

The Council for Global Equality



Advancing an American Foreign Policy
Inclusive of Sexual Orientation and Gender Identity

Focus Group Discussion Report November – December 2007

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Consultation Locations

- Washington, DC
- New York, NY
- Pretoria, South Africa
- Johannesburg, South Africa
- San Francisco, CA

Lead Consultants

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Consultation Process

As part of the “LGBT Foreign Policy Project,” staff of the Council for Global Equality conducted a number of focus group style meetings in New York and Washington, DC in

November 2007. Those were supplemented by dozens of one-on-one interviews with a range of lesbian, gay, bisexual and transgender (LGBT) activists, human rights experts, U.S. and foreign diplomats, development specialists, and U.S. Congressional staffers in November and December 2007. The one-on-one meetings were conducted in New York, Washington, DC and San Francisco. Additional consultations were held in Pretoria and Johannesburg, South Africa during a large LGBT human rights conference organized by ARC International.

The experts consulted were generally asked to respond to an initial discussion paper that was circulated in early November. The various responses to the discussion paper – both the skeptical and the enthusiastic – are summarized in this feedback report. Where possible, the authors have included direct quotes or closely paraphrased reactions to provide a better sense of the immediate responses this discussion conjured up for those who participated. In the interest of providing some level of anonymity to the various front-line human rights actors who are quoted, along with the U.S. government employees who agreed to speak very candidly, the report provides anonymous quotes, but generally with an explanation of the background or the perspective of the person quoted. These quotes are not intended for attribution beyond the contours of this discussion. The two consultants to this Project do not necessarily agree with all of the comments or perspectives included in this report. But without exception, the responses have all been exceptionally thoughtful and will be very helpful to the future direction of the Council for Global Equality.

Framing the Message

By far the most common reaction to the initial concept paper was that **the effort must be centered within a larger human rights framework**. This approach has many benefits. It adds a sense of humility – and reality – to an otherwise ambitious and potentially “imperialistic” sounding foreign policy agenda. As noted in various ways by a number of commentators, the effort should *not* be presented as an attempt by “American gays to save their brothers and sisters.” One commentator noted, by analogy, how unhelpful it is that some Canadian activists have been saying they want to focus on an “international agenda” because LGBT rights have already been “dealt with” in Canada.

Several international LGBT leaders noted that it would be easier for LGBT groups in other countries to engage with the U.S. government if the effort is **portrayed as part of a new U.S. commitment to human rights in a new Administration**. Some even suggested that the effort should be portrayed as part of a larger U.S. “atonement,” or “statement of contrition,” for human rights transgressions in recent years. State Department personnel similarly noted that they would find it easier to press LGBT concerns within a larger human rights context, especially if it is seen as part of a new, high-level human rights commitment coming from a new Secretary of State. One commentator suggested an even broader link to the United States “recovering its greatness in the world.”

The German Embassy in South Africa partially funded a large international LGBT human rights conference in South Africa in December, and a representative of the German embassy pointedly noted that “**it would be remarkable if the U.S. government could support something like this.**” That statement was repeated in a variety of ways by different activists at the conference,

even while most of them simultaneously recognized the complications of bringing the U.S. government into the effort.

The German diplomat also noted that his government's support for the LGBT conference in South Africa was intended to send a larger message about German commitments to an inclusive human rights agenda. Others were more direct, noting that by supporting LGBT rights internationally, the U.S. government could send an important – and to many a startling – message about U.S. commitments to diversity and human rights as broadly defined. To the German Embassy, support for the Johannesburg conference was **an intentional statement about a broad commitment to human rights, not just a narrow (but important) statement about LGBT human rights concerns** in Africa and beyond. Another commentator said simply that U.S. support for international LGBT rights would be “a sure sign of a paradigm shift in U.S. foreign policy.”

Several commentators noted that it will be important to **frame international LGBT support as a two-sided, “transformative” effort**. The international LGBT movement needs the financial and diplomatic support of the U.S. government. But by supporting human rights struggles in other countries, the domestic LGBT advocacy community here at home has just as much to learn about how to advance an inclusive human rights agenda in the United States. This means that a truly transformative foreign policy agenda must be seen as providing the opportunity to transform our own human rights movement, including our own domestic LGBT struggles, just as it holds the potential to transform the world around us.

