



# Accessing U.S. Embassies:

## A Guide for LGBT Human Rights Defenders

The Council for   
**Global Equality**

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



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A Guide for LGBT Human Rights Defenders**

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# Preface: What is the Purpose of this Guide?

This guide is written by a U.S.-based non-governmental organization (NGO), the Council for Global Equality, for the use of non-U.S. NGOs. It is offered as a resource for our human rights colleagues internationally who share our mission of encouraging U.S. embassies to stand in support of fundamental human rights for all individuals, regardless of their sexual orientation or gender identity.

This guide is intended as a manual for lesbian, gay, bisexual and transgender (LGBT) activists and NGOs in other countries to help them understand how U.S. embassies work; how to call on U.S. diplomats to support their human rights goals; how to access U.S. support, including both technical and financial support; and how to frame requests in ways that will appeal to strategic U.S. priorities. The guide also emphasizes the limits of U.S. embassy support and the potential that exists for backlash in some hostile environments. By presenting both the opportunities and potential pitfalls of U.S. embassy engagement, and by highlighting those with concrete examples, the Council aims to provide both the information and the context that will allow individual human rights defenders and organizations to decide for themselves whether they want to approach U.S. embassies as partners in their work. While this guide does not address intersex issues directly, it is the Council's hope that human rights NGOs and activists promoting the rights and dignity of intersex persons will also find this guide instructive and will use it to reach out to U.S. embassies in a similar way.

The first chapter of the guide will examine the role that embassies play in any country and the ways in which U.S. embassies have been tasked since 2009 to respond to LGBT human rights concerns. This section will also highlight the various diplomatic tools that U.S. embassies use to advance a range of human rights and development objectives, from official diplomatic “*démarches*,” to support for LGBT refugees, to the drafting of an annual human rights report that is required of every embassy. The second chapter will consider opportunities that exist for U.S. embassies to support, both technically and financially, LGBT advocates in host countries, including opportunities for “in-kind” support through technical or legal advisers, as well as program funding opportunities that exist in some countries and regions. The third chapter will suggest where in the embassy you might best engage on issues of interest or concern to you. The final section provides advice on framing requests for diplomatic engagement and financial support that appeal to the broader strategic interests of U.S. human rights policy.

The appendix to the guide includes a speech delivered by Secretary of State Hillary Rodham Clinton to UN diplomats and NGO guests for Human Rights Day at the UN in December 2011. Speaking with great humility and with the recognition that our own country still has far to go in protecting the rights of LGBT Americans, she firmly but sensitively explained why respect and fair treatment of LGBT people worldwide must be the next human rights challenge of our generation. She called for open dialogue, but also called on all countries to “be on the right side of history.”

The Council offers this guide with great humility. We appreciate the ongoing struggle for full equality that remains to be waged—and won—here in the United States. Indeed, the perspectives in this guide are very much grounded in our own ongoing domestic battles for greater security, opportunity and partnership recognition for LGBT Americans, as well as our desire to draw more connection between our domestic struggle for equality in the United States and those of colleagues elsewhere in the world.

We also recognize that the engagement of U.S. embassies on these issues represents a shift in U.S. foreign policy. In the past, U.S. embassies have not been LGBT inclusive, nor have they been consistently supportive of a broader range of human rights concerns. In its implementation of this newly inclusive human rights policy, we know that our government will stumble at times, and that U.S. embassies will not always honor their human rights commitments in every case. Nonetheless, we wish to extend every possible opportunity to the United States government to partner with LGBT human rights defenders and to support our struggle for greater equality around the world.

As we continue to fight for the promise of the Stonewall riots of 1969, and as we build, ever so slowly, a more fully inclusive human rights framework in the United States, we hope that this guide will simultaneously encourage stronger and more creative partnerships between U.S. embassies and LGBT defenders abroad. We look forward to collecting feedback and case studies to help record examples of successful partnerships as they emerge. Please provide any feedback or examples of your work with U.S. embassies directly to Council staff at [\*\*info@globalequality.org\*\*](mailto:info@globalequality.org).



# What Do U.S. Embassies Do?

## And How Can You Partner with a U.S. Embassy Near You to Advance LGBT Human Rights?

- Human Rights Reporting
- Responding to Concerns – Diplomatic Démarches and Private Diplomacy
- Meeting with Embassy Staff
- Tips for Human Rights Reporting
- Public Diplomacy: From Marketplace of Ideas to War of Words
- Tips for Effective Public Engagement
- Uganda Case Study
- Trial Monitoring
- Emergency Support – Sanctuary and Flight

Globally, the United States maintains approximately 265 diplomatic and consular posts, staffed by more than 14,000 professionals in the U.S. Foreign Service.<sup>1</sup> These posts manage America's relationships, while also promoting America's strategic interests and cooperation with other countries. Embassy officials report to the State Department in Washington, but they also have broad autonomy to interact with and support local communities. That said, they do not hand out money or offer other support without good reason and a solid relationship with the requesting NGO.

Support for universal human rights is a long-standing pillar of U.S. foreign policy, and President Obama and Secretary Clinton have clarified that LGBT rights are—in the words of President Obama—“part and parcel” of our human rights dialogue in every country. As Secretary Clinton has said, “Gay rights are human rights, and human rights are gay rights.” Even if in the past U.S. embassies have not been LGBT-friendly, they have now been directed to reach out to LGBT communities, especially where LGBT individuals have been targeted for violence or otherwise marginalized in their ability to participate in the political, economic or social life of their own country.

