visibility, it is important that LGBTI+ issues are also raised in all relevant committees, since all policies and laws have impacts on LGBTI+ persons. In **Thailand**, Tanwarin Sukkhapsit, an MP from the Future Forward Party, proposed an amendment to a motion on the formation of a standing committee on

children, young people, women, the elderly, persons with disabilities, ethnic groups and LGBT people, calling for setting up a separate standing committee on LGBT rights alone.²⁵⁸ Although this proposal was rejected in a parliamentary vote, it received considerable support with 101 votes in favour.²⁵⁹ In the **United Kingdom**, the Women and Equalities Committee in the House of Commons was created in 2015 with the mission of scrutinizing the work of the Government Equalities Office and the Equality and Human Rights Commission. The committee holds the government accountable on equality law and policy, including “sex, age, race, religion or belief, sexual orientation, disability, gender identity, pregnancy and maternity, marriage or civil partnership status”.²⁶⁰

→ In **Mexico**, the Commission on Youth and Sexual Diversity was established as a standing committee in the Chamber of Deputies in 2018, following the general election and the formation of the new parliament.²⁶¹ The commission engages in a wide range of actions to promote the rights of LGBTI persons, including contributions to the law-making process, governmental oversight and relations with other institutions and civil society, among others. One of the major achievements was the inclusion of the right to sexual education in the Constitution during the 2019 constitutional reform process. Regarding the oversight of government policies, the commission made efforts to ensure sufficient funding in the 2020 budget for HIV treatment medication. The commission also called for the passing of same-sex marriage laws in Mexican states that had not yet introduced or passed such legislation. Furthermore, members of the commission often deliver speeches and take part in sensitization workshops about youth and sexual diversity in high schools, local government and other institutions.²⁶²

4.1.3. Inter-party groups on LGBTI+ rights

Inter-party groups, also known as caucuses, allow elected representatives to join together and develop a parliamentary agenda seeking to promote the rights of a particular population group. The relationship of inter-party groups and caucuses with parliament can be either informal, when they are not part of the formal structure of parliament, or formal, when they are established by a parliamentary resolution or their responsibilities are outlined in the parliament's internal rules.²⁶³ Inter-party groups “engage in a wide range of activities, including gathering data, conducting research, creating partnerships with allies within and outside the parliament, facilitating public discussions, raising awareness of key issues, promoting civic education, and learning from experiences in other countries, among others.”²⁶⁴ Their cross-party nature can sometimes allow parliamentarians from across the political spectrum to unite around issues that they support and build consensus across party lines.²⁶⁵

Membership in inter-party groups on LGBTI+ rights is generally open not only to LGBTI+ representatives, but also to cisgender and straight members of parliament. The structure of inter-party groups generally includes a bureau responsible for political leadership, normally composed of chairs and vice-chairs, as well as a secretariat with technical staff who oversee the daily functioning of the group and run coordination, communication and administrative tasks. Inter-party groups may or may not have a budget and their activities and structure can be financed and sustained through different funding mechanisms, including membership fees, alliances with civil society or parliamentary resources, among others.

- In **North Macedonia** a number of MPs joined together and created an informal inter-party group on LGBTI+ rights in February 2018. It was the first parliamentary intergroup of this type in the Western Balkans region.²⁶⁶ The inter-party group, whose mandate lasted until the 2020 parliamentary elections, was formed by 14 members of the national legislature from different parties who were supporters of LGBTI+ rights. The group supported the passing in 2019 of the Law on Prevention and Protection against Discrimination, which extended protections on the basis of sexual orientation and gender identity. The inter-party group works in close collaboration with civil society and its members often attend and participate in debates, conferences and events organized by civic organizations.²⁶⁷
- In **Poland**, there is a Parliamentary Intergroup for Equality of the LGBT+ Community in the Sejm, the lower chamber of parliament. In 2023, the composition of the intergroup includes 26 deputies from different parties and one senator. Its scope of action includes driving the debate on government recognition and upholding of rights and freedoms of LGBT+ persons, working with LGBT+ NGOs, developing legislation in favour of LGBT+ rights, promoting equality and non-discrimination, fighting hate speech and cooperating with parliamentary groups in other countries.²⁶⁸
- In **Brazil**, LGBT+ parliamentarians and the civic organization VoteLGBT launched a LGBT+ parliamentary intergroup in July 2023. A total of 23 LGBT+ parliamentarians signed a manifesto announcing the creation of the group, which aims to focus on fighting attacks against LGBT+ rights within parliaments at the national and sub-national levels in Brazil, building a legislative agenda for the recognition of LGBT+ rights with adequate budgetary allocations, working with political parties on priority issues, and building support networks to respond to anti-LGBTI+ discrimination and violence, among other issues.²⁶⁹

- In **New Zealand**, the Parliamentary Rainbow Network is one of the cross-party groups in the parliament. In the 52nd parliament, which ran from 2017 to 2020, it brought together members of the House of Representatives from four different parties to promote the rights of LGBTI persons.²⁷⁰ In 2019, the network supported the reopening of the refurbished Parliament's Rainbow Room, also known as Select Committee Room 11, which recognizes and celebrates the contributions of the rainbow community to society. The remake of the Rainbow Room included representative flags, photographs of current and former LGBTI+ members of parliament and six important bills.²⁷¹

- In the **United States**, the Congressional LGBTQ+ Equality Caucus was created in the House of Representatives in 2008, following the model of other successful caucuses such as the Congressional Black Caucus and the Congressional Hispanic Caucus that help to move forward legislation and raise awareness around issues important to their communities. With over 160 members in 2020, the LGBTQ+ Caucus is one of the largest in the US Congress. Its work focuses on promoting human rights equality, repealing discriminatory legislation, fighting against hate violence and improving health and wellbeing of LGBTQ+ people.²⁷² Although the caucus has been bipartisan throughout its history, current membership is mostly made up of Democrats.²⁷³

- In the **United Kingdom**, the All Party Parliamentary Group (APPG) on Global LGBT+ Rights was created in 2015 by a cross-party group of parliamentarians from both the House of Commons and the House of Lords. Its main goal is to advance the enjoyment of human rights for LGBT+ persons around the world. Although the main focus of the group is international LGBT+ rights, it also addresses domestic issues. Among other functions, the APPG promotes LGBT+ rights in the country and globally, meets activists from all around the world, attends conferences and builds links with parliamentary LGBTI groups in other countries. In 2016, it launched a global report on human rights violations based on sexual orientation and gender identity, recommending increased support and funding to LGBTI groups on the ground. In 2020, the APPG counted with around 90 members, all of them MPs or peers. Its Secretariat is run by the APPG researcher and coordinator.²⁷⁴

- The **European Parliament's** Intergroup on LGBTI rights is an informal forum for Members of the European Parliament who wish to advance the rights of LGBTI+ persons. With over 130 members from nearly all political groups in 2020, it was the largest intergroup within the European Parliament. Its work consists in "monitoring the work of the European Union; monitoring the situation of LGBTI+ people in European Union (EU) member states and beyond; and liaising with civil society groups to relay their concerns at the European level."²⁷⁵ There are two types of membership: full members, whose names are publicly displayed on the intergroup's website, and supporting members, who prefer to remain anonymous.²⁷⁶

Parliaments at work

Parliamentarians in a wide range of contexts worldwide contribute to advance the rights of LGBTI+ persons through their composition and work. As representative bodies, parliaments can reflect diversity in society, in particular when they include members who are open about their gender identities and sexual orientations. Parliaments can pass legislation in favour of LGBTI+ rights and mainstream this issue in the overall law-making process. In their oversight capacity, parliaments review government action and policies that affect this community and can hold governments accountable. Furthermore, parliaments cooperate with CSOs and LGBTI+ groups and conduct public outreach activities to raise awareness of LGBTI+ rights among citizens.

4.2.1. Representing diversity in parliament

The composition of parliaments and other democratic institutions can be inclusive and represent social diversity. Parliaments that are composed of a broad cross-section of society, including members of different genders and sexual orientations, have the possibility of complying with international human rights instruments that include provisions against discrimination in political representation, such as CEDAW, the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination All Forms of Racial Discrimination and the Indigenous and Tribal Peoples Convention, among others. LGBTI+ persons represented in parliaments contribute to enrich these bodies with their work and vision, and their inclusion in democratic institutions (especially when they are open about being part of the LGBTI+ community themselves) is itself an expression of diversity in political representation. MPs can work with their parties ahead of candidate selection to ensure that parliament mirrors society with fair representation of different population groups, including LGBTI+ persons.

4.2.2. Legislating in favour of LGBTI+ rights

Parliaments in various countries have made efforts to integrate the needs of LGBTI+ persons as a cross-cutting issue in the general law-making process and have also passed both government and private members bills seeking to promote their rights. There are numerous and wide-ranging examples of legislative agendas seeking to advance the inclusion and rights of LGBTI+ persons, all of which are based on and responding to specific contexts and needs. Depending on the country, some legislative developments addressing the priorities of LGBTI+ persons are built, for instance, around the issues of decriminalization of same-sex relations, prohibition of discrimination, recognition of gender identity, same-sex marriage and adoption, prohibition of conversion therapies and protections for intersex persons, among many others. Also important to keep in mind is that although specific laws recognizing and upholding LGBTI+ rights are important to advance the well-being of the community and fight discrimination, all laws and policies have an impact on LGBTI+ persons. Therefore, their rights and needs also should be considered in the overall legislative process. For example, inclusive law-making processes around the issues of health care, education, employment, refugee protection and many other areas are essential for LGBTI+ persons to thrive and participate fully in society.



Examples of legislation promoting and protecting LGBTI+ rights

Decriminalization of same-sex relations

In several countries, parliaments have reviewed the existing legal framework to decriminalize same-sex relations, in line with international human rights principles. Laws criminalizing homosexuality violate the rights to privacy and non-discrimination.²⁷⁷ In the case *Toonen v. Australia* in 1994, the UN Human Rights Committee confirmed that laws criminalizing homosexuality constitute a breach of State obligations under ICCPR. In **Mozambique**, the parliament reviewed the criminal code in 2015 and removed a colonial-era provision on “vices against nature”, historically linked to a ban on homosexual conduct.²⁷⁸ In 2016, **Nauru’s** parliament passed the Crimes Act, a law that removed provisions banning homosexuality, which were a legacy of colonial times.²⁷⁹

Equality and anti-discrimination

Parliaments around the world have passed laws to offer citizens effective protections against discrimination, regardless of their sex characteristics, sexual orientation and gender identity. In **Chile**, an anti-discrimination law was passed in 2012 with the objective of “installing a judicial mechanism to ensure that the rule of law is effectively re-established any time that an arbitrary act of discrimination is committed”. It includes sexual orientation and gender identity among the categories that constitute arbitrary

discrimination.²⁸⁰ This law is popularly known as Law Zamudio in remembrance of a young gay man, Daniel Zamudio, who was brutally murdered by a group of neo-Nazis in March 2012. In **the Netherlands**, the 2019 amendment of the General Equal Treatment Act extended protections against discrimination to trans and intersex persons on the basis of sex characteristics, gender identity and gender expression.²⁸¹ In 2019, **Angola’s** parliament passed a new penal code decriminalizing same-sex relations and prohibiting discrimination based on sexual orientation. According to this piece of legislation, anyone who refuses to employ or provide services to people based on their sexual orientation may face prison for up to two years.²⁸²

Legal gender recognition

Parliaments in various countries have made legislative efforts to recognize gender identity according to the principle of self-determination, which allows trans and intersex persons to change their name and gender marker on IDs. In 2018 the World Health Organization removed trans categories from the chapter of mental and behavioural disorders in the International Classification of Diseases, an important step in moving away from considering certain forms of gender expression and identity as medically or psychologically abnormal. According to the UN High Commissioner on

Human Rights, gender recognition systems should be based on self-determination, follow a simple administrative process, ensure confidentiality, avoid unreasonable or pathologizing requirements such as medical or psychological certificates or treatments, be accessible and as cost-free as possible, recognize non-binary identities and ensure that minors have access to the legal recognition of their gender identity.²⁸³ In **Argentina**, the Gender Identity Law was adopted in 2012. It recognized the right of transgender persons to be treated according to their self-perceived gender, allowing them to have their IDs registered with their name and gender, and ensured the inclusion of all medical treatments for transitioning in the compulsory medical programme.²⁸⁴ This pioneering piece of legislation contributed to shift the paradigm on gender identity towards the depathologization of trans identities, centring the recognition process around self-perceived identity and avoiding unreasonable requirements such as medical certificates. In **Pakistan**, the 2018 Transgender Persons Protection of Rights Act establishes the legal recognition of self-perceived gender identity without medical or diagnostic requirements as well as its registration in government records and documents.²⁸⁵

Marriage equality

The number of countries and territories that allow same-sex couples to marry has increased considerably in the past 25 years. The right for all people to marry is enshrined in international human rights instruments, including UDHR and ICCPR. Some countries have recognized marriage equality through legislative developments adopted in parliament, while in others it has become legal through judicial decisions of high courts or the results of a referendum vote. In 2000 the **Netherlands** became the first country to legalize same-sex marriage by law.²⁸⁶ In 2019, lawmakers in **Taiwan** passed a bill legalizing same-sex marriage, following a ruling of the Constitutional Court that legal provisions restricting marriage to heterosexual couples were unconstitutional. Taiwan was the first place in Asia with marriage equality.²⁸⁷

Protections against violations of the bodily integrity of intersex persons

Parliaments in various countries have passed legislation to ban unconsented medical interventions that may result in physical and psychological harm of intersex persons. In **Malta**, the 2015 Gender Identity, Gender Expression and Sex Characteristics Act²⁸⁸ prohibits sex assignment treatment and surgery on the sex characteristics of minors when it is possible to postpone these interventions until a time when they can provide informed consent. The law provides clear and human rights-based terminology as well as legal consequences for violations.²⁸⁹

Expungement of homosexual convictions

Some countries have passed legislation allowing people to request the removal of their historical homosexual convictions from their criminal records, as long as the current legal framework no longer considers same-sex relations as a criminal act. In **New Zealand**, the 2018 Criminal Records Act on the Expungement of Homosexual Convictions established a process to officially invalidate and remove from records convictions for indecency between males (which referred to homosexual acts), sodomy, and attempts to commit these acts, which were criminal offences in the past.²⁹⁰

Conversion therapies

Several countries have banned so-called conversion therapies. These practices, which are based on the medically false idea that sexual orientation and gender identity of LGBT persons can be changed, can provoke pain and long-lasting physical and psychological damage.²⁹¹ In **Ecuador**, the ban against 'conversion therapies' relies upon provisions of a 2012 government policy that prohibits such practices in rehabilitation centres as well as the 2014 amendment of the penal code, which adds an aggravating circumstance to the crime of torture when it is committed with the intention of changing the sexual orientation or gender identity of a person.²⁹²

In May 2020, the lower house of **Germany's** parliament, the Bundestag, passed the Act to Protect Against Conversion Treatments, which bans advertising, providing and arranging such "treatments" for minors. Violations of the ban on 'conversion therapies' can result in prison sentence and violations of the ban on advertisement with fines.²⁹³

4.2.3. Parliamentary oversight

Through their oversight function, parliaments scrutinize policies and actions led by the executive branch and the implementation of laws by the public administration. Parliamentary procedure often establishes a number of mechanisms allowing MPs to hold the government accountable for its actions, which may include written and oral questions and investigation committees.²⁹⁴ Oversight mechanisms allow parliamentarians to examine and question governmental policies and programmes and assess their impact on the rights of LGBTI+ persons. Furthermore, parliamentarians often work with civil society to draft petitions to encourage or ensure close scrutiny of government policy and provide a platform for legislative change. In the **United Kingdom**, the Women and Equalities Committee exchanges letters with government departments, requesting information and monitoring the response to recommendations. Through the exercise of its oversight powers, this parliamentary committee holds the government accountable on equality law and policy on sex, sexual orientation and gender identity, among other characteristics. In the **United States**, Congress holds oversight hearings that require administration officials to participate in person and explain certain policies. In February 2020, for example, the Committee on Oversight and Reform in the House of Representatives held an oversight hearing to examine the administration's actions in relation to LGBTI+ rights in a number of areas, including health care, employment, adoption and foster care.²⁹⁵

Consultative session on Transgender Persons Protection and Political Inclusion in Pakistan. © UNDP Pakistan

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An Equal Rights Coalition webinar: Legislating for the rights of intersex persons

In September 2023, the intergovernmental organization Equal Rights Coalition (ERC) held a webinar titled 'Eliminating harmful practices against and promoting human rights protection of intersex people: human rights standards and good practice', in partnership with Lesben- und Schwulverband (LSVD), the Office of the United Nations High Commissioner for Human Rights and Intersex Human Rights Australia. The webinar featured case studies from several countries that passed legislation to forbid harmful, unnecessary, and non-consensual medical procedures on intersex persons, especially minors.

The webinar is available online.

<https://equalrightscoalition.org/webinars/eliminating-harmful-practices-against-and-promoting-human-rights-protection-of-intersex-people/>

4.2.4. Relations with civil society

Building bridges with civil society and engaging in partnerships with civic organizations and movements, including LGBTI+ groups, can help parliaments promote human rights and fight discrimination. NGOs often share their expertise and field knowledge with members of parliament and enrich the legislative process through their participation in committee submissions and public hearings.²⁹⁶ These institutional mechanisms for the involvement of civil society in parliamentary affairs allow LGBTI+ organizations to participate in and have their needs considered in the law-making process. Furthermore, alliances between members of parliament and civil society groups regarding LGBTI+ rights can go beyond the walls of parliament and contribute to promote open discussions and dialogue, support community and movement building and raise public awareness.

- In **North Macedonia**, members of the parliamentary inter-party group on LGBTI rights work in close partnership with NGOs and LGBTI+ groups, including organizations belonging to the National Network against Homophobia and Transphobia. In June 2019, members of the intergroup attended the first 'pride' parade in Skopje, showing their support to the LGBTI+ organizations and movement, and the intergroup coordinator gave a speech.²⁹⁷
- In **Australia** in 2015, a Senate select committee prepared a report on a draft bill establishing a plebiscite on marriage equality. The committee informed relevant organizations about the inquiry, invited submissions and held public hearings in Melbourne, Sydney and Canberra with numerous witnesses from groups supportive of and opposed to marriage equality. These procedures allowed a number of LGBTI+ organizations to participate in the inquiry and have their voices heard.²⁹⁸ Although the bill was defeated in the Senate, a majority (61 percent) of Australians who participated in a voluntary postal survey in 2017 voted in favour of marriage equality.²⁹⁹ In December of that year, the parliament amended the Marriage Act to recognize marriage equality.

4.2.5. Raising citizen awareness

Institutional declarations and public statements made by parliamentarians can sometimes have an important effect on the public's perception of a particular issue.³⁰⁰ Parliaments and their members in contexts around the world are increasingly showing public support for the rights of LGBTI+ persons. Through public statements, open discussions and awareness-raising campaigns, they help to mobilize public opinion and sensitize and educate the public on the community and its rights and priorities.

Promoting the rights of LGBTI+ persons in international parliamentary forums

In October 2022, a side event was held to discuss the role of parliaments in protecting the rights of LGBTI+ people in Africa and around the world, in the framework of the Inter-Parliamentary Union (IPU) General Assembly in Kigali, Rwanda. The side event was organized by UNDP and the IPU 12+ group and was attended by around 70 MPs from several different countries.³⁰¹



Photo: Sebastian Tynkkynen

- In **Poland**, a group of opposition MPs dressed in the colours of the rainbow flag during President Andrzej Duda's swearing-in in 2020 as a sign of solidarity with the LGBTI+ community. This strong statement was understood by members of the community as a message of hope in a context of rising public hostility, with around a third of the Polish territory declared a 'LGBT-free zone', after a polarized election campaign with widespread inflammatory language.³⁰²
- In **New Zealand**, the parliament has flown the rainbow, trans, bi and intersex flags on several occasions to commemorate the International Day Against Homophobia, Biphobia, Intersexism and Transphobia (IDAHOBIT). This symbolic gesture shows the parliament's institutional commitment to LGBTI+ rights and contributes to raise public awareness on this issue. In 2018, New Zealand became the first country to fly the intersex flag at parliament.³⁰³ Furthermore, the short documentary film *Rainbow Voices of Aotearoa New Zealand* can be found on the Parliament's website. It tells the story of the Parliament's Rainbow Room and introduces MPs who have played a significant role for persons with diverse genders and sexualities in the country, known as *takatāpui* in the Māori culture.³⁰⁴
- In the **United Kingdom**, on the occasion of the LGBT History Month in February 2020, the Parliament organized a number of themed guided tours called Pride at Parliament, which were open to the public. These guided tours highlighted the role played by LGBT persons at the Parliament and gave an overview of their historic struggle for civil rights.³⁰⁵

- In **North Macedonia**, in 2018, members of parliament belonging to the inter-party group on LGBTI+ rights participated in a national campaign against violence and discrimination towards LGBTI+ persons called 'Don't judge who loves whom' in partnership with civil society. The campaign sought to sensitize the public and raise awareness on violence based on sexual orientation and gender identity and to fight prejudice against LGBTI+ persons. It included three videos that were aired on national TV.³⁰⁶



The Global Equality Caucus: an international platform of legislators

The Global Equality Caucus, founded in 2019, is a global platform of parliamentarians and elected representatives at the national level tackling discrimination against LGBT+ people. In 2023, its membership totalled around 450 legislators overall.

One of its most recent campaigns is focused on banning so-called conversation therapies. Its website includes an information hub with factsheets and best practices, as well as lobbying tools for citizens and a pledge that legislators can sign vowing to support a ban on such practices.³⁰⁷

4.3.

Suggestions for parliaments and legislators

Parliaments and legislators around the world are encouraged to consider the following strategies to promote the participation and rights of LGBTI+ persons. When doing so, parliamentarians should

assess the context and specific needs of the LGBTI+ community and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

1. **Include protections for MPs and parliamentary staff in standing orders, codes of conduct and other internal rules.**
2. **Establish anti-harassment and anti-discrimination internal policies that consider sexual orientation, sex characteristics and gender identity as protected characteristics, and provide MPs and parliamentary staff with training and sensitization.**
3. **Mainstream LGBTI+ issues into the work of all committees**
4. **Create and strengthen inter-party groups and caucuses on LGBTI+ rights.**
5. **Address the participation and rights of LGBTI+ persons in parliamentary regional and international forums.**
6. **Initiate and participate in efforts within parties ahead of candidate selection to ensure that parliament mirrors society as closely and fairly as possible in terms of representation of different population groups, including LGBTI+ persons.**
7. **Integrate the needs of LGBTI+ persons in the general law-making process and pass targeted laws to promote and protect the rights of LGBTI+ persons.**
8. **Use available institutional mechanisms to review and examine government policies that particularly affect LGBTI+ persons.**
9. **Welcome LGBTI+ organizations to participate in the legislative process through committee submissions and public hearings.**
10. **Build partnerships with LGBTI+ organizations to promote dialogue, community and movement building, and awareness raising.**
11. **Conduct outreach campaigns to raise awareness of LGBTI+ rights among the public.**

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5

Civil society organizations and movements

5

Civil society organizations and movements

Through their participation in civil society organizations (CSOs) and movements, LGBTI+ persons exercise their rights to freedom of expression, association and peaceful assembly and have further opportunities to contribute to public and political life.

The recognition of human rights for LGBTI+ persons has often been the result of years of struggle led by social movements and civil society groups committed to changing mindsets, promoting social acceptance of diversity, fighting oppression and breaking stereotypes. Through their protests and demonstrations, educational interventions, political advocacy and legal actions, LGBTI+ persons and allies who support their rights and causes have helped to build more inclusive democracies.

In political and electoral processes, citizen organizations can promote the full participation of LGBTI+ persons and, from a broader perspective, use existing political and institutional mechanisms to channel their human rights claims. A wide range of strategies are used, including civic and voter education initiatives focusing on gender and sexual diversity, training and capacity-building workshops for LGBTI+ leaders, election observation with a focus on the participation of LGBTI+ persons, advocacy campaigns to promote inclusive policy and law-making, strategic litigation for the recognition of LGBTI+ rights, and collaboration with United Nations human rights mechanisms and bodies, among other approaches.³⁰⁸ Furthermore, LGBTI+ groups and activists around the world have sought to strengthen citizen organizations and networks internally, efforts that have contributed to community and movement building and to the security and wellbeing of LGBTI+ persons.

Such activities, efforts and priorities by and on behalf of LGBTI+ persons have considerable history, especially in the past century or so. Among others, common historical references generally include the homosexual emancipation in Germany during the Weimar Republic in the 1920s and early 1930s, the homophile movement after World War II, the gay liberation movement in the late 1960s and the 1970s, queer activism in the 1980s and the decolonial shift in the 21st century. Beyond the Western perspective, in a number of countries from the Global South there are ancestral traditions of sexual and gender diversity that allowed persons with diverse identities to organize themselves around communities, ensure their livelihoods and possibly thrive, as is the case of the *muxes* in Mexico, the *hijras* in Pakistan, India and Bangladesh, and the two spirit in North America, among many other examples. In contemporary times, the 1969 Stonewall riots in New York marked a turning point in the pursuit of equality and rights for LGBTI+ persons and paved the way for a global momentum, bringing this cause beyond national borders. In this context, an increasing number of LGBTI+ associations and movements have emerged around the world in recent years, claiming for justice and human rights.

