



June 8, 2020

The Honorable Mike Pompeo
Secretary of State
Department of State
2201 C Street NW
Washington, DC 20521

Dear Secretary Pompeo,

As you know, at last year's General Assembly, President Trump announced that his "administration is working with other nations to stop criminalizing of homosexuality, and we stand in solidarity with LGBTQ people who live in countries that punish, jail, or execute individuals based upon sexual

orientation.” Given President Trump’s pledge to work with other nations in this effort, we were surprised to learn that the United States refused last month to sign two important international declarations marking the International Day against Homophobia, Biphobia, Interphobia and Transphobia – IDAHOBIT.

One of these statements — on Covid-19 and the human rights of LGBTI persons — was signed by 38 members of the Equal Rights Coalition (ERC), a multilateral group that the United States helped launch and has long helped lead. Notably, the ERC is committed to precisely what President Trump pledged in his UN speech: standing in solidarity with LGBTQ people who live in countries that punish, jail, or execute them. The ERC’s statement focused on unique vulnerabilities of LGBTQ persons in the face of Covid-19, and on efforts by some states to hide behind spurious Covid-related health justifications to criminalize LGBTI people. The U.S. also declined to sign a similar statement this month as a member of the UN LGBTI Core Group — in the very halls where President Trump issued his seemingly empty call for decriminalization.

We are equally concerned that, while the United States did join in signing an IDAHOBIT statement at the Organization of American States (OAS), it did so only by insisting on caveats that can be used to justify indirect discrimination against LGBTI persons in our hemisphere. The U.S. Congress has asked your Department for a clarification of that confusing qualification to the OAS declaration.

And while the U.S. Mission to the United Nations also offered its own unilateral statement, the text referred only to sexual orientation, and not to gender identity, in referencing the need to respect the equality and human dignity of all persons — a glaring omission that specifically excludes transgender people.

These two U.S. government statements, with such carefully chosen wording, actually undermine rather than strengthen the international consensus around decriminalization. Decriminalization requires our clear and steadfast commitment to the principle that all people are created equal, and that as such they are entitled to rights, responsibilities, and liberties in equal measure.

For the communities with which we work, decriminalization means little without recognition of trans people and their rights — particularly given that those most frequently arrested under anti-homosexuality laws tend to be either trans or gender non-conforming persons. The U.S. statements at the UN and OAS therefore only draw a new line of discrimination and inequality, one that provides fuel not only to anti-LGBTI forces, but to human rights-challenged regimes that we should confront rather than embrace.

In his UN speech, President Trump noted that on decriminalization — as with any other human rights issue — we must work in close coalition “with other nations” and in international fora where those nations engage diplomatically. That, of course, is self-evident, inasmuch as achieving this important goal requires the cooperation of others, including local civil society in the countries where decriminalization is needed.

We and others see in the rejection of international standards and alliances a calculated effort by the Trump Administration to delegitimize the rights of LGBTI people, with explicit exclusion of transgender people, and, consequentially, to undermine both our country’s international alliances and its long history as a champion of human rights in international fora. If that is not your intent, we urge you to look at upcoming celebrations of LGBTI Pride as an opportunity to issue a meaningful call for international solidarity and a commitment to working with all countries to address violence and

discrimination against LGBTI people everywhere – particularly transgender people, who face the most extreme violence within our community.

Respectfully,

Mark Bromley
Council Chair
Council for Global Equality

Dr. Sharon Nazarian
Senior Vice President for
International Affairs
Anti-Defamation League

Robert Bank
President & CEO
American Jewish World Service

Tarah Demant
Director, Gender, Sexuality,
and Identity Program
Amnesty International USA

Sharita Gruberg
Policy Director, LGBTQ
Research and
Communications Project
Center for American
Progress

Serra Sippel
President
Center for Health and Gender
Equity (CHANGE)

Sarah Kate Ellis
Chief Executive Officer
GLAAD

Bishop Pat Baumgartner
Global Justice Institute
Metropolitan Community
Churches

Eliza Byard, PhD
Executive Director
GLSEN

Asia Russell
Executive Director
Health GAP

David Stacy
Government Affairs
Director
Human Rights Campaign

Aaron Morris
Executive Director
Immigration Equality

Kimberly Zieselman
Executive Director
InterACT

Françoise Girard
President
International Women's
Health Coalition

Darrel Cummings
Chief of Staff
Los Angeles LGBT Center

George Ayala
Executive Director
MPact Global Action for Gay
Men's Health and Rights

Shannon Minter
Legal Director
NCLR

Mara Keisling
Executive Director
National Center for Transgender
Equality

Brian Bond
Executive Director
PFLAG National

Stefano Fabeni
Executive Director
Synergía – Initiatives for
Human Rights

Kerry Kennedy
President
Robert F. Kennedy Human Rights