A “transformative human rights focus” also takes us away from a **dangerous “charity model”** of financial and diplomatic support, where we expose ourselves to valid criticisms focusing on our need to protect LGBT rights at home before turning our “charity” on the rest of the world.

The U.S. domestic LGBT community should **respond to this effort as a part of the global movement**, *not to support* the global movement. To Latin American activists in particular, this means that we should not talk about the “global movement” for LGBT rights as somehow distinct from our own ongoing LGBT struggles here in the United States.

If this initiative is folded into a larger effort to bring the United States back into the international community as a global leader in human rights, it should be **linked to efforts to ratify CEDAW and re-commit to human rights agreements and organizations more generally**. One participant noted that a country that isn't ready to ratify CEDAW has a lot of work ahead to resurrect its image as a leader on any human rights issue. Another noted that this effort should be **part of a “broad appeal to this country to come back to its leadership on human rights.”**

One participant cautioned that if you start with too broad a human rights frame, it becomes difficult to mobilize a community around the ideas and goals of this Project. Instead, the Project should **focus on practical and newsworthy hooks to grab attention** – “make news – and then link any coverage or discussion back to larger questions about U.S. foreign policy.

Information Gaps and Human Rights Reporting

Several participants noted the significant “**informational barriers to entry**” that limit the ability of U.S. domestic activists to engage in this work. A range of domestic LGBT organizations would be willing to intervene, but only if given clear instructions. Appeals to local organizations need to be carefully calibrated and prioritized. Local groups can only be expected to intervene a few times per year. One commentator summed up the problem by noting that there “are a lot of grassroots activists who want to engage on international issues . . . but there is a gap between accurate information and ways for people to engage responsibly.” There are also large diasporic LGBT communities who maintain ties to their home countries and may wish to engage in this type of advocacy.

Staffers in Congress noted that they receive very little information on international LGBT human rights issues. When Congressman Frank intervenes, he often does so on his own initiative, and often without any information or contact with international human rights experts.

A longtime Washington human rights advocate noted that many years of effort to encourage better **State Department human rights reporting** on a range of human rights issues, including LGBT issues, is paying off in some of the current human rights debates in Congress. Advocates can now turn to these official U.S. government reports to point to U.S. hypocrisy in respecting human rights, particularly within the context of the counter-terrorism struggle. But we must take this to the next level, asking why human rights issues cited in the **State Department reports are not factored into relevant country plans.**

The many years of human rights reporting by the Human Rights Bureau (DRL) in the State Department needs to be re-enforced. One commentator who has worked on these reports noted that **we cannot assume the reports will remain strong if the advocacy community is not vigilant.**

In addition, these reports need to be turned into funding strategies and policy responses. **A conference or meeting should be organized in March 2008** to mark the next release of the annual State Department human rights reports and launch a dialogue over how best to strengthen and then build a policy response around those reports.

At the same time, several commentators noted how controversial it is that the U.S. State Department reports on human rights in every country except the United States, and that there should also be some effort to issue the “**missing report**” every year, perhaps for this Project by working with domestic groups to compile the missing information on LGBT human rights in the United States.

Some respondents suggested that **an analysis is needed of State Department human rights reporting on LGBT issues.** Ideally, the analysis should be produced **in coordination with a foreign policy or public policy think tank.** A thoughtful analysis should evaluate the depth and sophistication of that reporting over the past five to ten years. Are U.S. embassies becoming more sophisticated in the way they report on LGBT abuses, or is the reporting only expanding at

the most superficial level? At minimum, a study should chart general categories of listed abuses (violence, sexual assault, discrimination); the number of references to discrimination as disaggregated by various sectors (housing, employment, education, access to healthcare, etc); the categories of identified human rights abusers and the frequency with which certain abusers are cited (including the police, military forces, gangs, courts, family members); the number and substantive range of transgender references (do the reports cover legal efforts to obtain proper medical care or identity documents, or do they only report transgender violence); and the number of “positive LGBT developments” included in each report.

Some effort should also be made to track **how many official démarches**, on any topic, the State Department human rights reports have generated in recent years. Are they triggering any policy responses at all on any topic? Even a limited analysis of these broader trends would be helpful in pushing the evolution of the reports and identifying targeted U.S. policy responses for trends already established.