More welcoming and supportive political and public environments for LGBTI+ rights have developed over the past few decades in some countries. However, in many places LGBTI+ activists, organizations and movements face severe restrictions and enormous challenges in law and practice, often in a context of shrinking civic space and generalized human rights violations.³⁰⁹ Challenges and barriers may include laws or rule-based measures that limit the work or influence of civil society actors, arbitrary actions on the part of governments, and extra-legal harassment, intimidation and reprisal.³¹⁰ In 2020, more than one quarter (26 percent) of UN Member States had legal barriers for the registration of CSOs working on gender and sexual diversity despite clear evidence that such barriers undermine freedom of association obligations under international law.³¹¹ At that time, 22 percent of UN Member States had legal barriers to freedom of expression on sexual and gender diversity issues,³¹²

Dili, Timor Leste.
 © Andres del Castillo/UNDP
 Lgtbq Dili, Timor Leste
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including “anti-propaganda” laws,³¹³ as part of an effort to silence LGBTI+ voices and limit open, public discussions on these topics. Furthermore, ‘pride’ marches and LGBTI+ demonstrations and public gatherings in various countries are often banned or obstructed in practice, which is at odds with the right of peaceful assembly, and organizers and participants often experience violence, threats, acts of intimidation and excessive use of force.³¹⁴ Moreover, human rights defenders, and particularly LGBTI+ defenders, often experience backlash and violence. In 2020, at least 331 human rights defenders were killed around the world, and six of them were trans women from the Americas.³¹⁵ Although most defenders are at risk of aggression and human rights violations, the risks are often greater among LGBTI+ human rights defenders and activists due to additional stigmatization, threats and discrimination based on their sex characteristics, sexual orientation and gender identity and expression.³¹⁶



What human rights principles are at stake?

- The right to freedom of association (Article 22 of ICCPR)
- The right of peaceful assembly (Article 21 of ICCPR)
- The right to freedom of expression (Article 19 of ICCPR)
- The right to participate in non-governmental organizations and associations concerned with the public and political life of the country (Article 7 of CEDAW)
- The right to participate in public affairs (Article 25 of ICCPR)
- The right to equality and non-discrimination (Article 2 of ICCPR)

Building LGBTI+ movements from the inside

LGBTI+ organizations and movements should have strong capacities and internal dynamics to ensure that their members can effectively exercise the right to freedom of association and contribute in a significant manner to public life as well as political and electoral processes. Community and movement building interventions seek to strengthen citizen organizations, movements, networks and communities through a wide range of approaches, including education, dialogue and activism. The security and safety of activists and human rights defenders is another priority for the internal functioning of LGBTI+ organizations and movements.

5.1.1. Security of LGBTI+ activists

Although most human rights defenders are generally exposed to the possibility of experiencing backlash and violence, defenders who are openly LGBTI+ and support and promote the rights of LGBTI+ persons may face additional risks based on their identity. In this context, ensuring the safety of their members must be a priority for organizations and movements focusing on LGBTI+ issues. Security training for activists can help to ensure wide understanding and respect of security plans, rules and procedures.³¹⁷

- > The ‘Protection manual for LGBTI defenders’, published by Protection International in 2010, offers knowledge tools to assess the existing risks for LGBTI+ organizations and individuals as well as technical guidance on how to improve security management.³¹⁸
- > In 2016, OutRight Action International organized a training workshop on security and safety for 18 LGBTIQ+ activists from the Southern Africa Development Community (SADC) region in Johannesburg, South Africa, with funding from Dignity for All LGBTI Assistance Program.³¹⁹



Peaceful assembly

Article 21 of ICCPR:

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Freedom of association

Article 22 of ICCPR:

1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.
2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.
3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.

5.1.2. Community and movement building

Strengthening ties and building capacities within LGBTI+ communities and movements is an important way to promote the wellbeing of LGBTI+ persons and create safe spaces where they can feel accepted and valued for who they are. From a sustainability perspective, community and movement building interventions need to consider organizational and individual needs, and develop strategic alliances and long-term synergies.³²⁰ A wide range of strategies are commonly used in the development and consolidation of LGBTI+ communities and movements, including educational initiatives to enhance the knowledge and skills of LGBTI+ activists, dialogue and strategic partnerships among LGBTI+ groups and broader coalitions with human rights movements, as well as public gatherings, protests, demonstrations and 'pride' marches.

—> Since 2015, ILGA Europe has been implementing the project Creating Opportunities to support mobilization and campaign activities of the LGBTI movement in **Europe and Central Asia**. With the purpose of strengthening the movement and advancing LGBTI rights, this project has supported a number of initiatives organized by CSOs, some of which have been linked to political and electoral processes. Examples include supporting adequate formulation of legislative proposals, including LGBTI issues in the political agenda during election campaigns and countering anti-LGBT hate speech. In 2021, the project was focusing on developing strong narratives to counter attacks on trans rights and identities.³²¹

Key resources

In 2022, two publications on the security of LGBTI persons in the Dominican Republic were launched: the primer 'Security for all from a diversity perspective: security paths and practices for LGBTI persons in the Dominican Republic' and 'Security for all from a diversity perspective: handbook on citizen security and self-protection for the LGBTI population in the Dominican Republic. These publications were developed by the civic organizations Trans siempre Amigas (TRANSSA), the Human Rights Observatory of Trans Persons in the Dominican Republic and the GLBT Dominican Volunteers, in the framework of the regional project Being LGBTI in the Caribbean, led by USAID and implemented by UNDP.



The full publication is available online.

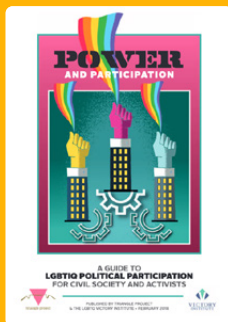
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The full publication is available online.

<https://www.undp.org/sites/g/files/zskgke326/files/2022-07/PNUD-DO-MANUAL-TRANSA-2022.pdf>

Key resource



The guide 'Power and participation' was developed by the Triangle Project and the LGBTQ Victory Institute in 2018 as a collection of good practice to encourage the political participation of black LGBTIQ South Africans and hasten the integration of LGBTIQ persons in the country's political parties. The publication focuses on strategies that can be put in place by civil society actors to promote political participation of LGBTIQ persons, including actions related to spaces where

government invites civil society to participate and to the internal dynamics of civil society. Among notable suggestions to strengthen CSOs, the publication includes ensuring clearness in communications, having good knowledge of involved stakeholders, building movements from the ground up, and inviting political parties to events.



The full publication is available online.

<https://victoryinstitute.org/resource/power-and-participation-guide-to-lgbtq-political-participation-for-civil-society-and-activists/>

A regional consultation to advance LGBTI+ inclusion and rights in Africa

In August 2023, UNDP's #WeBelongAfrica: Inclusive Governance Initiative and the Hivos Free to be me project jointly organized the Vision 2030: LGBTI+ Inclusion in Sub-Saharan Africa consultation in Mauritius. The consultation gathered over 60 participants, including CSOs and key partners, providing an opportunity for exchange and mutual learning. Several priorities were identified, including building the LGBTI+ movement and creating alliances with other movements.³²²



More information about the consultation is available online.

<https://www.undp.org/africa/news/vision-2030-advancing-progress-lgbti-inclusion-and-rights-africa>

5.2.

Citizen action throughout the political and electoral process

LGBTI+ activists, CSOs and movements promote the participation and rights of the community at various stages of the electoral cycle and help to raise awareness among the public about gender and sexual diversity.

Furthermore, CSOs can engage in training initiatives to strengthen capacities and leadership of LGBTI+ candidates and other members of the community. Election observation initiatives with a focus on gender and sexual diversity are also opportunities for citizen organizations to assess the participation of LGBTI+ persons and issue recommendations. Moreover, CSOs often lead advocacy initiatives to promote inclusive public policies and legislation, engage in strategic litigation for the legal recognition of LGBTI+ rights, and collaborate with the United Nations human rights mechanisms and bodies.

5.2.1. Civic and voter education

In a number of countries, civil society groups have launched civic education initiatives and voter education and information campaigns to promote civic engagement and electoral participation of LGBTI+ persons and raise awareness of their human rights among the general public.³²³ Civic and voter education have a broader scope and can be conducted at different times throughout the electoral cycle and beyond. However, voter information campaigns are usually undertaken ahead of key stages of the electoral process and aim to provide citizens with essential information so that they can effectively exercise their right to vote for specific electoral events.³²⁴

In the pre-election period, citizen organizations and LGBTI+ groups can conduct voter education and information initiatives specifically addressed to LGBTI+ persons. Such targeted activities often seek to motivate their participation as voters and provide them with key information on the registration or the voting process from their perspective. A common approach is the development of get-out-the-vote campaigns for LGBTI+ and particularly trans persons. When targeting trans and non-binary persons, useful voter information messages often refer to ID requirements and procedures, including in

regard to the identification process in registration centres or polling stations. Another recurring strategy used by CSOs in the lead-up to elections is informing voters and the public about the stances of contending parties and candidates towards the human rights of the LGBTI+ community.³²⁵

→ In **Lebanon**, where same-sex relations are criminalized, the Arab Foundation for Freedoms and Equality launched a voter education campaign ahead of the 2018 general elections that was aimed at informing voters as to the candidates' stances towards the human rights of LGBTI+ persons. This campaign included a series of videos that were posted on social media networks and a website profiling the candidates' positions.³²⁶ This effort helped ensure that for the first time, some important LGBTI+ issues were openly part of the country's public debate, with numerous candidates calling publicly for the decriminalization of homosexuality.³²⁷

→ In the framework of the 2018 **Colombian** legislative and presidential elections, several LGBTI+ groups coordinated to launch the voter education campaign Vote for Equality 2018, whose main goals were informing voters on candidates' positions on equality and non-discrimination and giving visibility to openly LGBTI+ candidates. Civil society groups that launched this initiative included Caribe Afirmativo, Colombia Diversa, Santamaría Fundación, EgoCity and Sinsetiido.³²⁸

- In **Serbia**, domestic civil groups Queeria and Izadji (Come Out) developed a voter education project in 2012 that focused on monitoring statements of candidates and political parties on LGBTI+ issues and informing citizens about their positions on them. In the framework of this project, a website called Pink Ballot (Roze Listici) was launched to provide this information. The website also served as the main entry point for an online survey conducted to assess policy priorities within the LGBTI+ community.³²⁹
- In **Canada**, the youth organization Spectrum Hamilton launched the voter education campaign #ONTransVoters on social media, with the goal of promoting the participation of trans voters in the 2018 Ontario elections. Their messages included information on ID procedures for trans voters, postal voting and voter registration procedures as part of an effort to motivate people to vote.³³⁰
- In the **United States**, the National Center for Transgender Equality in 2012 launched the voter education campaign Voting While Trans, which provided information to trans voters on registration procedures, ID requirements, vote-by-mail procedures, as well as complaint mechanisms and available resources in case they were not allowed to vote, such as volunteer attorneys in polling stations and a special hotline. In the framework of this campaign, the organization uploaded videos on social media with personal stories of transgender citizens and developed a checklist for voters from this community.³³¹

- In **Haiti**, the organization Kouraj worked in partnership with the International Foundation for Electoral Systems (IFES) in 2016 and 2017 to promote LGBTI+ civic engagement and participation in the electoral process. A number of awareness workshops were organized for persons with diverse genders and sexualities, including those with Massissi, Madivin, Makomè, Monkopè and Miks identities, which are installed in the Haitian tradition and culture and have been reappropriated and vindicated by LGBTI+ activists and organizations. Over 400 LGBTI+ persons participated in these get-out-the vote sessions. Furthermore, the initiative included the development of a poster to promote LGBTI+ participation in the electoral period, which pictures two same-sex couples going towards a polling station and contains the following message: “Gay and lesbians, we are Haitian men and women, let’s vote to fulfil our civic duty.”³³²

5.2.2. Strengthening capacities of LGTBI+ political leaders

Around the world, LGBTI+ groups and other CSOs have supported openly LGBTI+ political leaders, representatives and candidates through training and capacity-building efforts with the purpose of helping them improve their visibility, get into office and stay in office. These training initiatives often cover leadership skills, human rights, legal issues, electoral affairs, communications and campaign strategies, among other areas. Strengthening leadership capacities can contribute to improved performance during the election campaign and thus make victory more likely. Such efforts also can help reach and support potential candidates with diverse genders and sexualities.³³³ Capacity-building strategies are in line with the Declaration of Montreal, which recommends “that international LGBT organizations expand their pools of candidates for leadership positions by offering training courses, information seminars and the like to new – female, male or transgender – activists from Asia, Africa, Latin America and Eastern Europe”.

→ The LGBTQ Victory Institute offers candidate and campaign training in the **United States** to present and future LGBTQ candidates, in order to provide them with tools to conduct quality electoral campaigns and enhance their skills in the fields of funding, communication and strategic planning. Furthermore, in the framework of the organization's international leadership programme, a series of leadership trainings for LGBTI+ activists have been conducted around the world, through partnerships with local civil society groups. In the **Dominican Republic**, the Victory Institute and Diversidad Dominicana created the LGBTI Political Leadership School in 2016. In **Colombia**, the Institute and Caribe Afirmativo "have trained a total of 104 LGBTI leaders [...] since 2012, of whom 24 ran for office and 4 were elected." In **Honduras**, over 35 leaders were trained, in collaboration with Somos CDC. In the Balkans, 19 leaders from across the region received training from the Victory Institute and the Serbian organization Labris. In **South Africa**, the Victory Institute partnered with the organization Triangle Project in 2016 to enhance participation of LGBTI community members through training and capacity building.³³⁴

→ In **Ecuador**, the civil society group Esquel organized four trainings for young LGBTI leaders in 2018, in the framework of the project 'Por una democracia diversa', with support from the Canadian Embassy. This initiative's goal was to strengthen leadership capacities within the community, including by providing participants with tools and skills they could later use as potential candidates in the 2019 local elections and beyond.³³⁵

→ The 4th Meeting for LGBTI leaders in **the Americas** was held in Bogota, Colombia, in May 2019. This meeting, mainly addressed to LGBTI leaders, public officials and allies, aimed to provide a space for dialogue, capacity building and experience sharing in the field of inclusive political participation. The specific objectives of this meeting included identifying best practices regarding the civic and political participation of LGBTI persons, building LGBTI leadership to foster social inclusion and equality, exploring ideas on how to promote dialogue with government institutions and strengthening allies in them, civil society and the business sector. Another edition of the event was held online during the COVID-19 pandemic in 2020. Three years later, the 6th meeting was held in-person in Mexico in July 2023, again gathering LGBTI political leaders and activists from across the region. The organizers of this initiative included Caribe Afirmativo (Colombia), the LGBTQ+ Victory Institute (United States of America), and Yaaj (México), in partnership with Vote LGBT (Brazil), Diversidad Dominicana (Dominican Republic), PROMSEX (Peru) and Somos CDC (Honduras).³³⁶



© Andres del Castillo/UNDP. LGBTQ+ Gaijatra Thamel Nepal "My Country, My Constitution My rights, My identity: my Pride".

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5.2.3. Citizen election observation

Gender equality and electoral inclusion are key principles at the centre of citizen election observation, as recognized by the Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations. Although the declaration does not specifically mention the participation of LGBTI+ persons, it provides a general inclusion framework in election observation and pays attention to the barriers to the participation of women, youth, Indigenous peoples and other marginalized populations. Endorsing organizations also commit to include women, youth, Indigenous peoples and national minorities in the composition and leadership of election observation teams.³³⁷

Through election observation initiatives, CSOs have made efforts to identify barriers to the effective participation of LGBTI+ persons in the electoral process, document discriminatory legislation and practices, and make recommendations to advance political inclusion. Most of these initiatives have a particular focus on the participation of trans and non-binary persons, since they are more likely to experience discrimination and challenges – most often due to barriers to voter registration and lack of adequate identification procedures in polling stations. Through their active participation as election observers, LGBTI+ and particularly trans persons can promote the transparency of the electoral process and assess its inclusivity.

→ In the second round of the 2015 presidential elections in **Guatemala**, two organizations (Citizen Action and the Multicultural Network of Trans Women) deployed election observers in Guatemala City and some neighbouring municipalities to identify any obstacles that restrict trans women's participation in the process. Their report contained concrete recommendations to promote the effective electoral participation of this community.³³⁸ Four years later, the Multi-cultural Network of Trans Women observed the 2019 general elections and highlighted in its report mockeries and attacks against trans voters in polling station. The report's recommendations include the development of communication strategies to encourage transgender individuals to vote as well as strengthened training efforts for electoral officers.³³⁹

→ In **Pakistan**, the Free and Fair Election Network (FAFEN) recruited 25 transgender persons as election observers for the 2018 general elections to monitor human rights violations, violence and discrimination against marginalized social groups in the electoral process.³⁴⁰

→ In **Mexico**, the CSOs Fuerza Ciudadana A.C. and Espacio Progresista interviewed election authorities and deployed domestic observers in polling stations during the 2018 electoral process to monitor and assess the implementation of the trans protocol developed by the National Electoral Institute. There was an open call for volunteers and one of the observers belonged to the trans



Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations

Selected language from the declaration:

"Non-partisan election observation and monitoring organizations therefore have a responsibility, where practicable, to advocate for [...] [the] removal of barriers to electoral participation by women, youth, indigenous peoples and other marginalized populations, as well as to promote citizen participation in public affairs."

"The organizations endorsing this Declaration pledge to foster the participation of all segments of the population, including indigenous peoples, national minorities, youth and the equal participation of women, as observers, monitors and leaders of their organizations."

"The organizations endorsing this Declaration pledge to include findings and recommendations in their reports concerning the participation in election processes of women, youth, indigenous peoples, national minorities and other traditionally underrepresented portions of the population, such as, those with disabilities and internally displaced persons (IDPs), as well as concerning steps taken by authorities, electoral contestants and other actors to encourage full participation of such groups and/or to remove barriers to their participation, including those affecting voter registration, candidate selection and qualification, voting and receiving accurate and adequate information in minority languages in order to make informed electoral choices."

community. This initiative took place in the framework of the Support Fund for Electoral Observation, an initiative launched by Mexico's EMBs with support from UNDP to enhance transparent and independent citizen observation of the electoral process.³⁴¹

5.2.4. Advocacy

Strategic advocacy requires careful planning and execution for it to contribute usefully to achieving specific goals. Its success largely relies on effective communication with partners and allies whose interests and agendas align with some of the advocacy goals set by organizations and movements.

LGBTI+ organizations around the world have conducted advocacy campaigns to influence decision-makers and promote inclusive laws and public policies. These campaigns have been initiated and rolled out at different stages of the electoral cycle and the broader political process. The pre-election period offers an opportunity for LGBTI+ civil society groups to advocate for inclusive laws and policies. In some countries, such groups and their allies have reached out to political parties and candidates ahead of an election, seeking to place LGBTI+ rights in the political agenda and to ensure politicians' commitment to inclusive policies.

→ In the framework of the 2017 **French** legislative elections, a group of LGBTI associations conducted an advocacy campaign addressed to candidates, asking them to subscribe to an engagement charter on the human rights of LGBTI persons to fight discrimination and violence against the community. The organizations supporting this initiative included Inter-LGBT, Caelif, Mag Jeunes and Glup.³⁴²

→ In **Pakistan**, TransAction along with other CSOs launched the Transgender and Intersex Community Election Manifesto 2018 before the 2018 general elections. The manifesto focused on integrating their human rights claims in the political agenda and public debate, fighting discrimination and promoting inclusive policies that could empower the community.³⁴³

→ In **Nepal**, the Blue Diamond Society undertook advocacy efforts to promote LGBTI rights and push for the implementation of the 2007 Supreme Court ruling in the case *Sunil Babu Pant and Others v. Nepal Government and Others*, which recognized full rights for sexual and gender minorities and determined that gender identity should be based on self-identification, thus creating a 'third gender' category, in addition to 'male' and 'female'. According to the organization, its advocacy efforts helped influence the Election Commission of Nepal's decision to include a third gender category in its voter list form, thereby complying with the Supreme Court's ruling.³⁴⁴

→ Ahead of the 2019 elections to the **European Parliament**, ILGA Europe developed a 'come out' pledge for candidates from different parties to show their support for the human rights and equality of LGBTI persons in the EU and beyond. The pledge included commitments to strengthen protections of LGBTI persons in European law and policy, support LGBTI organizations and human rights defenders, be an ally to amplify the voices of LGBTI people, endorse the EU LGBTI Strategy, and use the influence of their positions to advance the human rights of LGBTI persons.³⁴⁵

CSOs can also do advocacy work during the post-election period, including by approaching parliamentarians, EMBs and other institutions to promote human rights and ensure participation and inclusion of all citizens in the political process, regardless of their sex characteristics, sexual orientation and gender identity and expression. Through global advocacy efforts, organizations can also raise awareness of the human rights situation of LGBTI+ persons and support their participation and civic engagement, in line with the Declaration of Montreal, according to which "LGBT human rights must be mainstreamed into global debates about social and political issues."³⁴⁶

- In **Brazil**, in 2022 and 2023 the civil society group Vote LGBT+ requested the Superior Electoral Tribunal to map and collect data on the sexual orientation and gender identity of registered candidates. This request was part of an advocacy effort to develop evidence-based public policies that could increase the community's political representation. According to the data generated, for the 2022 general elections there were 304 candidacies of openly LGBT+ persons, accounting for 1 percent of all candidacies, which suggests relatively low representation for the community overall.³⁴⁷
- In **North Macedonia**, civil society groups made advocacy efforts to engage parliamentarians in favour of the human rights of the LGBTI+ community by promoting inclusive legislation, with support from the National Democratic Institute (NDI). Representatives from the organization Health Education and Research (HERA) testified at several parliamentary committee hearings between 2011 and 2013 on issues such as contraception, abortion rights, harassment and the care and treatment of people living with HIV. They also successfully advocated for the establishment of a parliamentary caucus on HIV issues, which integrated 10 parliamentarians from six different parties. The Coalition for Sexual Health Rights and Marginalized Communities advocated in 2012 for a parliamentary declaration on hate speech, in response to increasing hostility towards LGBTI+ persons. Although the declaration was not adopted, the organization succeeded in generating broad press coverage and increased public debate on hate speech.³⁴⁸
- In **Seychelles**, the citizen organization LGBTI Sey met with the country's president in 2022 and briefed him on some priority issues for LGBTI+ persons, including the implementation of a bullying policy against homophobia and transphobia in schools, the decentralization of HIV prevention and treatment services, hate crimes legislation, the need for clear guidance from the Ministry of Health regarding hormone treatment therapy for transgender persons, the legal recognition of the gender identities of

transgender persons, and the recognition of same-sex couples married abroad, among other issues.³⁴⁹

- In **Paraguay**, the Network Against all Forms of Discrimination was established in 2007, following public consultations among civil society groups, political parties and local governments that began in 2003. The network includes more than 20 CSOs and its current coordination team includes representatives from the LGBTI+ movement, youth groups and disability activists. Its main goal is advocating for the development of legislation prohibiting all form of discrimination, in line with Article 46 of the Constitution. Although the principle of non-discrimination is constitutionally enshrined, there are no effective mechanisms to implement this provision in practice. The network has conducted lobbying with parliamentarians and developed education initiatives and communication campaigns to sensitize citizens about the negative effects of discrimination and the need for adequate legislation. Since its founding, the network has supported the presentation of a number of bills against discrimination in the national parliament, none of which have passed. One of the alleged reasons for rejecting such a bill in 2014 was the inclusion of sexual orientation and gender identity among protected categories.³⁵⁰

5.2.5. Strategic litigation

As noted in a recent report from legal and rights analysts, strategic litigation is generally understood as “the use of litigation to advance a process of legal, social, or other human rights change that goes beyond the immediate goals of the complainant”.³⁵¹ Around the world, LGBTI+ activists, associations and groups have supported strategic litigation processes to advance the human rights of the group, an effort that has contributed to strengthening LGBTI+ persons’ political participation and civic engagement.