U.S. embassy support for LGBT human and civil rights reflects, in part, America's historic attempt to support fundamental freedoms—of speech, of assembly, of association, of expression—to which we believe all people are entitled by right of birth. These freedoms are rooted in America's Constitution, and they enjoy strong bipartisan support even amid contentious political squabbles in Washington. More recently, the United States also has tried to speak for the rights of marginalized communities, believing that truly inclusive societies are our best partners in advancing shared democratic goals.

This human rights work is not simply the responsibility of one lonely, human rights-focused staff person in each U.S. embassy. In their various functions, all U.S. embassy personnel, including the U.S. Ambassador, should reflect U.S. principles and values in their work. Ending the marginalization and abuse of LGBT individuals is related intrinsically to many of the larger goals that U.S. embassies are charged to advocate and advance.

The U.S. embassy in every country has a number of tools with which to analyze and respond to LGBT-focused human rights concerns. This chapter will explore the traditional tools that are used

by diplomats worldwide, with a focus on the various steps involved in identifying, discussing, denouncing and protecting against violations. The following chapter will discuss programming and funding options that can be leveraged to promote human rights and respond to ongoing abuse.

## Human Rights Reporting

The first step in activating a U.S. embassy is to persuade the embassy that there is a problem and that there are important human rights issues at stake. One of the best ways to do that is by working with embassy officials to include information on LGBT human rights violations in the human rights report that each embassy is required to write every year.

The State Department is required by law to report to Congress on the human rights landscape in every country. The report is presented to Congress near the end of February. To meet that deadline, the first draft is prepared by staff in each U.S. embassy beginning in September; it is then sent to Washington for review and editing. Each country report covers internationally recognized individual, civil, political, and worker rights, as set forth in the Universal Declaration of Human Rights. The State Department describes this massive annual project as an effort to “provide an overview of the human rights situation around the world as a means to raise awareness of human rights conditions, in particular as these conditions affect the well-being of women, children, racial and religious minorities, trafficking victims, members of indigenous groups and ethnic communities, persons with disabilities, sexual minorities, refugees, and members of other vulnerable groups.” The reports are public documents and can be found on the State Department’s human rights website at: [www.humanrights.gov](http://www.humanrights.gov).

For nearly twenty years, some but not all reports have included references to LGBT-focused human rights concerns. Beginning with the 2009 report, released in early 2010, embassies have been required to include a specific section discussing “societal abuses, discrimination, and acts of violence based on sexual orientation and gender identity.” That new section of the report highlights LGBT-related incidents in nearly every country. The abuses include arbitrary arrests and detentions, police abuse, rape, murder, social exclusion, impediments to political participation, discriminatory health practices and trends in employment discrimination that exclude citizens from the economic life of their country.

To produce this annual report, U.S. embassies encourage staff to reach out to both government and NGO sources to collect information and document human rights trends. Ideally, the person charged with preparing the first draft of the report should reach out to local LGBT advocates or other human rights groups to seek information on events of the past year and the status of LGBT rights in the country. We encourage you not to wait for embassy personnel to reach out to you—rather, call the embassy to arrange a conversation, or send them information directly on problems related to the respect of the rights of LGBT individuals in your country. It’s important to get this information into the right hands as early as possible, so that it can be included.

Since most embassies begin drafting the human rights report in September of each year, try to reach out and set up a meeting with the human rights reporting officer before that timeframe. You should be able to phone the embassy and ask for “the human rights reporting officer.” More often than not, that person will work in the Political Section of the embassy. As a frontline human rights defender, if an in-person meeting is too dangerous for you or your work, you should be able to speak with the reporting officer on the phone and then email information to support your assessment. Embassy phone numbers are available on the State Department website at: [www.usembassy.gov](http://www.usembassy.gov). If you have difficulty connecting with the reporting officer, you can email the Council at [info@globalequality.org](mailto:info@globalequality.org) and we can try to help make that initial contact.

Please be clear with all embassy personnel and with the Council about the level of perceived threat to you or others and the importance of keeping your communication confidential.

When you are able to meet directly with embassy staff, you should bring with you to the meeting relevant newspaper clippings, LGBT-focused human rights reports, and a short (one-page) summary of your overall view of LGBT-related developments over the past year (see an example of such a summary in the appendix). Did the situation get better for LGBT citizens over the past year? Did it get worse? Did it stay about the same? You should also highlight any important trends. For example, you might note whether police harassment or arrests have increased in certain cities or regions, or whether violence has been disproportionately directed at one group within the larger lesbian, gay, bisexual or transgender community. Finally, note any specific cases (of detention, arrest, murder, or other abuse) that you would like the report to reference specifically by name and detail.

One important point to consider is whether it will be helpful or harmful to have the U.S. embassy cite specific cases or incidents in the annual report. In many instances, it may be useful to have the report refer to a specific case of arrest or violence, thereby putting your government and the larger world on notice that the U.S. government is following the case and considers it to be a human rights concern. At other times, however, such U.S. attention could be harmful to the individual in question, perhaps in extreme cases even prompting local authorities to increase the sentence or the severity of the person's detention. You and other local LGBT advocates will be in the best position to decide whether a specific mention by the U.S. government in a public document—one that your government's officials will read, or that may be noted in the local press—will be helpful or harmful. The human rights officer with whom you speak should be sensitive to this point and should respond to any request you make either to emphasize or to withhold names and details about a specific case or incident. Final reports generally are released in Washington in March or April. If there are any last-minute updates or incidents to report, please be sure to provide it to your local embassy contact before that time.