Several State Department officials noted **internal concerns with the human rights reports**. The initial drafting is generally assigned to low-level officials, and sometimes even to outside contractors. Drawing the assignment is considered something close to a “punishment” in some embassies. In other embassies, higher-level officials promote the effort as a more meaningful task, but there is very little consistency and no coherent mechanism for feeding in outside information. The quality of each report depends significantly on the diligence of the reporting officer. Many simply cut and paste from previous years, while others actually reach out to local human rights leaders and affirmatively seek out new information or in-depth analysis. Reporting instructions for this current year (2007) again include instructions to report on sexual orientation, but there are no specific instructions on gender identity.

One commentator recommended the design of **a parallel reporting process on U.S. embassy contacts**. The idea is that U.S. embassies would be required to report briefly (and perhaps publicly) a few times per year on the various groups and individuals that the senior leadership in each embassy has been meeting with. The reporting instructions that go out with this request should highlight that the Secretary of State expects certain broad categories of contacts by every embassy within every country, including with LGBT leaders if possible and appropriate. This process would have to be carefully thought out, but there is great need for some reporting process to allow State Department officials in Washington, and eventually outside watchdogs, to gain a better sense of what types of groups an embassy in a particular country is reaching out and talking to. Are they talking to women’s groups? Human rights groups? Ethnic or religious minority groups? Labor leaders? LGBT leaders? Or are they only talking to government officials or specific business leaders? To make this work, the required reports should probably be somewhat informal, and protect anonymity in some cases. A more formal reporting requirement, with formal Congressional or other high-level review, could interrupt much of the important work of embassies and limit their ability to prioritize the contacts that they think are most important. But some mechanism is needed to help us – and foreign policy leaders back in Washington – see who our Ambassadors and DCMs are talking to.

In addition, a study should also **compare human rights policy developments in other areas that could suggest appropriate policy responses to promote LGBT rights**. For example, expansive U.S. legislation has been adopted over the past decade to respond at the global level to violence against women, HIV/AIDS and human trafficking. Careful documentation of the hearings and legislative records that shaped our laws, funding responses and State Department policies in these areas could offer useful case studies as we consider how the U.S. government should respond to LGBT violence and discrimination internationally. Similar efforts to study more recent U.S. funding of disability rights at the international level could also be instructive.

From an organizational perspective, some study should also **consider the roles now played by various inter-Department coordinating offices within the State Department**. These include the U.S. State Department's Office to Monitor and Combat Trafficking in Persons (G/TIP), which was established to coordinate our anti-trafficking efforts worldwide. Similarly, the State Department's Office of the Senior Coordinator for International Women's Issues (WI) also plays an important policy coordination role at the State Department. That office's mandate is "to mobilize concrete support for greater women's empowerment, promote greater awareness of gender-based violence and discrimination, and to ensure that women's human rights are considered along with, not segregated from, other human rights in the development of U.S. foreign policy." Both of these offices are under the authority of the Under Secretary for Democracy and Global Affairs (G). The United States Global AIDS Coordinator (S/GAC) also reports directly to the Secretary of State on AIDS coordination efforts. A study should consider if any of these internal coordinating offices, including the reports, funding and prizes they administer, or the legislative or bureaucratic process that created them, provide helpful models for integrating LGBT human rights concerns across the State Department.

Prioritizing Coalition and Constituency Building

One of the most common and most forceful comments was that **careful attention should be given to coalition-building efforts**. (By coalition-building, most participants were referring to the need to link this Project to the work of other like-minded organizations that are also targeting U.S. foreign policy issues.) Many observers, including those within the State Department, noted that this effort has little potential under the current Administration. But they also noted that it is important to prioritize coalition-building work in advance of the 2008 election. Now is the time to build relationships, particularly with advocacy groups that are likely to have significantly more influence in a new Administration and a new State Department.

Others focused on the need for **constituency building**. (By constituency-building, most participants were referring to the need to build greater interest in U.S. foreign policy issues within domestic LGBT organizations and communities, or more broadly they were referring to the need to build a grassroots community of supporters for this work.) As one commentator noted, simply issuing "call to action" type appeals will not be enough to mobilize a community around this effort. Others noted that "**deep constituency building is critical to long-term success.**"

Some emphasized that constituency-building should be geared toward building “**political clout**,” which is important given how powerful the counter-constituency in the conservative community is on these issues. Extreme conservative groups have exceptional dominance right now over the positions taken by the U.S. government on issues relating to sexual and reproductive health at the United Nations. This Project needs a “similarly animated constituency.” Some commentators noted, too, the **potential for a significant backlash**, since the U.S. government has been so closely aligned with these conservative policy groups and the Holy See on issues of sexual and reproductive rights. Attempts to sever that influence will be countered by several conservative organizations that have significant grassroots followings.