Some landmark judicial decisions have brought justice not only to victims of human rights violations but also have contributed to improve the situation for the LGBTI+ community as a whole. Examples may include developments in India, South Africa and Ecuador, among other countries, where courts declared unconstitutional the criminalization of same-sex relations. Courts have upheld the rights of trans persons to legal identity recognition in a number of countries, including Nepal, Serbia, Argentina, the Republic of Korea and Botswana, among many others. There is also case law on intersex rights where courts have supported the claims of petitioners, as occurred in Colombia.³⁵²

Whenever LGBTI+ activists and human rights defenders lose cases in national courts or lack access to effective domestic remedies, UN treaty bodies and regional courts, such as the Inter-American Court of Human Rights, the African Court on Human and Peoples' Rights and the European Court of Human Rights, can offer additional opportunities for strategic litigation.³⁵³

→ In **Nepal**, the LGBTI+ citizen organizations Blue Diamond Society, MITINI Nepal, Cruse AIDS Nepal, and Parichaya Nepal filed a writ petition in 2007 seeking legal recognition of trans identities and legislative protection against discrimination based on sexual orientation and gender identity. The ruling in the case *Sunil Babu Pant and Others v. Nepal Government and Others* allowed for the recognition of LGBTI+ rights in the country and became a major reference point in South Asia. In its landmark decision, the Supreme Court of Nepal recognized LGBTI+ persons as equal citizens, held the State responsible for providing IDs reflecting the identity of third gender persons and ordered the government to pass new legislation or amend the existing legal framework to ensure that LGBTI+ persons could exercise their rights without discrimination.³⁵⁴

5.2.6. Engaging with UN human rights mechanisms and bodies

Civil society and LGBTI+ organizations have the possibility of following up on the findings and recommendations of a wide range of UN human rights mechanisms and bodies, including treaty bodies, the Universal Periodic Review, special procedures and subsidiary bodies of the Human Rights Council, investigative mechanisms and fact-finding missions, and reports of the UN High Commissioner for Human Rights. To maximize impact, LGBTI+ organizations can engage with these mechanisms and bodies throughout their cycles and prioritize recommendations that are most relevant to their work, especially when they were issued as a result of preparatory work with civil society.³⁵⁵

→ In **Indonesia**, Forum LGBTIQ Indonesia together with other groups in 2017 submitted a report in the framework of the 3rd Cycle of the Universal Periodic Review, highlighting violence and discrimination against LGBTIQ persons. The report provides examples of discriminatory remarks made by public officials, many of whom directly or indirectly incited harassment and violence against LGBTI+ persons.³⁵⁶

→ In **Thailand**, Together for Equality and Action together with other LGBT groups in 2016 submitted a report in the framework of the 2nd Cycle of the Universal Periodic Review. In it, they recommended ensuring “public participation in the drafting process of laws in order to be inclusive of LGBTI persons.”³⁵⁷

Suggestions for CSOs and movements

LGBTI+ activists, CSOs and citizen movements around the world are encouraged to consider the following strategies to promote the participation and human rights of LGBTI+ persons in political and electoral processes. When doing so, they should assess the context

and their specific needs and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

1. **Take all required security measures and precautions to make sure activists are safe, especially in contexts of hostility and violence against LGBTI+ persons.**
2. **Strengthen LGBTI+ communities and movements in the long term through education initiatives, dialogue, activism and public gatherings, including 'pride' marches.**
3. **Engage in voter education and information campaigns during the electoral process and in broader civic education efforts to promote the participation of LGBTI+ persons and sensitize the public about LGBTI+ rights.**
4. **Look into the possibility of supporting LGBTI+ leaders and candidates through training and capacity-building initiatives.**
5. **Consider engaging in election observation initiatives with a focus on gender and sexual diversity to assess the participation of LGBTI+ persons in the electoral process.**
6. **Advocate for the recognition of LGBTI+ rights and the adoption of inclusive laws and public policies that take into account the needs and interests of LGBTI+ persons.**
7. **When appropriate, engage in litigation strategies to promote the recognition of LGBTI+ rights through court decisions.**
8. **Engage with UN human rights mechanisms and bodies and follow up on their recommendations dealing with sexual orientation, sex characteristics and gender identity and expression.**

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6

Journalists and the media

6.

Journalists and the media

The media play a major role in political and electoral processes and can significantly contribute to the realization of human rights and democracy building. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), most journalists “serve society by informing the public, scrutinizing the way power is exercised, stimulating democratic debate, and in those ways aiding political, economic, social and cultural development.”³⁵⁸

Journalists and the media should be able to express themselves freely without censorship, in line with the right to freedom of expression recognized in Article 19 of ICCPR. Furthermore, according to this same article, citizens and voters have the right to access complete and unbiased information on political and electoral processes, a right that is key to their effective democratic participation.³⁵⁹

Although there is a wide range of codes of ethics for media self-regulation with diverse approaches,³⁶⁰ journalistic ethics and standards generally include the principles of truthfulness, impartiality, accuracy and fairness.³⁶¹ Journalists and the media therefore have the professional responsibility to offer impartial and inclusive coverage, particularly in political and electoral processes, and to make efforts to reflect the realities and opinions of diverse social and political groups.³⁶² However, media around the world often ignore or violate those principles by minimizing or ignoring coverage of LGBTBI+ issues or presenting negative or hostile representations of gender and sexual diversity based on common stereotypes and misconceptions.³⁶³ It goes without saying that the quality of media coverage regarding LGBTBI+ content is highly context-specific. Whereas in some countries there has been a positive evolution of LGBTBI+ media representation over time, in others hatred and violence against the population is actively promoted through the media by politicians, opinion leaders and citizens.

In political and electoral processes, current trends in media representation often translate into limited and stereotyped coverage of LGBTBI+ politicians and candidates, which goes against the principles of equity and non-discrimination in access to the media by contending parties and candidates. In this framework, the principle of pluralism in reporting is also important, since the right of citizens to obtain accurate and impartial information implies that all political stakeholders have the opportunity to express their views, including LGBTBI+ persons and groups.

What human rights principles are at stake?

- The right to freedom of expression and access to information (Article 19 of ICCPR).
- The right to equality and non-discrimination (Article 2 of ICCPR).
- The right to participate in public affairs, to vote and to be elected (Article 25 of ICCPR).

Some of the LGBTI+ politicians and elected representatives interviewed for this research have denounced limited coverage and stereotypes in media representation as well as personal attacks, defamation, hate speech and disinformation campaigns in traditional and social media, especially in hostile environments. Another common challenge in election campaigns is lack of information regarding issues of particular interest for LGBTI+ persons, which is at odds with the right to be informed.

Between 1992 and 2023, a total of 2,225 journalists and media workers were killed for their work worldwide, 274 journalists were imprisoned in 2020 and 65 were missing that same year.³⁶⁴ The risk of these and other consequences is especially high for LGBTI+ journalists or journalists who cover LGBTI+ issues, especially in hostile environments, since in many cases they face significant challenges, threats and violence.³⁶⁵ Despite the importance of free press in democratic processes, restrictive legal frameworks and governmental censorship may undermine the right to freedom of expression and information for various reasons, including gender identity and sexual orientation. An increasing number of States have passed laws banning 'propaganda of homosexuality' to criminalise sharing information or ideas about LGBTI+ issues, which restricts press freedom and prevents journalists from offering accurate, fair and inclusive coverage.³⁶⁶

Mexico City Pride March.
© Andres del Castillo/UNDP.
LGBTI+ Mexico
↓



In addition, in certain contexts journalists find it difficult if not impossible to report on LGBTI+ issues for a number of reasons, including discriminatory working environments; pressure from owners of media outlets, managers, editors and colleagues; prejudice against LGBTI+ persons; and lack of knowledge about the realities and complexities of gender and sexual diversity. Ultimately, fear from reprisal and security concerns sometimes leads to self-censorship, which contributes to the lack of visibility of LGBTI+ persons and topics.



Freedom of expression and access to information

Article 19 of ICCPR:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - a. for respect of the rights or reputations of others;
 - b. for the protection of national security or of public order (ordre public), or of public health or morals.

Understanding media coverage of LGBTI+ issues

Around the world, media and press coverage is often characterized by limited and misinformed references to gender and sexual diversity, stereotypes about LGBTI+ persons and in some cases the use of derogatory and defamatory language against them.³⁶⁷

Existing research suggests that in various countries there is a high prevalence of negative portrayals, hate speech and disinformation against LGBTI+ groups in traditional and social media. Yet although a number of media monitoring initiatives have confirmed these trends in various countries, there are significant differences in LGBTI+ media coverage depending on context, with notable improvement in some countries where social attitudes have positively evolved and stagnation or worsening of media representation in others. In general, the intensity of the negative phenomena tends to increase in highly polarized political and electoral contests. In response to the lack of representation and negative coverage of gender and sexual diversity in traditional media, a number of specialized media with a specific LGBTI+ focus have emerged. Their main goal is to better ensure accurate, fair and inclusive media coverage.

6.1.1. Media monitoring with a LGBTI+ perspective

Media monitoring has been described as allowing analysts to “gather sufficient, reliable information to analyse and draw conclusions regarding the performance of the media” and may include quantitative and qualitative analysis of media coverage.³⁶⁸ In a number of countries and contexts, media monitoring initiatives specifically assess the quality and quantity of LGBTI+ media representation. Their findings in different countries have generally shown limited presence of LGBTI+ persons and topics overall as well as persistent stereotypes regarding sexual orientation, sex characteristics and gender identity and expression.

→ In the **United States**, GLAAD has conducted a number of initiatives to monitor the representation of LGBTI characters and topics in the television and film industries.

For example, the publication ‘Where we are on TV’ (2019) assessed diversity in primetime scripted series regulars on broadcast networks and the number of LGBTQ characters on cable networks and streaming services for the 2019–2020 TV season. Out of the 879 regular characters expected to appear on broadcast scripted primetime programming in that season, 10.2 percent were identified as LGBTQ, which was the highest percentage detected by this report in the previous 15 years. There has been an increase in ethnic diversity, with 52 percent of persons of colour as LGBTQ characters on broadcast television and 47 percent of all series regulars on broadcast scripted television.³⁶⁹ Furthermore, the Studio Responsibility Index (2020) analysed the diversity of LGBTQ characters in films released by eight major motion picture studios in 2019.³⁷⁰

→ In **China**, the 2018–2019 Media Monitoring Report, undertaken by LGBT Rights Advocacy China, collected 762 original media coverage pieces from 2018 focusing on LGBTQIA issues, 14 percent of which were in print media and 86 percent in digital media. The leading topic was ‘LGBTI and celebrities’ accounting for 19.8 percent of coverage, followed by ‘LGBTI rights, anti-discrimination and LGBTI organizations’ with 16.5 percent, and ‘commentary on LGBTI culture and relevant work’ with 14.2 percent. Several other topics each accounted for less than 10 percent. Out of the total sample, 37 percent of the pieces focus on the LGBTQ community as a whole, 33 percent on gay men, 17 percent on transgender persons, 11 percent on lesbian women, 2 percent on bisexual persons and 1 percent on intersex persons.³⁷¹

→ In **Italy**, the 2021 Diversity Media Report, conducted by Diversity Lab and Osservatorio di Pavia, monitored TV news from different channels during the preceding year and concluded that out of the 48,854 analysed news pieces, only 102 were related to sexual orientation, accounting for barely 0.2 percent of the total sample.³⁷² Comparison with previous reports shows that there had been a decrease in LGBTI media representation in the previous few years, although the previous findings also indicated extremely low coverage overall. The 2018 Diversity Media Report, for example, observed that a total of 291 out of 50,803 analysed news pieces covered LGBTI topics, persons or events, accounting for 0.57 percent of the total sample.³⁷³

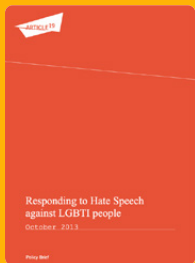
6.1.2. Hate speech against LGBTI+ persons in traditional and new media

From a human rights perspective, hate speech is defined in the 2019 United Nations Strategy and Plan of Action against Hate Speech as communication that “attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender, or other identity factor.”³⁷⁴

In a number of countries, both traditional and new media have contained or failed to identify or condemn hate speech against LGBTI+ persons, including in contexts related to political and electoral processes. A report issued by Article 19 in 2018 highlighted a widespread use of anti-LGBT hate speech in the media, online and delivered by public figures and politicians in **Belarus, Kyrgyzstan, Moldova, Russia** and **Ukraine**. The findings of this report suggested that in some of these cases anti-LGBT rhetoric and hate speech were used as a political strategy in election campaigns.³⁷⁵ Another Article 19 report concluded that since 2015 there has been a significant increase of hate speech in **Poland** against LGBTQI people, migrants, racial and ethnic minorities, often promoted by politicians in the mainstream media and on social media.³⁷⁶

Social media has greatly contributed to increasing the visibility of LGBTI+ persons and building communities, including by offering an easier and more powerful way to connect. However, social media in recent years is an increasingly high-profile source and conveyer of hate speech and harassment against LGBTI+ persons and groups. According to a survey conducted by ILGA World in 2020, 84 percent of respondents said they had been exposed to hate speech and threats in online spaces.³⁷⁷ Since Access Now established its Digital Security Helpline in 2013, the number of online threats submitted by LGBTQ persons has been consistently on the rise worldwide. Of the 86 cases submitted in the first half of 2020, the most common threat was harassment, followed by account compromise and censorship issues.³⁷⁸ In 2021 GLAAD’s Social Media Safety Index identified the prevalence and intensity of hate speech as the most urgent issue for LGBTQ people in the social media landscape. In that edition of the index, GLAAD issued recommendations for social media platforms, including to promote LGBTQ hiring, inclusion and leadership, stop allowing algorithms to fuel extremism and hate, mitigate bias in artificial intelligence that affects marginalized communities, respect data privacy especially in contexts where LGBTQ persons are at risk, make it easier for users to report problematic content, and increase transparency in content moderation.³⁷⁹

Key resource



In the policy brief “Responding to hate speech against LGBTI people”, Article 19 reviews international standards and domestic policies countering hate speech and incitement to discrimination and violence against LGBTI+ persons. The research highlights the importance of including sexual orientation and gender identity among protected characteristics in all domestic prohibitions of hate speech and incitement to violence. Such prohibitions need to be clearly stated in the legal framework and conform to international principles regarding freedom of expression and information.³⁸⁰



The full text of the policy brief is available online.

<https://www.article19.org/wp-content/uploads/2013/10/525b9eb64.pdf>

6.1.3. Disinformation campaigns against LGBTI+ persons

Disinformation in media is not a new phenomenon. As noted in a recent report, however, “Digital technology has enabled pathways for false or manipulated information to be created, disseminated and amplified by various actors for political, ideological or commercial motives at a scale, speed and reach never known before,” thereby posing threats to human rights, democratic institutions and development processes.³⁸¹ Examples of disinformation campaigns specifically targeting LGBTI+ persons and communities include those that aim to increase polarization and promote social attitudes that reject gender and sexual diversity. In 2021, a briefing paper for the European Parliament highlighted the crossborder nature of this phenomenon, identifying among the main narratives of these disinformation campaigns the negative portrayals of LGBTI+ persons as threats to child safety, traditional families, the natural order and society in general. In some contexts, threats against the community have been based on a rejection of so-called gender ideology and claims that LGBTI+ people are instruments of colonialism by the liberal West.

Disinformation campaigns tend to rise in political and electoral processes where the public and political debate is highly polarized around LGBTI+ issues, as seen in a number of countries. In the case of **Taiwan**, local activists denounced anti-LGBTI+ disinformation campaigns ahead of the same-sex marriage referendum in 2018³⁸² and in the lead up to the presidential and legislative elections in 2020.³⁸³ In the framework of the 2019 presidential elections in **Indonesia**, several high-profile candidates and their followers promoted anti-LGBT rhetoric in social media and spread fake narratives against the community.³⁸⁴ There was also an increase of disinformation against LGBTI+ persons ahead of the 2018 general elections in **Brazil**, and in this context the Superior Electoral Tribunal urged Facebook and YouTube to remove a number of posts issued by one of the presidential candidates with misinformation related to gender and sexual diversity.³⁸⁵

6.1.4. LGBTI+ media

In response to the need for more inclusive media coverage, a growing number of initiatives around the world are specifically focusing on informing the public about LGBTI+ realities. Specialized media on gender and sexual diversity can increase awareness and understanding of the interests and needs of LGBTI+ persons as well as reporting that is accurate and free from stereotypes and misconceptions. LGBTI+ media are often put in place by CSOs or entrepreneurs in the communication sector who seek to provide positive coverage in this area. In the context of electoral processes, some of these media outlets may give coverage to openly LGBTI+ candidates and highlight the political stance of candidates and parties regarding the human rights of the community as well as other relevant points in their electoral platforms.

- In **Colombia**, Sentiido was created in 2011 as a blog and later in 2013 legally constituted as a non-profit organization to generate and spread knowledge on gender and sexual diversity. As a digital independent media, Sentiido explores different genres and digital tools to produce rigorous journalism focused on gender, diversity and social change.³⁸⁶
- In **Tunisia**, Shams Rad was created in 2017 as the first gay radio station in the Arab world. The station plays music and LGBTI+ issues are discussed in depth, with many regular opportunities to give visibility to sexual and gender diversity, defend human rights and denounce social and institutional discrimination and violence.³⁸⁷
- Agencia Presentes is a CSO dedicated to feminist communication based in **Argentina** with a regional reach throughout Latin America. Through quality journalism, it seeks to expand public awareness of important social issues underrepresented in traditional media – and by doing so, to give visibility to human rights violations experienced by LGBTI+ persons, human rights defenders, Indigenous women and migrants.³⁸⁸

→ In **Paraguay**, the civil society group Panambi, an association of *travesti*, transsexual and transgender persons, in 2020 created Panambi TV as the first trans news broadcast in the country. Through weekly programmes on its Facebook page, Panambi TV seeks to inform the general public about the realities of trans persons and more broadly the LGBTI+ community as a whole.

→ In **Brazil**, *Gênero e Número* ('Gender and Number') is a social enterprise focusing on data journalism and analysis on gender and ethnicity. One of its main areas of reporting is LGBTQIA+ rights and politics, with several articles addressing topics such as pro-LGBTQIA+ bills, the criminalization of LGBTIphobia, equal marriage rights in Latin America and quotas for trans persons in the labour market, among other issues.³⁸⁹

6.2

Changing the narrative: strategies and tools for inclusive media coverage

Journalists, communication professionals and media outlets have a wide range of tools and strategies they can use to promote fair, accurate and inclusive coverage of LGBTI+ issues and contribute to transforming media coverage regarding diversity.

Within their internal structure, media outlets can take serious steps towards building an inclusive and welcoming working environment for diverse journalists and adopt action plans to ensure adequate representation of LGBTI+ professionals at all levels. Building professional networks and associations of LGBTI+ journalists is another strategy that has proven to be effective in countering discrimination against this group and promoting inclusive journalism.

Other potentially useful approaches include integrating a human rights and diversity perspective in capacity-building initiatives and offering journalists adequate guidelines and reference materials on LGBTI+ issues. These actions can help to sensitize journalists and contribute to them developing their skills in inclusive reporting. Also, acknowledging positive media coverage of LGBTI+ topics through awards and prize-giving ceremonies can help to inspire other journalists and media professionals and set a standard for good journalism in this area.

6.2.1. Internal strategies and action plans

Some media outlets in various places around the world have developed internal strategies and action plans to promote an inclusive working environment for LGBTI+ professionals. In some cases, this has included creating specialized units or departments focused on diversity within their own structure. Such internal measures can contribute to ensuring adequate representation and inclusion of LGBTI+ journalists within the organization as well as to prevent and counter discrimination in the workplace based on sex characteristics, sexual orientation and gender identity and expression.

→ In the **United Kingdom**, the British Broadcasting Corporation (BBC) created a workforce diversity and inclusion team with a main mission of creating an inclusive workplace, promoting equal opportunities and reflecting and representing diversity within the organization. In 2018, the BBC released the 'LGBT culture and progression report', which reviewed career advancement and

workplace culture for LGBT employees. Among the report's specific recommendations were to educate leaders and staff about LGBT issues; increase prominence of LGBT issues, staff and role models; empower LGBT staff to feel comfortable about being open at work; and increase LGBT portrayal and talent on air. Furthermore, a Workforce Diversity and Inclusion Plan was developed for the period from 2021 to 2023 to build an inclusive culture at the BBC, with concrete targets on the representation of LGBTQ+ persons among staff and leadership.³⁹⁰

6.2.2. Associations and professional networks of LGBTI+ journalists

Another way to support an inclusive workplace for LGBTI+ journalists in media organizations is the development of associations and professional networks that defend their rights and needs. In the **United States**, the Association of LGBTQ Journalists was created in 1991 with the mission of enhancing professionalism and career opportunities for LGBTQ journalists; strengthening their identity, respect and status in the newsroom; and advocating for the highest journalistic and ethical standard in the coverage of LGBTI+ issues.³⁹¹ Since 2003, the Association of LGBTI journalists (AJL) in **France** has gathered together journalists from TV, radio and written and digital press, seeking to monitor and improve media coverage of LGBTI+ issues, contribute to an enhanced visibility of LGBTI+ persons, offer sensitization and training on gender and sexual diversity, and support journalists who experience discrimination based on their sexual orientation, sex characteristics and gender identity or expression.³⁹² In 2018, the LGTB Press and Audiovisual Communication Association was established in **Spain** and a number of **Latin American** countries. Its main goals include building bridges between the media and LGBTI+ civil society groups, protecting journalists against homophobia and transphobia, and promoting journalism education about sexual and gender diversity at universities.³⁹³

6.2.3. Training and capacity building for journalists and activists

Quality education is key to professional and ethical journalism. Journalism education that meets the necessary standards and reflects best practices is important at all stages of a career. As a key to professional development, journalism education for students and mid-career training for journalists can help them develop their knowledge and skills to provide inclusive and accurate media coverage about LGBTI+ persons and topics. Furthermore, sensitization initiatives in newsrooms can contribute to a healthy working environment where LGBTI+ professionals are respected and valued. Around the world, a number of media outlets, civil society groups and international organizations have organized training initiatives to sensitize journalists about sexual and gender diversity and strengthen their capacities in the field of inclusive reporting. Another common approach, often undertaken by civil society groups, to promote inclusive media coverage consists of empowering LGBTI+ activists and strengthening their communication skills and their capacities to liaise with the media.

→ In **Latin America**, Agencia Presentes has conducted face-to-face and online training for more than 400 students, professionals and newsrooms on inclusive journalism and reporting of LGBTI+ issues, following a gender and human rights approach. Since 2016 the organization has also organized workshops on communication strategies for more than 200 LGBTI+ activists from Argentina, Uruguay, Paraguay and Mexico.³⁹⁴

→ In recent years, the **China** Rainbow Media Awards has provided training for Chinese journalists on sexual and gender diversity in an effort to promote inclusive coverage. Such efforts include capacity-building workshops for LGBTI+ activists to improve their communication skills and understanding of how to use media to promote their work and give visibility to LGBTI+ rights.³⁹⁵ In 2016, UNDP co-sponsored the China Rainbow Media Awards and organized a one-day workshop for Chinese journalists and media professionals on media and sexual orientation, gender identity and expression.³⁹⁶

- In the **United States**, the GLAAD Media Institute promotes the development of core skills and techniques for positive change, providing training, consulting and research. The institute provides activist, spokesperson, and media engagement training for LGBTQ advocates and allied movements, as well as education for journalists and media professionals on fair, accurate, and inclusive coverage about the LGBTQ community. In 2020, some of the courses offered by the institute included 'Tools for reporting on the LGBTQ community', 'Creating LGBTQ inclusive media content', 'Media advocacy essentials for transgender people' and 'Telling your Latinx story: Messaging and media for Latinx activists', among others.
- In **Sri Lanka**, Equal Ground launched a media sensitization programme in 2017. Since then, the organization has run at least five media workshops for journalists to promote fair coverage of LGBTI+ issues.
- In **Nigeria**, the Bisi Alimi Foundation established the Media Justice Fellowship to provide training and mentorship to Nigerian journalists and lawyers in order to strengthen their knowledge of LGBTI+ issues. This fellowship aims to introduce positive stories and reporting about sexual and gender diversity in the media and legal settings in the country. Its goals include increasing the number of media houses engaging with fair, accurate and inclusive reporting of LGBTI+ issues and developing a database of lawyers who can provide legal assistance to LGBTI+ organizations and individuals in need.³⁹⁷

6.2.4. Media guides and knowledge resources

There are a variety of media guides and other knowledge products available to support journalists and media professionals in providing inclusive reporting and positive coverage of LGBTI+ issues. Most of these resources offer guidance on terminology, including advice on how to use sensitive language when covering LGBTI+ issues, and provide resources to deepen knowledge on specific topics. With 11 editions as of mid-2023, the 'GLAAD media reference guide'³⁹⁸

is particularly relevant in the **United States**, but it also has been translated into other languages and adapted to other country-specific contexts. There are many other examples of resources for journalists on LGBTI+ inclusion in different languages, including the 'Guide on LGBTI topics for journalists and the media' developed in Spanish by Promsex in **Peru**,³⁹⁹ the **Persian**⁴⁰⁰ and the **Caribbean**⁴⁰¹ media training guides developed by Outright International, the toolkit 'Informing without discrimination' developed by the Association of LGBTI journalists in **France**,⁴⁰² and a reporting guide for journalists on covering sexual and gender minorities and religion in **sub-Saharan Africa** created by the Religion News Foundation and Heinrich Böll Stiftung Southern Africa.