An important question to consider is how you and your organization might use the State Department report, once released, to lend additional credibility or momentum to your own local advocacy agenda. Some LGBT human rights advocates have used the release of the report as an opportunity to meet with their own governments and open a new dialogue on LGBT issues. Knowing that the U.S. embassy is following your work can create new allies—or at least new advocacy opportunities—in government. In some countries, foreign ministry officials have become unlikely allies on LGBT issues because they recognize the foreign policy implications of their domestic LGBT practices. UN human rights experts also read the reports and may be interested in additional meetings with you to discuss the report and opportunities to support your work. Don't be afraid to use the release of the report as an opportunity to start a dialogue with local representatives of the United Nations or with any other domestic or international human rights advocates who may be working in your country.

The release of the report also could have negative implications for you or your work. By elevating domestic LGBT issues to the level of a foreign policy concern with the United States, your government could come to see you as a threat to its own legitimacy, development funding or foreign policy priorities. You should prepare for the good and for the bad, as only you will be able to identify both the possibilities and the risks. If you do believe that you will be at risk of heightened abuse by local authorities because of the human rights report, you should maintain close contact with the U.S. embassy at the time of the release. As described in the rest of this guide, the U.S. embassy has additional diplomatic tools that it can use to respond to human rights threats, and embassy officials are even more likely to deploy those tools if you are targeted because of your association with the embassy.



## Meeting with U.S. Embassy Staff

Because of their heavy security requirements, U.S. embassies often seem intimidating and may be located outside the center of town. This should not make you feel intimidated to meet your embassy contact at the embassy. If you do meet at the embassy, arrive early because you may have to wait in a line for security screening. It is very important to be on time for the meeting, since your embassy contact may not be able to wait for you if you are late. Being punctual and prepared also sends a signal about your professionalism, and that is the most important point to convey during your first meeting with embassy staff. If you are meeting at the embassy, be sure to ask what sort of identifying documentation you will need in order to enter the embassy compound.

You may also want to ask your contact at the embassy if you could meet at a café or other quiet venue near the embassy—or one that is more centrally located if the embassy is far out of town. This may be easier for both of you, and it often provides a more friendly environment for an initial meeting.

On the day of the meeting, you should dress professionally to convey the seriousness of your work, but there is no need to wear formal clothes that would otherwise be out of place in an NGO work environment. The key to a successful first meeting is to be professional, prepared and punctual.



# Tips for Human Rights Reporting

- Timing is important: Make contact with the U.S. embassy in July, August or September when officials are starting to write the annual human rights report.
- Bring copies of newspaper articles, reports or other “evidence” to make it easier for the embassy to cite the cases you raise.
- Think carefully and prepare a short summary of how you think the embassy should characterize “LGBT trends” over the past year. See an example of a summary in the appendix.
- Reflect on whether the names or other relevant details of particular cases should remain confidential to protect those who have been targeted or those who have collected the information. Be very clear with all embassy personnel about the risks involved and any need to keep information confidential.
- Prepare for the release of the report: How will you use it?
- Prepare for any backlash and maintain contact with the embassy around the release of the report in March or April.

## Responding to Concerns – Diplomatic *Démarches* and Private Diplomacy

U.S. embassy representatives regularly engage in dialogue with host government officials on a variety of issues, including human rights concerns. This dialogue may be elevated when troubling individual cases or other unique incidents occur that prompt the State Department in Washington to issue a “*démarche*.” A *démarche* is a formal diplomatic statement that an embassy delivers to the host government to raise a particular issue of concern. For example, if a local human rights defender, including one from the LGBT community, is detained or killed, a *démarche* might result. Since the instruction comes from Washington, it carries a stronger diplomatic message, and it often provides the local U.S. embassy with additional ammunition to convince host government authorities that the issue has the potential to impact bilateral relations in a way that the host government may not have recognized previously.

In many LGBT cases, quiet diplomacy may actually be the most effective form of diplomacy. As with other human rights concerns, once an LGBT-related issue becomes a “public” issue between the United States and another country, local authorities often instinctively claim that the United States is trying to impose a “western agenda,” in this case in opposition to local custom or religion. Public diplomacy can degenerate into allegations of improper influence, and when it relates to LGBT human rights concerns, may be met with accusations of “neocolonial” interference. If quiet diplomacy doesn’t work, public diplomacy may be necessary. But attempts at quiet diplomacy are almost always an essential first step—and often the most successful tool that the U.S. embassy has.

If the local U.S. embassy—or the State Department in Washington—has not raised an issue publicly, don’t assume that U.S. government officials are not engaged. You should contact the Political Section at your local U.S. embassy to find out—and to offer any advice you might have about how to frame the issue or motivate your government in its response. But you also should recognize that in order to respect the behind-the-scenes impact of quiet diplomacy, the U.S. embassy may not be able to provide you with any details of its contacts with your government at this stage of the diplomatic process—or, indeed, even confirm that there have been contacts on the matter. (See chapter three of the guide on how to match your specific issues to the correct offices at the U.S. embassy, along with tips about how to make contact with those offices.)

### **Public Diplomacy: From a Marketplace of Ideas to a War of Words**

When the U.S. embassy does go “public” with its grievances over a particular case, pattern of violence, or a new or newly proposed law, it may do so by issuing a press release, or by having the spokesperson or other relevant embassy officials speak with the press. The embassy will have thought carefully about how and when to go public, as public diplomacy carries higher potential risk of damage to the bilateral relationship. Still, it is often important to have the U.S. government on record, ideally in coordination with embassies from other like-minded governments, in opposition or alarm, even if that may limit the likelihood of a quietly negotiated resolution.