Many noted that it will be important to **involve groups that do not have historic connections to this effort**. This will help convince the human rights and foreign policy establishment that this is an important slice of a larger human rights agenda. It is also important to ensure that it is not only the LGBT community, and certainly not just gay or lesbian leaders in Congress or the State Department, who are raising these issues. LGBT human rights concerns must be raised by straight allies as **part of a “responsible human rights agenda.”**

Insisting First on a “Do No Harm” Approach

There was some **skepticism over the ability of the U.S. government to play a useful role** – let alone a leading role – in this effort, and of the willingness of LGBT groups in other countries to work with the U.S. government as a “partner,” either in a funding or a general advocacy sense. Some commentators also noted how dangerous this effort can be. U.S. government “interest” in a specific LGBT case in a country like Iran, or in many other countries in the Middle East, Latin America or elsewhere, could be damaging to the individuals involved.

But several international activists at an LGBT conference in South Africa were also insistent that the **U.S. government has an obligation “to do the right thing,”** by offering moral, political and financial support to those struggling for basic rights and recognition, often in countries that have become close allies with the United States. There are many countries (commentators pointed in particular to Eastern Europe and parts of Africa) where the U.S. government can play a more constructive role, and where U.S. government funding is not as politicized. In other areas, particularly parts of Latin America and the Middle East, U.S. government intervention could be far more complicated. But just because the U.S. government cannot effectively intervene in certain countries (Cuba, Iran, Malaysia, and Venezuela were mentioned by several commentators), that doesn’t mean that the U.S. government should not intervene anywhere. **Commentators pointed to positive U.S. government interventions in support of LGBT issues in Jamaica, Romania and Rwanda.**

Most commentators focused first on the **need to run “interference” with the U.S. government** in Washington, mostly as a defensive tactic to ensure the U.S. government is not actively undermining international LGBT human rights efforts. In this view, a more affirmative U.S. government agenda is still far off. But the U.S. government must be held to account for taking positions opposing the recognition of LGBT human rights concerns at the United Nations and at the Organization of American States. (As a case study, the legally dubious position taken by a

joint delegation of U.S. State Department and Justice Department lawyers appearing before the United Nations in August 2006, arguing that a bedrock U.N. human rights treaty does not protect same-sex sexual relations, was discussed within the context of this discussion.) Many commentators believe that the most egregious positions of the U.S. government will cease with a Democratic Administration.

There is great need to build capacities within and outside of the State Department to respond with appropriate levels of caution and sophistication to complicated sexual rights issues. In particular, we **need safety checks in place to make certain that public U.S. government responses do not harm intended beneficiaries**. One commentator noted how vastly the circumstances and needs of activists will differ from country to country, asking pointedly how to create “a project that can handle this nuance?”

Several international activists pointed out that **we should not project U.S. based biases – or domestic political debates – onto our partners internationally**. Some activists expressed their concern that international NGOs seem too eager to assume, often inappropriately, that protections around sexual orientation should be prioritized over “more complex” gender identity protections. One Indian activist who has been working with the Blue Diamond Society in Nepal warned against making such “Eurocentric” assumptions. In the South Asia context, and in Nepal in particular, it has been relatively more expedient to prioritize gender identity challenges that focus on the rights of indigenous transgender communities. With a recent Supreme Court victory in Nepal, sexual orientation protections might actually come in “through the back door of gender identity protection,” not the other way around. The point of this activist, and several others from Latin America, is that groups in the United States should not necessarily assume that “sexual orientation has to come first,” just because that is the order in which protections have generally been achieved in Europe and North America.

Similarly, some commentators noted that governments are often particularly anxious to support narrow “**decriminalization campaigns**,” as opposed to broader equality challenges (either through courts or public advocacy). These decriminalization campaigns challenging sodomy laws are important, but by focusing exclusively on narrow criminal laws they can also stifle larger efforts to create more fundamental change. They may also miss the concerns of lesbian communities (since many colonial-era sodomy laws do not explicitly criminalize same-sex relations between women), and they often ignore larger questions about LGBT families and basic subsistence. Several commentators insisted that decriminalization campaigns should be supported in a broader context of human rights support.