6.2.5. Awards ceremonies for inclusive media coverage

Awards and prize-giving ceremonies for inclusive media coverage of LGBTI+ issues are a recurring strategy to give due recognition to media professionals and promote inclusive journalism. In the **United States**, the GLAAD Media Awards since 1990 have honoured media individuals and institutions for fair, accurate, and inclusive representations of LGBTQ people and issues.⁴⁰³ Another case is the Excellence in Journalism Awards established by NLGJA: The Association of LGBTQ Journalists in 1993 to promote and reward excellence in journalism on issues related to the LGBTQ community, with awards for the journalist of the year, HIV/AIDS coverage, written news, written feature, written opinion/editorial, written sports, radio, television, documentary, photojournalism, online journalism, blogging, LGBTQ media and student journalism.⁴⁰⁴ In other countries, civil society and LGBTI+ groups have also organized media awards ceremonies for inclusive media coverage of LGBTI+ issues. In 2011, several LGBTI+ organizations teamed up to launch the **China** Rainbow Media Awards, which has since then organized an annual prize-giving ceremony for journalists and celebrities who contribute to increasing visibility of the LGBTI+ community and building a more inclusive society.⁴⁰⁵ In **Italy**, the Diversity Media Awards reward members of the media and content contributing to a positive representation of diversity in the areas of gender, gender identity, sexual orientation, ethnicity, age and disability.⁴⁰⁶

Suggestions for journalists and media organizations

Journalists, communication professionals and media organizations around the world are encouraged to consider the following strategies to promote fair, accurate and inclusive media coverage of LGBTI+ persons and topics, especially in political and electoral processes.

When doing so, journalists and media organizations should assess the context and specific needs of the LGBTI+ community and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

1. **Integrate LGBTI+ issues and topics into journalistic work, following a human rights approach.**
2. **Give visibility to LGBTI+ persons and organizations and consult them as information sources.**
3. **Avoid reproducing negative stereotypes against LGBTI+ persons and try to reflect the realities and complexities of gender and sexual diversity, as part of efforts to pursue accuracy in reporting.**
4. **In political and electoral processes, give voice to LGBTI+ politicians and candidates and give visibility to LGBTI+ issues during election campaigns.**
5. **Use gender-sensitive language and avoid expressions of prejudice and hate speech against LGBTI+ persons, women, persons with disabilities or other groups.**
6. **Educate the public on gender and sexual diversity, taking care to counter stereotypes and promote the rights of LGBTI+ persons.**
7. **Put in place strategies and action plans within media organizations to support an inclusive working environment and to prevent, counter and sanction discrimination based on sex characteristics, sexual orientation and gender identity and expression.**
8. **Consider joining, supporting, or creating a network of LGBTI+ journalists.**
9. **Promote sensitization, training and capacity-building initiatives on gender and sexual diversity for journalists and media professionals within media organizations and more broadly, following a human rights approach.**
10. **Build bridges with LGBTI+ organizations and consider supporting activists through training and capacity-strengthening initiatives on communication skills and media relations.**
11. **Monitor comments on online portals and social networks to prevent and remove attacks against LGBTI+ persons, including those containing hate speech and incitement to violence.**
12. **When appropriate, consider conducting or engaging in media monitoring initiatives with a gender and sexual diversity perspective to assess the quantity and quality of media coverage given to LGBTI+ persons and topics.**

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7

International electoral assistance and election observation

7.

International electoral assistance and election observation

International cooperation can contribute to strengthening democracy and promoting the human development of societies. International electoral assistance and observation, one aspect of such efforts, focuses on supporting and promoting the conduct of credible, transparent, and inclusive electoral processes.

National ownership and the respect of domestic legal frameworks are underlying principles in the provision of international electoral assistance and the deployment of international election observation missions (EOMs). Another cornerstone is the consideration and prioritization of gender equality and electoral inclusion, since credible elections often involve the meaningful participation of all citizens, including women, youth, persons with disabilities, Indigenous peoples, ethnic minorities, LGBTI+ persons and other underrepresented groups. Only in recent years has international electoral support begun addressing gender and sexual diversity as an emerging issue. Now, in line with the principle of non-discrimination, international electoral assistance projects as well as EOMs can address the participation and rights of LGBTI+ persons and other underrepresented groups. In this way, they can contribute to more inclusive political and electoral processes, which in turn may lead to stronger democracies.

Some of the actions international electoral assistance projects can undertake to promote the participation of LGBTI+ persons in the electoral process include technical support in the fields of capacity building, voter education and information, dialogue efforts, voter registration and identification procedures during the voting process, among other possible interventions. The participation of this community can be addressed throughout the project cycle, from the needs assessment to project design, implementation, and monitoring and evaluation.

What human rights principles are at stake?

- The right to participate in public affairs (Article 25 of ICCPR).
- The right to vote (Article 25 of ICCPR)
- The right to run as a candidate and be elected (Article 25 of ICCPR)
- The right to have access to public service in one's country (Article 25 of ICCPR).
- The right to freedom of expression and access to information (Article 19 of ICCPR).
- The right to freedom of association (Article 22 of ICCPR).
- The right of peaceful assembly (Article 21 of ICCPR).
- The right to equality and non-discrimination (Article 2 of ICCPR).

Based on specific contexts, international electoral assistance practitioners may look to assess the broader political landscape and involve local LGBTI+ activists, organizations and movements in the design and implementation of activities seeking to promote the community's participation. All efforts need to ensure national ownership, avoiding further harm towards LGBTI+ persons, in line with the 'do no harm' principle.

Engagement options by international EOMs include analysing the barriers to the participation of LGBTI+ persons and progress made in this area in the framework of a broader assessment of the electoral process, and in line with international human rights principles and the domestic legal framework. Election observers can meet with LGBTI+ activists and organizations to gather information on the participation of LGBTI+ persons and the obstacles they face. Furthermore, they can address the community's participation in findings and recommendations of their election observation reports. Through an assessment of the broader context, international election observers can understand better how and to what extent they can integrate the issue of the political participation and rights of LGBTI+ persons in the content of their public reports. This type of careful consideration is important to anticipate negative reactions and avoid doing more harm than good to LGBTI+ persons and communities, according to the 'do no harm' principle.

Consultative session on Transgender Persons Protection and Political Inclusion in Islamabad, Pakistan. © UNDP Pakistan



Ethics are central to the mission of both international electoral assistance practitioners and election observers. The international organizations that deploy them often have codes of conduct to ensure that all people working on their behalf comply with ethical standards at work. The prohibition of discrimination and harassment of any type, including based on sexual orientation, sex characteristics and gender identity and expression, is often understood as the


basis for the professional behaviour of international observers and is generally stated in the policies of international organizations conducting election observation. Furthermore, sensitization and training for local and international staff in relation to gender and sexual diversity and LGBTI+ rights can also contribute to fostering a culture of inclusion and the development of professional and safe working environments.

7.1.

International election observation

International election observation consists of assessing the conduct of electoral processes in line with domestic legal frameworks and international human rights principles, and it is generally conducted by intergovernmental organizations and international NGOs.⁴⁰⁷

Gender equality and electoral inclusion are key principles at the centre of international election observation, as recognized by the Declaration of Principles for International Election Observation. Although the declaration does not specifically mention the participation of LGBTI+ persons, it provides a general inclusion framework in election observation and mentions discrimination in the electoral process, referring to gender as one of the obstacles that may hinder the rights to vote and be elected alongside other characteristics. Endorsing organizations also commit to promote diversity of gender and citizenship in the composition and leadership of election observation teams.⁴⁰⁸



Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers

Selected language from the declaration:

“International election observation examines conditions relating to the right to vote and to be elected, including, among other things, discrimination or other obstacles that hinder participation in electoral processes based on political or other opinion, gender, race, colour, ethnicity, language, religion, national or social origin, property, birth or other status, such as physical disabilities.”

“The endorsing organizations also recognize the importance of balanced gender diversity in the composition of participants and leadership of international election observation missions, as well as diversity of citizenship in such missions.”

Gender and inclusion approaches in international election observation

The election observation methodology of the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (**OSCE/ODIHR**) recognizes "non-discrimination and equal rights for all citizens, including those belonging to minority groups" as a condition for genuine and transparent elections. Briefings for long- and short-term observers generally include an overview of gender and minority issues. The participation of minorities is closely assessed throughout the electoral process, including in terms of voter education efforts, candidate registration and the election campaign, among other aspects.⁴⁰⁹ Moreover, the OSCE/ODIHR Handbook on Observing and Promoting Women's Electoral Participation recognizes the need to consider issues related to gender identity and sexual orientation in election observation, with a particular focus on discrimination faced by LGBT individuals and the right of trans people to the legal recognition of their gender identity.⁴¹⁰

The election observation methodology of the **European Union** (EU) addresses the participation of women, minorities, persons with disabilities and internally displaced persons and refugees throughout the electoral process. In meetings with political parties, EU EOMs assess the inclusion of LGBT persons and other disadvantaged groups as political leaders, candidates, and party members.⁴¹¹

The Organization of American States (**OAS**) avoids any kind of discrimination in the selection of international observers, including on grounds of sexual orientation.⁴¹² Furthermore, OAS has developed specific methodologies to observe the participation of underrepresented populations in the electoral process, including women⁴¹³, Indigenous peoples, and Afro-descendants. These methodologies recognize that LGBTI+ persons, among other groups, "are often subject to discriminatory practices and legal norms".⁴¹⁴

In line with international obligations and standards, the **Carter Center** election observation methodology aims to identify and assess any discrimination based on sexual orientation and gender identity throughout the electoral process, including the legal framework, the election administration, voter registration, voter education activities, candidate registration, the election campaign, voter operations and dispute resolution mechanisms, among other issues.⁴¹⁵

The **African Union** EOMs analyse the participation of women, youth, persons with disability, internally displaced persons, and other minority groups throughout the electoral process. In some cases, they include a gender and minority expert within the technical team.⁴¹⁶

The **Commonwealth** Handbook on Election Observation includes the assessment of the participation of women, youth, minorities, and persons with disabilities, as well as a checklist on gender and inclusion in the electoral process.⁴¹⁷

Several international organizations conducting election observation have developed handbooks, technical guidelines, and numerous tools for analysis. These methodological developments often cover the participation of women, youth, persons with disabilities and other underrepresented groups, considering electoral inclusion as a relevant area of assessment, and in some cases, they specifically address the participation of LGBTI+ persons in the electoral process.

The code of conduct attached to the Declaration of Principles for International Election Observation recognizes the need for proper personal behaviour of election observers, good judgement in personal interactions and the highest level of professional conduct, all of which are connected to the need to avoid discrimination and harassment within election observation teams. Moreover, the code of conduct includes the obligation for international observers to "attend all the observation mission's required briefings, trainings and debriefings; become familiar with the election law, regulations and other relevant laws as directed by the observation mission; and carefully adhere to the methodologies employed by the observation mission."

In addition to their own codes of conduct for election observers, the main international organizations conducting election observation have adopted policies and protocols that forbid discrimination and harassment within EOMs, including sexual harassment. These policies aim to ensure a professional and safe working environment, and often come with definitions of forbidden behaviours, reporting mechanisms and sanctions. Gender and sexual orientation are often among the protected characteristics covered by non-discrimination policies in relation to international election observation.

Anti-harassment and non-discrimination policies in international election observation

Code of Conduct for International Election Observers

"Observers must maintain proper personal behaviour and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time."⁴¹⁸

OSCE

"Observers should also respect the OSCE code of conduct and the OSCE instruction on Professional Working Environment Policy against Harassment, Sexual Harassment and Discrimination. These prescribe that staff should conduct themselves in the highest personal and professional level and should act impartially. Staff should be treated equally and with respect, regardless of gender, 'race', religion or belief, nationality, ethnic or social origin, age, sexual orientation, marital status or other aspects of personal status. They strictly prohibit any behaviour that constitutes harassment, sexual harassment or discrimination."⁴¹⁹

EU

"Non-discrimination and equal treatment are general principles applicable throughout the work of EU election missions. Discrimination is considered to be any unfair treatment or arbitrary distinction where [...] a provision or action would put persons of a racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation at a particular disadvantage compared with other persons."

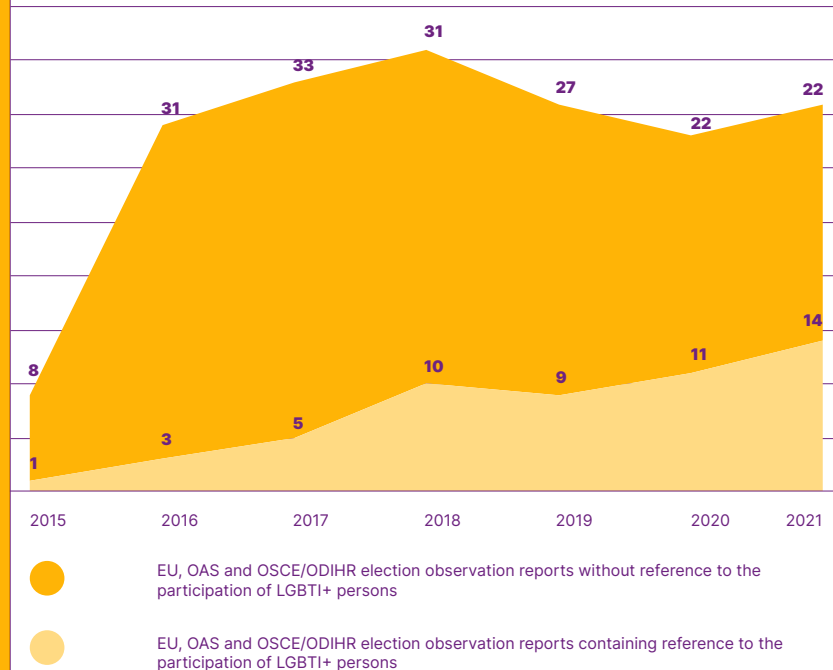
"Beyond the stipulations of the code of conduct, all EU observers are expected at all times to contribute to a professional working environment that is free from intimidation or harassment, including sexual harassment. Special care should be taken to ensure that national staff members are protected from harassment. EU EOMs designate a focal point to whom staff members may bring any concerns in regard to the professional working environment."⁴²⁰

OAS

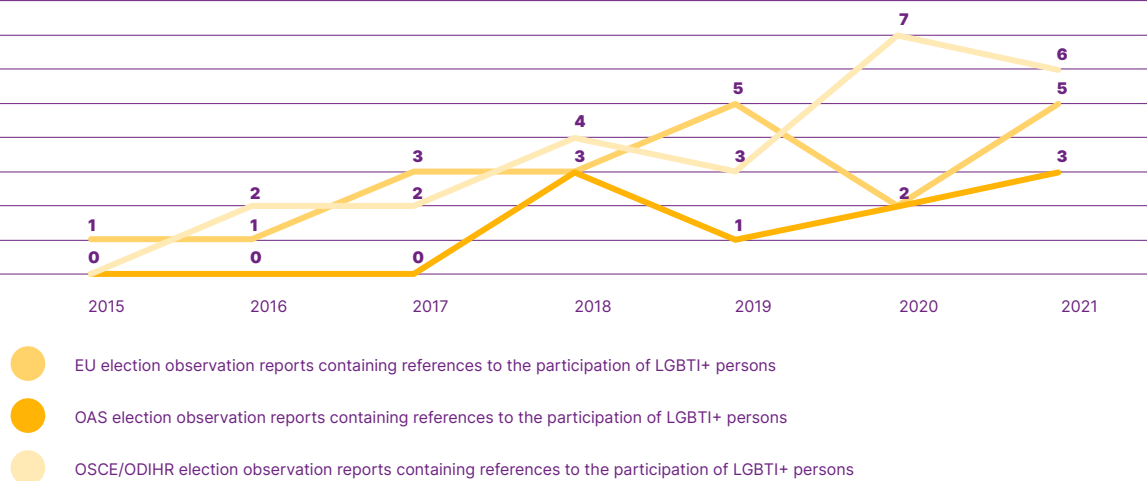
"Any form of workplace harassment, including sexual harassment, at the workplace or in connection with work is prohibited, whether the prohibited conduct takes place in the workplace, in the course of official travel and mission, or in other settings in which it may have a direct impact on the workplace. Staff members or non-staff personnel responsible for conduct that can be construed as workplace harassment will be subject to administrative or disciplinary measures."⁴²¹

In recent years, international organizations conducting election observation have started to address the participation of LGBTI+ persons by including findings and recommendations on this topic in election observation reports. In the framework of this publication, a seven-year analysis of EU, OAS and OSCE/ODIHR international election observation reports available online was conducted for the period 2015–2021 to identify references to the political and electoral participation of LGBTI+ persons. Analysed reports included those of full-fledged EOMs as well as other types of election observation, including limited election observation missions (LEOMs), election assessment missions (EAMs) and special election assessment missions (SEAMs) in the case of the OSCE/ODIHR. Out of the 228 total analysed international election observation reports for that period, 53 reports contained mentions of the participation of LGBTI+ persons in the electoral process, which corresponded to 23.2 percent of all analysed reports.

International election observation reports with references to the participation of LGBTI+ persons



Reference to the participation of LGBTI+ persons in international election observation reports



Some cases of international EOMs addressing the political participation and rights of LGBTI+ persons in their findings and recommendations can be found below, including examples of EU, OAS and OSCE/ODIHR missions.

- The report of the EU EOM to **Colombia** in 2022 referred to an increase in racist, sexist, xenophobic and LGBTIphobic hate speech against candidates. More positively, the election observation report highlighted the guidelines issued by electoral authorities to ensure a respectful treatment of trans voters by polling staff to guarantee their right to vote, and the fact that the national citizen organization Misión de Observación Electoral deployed 95 election observers from the trans community to observe the implementation of the adopted protocols.⁴²²
- The report of the EU EOM to **Pakistan** in 2018 states that five transgender candidates competed in the elections and none of them was elected. According to the report, all of those candidates encountered barriers to participation in the electoral process, including harassment, threats and defamation on social media as well as the costs of

candidacy deposit fees. The mission also highlighted the election observation efforts conducted by transgender civic groups and monitored media coverage for women, men and transgender candidates during the election campaign.⁴²³

- The EU EOM to **Sri Lanka** in 2019 states in its report that “the LGBT community is still stigmatized by criminalisation” and refers to a circular issued by the Ministry of Health allowing transgender persons to modify their birth certificate, which is key to obtaining ID cards and legal documents. However, this measure only applies to transgender persons undergoing medical transition procedures, which meant that there was considerable uncertainty among many transgender persons in regard to access to ID cards. Such uncertainty may have had a negative impact on their voting rights.⁴²⁴
- The OAS EOM to **Mexico** in 2021 referred in its report to the functioning of the mandatory quota for LGBTTTIQ+ persons in party candidate lists based on the principle of self-identification. In the state of Tlaxcala, LGBTI+ groups claimed that 18 men were deceitfully registered as transgender women in candidate lists to be included in the quota for women in line with gender parity requirements. The mission recommended detailed analysis of the impact of the self-identification criteria on gender parity mechanisms, especially considering that similar impersonation practices occurred in the 2018 elections in Oaxaca.⁴²⁵
- The OAS EOM to **Peru** in 2021 highlighted the adoption by electoral authorities of a protocol for ensuring the right to vote in elections for trans persons. That protocol introduced guidelines for how polling station members should address trans persons, clarified that significant differences in the appearance of trans persons and their ID photos should not be a reason to prevent them from voting, and forbid comments on physical appearance, clothing, and gender expression of trans voters. Furthermore, the mission recommended that awareness-raising campaigns be undertaken for the broader public on the inclusion of all persons with diverse identities.⁴²⁶

→ The OAS EOM to **Brazil** in 2018 expressed concern in its report about the fact that some presidential and parliamentary candidates engaged in racist, misogynist and homophobic rhetoric, and it expressed concern at the lack of respectful and constructive dialogue during the election campaign. In this respect, the mission referred to the project tretaqi.org, which collected 100 complaints about sexist language, 62 about incitement to crimes against life, 77 about LGBTIphobic rhetoric, 21 about racist speech, 18 about incitement to physical violence and four about religious intolerance.⁴²⁷

Consultative session
on Transgender Persons
Protection and Political
Inclusion in Pakistan.
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↓



→ The OSCE/ODIHR EOM to **Bulgaria** in 2021 referred to a country report of the Council of Europe's Commissioner of Human Rights highlighting many candidates' intolerant statements and comments regarding minority groups, including Roma people, Muslims, migrants, asylum-seekers and LGBTI persons. The mission's report also mentioned a violent anti-LGBTI attack committed by a presidential candidate during the election campaign, which was condemned by four political parties and some other presidential candidates. Furthermore, the report also highlighted that none of the political parties included LGBTI issues in their electoral platforms, and that many LGBTI candidates avoided referring to their sexual orientation during the campaign due to safety concerns and fear of adverse public reactions.⁴²⁸

→ The OSCE/ODIHR EOM to the **United States** in 2020 highlighted in its report the divisive character of voter identification, with some stakeholders (including supporters of certain candidates and parties) demanding stricter identification rules. Such activities could have contributed to voter suppression for certain categories of citizens, including Native Americans, persons with disabilities, racial and ethnic minorities and transgender persons, among other groups, considering that they may face obstacles in access to certain kinds of identification documents. Furthermore, the report identified at least 27 openly LGBTI candidates across 21 states on ballots for federal elections.⁴²⁹


→ The OSCE/ODIHR Special Assessment Mission (SEAM) to **Poland** in 2020 noted the use of xenophobic, homophobic and antisemitic language during both presidential election rounds, particularly by the incumbent's campaign and the public broadcaster. Such language generated negative emotions towards LGBTI persons and other social groups.⁴³⁰

International electoral assistance

The framework for UN electoral assistance was first established in 1991. Electoral assistance is only provided at the request of Member States or a mandate by the Security Council/General Assembly, following an assessment of needs and capacities led by the Department of Political and Peacebuilding Affairs (DPPA) Electoral Assistance Division on behalf of the UN system-wide focal point on electoral assistance matters (the Under-Secretary-General for Political and Peacebuilding Affairs). Technical support is then tailored to the specific context of the country. UN electoral assistance must be conducted in an impartial and independent manner, with due respect for national sovereignty. There are multiple types of UN electoral assistance, including technical assistance, observation, expert panels, operational support to international observers and support to creating a conducive environment, among others.⁴³¹ In 2020 alone, the United Nations provided technical electoral support to over 50 countries, assisting in the conduct of 21 national elections and one referendum.⁴³² As highlighted in UN resolutions, guidelines and policies, inclusion of underrepresented groups is at the centre of the UN electoral assistance framework.

In 2021, the UN General Assembly adopted Resolution 76/176 ‘Strengthening the role of the United Nations in the promotion of democratization and enhancing periodic and genuine elections’, which reaffirms the obligation of all States to guarantee the right of all citizens to participate in elections in terms of equality. The resolution also calls upon States to eliminate laws, regulations and practices that are discriminatory because they prevent or obstruct the participation of persons in public affairs, including on the basis of sexual orientation and gender identity, among other characteristics.⁴³³

UN electoral guidelines and policies also address the inclusion of underrepresented groups in electoral assistance. Although LGBTI+ persons are not specifically mentioned in these documents, they are often considered to be in that category. Therefore, UN initiatives in the field of electoral assistance have institutional support for specifically addressing the challenges, opportunities and needs of the LGBTI+ community in terms of electoral participation. According to the Policy Directive on Principles and Types of UN Electoral Assistance (2021), one of the key principles in this field is the promotion of inclusiveness, including the involvement of underrepresented or marginalized groups. In practice, this means that when providing electoral assistance, the United Nations should try to respond to the needs, requests and demands of different stakeholders, including underrepresented groups, in all aspects of electoral processes.⁴³⁴ Furthermore, in line with the Guideline on United Nations Electoral Needs Assessment (2012), the human rights situation and the participation opportunities for women and underrepresented groups are key assessment areas for consideration, and recommendations in this regard can be included.⁴³⁵



UN General Assembly Resolution 76/176: Strengthening the role of the United Nations in the promotion of democratization and enhancing periodic and genuine elections (2021)

“The General Assembly...reaffirms the obligation of all States to take all appropriate measures to ensure that every citizen has the effective right and opportunity to participate in elections on an equal basis, and calls upon States to take measures to eliminate laws, regulations and practices that discriminate, directly or indirectly, against citizens in their right to participate in public affairs, including based on race, colour, ethnicity, national or social origin, sex, sexual orientation and gender identity, language religion, political views or on the basis of disability”

The UNDP Electoral Assistance Implementation Guide also discusses the participation of disadvantaged groups in the electoral process, a category that often includes women, youth, persons with disabilities, Indigenous and tribal peoples, and other minorities. During the assessment process, some aspects to consider include the main barriers to the political participation of disadvantaged groups as well as specific policies that could improve their participation. In general, inclusive participation is a specific area of support in terms of the design and planning of UNDP's electoral assistance projects, with civic and voter education, training and voter registration being some of the main entry points for enhanced gender equality and inclusion.⁴³⁶

Other international organizations have also developed guidance notes and methodological tools in relation to international electoral assistance, including the EU, the USAID, the Organisation for Economic Co-operation and Development (OECD) and the Swedish International Development Cooperation Agency (SIDA), among others.⁴³⁷ These notes and tools contribute to the creation and strengthening of frameworks for international electoral assistance that promote and support the inclusion of underrepresented groups.



Inclusion in UNDP's electoral assistance

“Inclusive participation [...] focuses on enhancing the participation of traditionally underrepresented or under-participating groups in political and electoral processes, including women, minorities, indigenous people, the physically disabled and the young”.⁴³⁸



Inclusion in UN electoral guidelines and policy directives

Guideline on United Nations Electoral Needs Assessments (2012)

“The mission report should contain information and analysis concerning women's participation in the political/electoral processes, as well as specific recommendations to ensure gender mainstreaming in all UN electoral assistance and that priority is given to the promotion of the participation and representation of women, traditionally underrepresented groups, minorities and persons with disabilities.”