Sometimes a public message can also be delivered by other senior U.S. government officials who may be visiting the country from the State Department in Washington. This also helps elevate the message. You might want to discuss this possibility with your embassy contacts. In addition, the U.S. embassy might also sponsor a public event, host a human rights forum or invite a guest speaker to make public remarks at an embassy event. This can make a very strong point without necessarily issuing a formal embassy statement, and it might reserve some additional time and space for quiet, behind-the-scenes diplomacy. This approach may also have the added advantage of elevating local voices and speakers, thereby avoiding claims that the United States is imposing a “homosexual agenda,” as is so often charged to be the case in discussions about LGBT-related



# Tips for Effective Public Engagement

- Discuss the merits of public statements with U.S. embassy contacts.
- Recognizing that the decision to go public will be made at senior levels and will involve a variety of considerations, if you think public U.S. embassy engagement would be helpful, help your contacts make an effective internal “case” in support of a public engagement strategy.
- Help explain any U.S. embassy statements in local languages, and help disseminate and contextualize them in the local media, taking care to ensure that the discussion is about human rights and not “U.S. imperialism.”
- Think creatively with embassy contacts about opportunities to partner with the U.S. embassy through public events that raise concerns in more thoughtful or constructive ways and that emphasize local voices.
- Consider inviting U.S. embassy personnel to participate in Pride or IDAHO (“International Day Against Homophobia”) events, or to sponsor discussions or activities around those celebrations.
- After a successful Pride or IDAHO event, help your embassy contacts understand that LGBT equality requires more than one month of activism, and think of appropriate follow-up steps that can be spaced throughout the year, perhaps even leading up to a Pride or IDAHO event for the following year.

# Uganda Case Study

Members of the Ugandan parliament introduced an “anti-homosexuality bill” in October 2009. The bill represented one of the most pernicious assaults on LGBT rights in any country anywhere, with provisions that would have instated the death penalty as punishment for same-sex relationships, while requiring every Ugandan to turn suspected homosexuals over to the authorities. It was breathtaking in its intolerance. The bill was not adopted before the parliament closed its session in 2011, but as this guide goes to print, there is still concern that it could be “adopted” in a substantially similar form.

The initial campaign against the 2009 bill was waged and won by Ugandans for Ugandans. A well-organized civil society coalition requested and marshaled outside pressure, and the U.S. embassy, together with President Obama, Secretary Clinton, the U.S. Assistant Secretary of State for African Affairs and Congressional leaders were all very public in their opposition. The timing and the calibration of that public diplomacy was important, as was the fact that it was requested and echoed by local activists.

The U.S. embassy began by engaging in quiet diplomacy. The U.S. Ambassador to Uganda met with the President of Uganda to outline U.S. concerns with the bill. This was followed by a *démarche* from Washington. The U.S. Assistant Secretary of State for Africa also met with the President of Uganda on multiple occasions to express an unequivocal message of opposition, noting that the adoption of the bill would have a significant impact on our bilateral relationship and on U.S. development investments in the country. These private messages eventually were repeated in the public arena. After clarifying with the local NGO coalition opposing the bill that public international pressure would be helpful, both the U.S. Embassy in Uganda and the State Department in Washington began to voice public opposition to the bill and note how its passage would impact U.S.-Uganda relations. The U.S. Assistant Secretary for Africa even stated publicly that he had the Ugandan President's assurance that the bill would not become law. Those public statements were carefully crafted for maximal impact.

As concern about the adoption of the bill continued to grow, U.S. public diplomacy was elevated to the most senior levels of the U.S. government. At a National Prayer Breakfast in Washington in February 2010, President Obama and Secretary of State Clinton both condemned the bill. (The religious nature of the event also sent an intended message.) President Obama called it “unconscionable” and “odious.” Secretary Clinton, noting that the administration is “standing up for gays and lesbians,” emphasized that she had called Uganda's President to express her “strongest concerns” about the law. In this religious context, Clinton also warned that “religion is used as a club to deny the human rights of girls and women, from the Gulf to Africa to Asia, and to discriminate, even advocating the execution of gays and lesbians. Religion is used to enshrine in law intolerance of free expression and peaceful protest.” The U.S. Senate also passed a resolution in April of that year condemning the bill in Uganda and calling on all countries to decriminalize consensual same-sex relations and relationships.

An important lesson from this case study is that Ugandan activists helped direct the timing and the tactics of the international campaign against the bill. They also helped frame the debate within the larger context of a broad deterioration in human rights and democratic governance across the country. Indeed, they built a coalition website in Uganda, **[www.ugandans4rights.org](http://www.ugandans4rights.org)**, to help coordinate the struggle against the bill and the larger movement for human rights in the country. In this case, the United States was invited to flex its diplomatic muscle, and working together with local activists and other embassies, U.S. engagement has made a difference.

concerns. The key is to think creatively and to discuss a broad range of public options with your Embassy contacts. They alone will make the final decision, but your input is essential.

Annual embassy receptions to celebrate the July 4 “Independence Day” holiday in the United States may provide additional opportunities for embassies to elevate LGBT voices and advocates. By being included at a July 4 celebration at the embassy, or at another U.S. government venue, LGBT defenders may have a unique opportunity to mingle with embassy staff, with other “mainstream” human rights defenders and with host government officials, since most senior-level government officials are invited to this annual reception.