Several participants felt that **immigration reform** is politically complicated and now largely stalled in the United States. While the “Uniting American Families Act” does provide an opportunity to discuss immigration benefits for same-sex partners, the immigration reform movement does not provide a particularly inviting platform for larger LGBT foreign policy discussions given the recent political complications. But others noted the importance of pushing the U.S. government on **LGBT refugee issues**, including resettlement options for extremely at-risk LGBT leaders, particularly in countries like Iraq.

Providing “Affirmative” U.S. Support to Global LGBT Activism

Many State Department and other U.S. government officials took pains to emphasize that **there are many “friendly” State Department officers who are eager to be more useful on LGBT related issues.** Some of them are already offering support in a relatively quiet way. But with broader leadership support from the highest levels of the State Department, there would be significant interest in a more robust LGBT human rights policy. **This holds equally true within the U.S. Agency for International Development.**

Many also noted that U.S. government officials and U.S. embassies can, and do, actively raise LGBT human rights concerns “affirmatively.” But when U.S. embassies raise these issues, the first expressions of concern need not necessarily come from the U.S. Ambassador in the country. One former U.S. Ambassador noted that raising issues for the first time at the highest levels of an embassy can sometimes be counter-productive, as it can catch the host government off guard and immediately push everyone into a defensively hostile position. When an issue is raised for the first time at senior levels, between the ambassador and the country’s foreign minister, for example, it “leads to many misconceptions and is rarely understood.” It is best to raise issues first at lower levels, and then raise them again as appropriate at successively more senior levels. But this takes coordinated leadership within the embassy, and the Ambassador and Deputy Chief of Mission set the tone for this.

When an issue is eventually raised at senior levels of an embassy, **it is often very helpful for the Ambassador to be able to say that senior State Department officials in Washington, or the White House or members of Congress, are asking questions about the issue.** This sends the signal that the Ambassador is conveying a concern that goes beyond the local embassy. **Congressional sign-on letters usefully re-enforce this message.**

Similarly, it can be helpful for visiting members of Congress or senior State Department officials to reinforce this message when they visit a country. **Congressional delegations (Codels) are important.**

We should also expect Ambassadors to **welcome LGBT leaders into U.S. embassies.** One commentator described this as “opening a little piece of America” to LGBT communities. Official receptions, lunches, dinners and other public events are important to U.S. diplomacy and we should expect U.S. embassies to invite key LGBT leaders to appropriate events. Congressman Barney Frank facilitated such a meeting at the U.S. Embassy in Moscow in 1992 with leading LGBT Russian activists, which was part of an overall strategy to repeal the Soviet-era sodomy law. It was repealed a year later.

LGBT leaders should also be invited to **join official U.S. visitor programs** as a means of building long-term relationships within these communities. There are many U.S. government financed visitor programs, and they are considered an important component of our public diplomacy.

Some also noted the general dangers inherent in this work. There is a growing sense, coming particularly from some key international human rights leaders, that the large, international human rights NGOs have been very good at encouraging local NGOs to take assertive steps that expose them to significant risks. But then, when the inevitable crack-down comes, these same international NGOs are not equally mobilized to provide necessary support or resources to help local LGBT leaders survive that crack-down. Drawing more governments into this work, particularly the U.S. government, could multiply these risks by setting more activists up for inappropriately dangerous setbacks. But if managed well, **the U.S. government also has a sophisticated array of financial and diplomatic tools available to respond to crack-downs, including by building the internal capacities of supportive NGOs.** Governments and international NGOs should work more closely together to shore up LGBT groups that take calculated political risks.

Providing U.S. Government Funding for Global LGBT Activism

There was significant debate on the advisability of direct U.S. government spending for international LGBT work. Many U.S. advocates questioned the prudence of a push to encourage USAID or the State Department to become a key funder in this sector. In contrast, many international activists felt strongly that **the U.S. government should be funding LGBT groups**, and that there are various ways to provide funding to make it “more acceptable” to international LGBT groups. For example, funding for meetings, conferences or events can sometimes be less controversial than general support funding. There are options. Many of these pro-funding commentators focused on the overall scarcity of funding for LGBT work internationally, noting that all funders (government and private) should be encouraged to provide greater support to this under-funded sector.