Policy Directive on Principles and Types of UN Electoral Assistance (2021)

“UN electoral assistance should provide support to the development of policies and the implementation of appropriate measures to promote the participation of under-represented or marginalized groups in electoral processes. This will include measures specific to electoral events, temporary special measures, and longer term programmes.”

Promoting the participation of LGBTI+ persons and communities in the electoral process is still an emerging area of work. There are some examples of UN electoral projects directly addressing gender and sexual diversity. Other leading organizations in the field of international electoral assistance and more broadly democratic strengthening have also worked to promote the political and electoral participation of LGBTI+ persons, including international NGOs. Some examples of international projects in this field addressing gender and sexual diversity can be found below.

- > In **Pakistan**, the UNDP project Strengthening Electoral and Legislative Processes (SELP) in 2017 supported the Election Commission of Pakistan and the National Database and Registration Authority in the development of the nationwide initiative ‘Women’s national identity card and voter registration campaign’. As a result of this process, 4.3 million women were added to the voter list in the lead-up to the 2018 general elections. At a later stage, this campaign also contributed to the registration of transgender voters. Additionally, in advance of the 2018 elections, UNDP contributed to the organization of a series of conferences where transgender organizations and activists could share with Election Commission officials their main concerns regarding their participation in the electoral process. Following this consultation process, a set of recommendations were prepared and submitted to electoral authorities.⁴³⁹
- > In **Mozambique**, the UNDP project Supporting Electoral Authorities of Mozambique to Enhance the Transparency and Credibility of the Electoral Process (SEAM) in 2020 produced an analysis of women’s participation in elections. Among other issues, the report highlighted the exclusion of LGBTI women from civic and voter education efforts and recommended targeting this group in future campaigns.⁴⁴⁰



Gender and inclusion approaches in international electoral assistance

The 2006 **EU Methodological Guide on Electoral Assistance** addresses the rights of women, minorities, and disadvantaged groups in access to the electoral process. While taking into consideration the legal framework, key focus areas in most contexts include voter registration, representation within political parties and candidate lists, implementation of quotas, inclusion in civic education and voter information efforts, opportunity to work in the EMB and access to the media, among other issues.⁴⁴¹

The **USAID Electoral Assessment Framework** covers specific barriers that LGBTI persons and other marginalized groups face to participate in the electoral process, including the participation within political parties and electoral violence targeting this population.⁴⁴²

The 2011 **OECD Draft Principles on International Elections Assistance** reflect the need to fully integrate the gender perspective into electoral assistance. This is seen as important to reflect progress made regarding the role of women in politics and to promote further progress.⁴⁴³

SIDA’s methodological developments recommend integrating the gender perspective into the planning, implementation, and follow-up of electoral assistance projects.⁴⁴⁴ Also, in its approach to democratic governance, SIDA suggests discussing with governments the situation of LGBTI and other groups and raising issues such as the importance of freedom of association, the establishment of effective complaint mechanisms, and potential measures to boost or encourage participation by underrepresented and marginalized groups.⁴⁴⁵

- In **Nepal**, the UNDP Electoral Support Project (ESP) offered technical support to the Election Commission of Nepal in the development of its Gender and Inclusion Policy in 2013 and its Gender and Inclusion Strategy for the period 2015–2020, which contain measures to promote the participation of third gender voters and candidates.⁴⁴⁶ Furthermore, the project supported the commission in voter registration procedures, which included a specific gender category for third gender voters.⁴⁴⁷
- In **Honduras**, ahead of the 2021 general elections, the UNDP Electoral Cycle Support Project for Peaceful and Transparent Elections in Honduras (PACE-H) assisted the National Election Council in the development of a series of online courses to promote citizen participation. One of these courses focused on the participation of LGBTI+ persons in Honduran elections. It offered information and tools for LGBTI+ activists and the public regarding gender and sexual diversity and the gaps and opportunities for LGBTI+ persons to participate in elections.⁴⁴⁸
- In the lead-up to the 2018 local elections in **Peru**, International IDEA supported a dialogue process to identify policy priorities with 50 organizations representing Indigenous peoples, persons with disabilities, Afro-descendants and LGTBIQ persons. Following these consultations, International IDEA assisted the organizations' advocacy efforts to promote a common human rights-based agenda among candidates for mayor in Lima, a process that involved asking all candidates to sign a pledge. The elected mayor was a signatory to this pledge and, as a result of this advocacy effort, a municipal by-law forbidding discrimination was adopted in the country's capital. In addition, International IDEA supported the CSO No Tengo Miedo ('I am not afraid') in its efforts to observe voting conditions for trans persons in 2016, and shared the findings with the country's EMB, urging electoral administrators to establish guarantees for trans voters as well as institutional procedures to prevent and counter discrimination based on gender identity. Furthermore, ahead of the 2020 parliamentary elections,

in the framework of its broader civic education efforts, International IDEA supported a theatre troupe in the production of a play on diversity and respect for others.⁴⁴⁹

- In the **Middle East and North Africa** region, NDI in 2016 began supporting a cross-regional group of 15 young LGBTI+ activists from Algeria, Egypt, Jordan, Morocco and Tunisia through network-building and capacity-building efforts. The programme included face-to-face advocacy training workshops in Lebanon and Morocco as well as awareness-raising events against hate speech.⁴⁵⁰
- In **Colombia**, NDI promoted the inclusion of LGBTI+ persons in political parties through a region-wide political party strengthening programme. It supported the efforts of two openly lesbian members of the Polo Democratico Alternativo (PDA) party to strengthen inclusion provisions of party statutes and create a LGBTI+ wing called Polo Rosa. This initiative was intended to help promote the mobilization of LGBTI+ party members and to create a welcoming environment for openly LGBTI+ candidates and aspirants ahead of local elections. Expanding on this programming, NDI in collaboration with the LGBTQ Victory Institute organized three workshops for LGBTI+ candidates and provided assistance in designing governance plans in the lead-up to the 2014 and 2015 local and national elections.⁴⁵¹
- In **Myanmar**, NDI issued a mini-grant to a local LGBTI+ organization to support its domestic election observation efforts ahead of the 2018 by-election. The local partner offered training to election observers on the legal framework, the political context and election observation methodology. A total of 26 observers representing the LGBTI+ community were deployed in 10 municipalities on election day. During a post-election conference, observers shared their findings regarding the access of underrepresented groups to the electoral process, including LGBTI+ persons, ethnic minorities and persons with disabilities.⁴⁵²

→ In **Haiti**, IFES partnered with the LGBTI+ organization Kouraj in 2016 to develop voter education posters and organize civic and voter education sessions to encourage the participation of LGBTI+ voters. Furthermore, IFES invited Kouraj members to participate in other activities that aimed to support and strengthen the capacity of civil society, including a workshop on civic and voter education.⁴⁵³

→ In **Guatemala**, IFES supported the Supreme Electoral Tribunal in the development of a training manual for polling staff ahead of the 2015 and 2019 general elections. This manual contained a specific section on the participation of LGBTI+ persons and identification procedures for trans voters on election day. IFES also contributed to strengthening ties between LGBTI+ CSOs and electoral management authorities, including by supporting the signature of a memorandum of understanding (MoU) between the LGBTI+ civic group SOMOS and the tribunal in the lead-up to the 2019 electoral process. That same year, IFES also offered a training course to key tribunal staff as part of an effort to promote capacity building on gender equality and inclusion of underrepresented groups, including LGBTI+ persons.⁴⁵⁴



Consultative session on Transgender Persons Protection and Political Inclusion in Pakistan. © UNDP Pakistan

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7.3.

Suggestions for international election observers and electoral assistance practitioners

International electoral support practitioners, both in the field of election observation and electoral assistance, are encouraged to consider the following strategies to promote the participation and rights of LGBTI+ persons. When doing so, they should assess the

context and specific needs of the LGBTI+ community and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

Suggestions for international organizations engaging in election observation

1. **Forbid discrimination based on sexual orientation, sex characteristics and gender identity and expression, and develop protocols against workplace harassment, in line with the Code of Conduct for International Election Observers and the policies of the main international organizations conducting election observation.**
2. **In trainings for election observers, provide guidelines on how to observe the participation of LGBTI+ persons in politics and elections and share standards of conduct, in line with the Code of Conduct for International Election Observers.**
3. **Meet with LGBTI+ civil society organizations and public authorities to gather information on the participation of persons with diverse genders and sexualities in the political and electoral process.**
4. **Include findings and recommendations on the electoral participation of LGBTI+ persons in election observation reports, in line with international human rights principles.**
5. **Develop election observation methodologies and guidelines to gather and analyse information on the political and electoral participation of LGBTI+ persons.**

Suggestions for international organizations providing electoral assistance

1. **Identify barriers, risks, and areas of opportunity regarding the participation of LGBTI+ persons in the political and electoral process.**
2. **During the project design phase, consider, as appropriate, including specific activities to promote the participation of LGBTI+ persons and other underrepresented groups, and allocate adequate resources.**
3. **Consult with LGBTI+ activists and organizations to identify priorities, where appropriate, in the design and implementation of potential activities.**
4. **Invite LGBTI+ organizations to participate in activities with civil society, where relevant, such as training workshops, conferences, and dialogue processes, among others.**
5. **Work with EMBs and other key stakeholders to promote the inclusive participation of LGBTI+ persons in the electoral process, based on need, request and demand.**



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447	Interview with Andrés del Castillo, and interview with Vincent da Cruz and Nikila Shrestha.	454	Interview with Alessandra Rossi.



8

Violence against LGBTI+ persons in politics and elections

8.

Violence against LGBTI+ persons in politics and elections

All over the world, LGBTI+ persons and groups often experience discrimination and violence based on their sexual orientation, sex characteristics and gender identity and expression. LGBTIphobic violence is found in many forms and kinds, including physical, psychological, sexual and economic violence, both online and offline.

Hate speech and hate crimes directed toward members of the community not only harm individuals but also tend to promote a climate of fear and distrust that can negatively affect the participation of LGBTI+ persons in the overall the democratic process and restrict their human rights more broadly.

LGBTIphobic violence is often linked to political dynamics, especially in countries with authoritarian governments that seek to repress gender and sexual diversity, in contexts where there is a strong and vocal public opposition to progress on LGBTI+ rights, and in highly polarized electoral contests where anti-LGBTI+ messages and political agendas are significant components of campaigns. As observed in a UNDP report from 2018, “Active repression of gender and sexual minorities by governments also seems to be associated with political dynamics - including the rise of authoritarian regimes, as well as campaign tactics in the run-up to elections or at times when the government is being challenged in other ways.”⁴⁵⁵ In certain countries, individual political leaders and party supporters have been responsible for spreading hatred and inciting violence against LGBTI+ persons through the media and social networks. There is a growing consensus on the fact that LGBTIphobic speech in the political sphere often leads to an increase of violence against LGBTI+ persons in practice. This development in turn often restricts their ability or interest in fully participating in the political and electoral process as citizens, voters, party supporters, candidates, elected representatives, social leaders, activists and election administrators, among other roles.



What human rights principles are at stake?

Violence against LGBTI+ persons causes harm and has a negative impact on the realization of their human rights. It can negatively affect their participation in political and electoral processes, which undermines their rights to vote and to be elected (Article 25 of ICCPR), to freedom of expression (Article 19 of ICCPR) and to peaceful assembly (Article 21 of ICCPR). Some other human rights undermined by violence can be found below:

Article 3 of UDHR

Everyone has the right to life, liberty and security of person.

Article 5 of UDHR

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 12 of UDHR

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 17 of UDHR

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Lack of data and research is one of the main challenges when it comes to understanding the type and extent of political and electoral violence against LGBTI+ persons. This phenomenon is generally understood as an identity-based form of violence motivated by sexual orientation, sex characteristics, or gender identity and expression, as a result of the intersection between political and electoral violence, on the one side, and LGBTIphobic violence, on the other. Furthermore, violence against LGBTI+ persons in politics and elections can often be understood under the perspective of hate crimes and hate speech, which are being codified in the legal frameworks of a growing number of countries to ensure adequate investigation, prosecution and sanctions against perpetrators. Recent theoretical developments and field research on violence against women in politics and elections and other forms of gender-based violence offer a solid knowledge framework that contributes to a better understanding of the violence faced by LGBTI+ persons in political and electoral processes, and from an intersectional perspective they throw light on specific violence faced by LGBTI+ women. Observations and evidence from many contexts indicate that trans and non-binary persons, and especially trans women, are frequently one of the most affected groups by LGBTIphobic violence and often face denial of their rights in political and electoral processes. For example, trans persons often experience substantial threats to their ability to vote due to invasive identification procedures and harassment at polling stations. Trans candidates and elected representatives are often subjected to particularly harsh verbal and physical attacks, both online and offline.

Political and electoral violence can harm LGBTI+ persons in many ways and undermines their human rights, including the right to participate in public affairs. States therefore have the obligation to protect citizens and the public from violence, regardless of their sex characteristics, sexual orientation and gender identity and expression. Furthermore, other stakeholders involved in political and electoral processes, such as citizens, political leaders, candidates, political parties, CSOs and the media, have the responsibility to respect the human rights of LGBTI+ persons and contribute not only to the conduct of elections free from violence but also, more broadly, to peaceful coexistence.

Key resource



'Living free & equal' is a United Nations publication that analyses the measures adopted by States to protect LGBTI+ persons from violence, in line with their obligations under international law. One priority action is repealing discriminatory laws used to criminalize same-sex relations among consenting adults and LGBTI+ identities. Other highlighted measures include launching

public awareness campaigns, training law enforcement personnel, addressing bullying in schools, adopting special measures to protect trans detainees, and preventing an unwarranted treatment of intersex persons in medical centres. As noted in the publication in regard to non-discrimination policies, legal frameworks should include sexual orientation, sex characteristics and gender identity and expression as protected characteristics. Furthermore, laws against hate crimes and hate speech should also protect LGBTI+ persons, among other groups, and adequate investigation, prosecution and reporting mechanisms are essential to ensure effective implementation.⁴⁵⁶



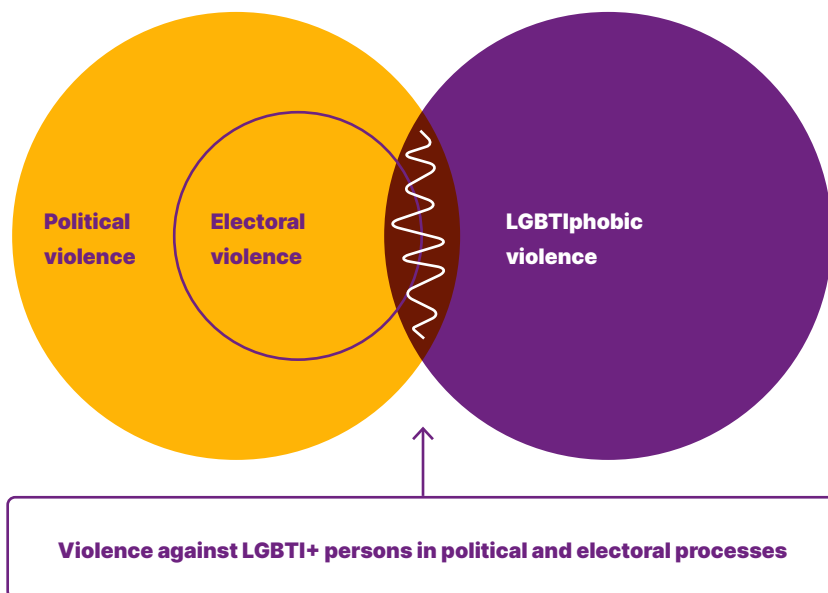
The full publication is available online.

<https://www.ohchr.org/sites/default/files/Documents/Publications/LivingFreeAndEqual.pdf>

Understanding violence against LGBTI+ persons in politics and elections

8.1.1. Terminology on violence against LGBTI+ persons

Violence in political and electoral processes can negatively affect the human rights of voters, candidates, elected representatives, social leaders, activists, election administrators and citizens in general. When specifically targeted against LGBTI+ persons, organizations or movements, political and electoral violence often intersects with LGBTIphobic violence. Violence against LGBTI+ persons in political and electoral processes is a largely underresearched area and there is a general lack of knowledge regarding it. One way to better understand this specific area of violence is to explore the intersection between political and electoral violence in general and LGBTIphobic violence overall. This approach can benefit from recent developments in the study of violence against women and gender-based violence in politics and elections,⁴⁵⁷ which shares some similarities to political and electoral violence against LGBTI+ persons.



Political violence can be understood as any act or threat of violence to achieve political goals. It often results in physical, psychological or sexual harm and can prevent many people from realizing their political rights.

Election-related violence is a specific type of political violence. It is defined by UNDP as “acts or threat of coercion, intimidation, or physical harm perpetrated to affect an electoral process or that arise in the context of electoral competition. When perpetrated to affect an electoral process, violence may be employed to influence the process of elections – such as efforts to delay, disrupt, or derail a poll – and to influence the outcomes: the determining of winners in competitive races for political office or to secure approval or disapproval of referendum questions.”⁴⁵⁸

8.1.2. Types of violence

Violence against LGBTI+ persons in political and electoral processes can be found in many different types and forms, including physical, psychological, sexual and economic violence, both online and offline. Political and electoral violence against LGBTI+ persons can be directed against citizens, voters, party supporters, candidates, elected representatives, social leaders, activists and election administrators, among other election-related roles, and can take place both in the private and public spheres. The intersectional perspective focuses on how LGBTI+ persons have different experiences of violence, depending on their age, ethnicity, disability status, religious beliefs, language, among other identity factors.

- > **Physical violence** is defined as the intentional use of physical force to cause harm.
- > **Psychological violence** consists of behaviour that intends to intimidate and persecute, and takes the form of threats, destruction of objects, isolation, insults, verbal aggression and humiliation, among other manifestations.
- > **Sexual violence** is understood as any non-consensual sexual act or attempt to obtain it as well as unwanted comments and advances, regardless of the relation with the victim.
- > **Economic violence** is considered as any act that causes economic harm, including property damage and restricting access to economic resources, education or professional opportunities.
- > **Digital harassment and violence** refers to harmful personal interactions experienced through the Internet, mobile phones and other electronic communication devices.

Listed in the table below are some concrete examples of the types of direct violence against LGBTI+ persons that can take place in political and electoral processes. These acts of violence often can be understood as displays of hatred when motivated by the victims' sexual orientation, sex characteristics and gender identity or expression. Therefore, the concepts of hate crimes and hate speech are relevant when considering political and electoral violence against LGBTI+ persons. However, it is important to note that most of these types of violence can and do happen to all people, and sometimes they are perpetrated against LGBTI+ persons for reasons not specific or relevant to the victim being a member of this community.

Violence against LGBTI+ persons: key concepts and terms

LGBTIphobia is hatred of, aversion to or hostility toward LGBTI+ persons based on their sexual orientation, gender identity and expression, and sex characteristics. The term was developed to gather in a single word different types of discrimination and violence directed against LGBTI+ persons. Although its use is not widespread in English-speaking contexts, it is common in other languages, such as Spanish (LGTBIfobia), French (LGBTIphobie) or Portuguese (LGBTIfobia).

Homophobia is hatred of, aversion to or hostility toward lesbian or gay persons, based on their sexual orientation.

Lesbophobia is hatred of, aversion to or hostility toward lesbian women, based on their sexual orientation.

Biphobia is hatred of, aversion to or hostility toward bisexual persons, based on their sexual orientation.

Transphobia is hatred of, aversion to or hostility toward trans persons, based on their gender identity.

Femicide is the intentional murder of women based on their gender, although broader definitions may include any killings of women and girls.

Transfemicide is the intentional murder of trans women because of their gender identity.

Hate crimes are criminal acts motivated by prejudice against a group of persons who share identity traits, such as race, ethnicity, language, religion, nationality, disability, gender identity and sexual orientation, among others.

Hate speech is any kind of communication that attacks or uses derogatory or discriminatory language against a group of people who share identity traits, such as race, ethnicity, language, religion, nationality, disability, gender identity and sexual orientation, among others.

Types of direct violence against LGBTI+ persons in politics and elections	Physical violence	<ul style="list-style-type: none"> —→ Physical attacks to inflict bodily harm such as pushing or beatings —→ Theft and destruction of personal property —→ Arbitrary detention and kidnapping —→ Torture and ill treatment —→ Murder
	Psychological violence	<ul style="list-style-type: none"> —→ Insults, mockery and humiliating remarks —→ Demeaning media representation of LGBTI+ leaders, candidates and representatives —→ Rumours and smear campaigns —→ Threats
	Sexual violence	<ul style="list-style-type: none"> —→ Unwanted sexual remarks and advances —→ Non-consensual sexual acts, fondling and rape
	Economic violence	<ul style="list-style-type: none"> —→ Discrimination of LGBTI+ candidates in access to party campaign funds —→ Discrimination against LGBTI+ professionals in EMBs' hiring and promotion processes
	Digital violence	<ul style="list-style-type: none"> —→ Cyberharassment, insults, mockery and humiliating remarks on social media —→ Violations of privacy —→ Online threats

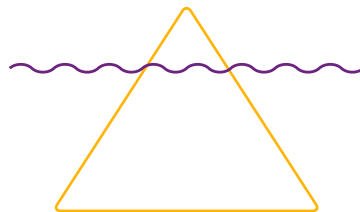
Source: The information compiled in the above table is based on interviews conducted in the framework of this research.

A deeper understanding of violence against LGBTI+ persons in politics and elections requires analysis of conflict dynamics. The concept of violence triangle introduced by Johan Galtung in the 1990s considers violence as a phenomenon with multiple layers and establishes a categorization with three main types of violence: direct, structural and cultural violence. Following the metaphor of an iceberg, the concept is based on the idea that visible violence is only a part of conflict, which remains mostly invisible. **Direct violence** is the most visible and consists of physical and verbal acts of violence that a perpetrator intentionally inflicts on a victim, who experiences harm. **Structural violence** focuses on systems and structures that impede the realization of basic human needs as a result of social stratification processes, leading to harm. **Cultural violence** is linked to social attitudes that intend to legitimize and justify direct and structural violence through various means, including ideology, religion, beliefs, education and the media.⁴⁵⁹ Acknowledging that political and electoral violence against LGBTI+ persons goes beyond individual acts of violence makes it easier to explore the roots of violence and understand the harm caused by narratives, structures and systems in place.

Violence triangle (Johan Galtung)

Direct violence:

Murder, physical attacks, sexual harassment, threats, psychological abuse...



Violence is like an iceberg:
only a small part is visible

Structural violence:

Discriminatory legal frameworks, violence within institutions and organizations (political parties, EMB, parliaments...)

Cultural violence:

Anti-gender rhetorics, religious narratives against sexual and gender diversity, stereotyped media representations...

Despite the general lack of data, there is a growing consensus on the fact that anti-LGBTI+ language and hate speech in the political sphere is often reflected in society and thus often leads to an increase of direct attacks against LGBTI+ persons. In contexts of hostility against gender and sexual diversity, certain political leaders, public officials and candidates often spread hate messages against LGBTI+ persons through the media and social networks. Such messages contribute to the development of a climate of fear and distrust while also promoting a sense of impunity among those who attack LGBTI+ persons. These trends are becoming more common and accepted in places where anti-gender discourse, which attacks the human rights of women and gender and sexual diversity, seems to be on the rise. In many countries, the influence of conservative religious figures and movements and the rise of far-right political parties and movements have also contributed to the 'normalization' of attacks on LGBTI+ persons.