Pride festivals and other similar events also create opportunities for the U.S. embassy to demonstrate support. In Jamaica, the U.S. Ambassador in 2011 submitted a letter to the editor of a leading Jamaican newspaper in which she expressed support for fundamental LGBT rights, as part of the embassy’s acknowledgement of the International Day Against Homophobia (IDAHO).<sup>ii</sup> Secretary Clinton described the support of the U.S. embassy in Slovakia in 2011 this way:

**“In Slovakia, the country’s first-ever Pride parade last year [2010] ended in violence. So this year [2011], our Embassy staff worked overtime to help make the parade a success. They brought together more than 20 chiefs of mission from other nations to sign a public statement of support for the march. They hosted a respectful, productive debate on LGBT rights. And on the day of the parade, our ambassador marched in solidarity right next to the mayor of Bratislava.”<sup>iii</sup>**

## **Trial Monitoring**

Representatives of the U.S. embassy may choose to send diplomats to observe trials of high-profile activists, or other court hearings impacting human rights defenders. Even before a case goes to court, embassy personnel may inquire into the conditions of individuals being held in detention or, in some places, seek to meet individually with those being detained both before and after trial. In Malawi, for example, the U.S. embassy sent observers to monitor the trial of a young couple accused of violating the country’s criminal prohibitions against homosexuality. In the case of the recent murder of human rights defender David Kato in Uganda, the U.S. embassy sent diplomats to observe the court proceedings against his alleged attacker. (Embassies also sent diplomatic representatives to David Kato’s funeral as a show of solidarity and concern.)

The presence of U.S. and other foreign diplomats as observers in important court cases increases media attention and puts the host government on notice that other governments are watching the case and that the outcome could impact bilateral relations. It also encourages court officials to respect fundamental legal standards of due process, since embassy observers may note and publicly denounce any due process violations. Finally, since the first days in detention for any human rights defender are empirically the most dangerous, with most torture and many deaths in detention occurring in those first days, diplomats may also serve as credible witnesses to the physical condition of the defendant during an initial court appearance.

## Emergency Support – Sanctuary and Flight

In an emergency situation, particularly when a human rights defender who is known to the U.S. embassy has a credible fear of imminent arrest or death because of his or her activism or association with the embassy, there are some limited protection mechanisms that U.S. embassies may activate. First and perhaps most obvious, the U.S. embassy may turn again to private or public diplomacy to elevate the stakes and seek immediate protection.

The sad reality of human rights work, however, is that many human rights defenders are forced into exile at some point because of their work. Official refugee status is governed by a human rights treaty that the United States applies in making all of its refugee support decisions. To qualify under the 1951 Refugee Convention, an individual fleeing persecution must have “a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.” The State Department and the United Nations’ refugee agency both recognize that individuals who fear persecution because of their sexual orientation or gender identity, or their work in support of LGBT rights, qualify as “Convention refugees” under this definition. The 1951 Convention, however, also requires that individuals must be outside of their country of nationality, so refugee protection depends on an individual’s ability to cross a border to get to another country.

In extreme cases, U.S. embassies may help facilitate this flight into exile, and may then help expedite the years’ long process by which refugees are interviewed for official refugee status, usually by UN staff, and then permanently resettled, often to the United States, Canada, the Netherlands or to a Nordic country, if the country of first refuge is unable or unwilling to offer protection. The refugee process is long and difficult and should never be entered into without this understanding. But it is an essential, and often final, protection option. For additional information on this complex process, and for advice on how to request assistance from U.S. or other embassies to seek exile and refugee protection, contact the Organization for Refuge, Asylum & Migration (ORAM) at [www.oraminternational.org](http://www.oraminternational.org). You may also consult the UN “Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity.”



# Tips for Effective Trial Monitoring

- If you think it will be helpful, request that the U.S. embassy send trial monitors to court hearings that have significant human rights implications.
- Also consider whether embassy personnel should ask the host government to clarify the location or conditions of an individual's detention. Because of the extreme vulnerability of LGBT individuals in prison, ongoing post-conviction inquiries or visits by embassy personnel are also important.
- Provide detailed information about the case, as the U.S. embassy is more likely to take action only if it has full information and understands the context.
- Help ensure that embassy observers understand the facts. If possible, offer to have a lawyer brief the observers or sit with them during the trial to explain the procedure and legal issues.
- Consider issuing a press release indicating that U.S. embassy officials have been invited to observe the trial and calling on court officials to respect the fundamental due process rights of the defendants.
- Consider additional opportunities to increase media attention and to publicize any findings or statements that U.S. embassy observers might put forward.

# 2

## How Do U.S. Embassies Offer Assistance?

- Technical Support
- Honduras Case Study
- Funding

An obvious question for any activist is this: How can I obtain funding from the U.S. embassy to support my work? The reality is that U.S. embassy budgets have been reduced in recent years, and even major funding through the U.S. Agency for International Development (USAID) and the U.S. global HIV/AIDS program (the President's Emergency Plan for AIDS Relief, or "PEPFAR") is in decline. But there are still some funding opportunities that you may be able to access through U.S. embassies or American NGOs that partner with U.S. embassies. In addition, Secretary of State Clinton announced in December 2011 the creation of a new Global Equality Fund at the State Department to support NGOs that defend the human rights of LGBT individuals. This chapter will highlight some of the current opportunities that exist to partner with U.S. embassies.

