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

The following list of questions provides a general assessment framework on the participation of LGBTI+ persons in political and electoral processes. If available, statistics and quantitative information can be useful to support analysis conducted with this framework. Conducting assessments in consultation with LGBTI+ organizations and networks and other 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.

This document is part of a longer and more detailed United Nations Development Programme (UNDP) publication released in November 2023, '**Building inclusive democracies: A guide to strengthening the participation of LGBTI+ persons in political and electoral processes**', authored by Lluís Juan Rodríguez. Extensive background and supportive information are available in the main publication, including descriptions of and links to many resources available online.

1.
Background information

This section of the assessment framework deals with background information regarding the participation of LGBTI+ persons in political and electoral processes, 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?

⟶ Are there provisions in the legal framework aimed at protecting and recognizing the rights of LGBTI+ persons? If yes, what are the main ones and what do they say?

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 in terms of participation in politics and elections?

⟶ Are there unreasonable restrictions that prevent LGBTI+ persons from exercising their right to vote, to be elected, to campaign or to express political opinions?

⟶ 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?

2.
Key stakeholders' internal policies and strategies

This section of the assessment framework deals with the internal policies and strategies of important 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 are some of the well-known and influential people in the past and present 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 bodies

→ Has the Electoral Management Body (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. Parliaments (national and sub-national) and legislators

→ Do parliaments include protections for members of parliament (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 parliamentary committees' work?

→ Have parliaments 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?

→ Have parliaments integrated the needs of LGBTI+ persons in the general law-making process and passed specific laws to promote and protect their rights?

→ Have parliaments used available institutional mechanisms to review and examine government policies that particularly affect LGBTI+ persons?

→ Have parliaments partnered with LGBTI+ organizations to promote dialogue, community and movement building, and awareness raising?

2.5. Civil society organizations and movements

→ Are there civil society organizations (CSOs) and networks, including those led by LGBTI+ persons or focused solely or primarily on the community's issues, 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 that match their preferences, 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 unique or targeted 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 unique or targeted 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 unique or targeted 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 prior or potential violence directly related to 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 civil society and government-led initiatives to collect data on, analyse 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?