In **Brazil**, the country with the highest number of transfemicides worldwide, registered attacks against LGBTI+ persons increased considerably during the 2018 presidential election, according to research conducted by Gênero e Número (Gender and Number).⁴⁶⁰ The research suggested that there was a strong link between the increase of violence and the proliferation of anti-LGBTI+ messages during the campaign, during which a presidential candidate and his supporters spread disinformation about the so-called gay kit, a sex education initiative to fight homophobia in schools.⁴⁶¹ Ahead of the 2022 general elections in Brazil, UN experts urged authorities, candidates and political parties to ensure a peaceful electoral process while also noting that "threats, intimidation and political violence, including death threats against candidates, continue to increase online and offline, particularly against women, Indigenous peoples, Afro-descendants and LGBTI persons – often on the basis of intersecting identities."⁴⁶²

- In the **United Kingdom**, hate crimes against LGBT persons increased 147 percent in the three months following the European Union membership referendum in 2016, according to data provided by the CSO Galop. Hate crimes based on race and ethnicity also increased considerably immediately after the referendum, in the context of a campaign dominated by anti-immigration messages.⁴⁶³
- In **Indonesia**, a number of high-profile public officials, including several government ministers, made statements against LGBTI+ persons in 2016 and soon after there was a wave of intolerance and persecution against homosexual persons across the country.⁴⁶⁴ The rise of anti-gay rhetoric was fuelled by attacks led by conservative politicians, conservative religious groups and irresponsible media coverage. Since then, raids and arrests targeting LGBTI+ persons were on the rise and there have been several attempts to criminalize same-sex relations.⁴⁶⁵
- In **Costa Rica**, the ombudsman warned about an increase of violent physical and verbal attacks against LGBTI+ persons in the run-up to the second round of the 2018 presidential elections. The election campaign was dominated by homophobic and discriminatory rhetoric as one of the contestants and his party strongly opposed marriage equality following the 2017 advisory opinion of the Inter-American Court of Human Rights on gender identity and equality and non-discrimination of same-sex couples.⁴⁶⁶
- In **Spain**, the national parliament in 2023 passed the LGBTI and trans law, which included provisions establishing legal gender recognition in accordance with self-determination. In the period preceding the passing of the law, there was an increase in disinformation regarding the bill in traditional media and social networks, as shown by fact-checking initiatives.⁴⁶⁷ Hate speech against trans persons increased in the public and political debate, including in transphobic remarks and stigmatization of this group by certain political sectors. According to a report by the Parliamentary Assembly of the Council of Europe, “Extremely hostile anti-

trans discourse has recently come from the highest political levels.... Much of the opposition has come from anti-trans feminist movements that portray trans people as a threat to society, and in particular to women, [and] deny the identities of trans and non-binary people....Trans activists underline that the hostile discourse from the highest political levels has legitimised violence against trans people and the denial of care.”⁴⁶⁸ Furthermore, the Ministry of the Interior’s records also show a considerable increase in hate crimes committed against LGBT persons in recent years. Out of 1,874 hate crimes victims registered in 2021 in Spain, 530 (28.3 percent of the total) corresponded to victims of hate crimes motivated by sexual orientation and gender identity. Of those victims of hate crimes related to being an LGBT person, 75 percent identified as men and 25 percent as women.⁴⁶⁹

- During the 2020 presidential elections in **Poland**, the OSCE/ODIHR Special Election Assessment Mission noted instances of intolerant language and comments, particularly by the incumbent’s campaign and the public broadcaster. Much of the content highlighted was xenophobic, homophobic or antisemitic. As noted in the mission report, “The incumbent and his campaign made some oblique though often explicit negative references to the LGBTI community, implying an ideology which they juxtaposed to what they perceive as traditional Polish values. These included the incumbent’s proposal during his campaign of a constitutional amendment banning adoptions by people in same-sex relationships.”⁴⁷⁰

8.1.3. Targets of violence

In countries around the world, **LGBTI+ political leaders and activists** often experience violence motivated by their sexual orientation, sex characteristics and gender identity and expression. Examples provided in interviews conducted during research for this guide indicated that violence against LGBTI+ political leaders covers a wide range of harmful practices, including insults and ridiculing, defamation, threats, sexual harassment and rape, destruction of



Scenarios of harm:
examples of locations where violence can take place

- **At a voting centre**, polling station members ridicule and humiliate a trans woman, refusing to allow her to vote because her affirmed name and current appearance do not match her identification documents.
- A lesbian woman is sexually harassed by a regional leader from her own party at a meeting in the **political party premises**.
- On election day, a young non-binary person is locked **at home** by their family to make sure they do not vote for the candidate of their choice.
- A black gay man is assaulted by a mob **in the street** during an election campaign where one of the main candidates and his supporters have incited to violence against LGBTI+ persons and Afro-descendants.
- During a hearing in **parliament**, a trans MP is insulted and mocked by a MP from another party because of her gender identity.
- A woman's association leader who is lesbian and belongs to an Indigenous community constantly receives insults, mockery and threats **on social media** based on her gender, sexual orientation and ethnicity.
- A bisexual candidate receives a death threat **through the email**.
- An intersex woman who works **at the EMB** is harassed, discriminated against and constantly humiliated by her colleagues based on her gender expression.
- A lesbian local councillor is murdered **in the street**.

Source:

These hypothetical examples of political and electoral violence against LGBTI+ persons are based on cases extracted from the interviews conducted in the framework of this research.

private property, physical assault and murder. Violence against LGBTI+ leaders takes place both offline and online, with attacks in the digital sphere often more difficult to track because of the anonymity of many Internet users. Perpetrators of this kind of violence may include political opponents, members of their own party, the media and individual citizens.

LGBTI+ voters and citizens can also experience violence when they participate in the electoral process, and they may face threats and attacks in polling centres or around them as well as many other places. The interviews for this research have shown that in some contexts LGBTI+ voters are attacked and humiliated by security forces, polling staff or other citizens during the voting process. Trans and non-binary persons are especially affected by violence in the voting process when their gender identity and chosen name are not adequately recognized and when identification procedures are invasive and degrading. Electoral violence against LGBTI+ voters and citizens can take place not only in polling centres, but also in the streets, in educational centres, at work, at home, in the digital sphere, and any other public or private emplacement.

LGBTI+ electoral staff can experience discrimination and violence in their working environment, including attacks from their supervisors and other co-workers. Many EMBs lack of adequate protocols to prevent and penalize harassment, and many also do not offer sensitization training for staff on gender and sexual diversity. As a result, working cultures can exist where LGBTI+ staff feel excluded and can be vulnerable to physical and psychological attacks, mockery and humiliating treatment. Working environments are generally discriminatory for trans and non-binary persons when the organization does not have protocols to recognize their gender identity and chosen name.

8.1.4. Locations where violence takes place

Violence against LGBTI+ persons in political and electoral processes can happen in many different locations, both in the public and the private spheres. Some examples of direct acts of violence can be found below to illustrate the scope of political and electoral violence against LGBTI+ persons.

Preventing and responding to violence against LGBTI+ persons in politics and elections

In various countries, political stakeholders have developed a wide range of strategies to identify, prevent and mitigate LGBTIphobic violence and hate crimes, including mapping and monitoring initiatives, policy and legal reform and electoral arrangements.

8.2.1. Mapping and monitoring

The true scope of the problem is unknown due to limited data. However, a growing number of both governmental and civil society-led initiatives around the world are seeking to monitor and collect data on violence against LGBTI+ persons. Although in many cases civil society's monitoring efforts to date have not been comprehensive due to limited data access, they show trends and give visibility to violence committed against LGBTI+ persons – and despite limitations, they are still often able to offer data that otherwise would not be available. Some of the indicators considered in such monitoring efforts are the number of cases, the types of violence and the location where they happened. Although civic platforms monitoring LGBTIphobic violence rarely focus exclusively on political and electoral violence, some CSOs have started to address this topic.

- > The Trans Murder Monitoring project systematically collects data of homicides of trans and gender-diverse persons **worldwide** from 2008 up to date. In 2020, the country with the highest number of registered murders of trans persons was Brazil (157 registered murders), followed by Mexico (64) and the United States (37).⁴⁷¹
- > In **Argentina**, the National Observatory for LGBT Hate Crimes collects data and launches yearly reports on hate crimes against LGBT persons. According to the 2020 report, 152 hate crimes based on sexual orientation and gender identity and expression occurred that year. Regarding the number of victims, a total of 127 were trans

women (accounting for 84 percent of cases), 19 were gay men (12 percent), 4 were lesbian women (3 percent) and 2 were trans men (2 percent). The most representative age group among victims of LGBTIphobic hate crimes was people from 30 to 39 years (33.6 percent of cases), followed by the age groups 20–29 (25.2 percent), 40–49 (21 percent), 50–59 (15.1 percent) and others. The most common places where these hate crimes occurred were outside (55 percent of cases), at the victim's home (24 percent), a private establishment with public access (9 percent), a public establishment (4 percent), at a police station or prison (4 percent), among others.⁴⁷²

8.2.2. Legal and policy reform

A vital step toward reducing anti-LGBTI+ violence is creating legal environments that protect and do not discriminate against them. In mid-2023, according to ILGA World, 62 UN Member States criminalized by law consensual same-sex sexual acts.⁴⁷³ In countries where such acts and LGBTI+ identities are criminalized by law, legal reform can focus on decriminalization as a priority. The UN Human Rights Committee, in its decision in *Toonen v. Australia*, declared that laws criminalizing consensual and adult same-sex relations are in violation of international human rights law, particularly the rights to privacy and non-discrimination. Furthermore, the United Nations has called on various occasions for the decriminalization of same-sex relations and celebrated progress in achieving this goal in various countries.



Monitoring political and electoral violence against LGBTI+ persons in Brazil

- Ahead of and immediately after the 2018 general elections, **Gênero e Número** (Gender and Number) conducted research on violence against LGBT+ persons in electoral and post-electoral contexts. Its main findings included that 51 percent of interviewees reported experiencing violent behaviour during the last six months of 2018, with 56 percent of trans and travesti interviewees saying they experienced violence on at least three occasions during the 2018 elections and 49 percent of bisexual interviewees agreeing that violence against them increased considerably over the course of the electoral process. Regarding the places where violence occurred, 83 percent of incidents took place in the street and public spaces and 46 percent in stores or public services.⁴⁷⁴
- The platform **TRETAqui**, which was created by a group of Brazilian CSOs, was used to collect reports of online aggressions and hate speech during the 2018 elections. It registered 564 anonymous complaints by citizens regarding hate speech spread by different candidates or used to attack candidacies. Hate speech-related complaints were classified into different categories, including incitement of crimes against life, discrimination against women, LGBTIphobia, incitement to physical violence, racism, email and social media account hacking, and religious intolerance. According to the platform management, there was a connection between hate speech disseminated by candidates and the rise of cases of violence against women, LGBT+ persons and leftist activists and party members in the framework of the electoral process.⁴⁷⁵
- Research undertaken by the civil society group **Vote LGBT+** during the 2020 city council elections nationwide showed that 54 percent of LGBT+ candidates who experienced violence sought support from their political parties, but in 56 percent of those cases the parties did nothing. Furthermore, 26 percent of LGBT+ candidates who experienced violence reported attacks from people from their own political parties.⁴⁷⁶

Around the world, many States have adopted an array of laws and policies to prevent, mitigate and punish LGBTIphobic violence. These legislative and policy efforts include a wide range of measures, such as integrating hate crimes and hate speech in the criminal code and including sexual orientation, gender identity and expression and sex characteristics among protected characteristics; developing national strategies and action plans to address LGBTIphobic violence; creating special prosecution teams within the justice system; conducting appropriate training for police officers; providing adequate health and legal support to hate crimes victims; tackling bullying in schools and other education facilities; and respecting the rights of LGBTI+ persons in detention, especially trans persons. The involvement of LGBTI+ organizations in the design, development and oversight of anti-violence strategies is key to ensuring an adequate response to the actual needs of LGBTI+ persons and contributes to trust-building.⁴⁷⁷

Hate crimes are generally understood as “criminal acts motivated by prejudice”, which in criminal law refers to situations in which perpetrators commit crimes against people because they belong to a population group whose members have certain protected characteristics. Domestic legal frameworks increasingly recognize hate crimes as criminal offenses, establishing protected characteristics and sanctions. In addition to recognizing hate crimes in the legal framework, States can implement a wide range of measures to prevent and counter hate crimes, including registering and collecting data on them; training police and criminal justice personnel, and educating the public. Another key component of national strategies is to offer hate crime victims adequate protection and assistance when needed, which may comprise access to health and psychological assistance, legal support and shelter and safe housing.

Legal and policy strategies to prevent and counter hate crimes

Hate crimes recognition in the legal framework

Collect data and monitor hate crimes

Specialized prosecution teams

National strategies and action plans against hate crimes

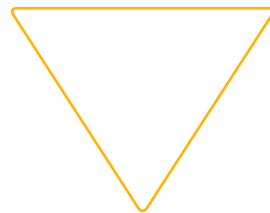
Sensitize and train police officers and criminal justice personnel

Support hate crimes victims

Supporting victims of hate crimes

Health and psychological assistance

Legal support and remedy



Shelter and safe housing

Having adequate protections in place to prevent, mitigate and punish LGBTIphobic violence, which may include the possibility of investigating and prosecuting hate crimes, makes it possible for State institutions, CSOs, LGBTI+ groups and victims to act in cases of violence against LGBTI+ persons in political and electoral processes.

→ In **South Africa**, the Minister of Justice and Constitutional Development established a national task team in 2011 to lead a national strategy to address violence associated with sexual orientation and gender, by engaging with government bodies, institutions and civil society. Since the launch of the task team, efforts have been made to increase cooperation among government departments, form provincial task teams to implement the strategy at the local level, monitor open cases of violence against LGBT persons, and conduct awareness-raising campaigns on violence against the community.⁴⁷⁸

→ Over the period 2016–2020, the Government of the **United Kingdom** implemented a plan for tackling hate crimes in England and Wales, with sexual orientation and transgender identities among protected characteristics. The plan made reference to relevant domestic legislation and to the College of Policing's Hate Crime Operational Guidance.⁴⁷⁹

→ In **Seychelles**, the CSO LGBTI Sey and the international NGO Dignity Trust in 2023 held a two-day workshop titled 'Responding to LGBT hate crime in Southern Africa: legislative options and perspectives'. The workshop gathered around 25 representatives from CSOs and human rights institutions from 11 southern African countries to facilitate exchanges and mutual learning. The Seychelles government committed in 2022 to passing legislation against hate crimes, which if successful is expected to be applicable to offences against the LGBTI+ community and other specific populations.⁴⁸⁰

Source: United Nations (2016): "Living Free and Equal: What States are doing to tackle violence and discrimination against lesbian, gay, bisexual, transgender and intersex people", p.34

8.2.3. Electoral arrangements

EMBs can contribute to the prevention and mitigation of violence against LGBTI+ persons in the political and electoral process through violence-mapping mechanisms, measures to punish this kind of violence (and especially during the campaign period), and voter education and training programmes on the issue.

→ The **Bosnia and Herzegovina** Central Election Commission in 2020 imposed sanctions against a candidate of the political party Democratic Front, who said on her Facebook page that 'pride' parade is shameful and that LGBTI+ persons should be brought back into an acceptable pattern of behaviour. The commission sanctioned her on grounds of hate speech, but an appeals tribunal accepted her argument based on her hate speech taking place outside the campaign period – and according to the Election Law, sanctions for hate speech can be imposed only during the campaign period.⁴⁸²

The work of the OSCE in preventing and responding to hate crimes

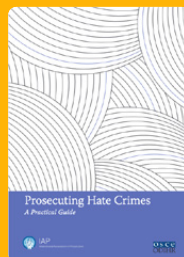
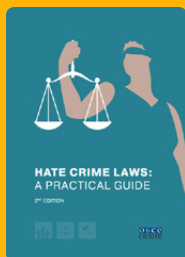
OSCE created a regional database of hate crimes based on participating States' submissions. For 2021, a total of 41 participating States submitted information related to hate crimes, of which 35 provided statistics and 23 informed on bias motivation, including anti-LGBT hate crimes. These data were complemented by civil society from 46 countries.⁴⁸¹

Furthermore, OSCE has developed a wide range of guides and methodological tools to help increase national actors' knowledge about prevention and response to hate crimes, including aspects such as legal frameworks, data-gathering and monitoring, prosecution and the involvement of civil society, among other topics. Some examples of these publications can be found below. Although they are not strictly connected to the electoral process, these handbooks can provide a general framework for a better understanding of LGBTIphobic violence.



More information about OSCE guides on hate crimes is available online.

<https://www.osce.org/odihr/guides-related-to-hate-crime>



Countering violence against LGBTI+ persons in the Americas

In 2015, the Inter-American Commission on Human Rights released the publication 'Violence against LGBTI persons'. It provides an overview of the different types of violence experienced by members of the community in the Americas and the State-driven mechanisms for preventing and mitigating such violence. The suggested measures to counter violence against LGBTI persons include collecting data and developing legislative protections for LGBTI persons, such as the recognition of their rights and the inclusion of prejudice-based crimes in the legal framework. To fight impunity and guarantee the access to justice of LGBTI persons, States can ensure adequate treatment and protection to victims, provide them with legal assistance and offer training to staff in judicial structures.



The full publication is available online.

<http://www.oas.org/es/cidh/informes/pdfs/ViolenciaPersonasLGBTI.pdf>



Suggestions to address violence against LGBTI+ persons in politics and elections

States, CSOs and LGBTI+ groups around the globe are encouraged to consider the following strategies to prevent and respond to violence against LGBTI+ persons in political and electoral processes. When

doing so, it is necessary to assess the context and specific needs of the LGBTI+ community and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

1. **Promote both civil society and government-led initiatives to collect data, analyse, research and monitor violence against LGBTI+ persons, especially in political and electoral contexts.**
2. **Consider the possibility of legal reform to include hate crimes and hate speech in the legal framework and to ensure that adequate investigation, prosecution and sanction mechanisms are specified.**
3. **Provide sensitization training to police and security forces and criminal justice personnel to promote a better understanding of hate crimes and provide dignified treatment to victims.**
4. **Provide adequate support to victims of LGBTIphobic hate crimes, including health care and psychological assistance, legal support and shelter when needed.**
5. **Conduct civil society and government-led awareness-raising campaigns to sensitize the public about gender and sexual diversity, human rights and the need to counter LGBTIphobic violence.**
6. **Conduct civil society and government-led campaigns to inform LGBTI+ persons about reporting procedures, assistance and resources for victims in cases of LGBTIphobic violence.**

455	O'Malley J et al, 'Sexual and gender minorities and the Sustainable Development Goals', UNDP, 2018. https://www.undp.org/content/undp/en/home/librarypage/hiv-aids/sexual-and-gender-minorities.html	463	Townsend M, 'Homophobic attacks in UK rose 147% in three months after Brexit vote', <i>The Guardian</i> , 8 October 2016. https://www.theguardian.com/society/2016/oct/08/homophobic-attacks-double-after-brexit-vote	470	OSCE/ODIHR Special Election Assessment Mission to Poland 2020, Final Report. https://www.osce.org/odihr/elections/poland/454699	479	Government of the United Kingdom, 'Action against hate: the UK government's plan for tackling hate crime', 2016. https://www.gov.uk/government/publications/hate-crime-action-plan-2016	
456	UN, 'Living free and equal: what states are doing to tackle violence and discrimination against lesbian, gay, bisexual, transgender and intersex people', 2016, pp. 9, 25. https://www.ohchr.org/sites/default/files/Documents/Publications/LivingFreeAndEqual.pdf	464	Kine P, 'What's behind the Indonesian president's troubling silence on LGBT persecution?', Human Rights Watch, 16 March 2016. https://www.hrw.org/news/2016/03/16/whats-behind-indonesian-presidents-troubling-silence-lgbt-persecution	471	Trans Murder Monitoring: https://transrespect.org/en/trans-murder-monitoring/	480	<i>Seychelles Nation</i> , "Seychelles hosts southern African hate crimes law convening", 10 February 2023. https://www.nation.sc/articles/16781/seychelles-hosts-southern-african-hate-crimes-law-convening	
457	Valuable contributions in this field include the work of various scholars, including Mona Leena Krook and Gabrielle Bardall, among others, as well as the efforts of international organizations and UN agencies, including UNDP, UN Women and IFES.	465	Wescott B, 'Never seen anything like this: inside Indonesia's LGBT crackdown', <i>CNN</i> , 1 June 2017. https://edition.cnn.com/2017/05/31/asia/indonesia-lgbt-rights/index.html	472	Observatorio Nacional de Crímenes de Odio LGBT, 'Informe 2020'. https://falgbt.org/crimenes-de-odio/	481	OSCE/ODIHR Hate Crime Reporting: https://hatecrime.osce.org/hate-crime-data	
458	UNDP, 'Elections and conflict prevention guide: a guide to analysis, planning and programming', 2017. https://www.undp.org/publications/elections-and-conflict-prevention-guide	466	La Red 21, 'Incrementa en Costa Rica violencia contra población LGBTI tras ascenso de político evangélico', 16 February 2018. https://www.lr21.com.uy/mundo/1359960-costa-rica-fabricio-alvarado-lgbti-discriminacion-homofobia	473	ILGA World database. Legal frameworks: criminalization of consensual same-sex sexual acts, 2023. https://database.ilga.org/criminalisation-consensual-same-sex-sexual-acts	482	Written submission by the Bosnia and Herzegovina Central Election Commission.	
459	Galtung J, 'After violence: 3R, reconstruction, reconciliation, resolution: coping with visible and invisible effects of war and violence', <i>Transcend: A Peace and Development Network</i> , 1998.	467	Newtral, 'La desinformación en torno a la ley trans: de la violencia de género al cambio de sexo legal en menores a cualquier edad', 26 October 2022. https://www.newtral.es/bulos-ley-trans-recopilatorio/20221026/	474	Violência contra LGBTs+ nos contextos eleitoral e pós-eleitoral: http://violencialgbt.com.br/			
460	Violence against LGBTs in electoral and post-electoral contexts: http://violencialgbt.com.br/	468	Maldita.es, 'Bulos y falsas afirmaciones sobre la Ley Trans*', 26 October 2022. https://maldita.es/malditobulo/20221026/bulos-falsas-afirmaciones-ley-trans/	475	Gênero e Número, 'Plataforma TRETAquí envía à OEA denúncias de discurso de ódio nas eleições', 1 November 2018. https://www.generonumero.media/reportagens/plataforma-tretaqui-envia-oea-denuncias-de-discurso-de-odio-nas-eleicoes/			
461	Sullivan Z, 'LGBTQ Brazilians on edge after self-described "homophobic" lawmaker elected president' <i>NBC News</i> , 29 October 2018. https://www.nbcnews.com/feature/nbc-out/lgbtq-brazilians-edge-after-self-described-homophobic-lawmaker-elected-president-n925726	469	Parliamentary Assembly of the Council of Europe, 'Combating rising hate against LGBTI people in Europe', 2021. https://assembly.coe.int/LifeRay/EGA/Pdf/TextesProvisoires/2021/20210921-RisingHateLGBTI-EN.pdf	476	VoteLGBT+, 'The state of Brazilian LGBT+ politics: between power and obliteration', 2022. https://www.votelgbt.org/pesquisas			
462	UN OHCHR, 'Brazil: UN experts call for peaceful elections', 2022. https://www.ohchr.org/en/press-releases/2022/09/brazil-un-experts-call-peaceful-elections		469	Ministry of the Interior, Spain: Informe 2020 sobre la evolución de los delitos de odio en España.	477	UN, 'Living free and equal: what states are doing to tackle violence and discrimination against lesbian, gay, bisexual, transgender and intersex people', 2016, pp. 9, 25. https://www.ohchr.org/sites/default/files/Documents/Publications/LivingFreeAndEqual.pdf		
				478	UN, 'Living free and equal: what states are doing to tackle violence and discrimination against lesbian, gay, bisexual, transgender and intersex people', 2016, pp. 36-37. https://www.ohchr.org/sites/default/files/Documents/Publications/LivingFreeAndEqual.pdf			

Conclusion

Building strong democracies requires the commitment and meaningful participation of all members of society, regardless of their sexual orientation, sex characteristics and gender identity and expression. LGBTI+ citizens have a constructive role to play in political and electoral processes, and their engagement and voices can lead to more pluralistic political representation and the adoption of inclusive policies and legislation that ultimately benefit society overall.

The scope and quality of their involvement are dependent on full acceptance and upholding of their rights. International law recognizes the rights of LGBTI+ persons to be free from discrimination, to participate in the conduct of public affairs, to vote and be elected, to have access to public service, and to freedom of expression, association, and peaceful assembly, among other human rights that are key to the credibility of elections and stability of political systems. From a development perspective, the 'leave no one behind' principle means that LGBTI+ persons should have the same opportunities as all citizens to participate in political and electoral processes without discrimination.

Despite such international human rights principles, which many countries have committed to honour or support in various conventions and declarations, LGBTI+ persons continue to face discrimination and violence in most societies, including throughout electoral processes. The participation of LGBTI+ persons in roles as citizens, voters, candidates, activists, political leaders, elected representatives, electoral administrators and civil society members, among others, in politics and elections is often hindered by a wide range of barriers. Obstacles to political participation may include discriminatory legal frameworks and institutional practices, social ostracism and other forms of violence.

The persistence of such obstacles lends urgency to the central question of how to overcome social prejudice, discrimination and violence towards LGBTI+ persons and promote their meaningful participation in political and electoral processes as well as democracy strengthening. The advancement of knowledge and education throughout a society can lead to a shift in social attitudes, including positive trends in acceptance and understanding of gender and sexual diversity. Giving visibility to the positive contributions of LGBTI+ individuals and groups to society can also be an effective strategy to overcome stereotypes and misconceptions.

This guide builds on thorough research on political and electoral participation of LGBTI+ persons, with the purpose of disseminating good practice, transforming mentalities, and engaging political and electoral stakeholders in fostering the participation of persons with diverse genders and sexualities. Despite its broad scope, this study is by no means an exhaustive and comprehensive publication, and it acknowledges the need for further research on the topic.

It is important to be aware, when promoting the political and electoral participation of LGBTI+ persons, that stereotypes and discrimination in this area reflect much broader social dynamics, including legal, institutional and public policy frameworks as well as social attitudes. Assessing the wider social context is an important step to identify participation gaps and understand which strategies are useful to promote the political rights and participation of LGBTI+ persons, in line with the 'do no harm' principle. Also, acknowledging that

political dynamics do not take place in a vacuum and respond to broader trends in society entails that when stakeholders fight against LGBTIphobia in politics, their commitment with the human rights of LGBTI+ persons has a wider scope, which goes beyond the political and electoral arena and has an impact on other areas of society.