### Technical Support

Before considering funding, consider in-kind or technical support that the embassy might be able to provide. In tight economic times, it may be easier to persuade a U.S. embassy to contribute technical support, rather than direct funding. Embassy personnel often can lend new perspectives and unexpected technical expertise to your domestic advocacy work.

U.S. embassies have a variety of experts with unique skills and capacities that could be helpful to LGBT advocacy work. U.S. embassies also have access to funds that allow the embassy to bring in artists, speakers or technical experts from the United States to share American perspectives and offer technical support from U.S. institutions. A good example of this comes from the efforts of the U.S. embassy in Honduras, which arranged for hate crime investigators to come to Honduras to help set up a special unit to investigate a pattern of murders targeting the LGBT community. The U.S. Department of Justice also has very useful experience in tracking and prosecuting hate crimes committed on the basis of sexual orientation or gender identity that could be adapted to other country and legal contexts. A more entertaining example of this exchange possibility comes from the U.S. embassy in Italy, where the U.S. Ambassador played a central role in arranging a performance and discussion by American popstar Lady Gaga at the Europride celebration in Rome in 2011.

In addition, since U.S. embassies have become much more open and tolerant workplaces for LGBT Americans in recent years, many U.S. embassies now have openly LGBT employees within the embassy. While LGBT-inclusive human rights work is the responsibility of the entire U.S. embassy family, not just LGBT staff, LGBT staff may nonetheless be more willing to volunteer their time or knowledge outside of their regular responsibilities to help advance the work of your NGO, particularly in the evenings or on weekends. There is also an LGBT employee group for the



## Honduras Case Study

In a White House statement in January 2011, President Obama noted an alarming pattern of murders of members of the LGBT community in Honduras. The statement called on the Government of Honduras to “investigate these killings and hold the perpetrators accountable.” The U.S. embassy in Honduras took this human rights concern seriously and worked diligently to shine a spotlight on these targeted LGBT killings. In particular, the embassy worked closely with the Government of Honduras to set up a special victims unit to investigate and prosecute LGBT hate crimes. The embassy arranged for a prosecutor and an expert detective from the United States to travel to Honduras to help establish the unit. The embassy also sponsored a visit to the country by a U.S. activist who works to reduce violence in LGBT immigrant communities in the United States. He spent a week with local NGOs and raised the profile of the issue in the media with guest appearances on several national television programs.

entire State Department family (Gays and Lesbians in Foreign Affairs Agencies – [www.glifaa.org](http://www.glifaa.org)). If you email officials listed on the GLIFAA site, they may be able to put you in contact with LGBT employees at your local U.S. embassy who might be interested in meeting or even volunteering with your organization.

## Funding Mechanisms

**Emergency Human Rights Defender Funds:** In 2009, the State Department announced the creation of a fund to provide emergency aid to human rights defenders who might be endangered because of their work on LGBT issues. This fund provides small grants to individuals to cover medical, legal, security or relocation costs in emergency situations. Applications are considered on an expedited basis, reflecting the emergency nature of the assistance, but the process still takes at least a week or more because of various security checks. The human rights officer in the embassy’s political section can help initiate a request. This fund is currently being reorganized and will be re-launched with similar guidelines as the “Dignity for All” fund in late 2012.

**Lifeline—Embattled NGOs Assistance Fund:** The United States, together with twelve other governments, in 2011 created a U.S. \$4 million fund to support “embattled” NGOs. The fund is implemented by CIVICUS, FORUM-ASIA, Freedom House, Front Line, the International Center for Not-for-Profit Law, People in Need, and the Swedish International Liberal Centre. It is designed “to provide emergency assistance to embattled NGOs for needs including: legal representation, appeals, and trial monitoring; medical bills arising from abuse; transportation costs for prison visitation of incarcerated members; and replacement of equipment damaged or confiscated as a result of harassment.” It can also support advocacy campaigns that raise awareness about the hostile environments in which NGOs operate and the barriers to their freedom of association.

**Local Embassy Funds:** Some embassies have small grant programs that may occasionally support LGBT efforts, particularly around public awareness programs. U.S. embassies in Jamaica and Mongolia, for example, have offered small grants to local NGOs to support LGBT tolerance commercials in the local media. These funds are extremely limited, however, so be sure to check with your local embassy contact as to availability. Many local embassies will not have access to such funds.

**Sponsorship of Local Events:** As already noted, U.S. embassies are often willing to participate in or help support Pride events, IDAHO commemorations, local LGBT film festivals or relevant human rights conferences. Many U.S. embassies have hosted receptions to commemorate Pride month in June and to honor LGBT activists. This should be considered carefully, however. (There was, for instance, some fallout from a Pride reception at the U.S. embassy in Pakistan in 2011, after the local media covered the event and conservative Islamic groups protested against what they called “cultural terrorism.”) If you request U.S. embassy support, be sure to discuss with your embassy contacts how open or public you want that support to be.

**U.S. Agency for International Development (USAID):** As the primary development agency of the United States, USAID provides broad support in many under-developed countries for economic livelihood programs, vocational training, rule of law reforms and NGO capacity-building. USAID grants are normally large, and because of the complex accounting requirements, they are generally awarded to large international NGOs with the capacity to manage multi-million dollar budgets. But these large international NGOs are generally required to ensure that the money flows down in smaller increments to local NGOs. Under the Obama Administration, USAID has announced a new effort to offer more direct support to local groups. In June 2011, USAID also announced the

creation of a new LGBT coordinator position to ensure that LGBT organizations and individuals have an opportunity to participate in the full range of USAID development programs. If you are in a country where the U.S. embassy includes a USAID presence, you may want to ask your contact for human rights issues at the U.S. embassy if he or she could also introduce you to USAID contacts who might have ideas about existing USAID programs that your organization might benefit from or participate in, even if they are not LGBT-focused initiatives.