Several activists cautioned that U.S. government **funding must be “empowering” and not overly restrictive or political.** Some African activists noted in particular that the funding should be offered in a way that deflects common local criticisms about the local LGBT movement being “un-African,” or part of a “Western agenda” that has no meaningful resonance in African culture.

Certain funding mechanisms might accentuate the politically damaging “Western agenda” charges. Other mechanisms, including **partnership funding schemes**, especially those that mingle funding from several governments or from public-private funding alliances, could provide more political cover for local activists.

As funding discussions move forward, several commentators, including those representing non-profit organizations in other countries that might one day access such funding, recognized that **consultation will be absolutely crucial.** The sensitivity with which the funding is managed by the U.S. government is at least as important – perhaps more important – than the mechanism by which it is distributed.

A careful study should review the effectiveness of U.S. government funding directed to LGBT organizations or outreach efforts in the past, in the context both of HIV/AIDS funding

and as non-health related funding. We should ask the groups that have received such funding to help think through the implications of U.S. government funding to this sector, and how it can be offered in a way that makes it easier to accept from a political or public relations perspective.

One LGBT leader from Lebanon noted that it would be disastrous for the U.S. Embassy or the USAID Mission in Beirut to offer an explicit funding stream directed specifically to LGBT related work in the country. Any organization that accepted that money would be targeted for political attack and the U.S. government would be accused of offering it in the context of its “anti-Syria policy” in Lebanon. But such funding, if embedded within a more **general “human rights” funding pool**, could be useful. European governments in Lebanon have been raising LGBT related concerns within the much larger context of the Euro-Mediterranean Partnership (“Barcelona”) Process and its human rights negotiation track. This example suggests that the **Human Rights Bureau in the State Department (DRL)** may provide a more neutral platform for raising and distributing LGBT support funds within a larger human rights context.

Several noted that the Project should build alliances with other advocacy groups to **lift three of the most vexing U.S. government limitations on sexual rights funding**: the “global gag rule” related to abortion counseling and information; the “prostitution pledge”; and abstinence only conditionality on global HIV/AIDS funding. These limitations should all be lifted or significantly modified under a new Democratic President. Several activists suggested that the **President's Emergency Plan for AIDS Relief (PEPFAR)** should also be broadened to allow support for legal reform and legal services in the context of HIV/AIDS.

One Washington activist noted that it is remarkably **complicated to “lobby” the government on US development funding**. USAID is complex. InterAction and some of the for-profit contracting companies have significant influence and access. The large development NGOs (CARE, Save the Children, etc.) also have significant clout. These groups should be consulted as important allies.

Other Long-Term Targets and Objectives

Long-term **support for the UN human rights machinery** is important because the United Nations is still the forum where many (but not all) of the international legal battles over LGBT human rights protections are being fought. Some leading UN experts have been forceful in pushing the envelope of human rights law in this area. The United States currently anticipates – and may support – the collapse of the UN Human Rights Council. Long-term support for the Council, its Special Procedures and for the UN’s leading human rights treaty bodies remains crucial to the overall advancement of an LGBT human rights agenda. A new U.S. Administration must be convinced to work with the Council as part of a broader commitment to human rights. **Similar support should also be provided to the Organization of American States and the Organization for Security and Co-Operation in Europe (OSCE).**

Foreign policy think tanks, especially the Council on Foreign Relations, have significant influence. One of these think tanks should be persuaded to organize a study focusing on these issues. Buy-in from the elite foreign policy community will be important over the longer term.

A staff member in the U.S. Congress suggested organizing some Congressional briefings on these issues, perhaps something that could lead up to a request from a member of Congress for a **U.S. Government Accountability Office (GAO) study** on trends in U.S. government support for LGBT human rights concerns. Setting one's sights even higher, the staffer suggested the long-term possibility of a **Presidential task force** on LGBT issues in U.S. foreign policy.

Several commentators thought that an **ambassadorial confirmation strategy** could be productive. This idea is to use U.S. Ambassadorial confirmation hearings to try to raise LGBT related issues with future U.S. Ambassadors. Several members of the Senate Foreign Relations Committee could be persuaded to ask questions of nominees at confirmation hearings, particularly for individuals who have been nominated to serve in countries where the State Department's own human rights reports point to a troubling human rights landscape for local LGBT communities. The questions could come in the oral hearings, but it would also be useful to ask the nominee to respond in writing if the answer seems weak or the nominee seems caught off guard by the question.