The expression of LGBTI+ identities is a political act, especially in contexts where the mere existence of persons with diverse genders and sexualities challenges dynamics and structures of oppression. LGBTI+ persons and groups often face discrimination and violence. Becoming aware of their history of resilience and their political stance can contribute to increase their own forces. In this regard, community and movement building are key to advance the human rights of LGBTI+ persons, particularly political participation. Many of these efforts can and should be led by LGBTI+ organizations and movements themselves, as this work can be empowering and give visibility to marginalized groups within the overall community. At the same time, LGBTI+ persons also need straight and cisgender allies to help build inclusive societies where the human rights of all are respected.

As this guide has stressed and highlighted, all relevant stakeholders have a shared social responsibility to promote the inclusivity of political and electoral processes for all. Through the stakeholder-centred structure of its chapters, this guide reaches out to a wide range of stakeholders, suggesting strategies to promote the participation and rights of LGBTI+ persons in politics and elections, including political leaders, political parties, EMBs, legislators, civil society organizations, journalists, election observers and international electoral assistance practitioners. When everybody does their part, political systems become more inclusive, and democracy is strengthened.

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LGTBQ Dili, Timor Leste



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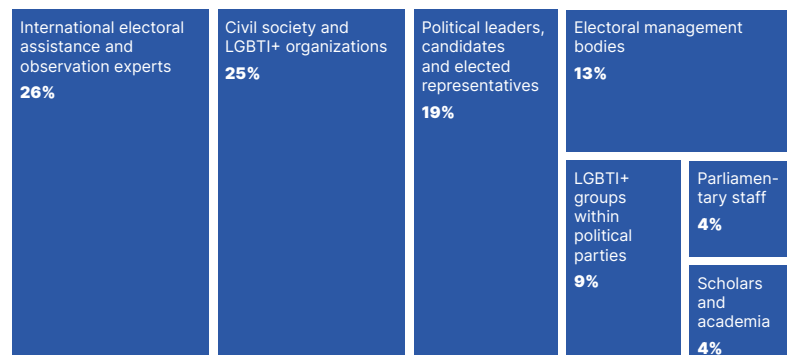
Annex I.

Methodological approach

The research methodology for this publication combined desk research, interviews with key stakeholders and written submissions from UNDP country offices, international organizations, EMBs and experts. Furthermore, as a collection of good practice, this guide features experiences from more than 80 countries from all regions, especially from the Global South, identifying entry points for the greater participation of LGBTI+ persons throughout the electoral cycle and the wider political process.

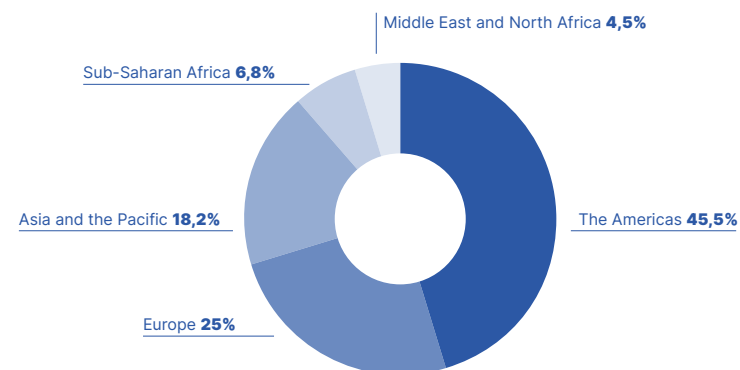
A total of 100 persons in 39 different countries were interviewed by the author from October 2019 to September 2020. They included 88 in-depth online interviews, of which 80 were individual (one on one) and eight were group interviews. The selection of interviewees sought a diverse representation of views and perspectives on the political and electoral participation of LGBTI+ persons, pursuing balance in terms of professional profiles, geographical diversity and political ideology, as well as the inclusion of trans and intersex persons. According to their profiles, interviewees were classified into seven groups, as shown in the graphic below:

Profile distribution of interviewees



The graphic below shows the regional distribution of interviewees. The largest share of interviewees was from the Americas, especially from Latin America, which is due to the rapid institutional and social developments in this region in the field of LGBTI+ political rights and participation.

Regional distribution of the interviews



→ A total of 26 **international experts** in the field of human rights, democratic strengthening, and electoral observation and assistance were interviewed in the development of this guide. Consulted experts came from a wide range of international organizations, including the EU, OAS, International IDEA, NDI and IFES. Within the UN system, interviews were held with representatives from UNDP, UN Women, the UN Electoral Assistance Division and UNESCO.

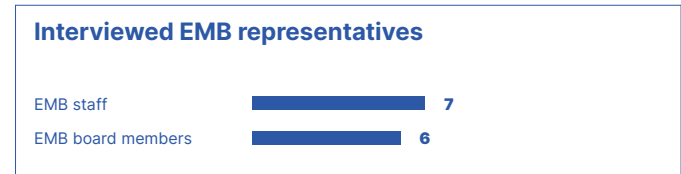
→ A total of 25 representatives from **civil society and LGBTI+ organizations** were interviewed in the development of this guide. Some of these organizations were specifically dedicated to promoting the rights of trans and intersex persons, and some others were specialized in particular fields such as media representation of LGBTI+ persons or capacity-building initiatives for LGBTI+ leaders, among other topics. Their countries of origin included Argentina, Belgium, Brazil, China, Colombia, Haiti, Indonesia, Kenya, Mexico, Nepal, Nigeria, Pakistan, Paraguay, Russia, Sri Lanka, South Africa and the United States.

→ A total of 19 **political leaders** were interviewed in the development of this guide. Among them there were eight trans persons, seven gay men, three lesbians and one straight cisgender woman. Regarding their positions in political office, interviews comprised 12 elected members of regional, national or sub-national parliaments, two elected representatives in local government, four former candidates in local and parliamentary elections and one former presidential candidate. Their countries of origin include Belgium, Brazil, Chile, Ireland, Italy, Kenya, Mexico, New Zealand, North Macedonia, Pakistan, Paraguay, Philippines, Poland, South Africa, Spain, Thailand, Tunisia, United States and Venezuela.

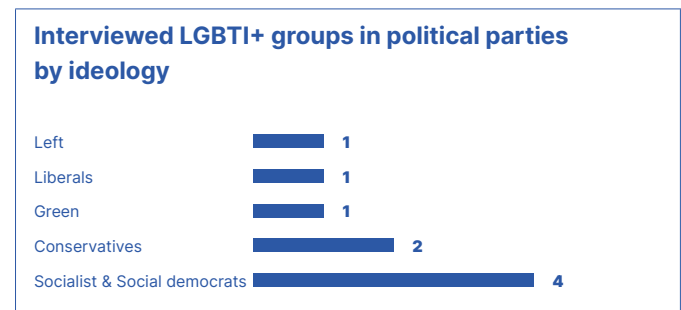


→ A total of 16 persons directly involved with **national, regional and subnational parliaments** were interviewed, including 12 MPs and 4 parliamentary staff with a coordinating role in LGBTI+ intergroups or LGBTI+ parliamentary staff associations. On account of these interviews, this guide gathers information on actions and strategies to promote political inclusion of LGBTI+ persons in a number of parliaments, including the European Parliament and national legislatures of Mexico, New Zealand, North Macedonia, Poland, South Africa, Thailand, the United Kingdom, the United States and the the Bolivarian Republic of Venezuela.

→ A total 13 **EMB** representatives were interviewed, including six members of EMB Boards and seven staff with managerial responsibility. Their countries of origin include Bangladesh, Guatemala, Mexico and Peru.



→ A total of nine representatives from **LGBTI+ groups and networks associated with political parties** were interviewed. Among them, four represented LGBTI+ groups linked to socialist and social democrat parties, two were associated with conservative parties, one with the greens, one with liberals and one with a leftist party.



The list of interviewees includes the following, presented in chronological order, starting with the first interview. The titles and affiliations were accurate at the time of the interview. Since being interviewed, some individuals may no longer be in the positions mentioned or have left their organizations.

	Name	Position and affiliation
1	Gloria Alcocer Olmos	Executive director at Fuerza Ciudadana A.C. in Mexico
2	Charlot Jeudi	President of Kouraj in Haiti
3	Erwing Augsten Szokol	Member of the coordination team at the Network Against all Form of Discrimination in Paraguay
4	Andrés del Castillo Sánchez	Chief technical advisor at the UNDP Electoral Project SEAM in Mozambique and former chief technical advisor and project manager at the UNDP Electoral Support Project in Nepal
5	Milagros Janet Suito Acuña	National director for civic education and training at the National Jury of Elections of Peru
6	Yren Ailyn Rotela Ramírez	Senate candidate in the 2018 general elections in Paraguay
7	Jose Luis Vargas Valdez	Magistrate of the Electoral Tribunal of the Federal Judicial Branch of Mexico
8	Whitney Pfeifer	Senior Program Manager for Citizen Participation and Inclusion at the National Democratic Institute
9	Mauricio Huesca	Councillor at the Mexico City Electoral Institute
10	Yuri Beltrán	Councillor at the Mexico City Electoral Institute
11	Dania Paola Ravel Cuevas	Councillor at the National Electoral Institute of Mexico
12	Roberto Heycher Cardiel Soto	Executive director for electoral training and civic education at the National Electoral Institute of Mexico
13	Mariana Aideé Mercado Ocampo	Deputy director of pedagogical developments for electoral training at the National Electoral Institute of Mexico
14	Christian Flores Garza	Director of electoral training at the National Electoral Institute of Mexico
15	Shahadat Hossain Chowdhury	Commissioner at the Election Commission of Bangladesh
16	Kabita Khanam	Commissioner at the Election Commission of Bangladesh
17	Darren Nance	Chief technical advisor at the UNDP Strengthening Electoral and Legislative Processes (SELP) Project in Pakistan
18	Luisa Rebeca Garza López	Executive spokesperson at the Queretaro District Council of the National Electoral Institute of Mexico
19	Carla Delgado Gómez	Deputy at the Assembly of Madrid in Spain
20	José Jaime Parada Hoyl	Councillor at the Municipality of Providencia in Chile
21	Johana Stefany Sandoval Reyes	Chief of the social inclusion department at the Supreme Electoral Tribunal of Guatemala
22	Shawn Gaylord	Executive director of the Congressional LGBTQ+ Equality Caucus in the United States

23	Anna Robinson	Researcher and coordinator of the All-Party Parliamentary Group on Global LGBT+ Rights in the United Kingdom
24	Alessandra Rossi	Country director in Guatemala and former chief of party in Haiti at the International Foundation for Electoral Systems
25	Gianmarco Negri	Mayor of the municipality of Tromello in Italy
26	Lennie Nicollet	President of Homosexualités et Socialisme in France
27	Tanwarin Sukkhapsit	Member of the House of Representatives in Thailand
28	Paul Stevens	Representative of Rainbow Labour in New Zealand
29	Laura Piazza	Senior campaign and programmes officer at ILGA Europe
30	Danton Remoto	Founder and chairman emeritus of Ang Ladlad in the Philippines
31	Vincent da Cruz	Chief technical advisor and project manager of the UNDP Electoral Support Project in Nepal
32	Nikila Shrestha	Gender equality and social inclusion and outreach advisor at the UNDP Electoral Support Project in Nepal
33	Zakhele Njabulo Mbhele	Member of the National Assembly in South Africa
34	Isabel García Sánchez	LGBTI federal delegate at the Socialist Party in Spain
35	Christopher Cunningham	President of the LGBT Congressional Staff Association in the United States
36	Vesna Jusup	Head of the policy, strategy and capacity development unit at the European Green Party
37	Jan Logie	Member of the New Zealand Parliament and co-chair of the Parliamentary Rainbow Network
38	Pinky Gurung	President of the Blue Diamond Society in Nepal
39	Uzma Yaqoob	Founder and executive director of the Forum for Dignity Initiatives in Pakistan
40	Maria Khan	Candidate to Provincial Assembly of Khyber Pakhtunkhwa in Pakistan
41	Reyna Celeste Ascensio Ortega	Member of the Chamber of Deputies in Mexico and president of the Parliamentary Commission on Youth and Sexual Diversity
42	Rumbidzai Kandawasvika-Nhundu	Head of political participation and representation team at International IDEA
43	Alisha Shah	Consultant in the Youth Empowerment Project at UNDP Pakistan
44	Miguel Chambel	Coordinator of the European Parliament's Intergroup on LGBTI Rights
45	Percy Medina	Head of Mission of International IDEA in Peru
46	Monia Azzalini	Researcher at Osservatorio di Pavia in Italy
47	Andrew Reynolds	Former professor and director of the LGBTQ Representation and Rights Research Initiative in University of North Carolina at Chapel Hill
48	Lourdes González Prieto	Head of the International IDEA Programme in Paraguay

49	María Eugenia Ludueña	Director of Agencia Presentes in Argentina
50	Ana Fornaro	Director of Agencia Presentes in Argentina
51	Yuri Guaiana	Secretary of LGBTI Liberals of Europe
52	José Ángel Santoro Estevez	Secretary-general of Rainbow Rose
53	Ross Murray	Senior director of the Media Institute at GLAAD in the United States
54	Maja Morachanin	Member of Parliament in North Macedonia and coordinator of the Inter-party parliamentary group for LGBTI Rights
55	Riccardo Chelleri	Policy officer at the European Union External Action Service
56	Isabel Martinho	Deputy head of the Democracy and Electoral Observation Division at the European External Action Service
57	Konrad Olszewski	Project director at Election Observation and Democracy Support
58	Lina Cuellar	Co-founder and director of Sentiido in Colombia
59	Kim Nilsson	Chairman of Open Moderates in Sweden
60	Yi Yang	Programme officer at LGBT Advocacy Rights China
61	Fredrik Saweståhl	President of the European Centre-Right LGBT+ Alliance
62	María Pilar Biggio Pastor	Electoral education manager at the National Office of Electoral Processes in Peru
63	Bisi Alimi	Founder and executive director of the Bisi Alimi Foundation in Nigeria and the United Kingdom
64	Petra De Sutter	Member of the European Parliament
65	Luis Abolafia Anguita	Director of international programmes at the LGBTQ Victory Institute
66	Ruben J. Gonzales	Executive director of LGBTQ Victory Institute
67	Sean Meloy	Vice-president of political programs at LGBTQ+ Victory Fund
68	Maria Walsh	Member of the European Parliament
69	Betilde Muñoz-Pogossian	Director of the department of social inclusion at the Organization of American States
70	Riccardo Barranca	Chief technical advisor in Elections at UNDP Tunisia
71	Andrea Cairola	Programme specialist at the UNESCO's Section of Freedom of Expression and Safety of Journalists
72	Tamara Adrián	Deputy at the National Assembly of Venezuela
73	David Kuria	Former Senate candidate in the 2012 elections in Kenya
74	Catherine Pognat	Chief of section of relations with civil society at the Organization of American States
75	Évorah Cardoso	Member and Co-Director of Vote LGBT and NGO #MeRepresenta in Brazil

76	Rosanna Flamer-Caldera	Founder and executive director of Equal Ground in Sri Lanka
77	Rachana Bhattarai	Programme officer at UN Women in Nepal
78	Subha Ghale	Programme officer at UN Women in Nepal
79	Dhruba Yonzon	Intern at UN Women in Nepal
80	Wilson Castañeda	Director of Caribe Afirmativo in Colombia
81	Dan Radulescu	Chief technical advisor of the UNDP Lebanese Elections Assistance Project
82	Tarisai Nyamweda	Communications for social change manager at Gender Links in South Africa
83	Dan Christian Ghattas	Executive director of the Organization Intersex International Europe
84	Hiroko Miyamura	Senior electoral and political affairs officer at the United Nations Electoral Assistance Division
85	Rafael H. Da Costa	Chairman of Gaya Nusantara in Indonesia
86	Mounir Baatour	Lawyer and aspirant to the 2019 presidential election in Tunisia
87	Mikhail Tumasov	Chairperson of the Russian LGBT Network
88	Rebeca Omaña	Coordinator of the Programme for the Universalization of Civil Identity in the Americas at the Organization of American States
89	Lucas Bulgarelli	Coordinator of the 2018 research on violence against LGBT+ persons in electoral and post-election contexts in Brazil
90	Giulliana Bianconi	Co-founder of Gênero e Número in Brazil
91	James Karanja	Co-founder and executive director at Intersex Persons Society of Kenya
92	Cristóbal Fernández	Head of the Electoral Technical Cooperation Section in the Department of Electoral Cooperation and Observation at the Organization of American States
93	Brenda Santamaría	Head of the Election Observation Section in the Department of Electoral Cooperation and Observation at the Organization of American States
94	David Cicilline	Member of the United States House of Representatives
95	Inês Ribeiro	Coordinator and spokesperson of the LGBTIQ working group in the European Left
96	Erika Malunguinho	Member of the Legislative Assembly of the State of Sao Paulo in Brazil
97	Tarek Zeidan	Executive director of Helem in Lebanon
98	Gabrielle Bardall	Founder and principal of Herizon Democracy consulting group
99	Víctor Madrigal-Borloz	United Nations Independent Expert on Sexual Orientation and Gender Identity
100	Robert Biedron	Member of the European Parliament

Annex II.

Suggestions to promote the participation and rights of LGBTI+ persons in political and electoral processes

Listed below are all the suggestions addressed to the main stakeholders involved in political and electoral processes for the purpose of promoting the participation and rights of LGBTI+ persons. When considering these strategies and approaches, stakeholders should assess the context and specific needs of the LGBTI+ community and analyse the possible effects of their actions, with particular attention to adhering to the 'do no harm' principle.

The suggested approaches and considerations were based on the research for this guide and examples of good practice. Their ultimate applicability will depend on the country context. The guide should be read with the understanding that UN electoral assistance is guided by various principles including respect for human rights as well as national sovereignty and ownership, and it is norm-based but not prescriptive. While assistance providers can propose options to government and election authorities, they should also consider the local context and national decisions must be respected.

Target	Suggestions
1. LGBTI+ political leaders	<ol style="list-style-type: none">1.1. Take all required security measures and precautions to make sure you are safe and be aware of reputational risks and potential attacks in the public space and the digital sphere.1.2. Be open to continued learning, improving your knowledge and skills, and seeking mentorship and leadership opportunities.1.3. Take care of yourself to avoid burnout and stress, especially in contexts of hostility towards gender and sexual diversity.1.4. When elected, promote inclusive laws and policies that improve the rights and lives of all people, including those of historically marginalized communities such as LGBTI+ persons.1.5. Be as visible and open about your gender and sexuality as you are comfortable being, considering your needs and context.1.6. Be aware of tokenistic practices, which give visibility to LGBTI+ persons in a symbolic role to create the impression of diversity and equality and yet hide the lack of real change.1.7. Value diversity within the LGBTI+ community and take into account the needs of different groups, considering gender, ethnicity, age, disability and other conditions.1.8. Build a supportive network of friends and allies.1.9. Promote positive change and the rights of LGBTI+ persons when the opportunity arises.
2. Political parties	<ol style="list-style-type: none">2.1. Include provisions on non-discrimination and LGBTI+ rights in foundational documents and internal rules and develop effective mechanisms for resolution of discrimination cases.2.2. Create and strengthen LGBTI+ networks within the party or as associated entities to help increase their influence and voice and ensure safe spaces.

- 2.3. Provide training and sensitization to party members and leaders to raise awareness of LGBTI+ rights.
- 2.4. Promote the participation of LGBTI+ leaders in governing boards and internal decision-making, and make sure that candidate lists include LGBTI+ leaders in winnable positions.
- 2.5. Ensure that LGBTI+ candidates get appropriate funding for campaign costs so that they can compete on a level playing field.
- 2.6. Include concrete policy measures in electoral platforms to advance the rights of LGBTI+ persons and communicate these directly to LGBTI+ persons and communities.
- 2.7. Support campaign activities of LGBTI+ candidates and ensure they receive good visibility.
- 2.8. Subscribe to electoral codes of conduct for political parties banning discrimination and violence against LGBTI+ persons.
- 2.9. Develop party policies and plans to advance LGBTI+ rights and create a culture of inclusion.
- 2.10. Engage in inter-party dialogue and build consensus to promote LGBTI+ rights through policy and legislation.

3. Electoral management bodies

- 3.1. Establish anti-harassment policies and ban discrimination based on sexual characteristics, gender identity and sexual orientation in recruitment and personnel policies to ensure safe spaces.
- 3.2. Ensure that all internal policies, strategies and action plans support the participation and rights of LGBTI+ persons and create a culture of inclusion.
- 3.3. Mainstream LGBTI+ rights into the work of different units within the secretariat and consider creating specific institutional mechanisms to facilitate the participation of LGBTI+ persons.
- 3.4. Provide training and sensitization to electoral staff, polling officers and other field staff to raise awareness of gender and sexual diversity, the rights of LGBTI+ persons, and identification procedures for trans and non-binary voters that meet their needs.
- 3.5. Partner with LGBTI+ groups to identify barriers to their participation in the electoral process, and jointly design strategies to promote the participation of LGBTI+ citizens.
- 3.6. Allow trans, non-binary and intersex candidates to register with their affirmed name and, to the extent permitted by law, with their gender identity.
- 3.7. To the extent permitted by law, allow trans, non-binary and intersex voters to register with their gender identity and affirmed name and issue voter credentials accordingly.
- 3.8. To the extent permitted by law, establish regulations allowing trans and non-binary candidates to have access to gender quotas according to their gender identity.
- 3.9. Strengthen the capacities and leadership skills of LGBTI+ persons and organizations.
- 3.10. Conduct civic and voter education campaigns to promote the engagement and electoral participation of LGBTI+ citizens and to raise awareness of sexual and gender diversity among the public.
- 3.11. On election day, make sure that polling stations are a safe environment for LGBTI+ persons and ensure that voting identification procedures are respectful of trans, non-binary and intersex voters.
- 3.12. Assess the participation and rights of LGBTI+ persons in post-election reviews through quantitative and qualitative methods, and identify lessons learned on this matter.

<p>4. Parliaments and legislators</p>	<ul style="list-style-type: none"> 4.1. Include protections for MPs and parliamentary staff in standing orders, codes of conduct and other internal rules. 4.2. Establish anti-harassment and anti-discrimination internal policies that consider sexual orientation, sex characteristics and gender identity as protected characteristics, and provide MPs and parliamentary staff with training and sensitization. 4.3. Mainstream LGBTI+ issues into the work of all committees 4.4. Create and strengthen inter-party groups and caucuses on LGBTI+ rights. 4.5. Address the participation and rights of LGBTI+ persons in parliamentary regional and international forums. 4.6. Initiate and participate in efforts within parties ahead of candidate selection to ensure that parliament mirrors society as closely and fairly as possible in terms of representation of different population groups, including LGBTI+ persons. 4.7. Integrate the needs of LGBTI+ persons in the general law-making process and pass targeted laws to promote and protect the rights of LGBTI+ persons. 4.8. Use available institutional mechanisms to review and examine government policies that particularly affect LGBTI+ persons. 4.9. Welcome LGBTI+ organizations to participate in the legislative process through committee submissions and public hearings. 4.10. Build partnerships with LGBTI+ organizations to promote dialogue, community and movement building, and awareness raising. 4.11. Conduct outreach campaigns to raise awareness of LGBTI+ rights among the public.
<p>5. CSOs and movements</p>	<ul style="list-style-type: none"> 5.1. Take all required security measures and precautions to make sure activists are safe, especially in contexts of hostility and violence against LGBTI+ persons. 5.2. Strengthen LGBTI+ communities and movements in the long term through education initiatives, dialogue, activism and public gatherings, including 'pride' marches. 5.3. Engage in voter education and information campaigns during the electoral process and in broader civic education efforts to promote the participation of LGBTI+ persons and sensitize the public about LGBTI+ rights. 5.4. Look into the possibility of supporting LGBTI+ leaders and candidates through training and capacity-building initiatives. 5.5. Consider engaging in election observation initiatives with a focus on gender and sexual diversity to assess the participation of LGBTI+ persons in the electoral process. 5.6. Advocate for the recognition of LGBTI+ rights and the adoption of inclusive laws and public policies that take into account the needs and interests of LGBTI+ persons. 5.7. When appropriate, engage in litigation strategies to promote the recognition of LGBTI+ rights through court decisions. 5.8. Engage with UN human rights mechanisms and bodies and follow up on their recommendations dealing with sexual orientation, sex characteristics and gender identity and expression.