**President’s Emergency Plan for AIDS Relief (PEPFAR):** PEPFAR represents the historic effort of the United States to respond to the global HIV/AIDS epidemic. As the largest international investment ever made by any country to combat a single disease, in 2008 Congress authorized U.S. officials to spend U.S. \$48 billion over the next 5 years to combat global HIV/AIDS, tuberculosis, and malaria. In May 2011, PEPFAR released a technical guidance note to assist PEPFAR administrators in developing health interventions that respond to the unique needs of men who have sex with men (MSM).<sup>iv</sup> The guidance reviews best practices in identifying and serving MSM communities. The guidance also emphasizes that “PEPFAR prevention, care and treatment programs should be conducted in a manner that is consistent with Department of State’s efforts to advance a comprehensive human rights agenda that includes the elimination of violence and discrimination based on sexual orientation and gender identity.” This may be enhanced, the guidance observes, by co-locating MSM prevention services in community settings that also provide broader social services or legal support to MSM communities.

Although a vast percentage of funding under PEPFAR goes for the direct provision of HIV/AIDS related medical services, based on this 2011 MSM guidance, there should be new opportunities for LGBT groups to work with PEPFAR administrators and PEPFAR implementers to foster a socially and legally enabling environment for LGBT people as a component of U.S. global health policy. Once again, if you are in a country that benefits from PEPFAR funding, you may want to ask your contact for human rights issues at the U.S. embassy if he or she could introduce you to PEPFAR-related contacts (who may or may not be located within the USAID team) to discuss whether your organization might be able to benefit from, or participate in, existing PEPFAR programs, even if those programs are not primarily LGBT-focused initiatives.

In addition, given this new MSM focus, be sure to document any evidence that you may have that PEPFAR-supported programs in your country, particularly those implemented by local organizations or religious groups working on abstinence messaging, are not being conducted “in a manner that is consistent with the Department of State’s efforts to advance a comprehensive human rights agenda that includes the elimination of violence and discrimination based on sexual orientation and gender identity.” You should bring such evidence directly to the attention of the local U.S. embassy; in addition, feel free to contact the Council directly on such matters at: [info@globalequality.org](mailto:info@globalequality.org).

**International Visitor Programs:** The Department of State’s International Visitor Programs are designed to build mutual understanding between the U.S. and other nations through carefully designed short-term visits to the U.S. for current and emerging leaders, including NGO leaders. These visits both reflect the professional interests of the international visitors and support the foreign policy goals of the United States. International Visitor grants are selected annually by U.S. embassies around the world, so it’s important to make your interest in being considered known to political, economic and public diplomacy officers in the U.S. embassy. A noted LGBT activist from Uganda participated in one of these programs in July 2010. The State Department announced the visit by noting that:

**“One of Uganda’s most outspoken and prominent human rights activists. . . is visiting the United States under the auspices of the U.S. Department of State’s International Visitor Leadership Program to focus on Lesbian, Gay, Bisexual, and Transgender (LGBT) advocacy. . . . [She] will have discussions with members of government agencies, nongovernmental organizations, faith groups, and the media, as well as with local and federal government officials. In turn, she will talk with U.S. interlocutors and broader audiences about the Ugandan human rights situation and challenges faced by members of the LGBT community.”<sup>v</sup>**

The State Department also has organized several shorter U.S. visitor programs for LGBT activists who are already visiting the United States for other reasons but have an opportunity to stay on for an additional period of learning and engagement with LGBT advocates in the United States.

# 3

## How Are Embassies Organized?

### Whom Should You Contact for What?

- Embassy Functions
- Key Offices and Officers at the Embassy
- Albania Case Study

Our largest U.S. embassies may have hundreds of employees attending to a broad range of diplomatic, economic and consular affairs. U.S. diplomats often rotate through foreign posts every two or three years, making it difficult to stay connected to the U.S. embassy when contacts rotate so frequently. Other staff are locally hired, and may remain in place for many years. Because of this complex organizational structure, it is important to invest in personal relationships with several individual embassy officers and local staff. To do so, it helps to understand who your interlocutors should be in various embassy sections, and what issues you might raise with each of them.

**U.S. Ambassador:** Bilateral ambassadors serve as the head of their respective embassies and as the personal representative of the President of the United States. An ambassador coordinates the work of all other U.S. officials and all U.S. government agencies in an individual country. The ambassador is also an important public figure who regularly attends public events and functions. You may want to invite the ambassador to speak at, or open, an LGBT conference, pride event, film festivals or other cultural event. Various ambassadors also have hosted diplomatic receptions for LGBT activists at the embassy or at their official residences. When the ambassador is not available, the second most senior embassy official, the **Deputy Chief of Mission** (or “DCM”), may step into the ambassador’s traditional representational role. The ambassador and DCM probably will not be useful primary contacts, as their agendas and schedules do not normally allow them to focus on a single issue. They nonetheless are essential to managing any emergency situation or responding to an escalating pattern of human rights concern.