One former U.S. Ambassador noted that **the State Department is trained to listen carefully to the questions Senators ask during confirmation hearings**. Those questions send a clear signal to the State Department about Congressional priorities. It is common for Senators to follow up on these issues during an ambassador's tenure.

And **when career Ambassadors return, and are re-nominated for new postings in other countries, their record on LGBT issues should be examined**, particularly for those who were asked about their support for LGBT communities at their confirmation hearings.

To make progress with an ambassadorial confirmation strategy, there should also be **a state-level angle** to this work. State level LGBT groups with good connections to Senators chairing key sub-committees of the Senate Foreign Relations Committee should join this effort to encourage their Senators to ask LGBT questions of Ambassadorial nominees. This should include LGBT Diaspora communities with an interest in a specific country or region.

Some commentators noted that **Deputy Chiefs of Mission (DCMs)**, the second most senior diplomats assigned to U.S. embassies or missions, along with **senior State Department Officials**, should also be monitored and encouraged to promote LGBT human rights issues. Like Ambassadors, DCMs are rotated between posts about every three years and can be nudged, praised or criticized as they move from one post to another.

Others noted that **appropriators in Congress carry just as much weight on foreign policy issues** and should not be ignored. Appropriators for the foreign operations budgets regularly monitor diplomatic issues, including the positions of specific embassies, and regularly intervene in foreign policy discussions. They have as much power as many of the Senators on the Senate Foreign Relations Committee – and sometimes even more influence within the State Department itself.

Several commentators suggested that it might make sense to lobby for the **appointment of a “LGBT liaison” within the State Department**. This position could coordinate external State Department policy and funding. The position would probably fall either directly under the Undersecretary for Democracy and Global Affairs (G), or at a lower level under the Assistant Secretary in the Bureau of Democracy, Human Rights and Labor (DRL). When asked, most thought the position should not engage in debates over personnel issues as they relate to LGBT employees within the State Department. Those issues need to be addressed within a different bureau of the Department. There might, however, be some utility in also pressing for a **position to address LGBT employee issues within the Bureau of Human Resources (M/HR)**.

Most internal sources thought that a **“point person” for LGBT human rights within the Human Rights Bureau (DRL) might be most realistic**, at least as a starting point to coordinate and quickly expand existing efforts. This point person would only really have any significant power or influence if there is an accompanying funding stream for LGBT human rights projects within DRL.

Internally, State Department officials thought there would be significant **State Department resistance to the appointment of an LGBT liaison**, with one noting that “the Department is conservative and much more inclined to regional organization; they don’t like the thematic push.” Nearly all internal commentators stressed that the State Department’s true power centers are within the geographic bureaus and that any State Department-wide push would need to reach beyond the thematic bureaus.

After years of effort, there have been some important successes in adding human rights to the **Foreign Service curriculum and to the mandatory U.S. Ambassador Training Course**. LGBT human rights issues could now be added to these curricula. But the key will be for an incoming Secretary of State to start talking about LGBT rights in the context of a full human rights agenda.

Several commentators noted that **restrictive State Department employment practices are an equally important focus for this Project**, because U.S. embassies and USAID missions must continue to reflect the full diversity of the U.S. population, with openly LGBT employees serving proudly as Ambassadors and in all other leadership positions in the Foreign Service.

Efforts to increase and **improve press coverage** will be important in moving forward. The Project should consider an effort to place news stories and Op Eds in relevant publications as a means of increasing attention and “creating” news. But this effort must also recognize the inherent difficulty involved in reporting accurately on complex sexuality issues across cultural boundaries and foreign legal systems. Media efforts should build in safety checks to improve the quality and sensitivity of the reporting. But even so, when we get the facts wrong – and this will happen – we should be careful not to waste too much energy berating each other. We need to turn our “mistakes” into constructive learning opportunities as we move forward in this complex terrain.

The reach of the **Voice of America** should not be underestimated, and some efforts should be directing to encouraging responsible VOA reporting on LGBT and other related human rights issues. VOA is a U.S. funded service that broadcasts in 44 languages to an estimated worldwide audience of 115 million people. One participant noted that VOA has been far more reluctant than other large broadcasting services to address LGBT issues. The VOA is funded through the **Broadcasting Board of Governors**, whose members are also confirmed by the Senate Foreign Relations Committee, which creates another potential intervention for a Senate confirmation strategy.