<p>6. Journalists and media organizations</p>	<ul style="list-style-type: none"> 6.1. Integrate LGBTI+ issues and topics into journalistic work, following a human rights approach. 6.2. Give visibility to LGBTI+ persons and organizations and consult them as information sources. 6.3. Avoid reproducing negative stereotypes against LGBTI+ persons and try to reflect the realities and complexities of gender and sexual diversity, as part of efforts to pursue accuracy in reporting. 6.4. In political and electoral processes, give voice to LGBTI+ politicians and candidates and give visibility to LGBTI+ issues during election campaigns. 6.5. Use gender-sensitive language and avoid expressions of prejudice and hate speech against LGBTI+ persons, women, persons with disabilities or other groups. 6.6. Educate the public on gender and sexual diversity, taking care to counter stereotypes and promote the rights of LGBTI+ persons. 6.7. Put in place strategies and action plans within media organizations to support an inclusive working environment and to prevent, counter and sanction discrimination based on sex characteristics, sexual orientation and gender identity and expression. 6.8. Consider joining, supporting, or creating a network of LGBTI+ journalists. 6.9. Promote sensitization, training and capacity-building initiatives on gender and sexual diversity for journalists and media professionals within media organizations and more broadly, following a human rights approach. 6.10. Build bridges with LGBTI+ organizations and consider supporting activists through training and capacity-strengthening initiatives on communication skills and media relations. 6.11. Monitor comments on online portals and social networks to prevent and remove attacks against LGBTI+ persons, including those containing hate speech and incitement to violence. 6.12. When appropriate, consider conducting or engaging in media monitoring initiatives with a gender and sexual diversity perspective to assess the quantity and quality of media coverage given to LGBTI+ persons and topics.
<p>7. International election observation and electoral assistance</p>	<p>International election observation</p> <ul style="list-style-type: none"> 7.1. Forbid discrimination based on sexual orientation, sex characteristics and gender identity and expression, and develop protocols against workplace harassment, in line with the Code of Conduct for International Election Observers and the policies of the main international organizations conducting election observation. 7.2. In trainings for election observers, provide guidelines on how to observe the participation of LGBTI+ persons in politics and elections and share standards of conduct, in line with the Code of Conduct for International Election Observers. 7.3. Meet with LGBTI+ civil society organizations and public authorities to gather information on the participation of persons with diverse genders and sexualities in the political and electoral process. 7.4. Include findings and recommendations on the electoral participation of LGBTI+ persons in election observation reports, in line with international human rights principles. 7.5. Develop election observation methodologies and guidelines to gather and analyse information on the political and electoral participation of LGBTI+ persons.

	<p>International electoral assistance</p> <p>7.6. Identify barriers, risks, and areas of opportunity regarding the participation of LGBTI+ persons in the political and electoral process.</p> <p>7.7. During the project design phase, consider, as appropriate, including specific activities to promote the participation of LGBTI+ persons and other underrepresented groups, and allocate adequate resources.</p> <p>7.8. Consult with LGBTI+ activists and organizations to identify priorities, where appropriate, in the design and implementation of potential activities.</p> <p>7.9. Invite LGBTI+ organizations to participate in activities with civil society, where relevant, such as training workshops, conferences, and dialogue processes, among others.</p> <p>7.10. Work with EMBs and other key stakeholders to promote the inclusive participation of LGBTI+ persons in the electoral process, based on need, request and demand.</p>
<p>8. To prevent and counter violence against LGBTI+ persons in politics and elections</p>	<p>8.1. Promote both civil society and government-led initiatives to collect data, analyse, research and monitor violence against LGBTI+ persons, especially in political and electoral contexts.</p> <p>8.2. Consider the possibility of legal reform to include hate crimes and hate speech in the legal framework and to ensure that adequate investigation, prosecution and sanction mechanisms are specified.</p> <p>8.3. Provide sensitization training to police and security forces and criminal justice personnel to promote a better understanding of hate crimes and provide dignified treatment to victims.</p> <p>8.4. Provide adequate support to victims of LGBTIphobic hate crimes, including health care and psychological assistance, legal support and shelter when needed.</p> <p>8.5. Conduct civil society and government-led awareness-raising campaigns to sensitize the public about gender and sexual diversity, human rights and the need to counter LGBTIphobic violence.</p> <p>8.6. Conduct civil society and government-led campaigns to inform LGBTI+ persons about reporting procedures, assistance and resources for victims in cases of LGBTIphobic violence.</p>

Annex III.

Assessment framework on the participation and rights of LGBTI+ persons in the political and electoral process

The following list of questions provides for a general assessment framework on the participation of LGBTI+ persons in the political and electoral process. If statistics and quantitative information are available, they can be useful to support analysis based on relevant evidence and data. Conducting assessments in consultation with LGBTI+ organizations and networks and other key stakeholders is advisable to the extent possible.

These questions should be adjusted and adapted as necessary to account for country-specific contexts, including the sensibilities of key stakeholders, the specific needs of LGBTI+ persons and the need to adhere to the 'do no harm' principle.

1. Background information

This section of the assessment framework deals with background information regarding the participation of LGBTI+ persons in the political and electoral process, including relevant legal provisions and social attitudes towards gender and sexual diversity.

1.1 Legal framework

- > Does the legal framework criminalize LGBTI+ persons?
- > Does the legal framework restrict freedom of expression or association in relation to gender and sexual diversity?
- > What are the main provisions in the legal framework aimed at protecting and recognizing the rights of LGBTI+ persons?

1.2 Social attitudes towards gender and sexual diversity

- > What are the main social attitudes towards gender and sexual diversity?
- > What are the main social attitudes towards LGBTI+ activists and political leaders?

1.3 Main challenges

- > What are the main challenges faced by LGBTI+ persons to participate in politics and elections?
- > From an intersectional perspective, what are the specific challenges to the political and electoral participation of LGBTI+ persons belonging to underrepresented groups, including women, persons with disabilities, youth, members of Indigenous peoples, Afro-descendants, and other ethnic, linguistic and religious minorities, among others?

2. Key stakeholders' internal policies and strategies

This section of the assessment framework deals with the internal policies and strategies of the main key stakeholders regarding the participation of LGBTI+ persons in the political and electoral process.

2.1 LGBTI+ political leaders

- > Are there or have there been openly LGBTI+ persons represented in the national parliament or sub-national legislatures, and in the national government or lower-level governments (e.g., states, provinces, districts and municipalities, etc.)?

—> Who were the pioneers regarding the political participation of LGBTI+ persons?

2.2 Political parties

—> Do political parties include provisions on non-discrimination and LGBTI+ rights in their foundational documents and internal rules?

—> Have political parties created and strengthened LGBTI+ networks or associated entities?

—> Do political parties provide training and sensitization to party members and leaders to raise awareness of LGBTI+ rights?

—> Are LGBTI+ leaders represented in political parties' governing boards and internal decision-making, as well as in winnable positions of candidate lists?

—> Have political parties developed internal policies and plans to advance LGBTI+ rights?

2.3 Electoral Management Body

—> Has the EMB established anti-harassment provisions in its recruitment and personnel policies and banned discrimination based on sexual orientation, sex characteristics and gender identity and expression?

—> Does the EMB integrate the participation and rights of LGBTI+ persons in internal policies, strategies and action plans?

—> Does the EMB mainstream LGBTI+ rights into the work of different units within the Secretariat?

—> Are there units within the EMB's institutional structure with mandates that include promoting the participation of LGBTI+ persons and other underrepresented groups in the electoral process?

—> Does the EMB provide training and sensitization to

electoral staff, polling officers and other field staff to raise awareness of gender and sexual diversity and the rights of LGBTI+ persons?

—> Does the EMB partner with LGBTI+ groups to identify barriers to their participation in the electoral process and design joint intervention strategies to promote the participation of LGBTI+ citizens?

2.4 Parliament and legislators

—> Do parliaments include protections for MPs and parliamentary staff in standing orders, codes of conduct and other internal rules?

—> Do parliaments establish anti-harassment and anti-discrimination internal policies that consider sexual orientation, sex characteristics and gender identity as protected characteristics, and provide MPs and staff with training and sensitization?

—> Are LGBTI+ issues mainstreamed into the parliamentary committees' work?

—> Has the parliament created and strengthened an inter-party group or caucus on LGBTI+ rights?

—> Has the participation and rights of LGBTI+ persons been addressed in parliamentary regional and international forums?

—> Has the parliament integrated the needs of LGBTI+ persons in the general law-making process and passed specific laws to promote and protect their rights?

—> Has the parliament used available institutional mechanisms to review and examine government policies that particularly affect LGBTI+ persons?

—> Has the parliament partnered with LGBTI+ organizations to promote dialogue, community and movement building, and awareness raising?

2.5 Civil society organizations and movements

- > Are there LGBTI+ organizations and networks that promote the participation and rights of LGBTI+ persons?
- > Are LGBTI+ activists and human rights defenders harassed or persecuted based on their sexual orientation, sex characteristics, and gender identity and expression?
- > Have LGBTI+ groups and other CSOs engaged in civic and voter education campaigns to promote the participation of LGBTI+ persons and sensitize the public about LGBTI+ rights?
- > Have LGBTI+ groups and other CSOs conducted advocacy campaigns for the recognition of LGBTI+ rights and the adoption of inclusive laws and public policies?

2.6 Journalists and media organizations

- > Does the media give visibility to LGBTI+ persons, use inclusive language and avoid negative stereotypes?
- > Do media organizations put in place strategies and action plans to support an inclusive working environment and to prevent and respond to discrimination based on sex characteristics, sexual orientation and gender identity and expression?
- > Have there been sensitization, training and capacity-building initiatives on gender and sexual diversity for journalists and media professionals?

2.7 International election observation and electoral assistance

- > Do past international election observation reports include references or recommendations on the participation of LGBTI+ persons in the electoral process?
- > Have international electoral assistance projects in the country implemented specific activities to address the political participation and rights of LGBTI+ persons?

3. Participation of LGBTI+ persons throughout the electoral process

This section of the assessment framework deals with the barriers and participation opportunities for LGBTI+ persons at different stages of the electoral process.

3.1 Voter registration

- > Do LGBTI+ persons face barriers specifically targeting them in regard to voter registration?
- > Do voter registration procedures allow trans, non-binary and intersex voters to register with their gender identity and affirmed name, and issue voter credentials accordingly, to the extent permitted by law?
- > During the voter registration process, are identification procedures respectful of trans, non-binary and intersex voters?
- > Have there been voter registration campaigns specifically addressed to LGBTI+ persons?

3.2 Candidate registration

- > Do LGBTI+ persons face specific barriers in relation to their registration as candidates?
- > Are there available statistics on the number of openly LGBTI+ persons in registered candidate lists?
- > Are openly LGBTI+ leaders represented in winnable positions of candidate lists submitted by political parties?
- > Are there openly LGBTI+ persons running for election as independent candidates?
- > Do candidate registration procedures allow trans, non-binary and intersex candidates to register with their affirmed name and with their gender identity, to the extent permitted by law?

- > Does the legal and regulatory framework allow trans, non-binary and intersex persons to have access to quotas for women according to their gender identity?
- > Do political parties have voluntary candidate quotas for LGBTI+ persons?
- > Does the legal framework set mandatory candidate quotas for LGBTI+ persons?

3.3 Political and campaign finance

- > Do LGBTI+ candidates face specific barriers to fundraise and have access to donor networks to finance their electoral campaign?
- > Do political parties and political action committees (PACs) support LGBTI+ candidates in getting appropriate funding to face campaign costs so that they can compete on a level playing field?

3.4 Civic and voter education and leadership strengthening

- > Have there been civic and voter education campaigns to promote civic engagement and electoral participation of LGBTI+ citizens?
- > Have there been civic and voter education campaigns to raise awareness of sexual and gender diversity among the public?
- > Have there been initiatives to strengthen the capacities and leadership skills of LGBTI+ persons and organizations?

3.5 Election campaign

- > Can LGBTI+ political leaders, candidates, and party members freely campaign and express their political opinions?
- > Do political parties support campaign activities of openly LGBTI+ candidates and ensure they receive adequate visibility?

- > Do electoral platforms include references to LGBTI+ persons and policy measures to advance their rights?
- > Have political parties subscribed to codes of conduct during the election campaign banning discrimination and violence against LGBTI+ persons?
- > Does the media give voice to openly LGBTI+ politicians and candidates and visibility to LGBTI+ issues during the election campaign?
- > Do media monitoring initiatives during the electoral campaign assess the quantity and quality of media coverage assigned to LGBTI+ candidates and topics?

3.6 Voting process

- > Do LGBTI+ persons face specific barriers in relation to voting procedures?
- > Are polling stations a safe environment for LGBTI+ persons on election day?
- > Are voting identification procedures on election day respectful of trans, non-binary and intersex voters?
- > Does the EMB provide training and sensitization to electoral staff, polling officers and other field staff to raise awareness of identification procedures for trans, non-binary and intersex voters?
- > Do LGBTI+ persons participate as electoral staff and polling officers on election day?
- > Have LGBTI+ groups and other CSOs engaged in citizen election observation initiatives with a focus on gender and sexual diversity to assess the participation of LGBTI+ persons in the electoral process?

3.7 Post-election environment

- > Does the EMB assess the participation and rights of LGBTI+ persons in post-election reviews and identify lessons learned on this matter?
- > Have there been inter-party dialogue mechanisms to promote the rights and participation of LGBTI+ persons?

4. Violence against LGBTI+ persons in politics and elections

This section of the assessment framework deals with the violence experienced by LGBTI+ persons in the political and electoral process.

- > Have there been cases of violence, intimidation, or harassment against LGBTI+ persons in the political and electoral process, including those in the roles of candidates, elected representatives, voters and members of political parties and civil society?
- > Have there been cases of digital violence and hate speech against LGBTI+ political leaders and candidates on social networks?
- > Have political leaders spread hatred against LGBTI+ persons through the media and social networks in the context of the political or electoral process?
- > Are there unreasonable restrictions that prevent LGBTI+ persons from exercising their right to vote, to be elected, to campaign or to express political opinions?
- > Are there civil society and government-led initiatives to collect data, analyse, research, and monitor violence against LGBTI+ persons, especially in political and electoral contexts?

- > Does the legal framework prohibit hate crimes and hate speech based on sexual orientation, sex characteristics, and gender identity or expression and also ensure adequate investigation, prosecution, and sanction mechanisms?
- > Do police, security forces and criminal justice personnel receive adequate sensitization training to promote a better understanding of hate crimes and offer a dignified treatment to victims?
- > Do victims of LGBTIphobic hate crimes receive adequate support, including health care and psychological assistance, legal support and shelter when needed?
- > Have there been awareness-raising campaigns to sensitize the public about the need to counter LGBTIphobic violence and to inform LGBTI+ persons about reporting procedures, assistance and resources for victims?

Annex IV.

About the author and the review board

About the author



Lluís Juan Rodríguez is an expert in democratic governance, electoral affairs and human rights. He holds a Bachelor's Degree in Sociology and a Bachelor's Degree in Political Sciences from the University of Valencia, as well as a Master's Degree in European Constitutional Law from the Autonomous University of Barcelona, a Postgraduate Degree in

Electoral Assistance and Observation from the University of Valencia and a Postgraduate Degree in Technopolitics and Human Rights in the Digital Age from the University of Barcelona. As a technical expert, Lluís has taken part in electoral assistance and democracy strengthening projects with UNDP, International IDEA, UN Women, IFES and other organizations in various countries, including Paraguay, Guatemala, Mexico, Haiti and Madagascar. His main areas of expertise include gender equality and the participation of women, youth, LGBTI+ persons and other underrepresented groups in political and electoral processes. In recent years, Lluís has contributed to the development of leading publications and knowledge products in the field of gender equality and electoral inclusion, including the Gender and Elections Topic Area of the ACE Electoral Knowledge Network.

About the review board

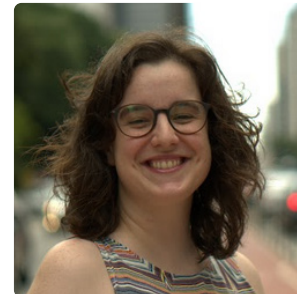
When the first draft of the publication was ready, it went through a thorough independent review process. The review board was composed of a diverse group of renowned independent experts in the fields of LGBTI+ rights and political and electoral affairs. Its composition aimed to be gender balanced and include engagement of trans and intersex experts.



Luis Abolafia joined the American Bar Association Rule of Law Initiative (ABA ROLI) in November 2020 as a Senior Program Manager in the Latin American and Caribbean Division. Since June 2023, he is the Senior Technical Advisor on Gender, Equity, Safeguarding, and Social Inclusion for ABA ROLI's Global Programs Division. Luis has over 15 years of experience working on human rights, democracy, gender, and LGBTQI issues across the world. Before joining ABA ROLI, he served as Director of International Programs at the LGBTQ Victory Institute. There, Luis oversaw several initiatives that focused on increasing civic and political engagement of LGBTQ people in Latin America and the Caribbean, the Balkans, Southern Africa, and India. Prior to this, he coordinated several projects focused on women's economic empowerment and migration in Colombia, with Asociación Candelita from Spain. He has also worked for Fundación Triángulo in Spain, overseeing human rights and advocacy projects working with LGBTQI communities across Latin America. Luis graduated from the Autonomous University of Madrid (Spain) with a Law degree and holds a Master's degree in Applied Human Rights from the University of York (UK). He is fluent in English and Spanish and has an intermediate command of French.



Gabrielle Bardall Ph.D. is the founder and principal of Herizon Democracy consulting group and a Visiting Professor with the Graduate School of Public and International Affairs (GSPIA) at the University of Ottawa. She has worked in over 60 countries worldwide for a variety of UN agencies and international organizations, including UNDP, the UN Department of Peacekeeping Operations (DPKO), UN Women, IFES and the Carter Center. She specializes in democracy assistance, especially promoting women's political rights in post-conflict and authoritarian states. Gabrielle holds degrees from McGill University, Sciences-Po Paris and l'Université de Montreal. She received the American Political Science Association's Congressional Fellowship and the Pierre Elliott Trudeau Doctoral Scholarship for her work in the area of violence against women in politics.



Evorah Cardoso is a scholar and activist with expertise in legal sociology. Holding a Ph.D. and Master's degree from the University of São Paulo, she also teaches International Relations at FECAP and coordinates research and advocacy at VoteLGBT, an NGO that aims to overcome LGBTQIA+ underrepresentation in Brazilian politics. Recently, she published a comprehensive report on Brazilian LGBTQIA+ politics, *"The State of Brazilian LGBT+ Politics: Between Power and Obliteration"*. Evorah is a longstanding researcher focusing on political representation and social mobilization for rights advocacy. With over 20 years of experience, Evorah has addressed critical social issues like gender equality, racism, child welfare, business and human rights, strategic litigation and pro bono advocacy, contributing to both Brazilian state entities and civil society organizations. Evorah's work has been recognized through scholarships from FAPESP, CAPES, and DAAD, and she has conducted research in Argentina, Colombia, and Germany. As an activist, she co-founded the NGO #MeRepresenta, where she served as director. Her impactful contributions earned her a spot in the U.S. Department of State's International Visitor Leadership Program on "Civic Activism in Democratic Process" in 2019.



Gina Chirillo is an expert in gender equality and women's political participation around the world with more than a decade of experience. Previously, she served as the senior global gender specialist at IFES, where she provided technical assistance to work empowering women in politics, advancing LGBTQI+ inclusion around the world, and promoting inclusive elections and democratic processes. She has authored gender analyses in Burkina Faso, Ecuador, Ethiopia, Honduras, Iraq and Ukraine and served as the program manager and co-author of IFES' global framework for gender-sensitive indicators for early warning of violence and conflict. She also led a research initiative to improve women's access to electoral justice. Gina holds a master's degree in public policy with a concentration in women's, gender and sexuality studies from the George Washington University, where she received a full-tuition fellowship and an award for feminist leadership, and a bachelor's degree in political science and French from Emory University.



Lina Cuellar is Director and co-founder of Sentiido. She holds a PhD in History from the University of Los Andes, a Master's degree in History and a Professional Degree in Literature from the National University of Colombia. Lina teaches, writes and develops projects related to sexual diversity, gender equality, strategic communication, leadership and creativity, the latter as a powerful tool for social change. She is a leadership and diversity coach and Fellow of Acumen Colombia 2021.



Luisa Rebeca Garza López is a Founding Member of QuereTrans SC, Coordinator of the Trans* Studies Center of QuereTrans SC, former Advisor of the INMUJERES Advisory Council (2021-2024) and first trans woman to hold a position in said Council, Member of the Observatory of the Political Rights of Trans* Persons in Latin America and the Caribbean, second generation Member of the Méxicos Posibles Project, and Honorary Member of the Free Chair of Trans* Studies of the Faculty of Philosophy of the University of Buenos Aires (UBA). Rebeca has 21 years of experience as an electoral official specializing in the integration of polling stations and the promotion of civic education with a gender perspective and an intersectionality approach. She was born in Veracruz, Mexico, in 1978 as a trans woman within an internal migrant family. She graduated with a Bachelor's Degree in Administration from the Autonomous University of Nuevo León (UANL) in 1999 and holds a Master's Degree in Electoral Institutions and Procedures from the INE-UANL, with the thesis "*Gender violence and electoral political participation of trans* people in Mexico since 1990 within the Mexican electoral system*", for which she obtained a honorable mention in 2017.



Dr. Irena Hadžiabdić is currently serving as a member of the Bosnia and Herzegovina Central Election Commission (BiH CEC) and has been the commission's president twice (2010–2011 and 2017–2018). She graduated from the Belgrade Faculty of Law. She holds a M.S. in European Union Policy, Law and Management from Robert Gordon University, Aberdeen and a Ph.D. in Juridical Science. She has spent the past 26 years in the field of election management, first with the Organization for Security and Co-operation in Europe (OSCE), then as Executive Director of IFES in Bosnia and Herzegovina and as the Executive Director of the Association of Election Officials in BiH (AEOBiH). In the period from June 2011 to September 2012, she was president of the Association of European Election Officials (ACEEEO); she represented the BiH CEC in the Executive Board of the ACEEEO; and until October 2016 she also represented the BiH CEC in

the Oversight and Audit Committee of the Association of World Election Bodies (A-WEB). She is also a member of IFES Board of Directors. In 2013, she received an International Electoral Award for outstanding achievements in election management. In May 2019 she received the “person of the year” award for public administration and in June of 2022 she received IFES’ Joe C. Baxter Award for excellence in election administration.



James Karanja, an intersex person, is the co-founder and the Executive Director of Intersex Person Society of Kenya (IPSK). James, who is a degree holder in Political Science and Sociology from the University of Nairobi, in 2016 wrote the intersex petition that was tabled in the Parliament for the first time. In 2017, he organized the first intersex national day in

Kenya to celebrate the intersex Human Rights Day. Other responsibilities and achievements include: In 2017–2018, serving as a member of the Government of Kenya Intersex taskforce as mandate by the Attorney General of Kenya; in 2018, helping to mobilize the intersex community in demanding the inclusion of the third code in the 2019 Government of Kenya census, an effort that succeeded; in 2019, serving as a member of the Government of Kenya Intersex Persons Implementation Coordination Committee (IPICC). Also in 2019, James’ expertise on intersex issues was sought by the Senate in the writing of an intersex bill that aims to amend the Registration of Persons Act and allow intersex persons to easily change their legal documentation. That same year, he was selected to the steering committee and appointed as the secretary of the Africa Intersex Movement (AIM) in the region.



Jan Logie was a Green Party member of the New Zealand Parliament from 2011–2023. She held the newly-created position of Parliamentary Under-Secretary Justice (Sexual and Domestic Violence Issues) from 2017–2020. In this role, amongst many other things, she engaged with diverse communities and established funding for tailored responses to prevent violence by and for indigenous, LGBTQIA+, disabled, migrant and young women. She has a background in gender equality and in working to end patriarchal violence. In parliament she initiated and co-chaired Aotearoa-New Zealand’s first cross party rainbow caucus and began the political work to provide self-determination of gender identity on birth certificates. She has also been a proud member of the Trade Union Out at Work network, advocating for inclusive workplaces. Her work has centered the experiences of marginalized women and communities, including trans and non-binary people, challenging systemic oppression.



Therese Pearce Laanela leads the Electoral Processes Unit at International IDEA, a democracy-focused intergovernmental organization based in Stockholm, Sweden. She has 28 years of experience working with elections on the field, headquarters and policy levels. She served as a founding staff member at International IDEA.

Through work with IFES, The Carter Center, UNDP and IDEA, Therese has been deeply involved in the development of a variety of seminal publications, networks, evaluations, databases and training curriculum on electoral administration. These include the ACE Electoral Knowledge Network and the BRIDGE election management course package. She began her elections work in Cambodia in 1992 as a District Electoral Supervisor for the UN-sponsored first multi-party elections, and then with UNDP and the Mozambican Electoral Commission to organize the first post-war elections of 1994. She has since served in dozens of international election observer and electoral assistance missions. Her doctoral studies at the Australian National University examine issues relating to trust in electoral institutions, while

her Master's Degree from the University of Stockholm focused on the links between political financing, corruption and electoral systems in Japan.



Tarek Zeidan is a sexual and bodily rights activist from Lebanon advocating for the rights and protection of LGBT communities in the MENA region. He is the executive director of Helem, the first LGBT rights organization in the Arab World, founded in 2001. His expertise lies in global LGBTIQ advocacy, digital rights, economic justice, and political participation. Tarek is an

Ashoka Foundation global changemaker, a Ford Foundation global fellow, and a fellow at the Harvard Center for Public Leadership. He has previously worked as the head of communications and strategic planning for the MENA region at the Brookings Institution and at the Carnegie Endowment for International Peace. He obtained his MA in human rights advocacy from Harvard University's Kennedy School of Government. He lives in Beirut, Lebanon.