Consistency is crucial. Whether the project focuses on U.S. Ambassadorial nominations, on “making” news when visiting foreign ministers or heads of state are in Washington, or on a funding strategy to encourage responsible U.S. government funding for international LGBT groups, a long-term commitment to the work is crucial. All of these activities can be implemented relatively quickly, but their success depends on a much longer-term commitment.

New Sectors of Support: Include Corporate and Religious Leaders

There was a surprising level of agreement that this effort should **look to the corporate sector and to the role that American corporations with good LGBT policies can play** in pushing the State Department and other U.S. foreign policy actors. Progressive international corporations often negotiate specific agreements with governments when opening new factories or corporate offices in a country. These agreements can include specific visa provisions, work authorizations or other local protections for both international and local LGBT employees and their domestic partners. Corporations should make it clear to the State Department that they are seeking these protections for their LGBT employees, and ensure that U.S. embassies are reinforcing (not undermining) these corporate priorities.

Business roundtable discussions on these topics should be organized. U.S. financial services companies have been particularly progressive in this area. IBM and several other multinational corporations also have strong LGBT employee groups. Leaders of some of these groups should be invited to a discussion to consider how the U.S. government’s diplomacy could be leveraged to help U.S. companies take expansive versions of the Employment Non-Discrimination Act (ENDA), and its commitment to open diversity, to the global level – especially once ENDA becomes law throughout the United States.

A Korean human rights activist noted that it would have been helpful to hear more from international business leaders earlier this year when a comprehensive new anti-discrimination law was being negotiated by the government of Korea. LGBT protections were stripped from the bill late in the process, and the activist felt that the LGBT community should have tried to **ask the influential international business sector to help shore up support** for the sexual orientation and gender identity protections that were included in the initial draft of the bill.

In terms of the State Department’s employment policies, several internal and external commentators thought that the **State Department leaders might be more willing to “listen” to**

corporate leaders when considering the value of protecting – and ultimately promoting – diversity in the Foreign Service.

The Human Rights Campaign (HRC) is considering options for **adding “global” considerations to the HRC Corporate Equality Index**. This could provide additional opportunities for raising these issues within the corporate context.

Several participants also noted the need to focus on the “**religious angle**.” Similarly broad-based advocacy movements often depend on connections to religious institutions to leverage impact. Religious connections in this context will be complicated, but several commentators strongly recommended a religious outreach effort. In addition, since much of the international opposition to LGBT human rights has been organized by conservative religious leaders, a religious connection to progressive churches could add significant momentum to the effort over the longer term.

Organizational Advice

Some considered that the “home” for this work should also reflect its **connection to a broader human rights vision**. While others focused on the importance of remaining small, with a substantial ability to seize opportunities by acting quickly. Some focused on the need for an “independent outside effort focused on coordinating the pieces,” of work done by a variety of existing organizational players. Others noted the importance of being outside of government and non-partisan in the strictest sense.

One commentator bluntly surmised that the effort should be **outside of any existing LGBT group, but with the proxy of domestic LGBT groups**. Foreign policy work is very different from domestic LGBT advocacy, and this commentator noted that “these are two big universes with too much to know on each side.”

Another participant noted that “when you are starting something like this, it’s best for it to be independent. You need to be able both to critique and applaud initiatives of any Congressperson and not be locked into a framework of a larger organization. . . . **You need nimbleness, sharpness** and then, later, when it becomes more established, you can share that identity with a larger organization.”

Others stressed that if the strategy is really to influence the State Department by reaching out to all of the institutions that shape its work, including Congress, foreign policy advocacy groups, think tanks, human rights and development organizations, and perhaps others, then the effort could require a **significant staffing component**. Just tracking ambassadorial nominations and Congressional interventions into foreign policy topics requires significant staff time.

Nearly everyone consulted stressed that it will be important to narrow the Project’s efforts to **focus first on just a few key “short-term” objectives** and to build the organizational structure as the work itself progresses. Some were quite emphatic that the effort should focus on **just**

three to five short-term objectives. Others discussed the need to pick medium-term, high “bang for the buck” interventions that will lead to longer-term policy reforms.

Some focused on the immediate need for some person or organization to act as a coordinating “**focal point**” to test common messages and coordinate support from domestic LGBT groups. This will obviously require significant sensitivity to balance competing organizational interests.