### **Beyond these levels, here is a brief guide to U.S. embassy functions.**

**Human Rights Cases and Reporting:** Embassies will have one or more political officers whose job it is to respond to emergency human rights cases and manage human rights reporting. The job of political officers is to monitor a host country’s domestic and foreign policies and promote U.S. political interests, including U.S. human rights priorities. One or more of these officers may often be your primary point of contact at the embassy, and a political officer is often the person who is tasked with writing the annual human rights report. You should make an effort to get to know the embassy officer who writes the human rights report, and if that person is not a political officer, you should also make an effort to meet the political officer who covers human rights issues.

**Public Events, Media, and Exchanges:** Most embassies will have one or more public affairs officers whose job is to work closely with the local media to help promote U.S. perspectives and priorities. Public affairs officers may be able to speak to LGBT issues within the context of the embassy’s broader human rights message and to work with other embassy personnel to include LGBT concerns in public events that highlight the U.S. embassy’s human rights, economic or legal reform priorities. They may also be involved in arranging exchange opportunities (to and from the U.S.) or in promoting ties with cultural and educational institutions, or with other opinion-shapers.

**Workplace Equality Issues:** A majority of large U.S. corporations now have positive workplace policies aimed at promoting diversity, including LGBT diversity, within their U.S. offices. As these corporations rotate LGBT employees into their overseas operations, some have found a need to make the business case to local government officials for equality and diversity in the workplace, and may have worked, in some cases, with U.S. embassies to help make that case. Although there is no office within U.S. embassies that has a clear mandate to address workplace equality issues, in some cases embassies may work with local American Chambers of Commerce to raise LGBT workplace issues with host government officials, as is often done on other business-related issues. We encourage you to engage the local embassy on workplace issues and ask them to find an appropriate way to structure these issues into our broader bilateral trade, market access, and economic policy dialogue.

**Visa Issues:** Consular officers in every embassy issue visas and facilitate travel to the United States for local citizens. Consular officers are required to enforce strict immigration procedures that often make it difficult for young NGO activists (or, indeed, a range of other citizens) with few financial resources to travel to the United States. They must also enforce security checks on visa applications that are necessitated by the realities of terrorism in the post 9-11 security environment. The U.S. visa process is difficult, often intimidating, and many visa applicants are left feeling frustrated or even humiliated by the types of questions that consular officers are required to ask. These officers are simply following strict protocols for the issuance of visas. As a U.S. NGO, we sympathize with the difficulty of this process and the stress it creates for both our NGO colleagues and our associates working at U.S. embassies and consulates. The U.S. visa application process is a difficult process for a difficult world. For additional guidance on applying for a U.S. visa and the types of documents that you will be required to produce to substantiate your request, see the travel section of the State Department website at: [http://travel.state.gov/visa/visa\\_1750.html](http://travel.state.gov/visa/visa_1750.html).

# Albania Case Study

In 2009, young activists formed a grassroots LGBT organization in Albania with encouragement and support of two lesbians from the U.S. Embassy in Tirana. At that time, Albania had no LGBT movement, no publicly open LGBT people, and no LGBT bars or meeting places. LGBT issues were largely silent and erased from public conversation.

One of the first activities of this new organization, Aleanca, was collaborating with other human rights NGOs and the Dutch Embassy to plan activities for the International Day Against Homophobia (IDAHO). At Aleanca's request, the U.S. Ambassador and an openly gay member of the embassy community spoke at a public forum on LGBT issues. The Ambassador also published a statement in one of the Albanian daily newspapers in support of IDAHO. The LGBT advocacy efforts by the Embassy community and the Ambassador significantly raised the profile of IDAHO and Aleanca and provided critical high-level support for LGBT issues in the country.

Encouraged by the initial success, Aleanca and the U.S. Embassy expanded their joint LGBT advocacy efforts. For International Coming Out Day in October, the Public Affairs Office brought an openly gay former elected official from the U.S. to highlight LGBT issues and to support pending anti-discrimination legislation through public appearances and meetings with governmental officials. The Embassy also sponsored a public screening of the film *Milk* and invited governmental and NGO contacts. In preparation for this week of activities, Aleanca requested and was provided with media training from the Public Affairs office.

In 2010, Klodian Çela, a participant on *Big Brother Albania*, an extremely popular reality television show, chose to publicly come out. This disclosure, the first of its kind in the country, prompted large public demonstrations against him and online campaigns advocating his assassination. By request from civil society human rights NGOs, including LGBT NGOs, the American Ambassador and the Dutch Ambassador publicly supported Mr. Çela and strongly condemned the calls for violence. The U.S. Ambassador visited Mr. Çela's hometown and personally met with him and his family. The attention of international officials from the highest diplomatic levels provided increased security for Mr. Çela and framed the controversy as a matter of human rights. Secretary of State Hillary Clinton specifically mentioned the case in one of her speeches as an example of what an embassy can do to convey U.S. commitment to LGBT rights as human rights.

In 2011, Aleanca began to focus on combating violence against LGBT persons, and requested assistance from U.S. Embassy law enforcement experts in identifying a state police officer to attend an international training on LGBT policing issues. The leadership of Aleanca, the police officer, and U.S. embassy officials then jointly developed a training module focusing on LGBT issues that was included in a training program for Albanian State Police officers sponsored by the Embassy.

Aleanca continues to utilize its relationships with multiple offices and individuals at the U.S. Embassy, including Public Affairs, the Political and Economic Section, Department of Justice advisors, and Peace Corps, to build a more effective LGBT movement in Albania. U.S. Embassy staff members, gay and straight, understand that supporting LGBT rights is essential to the U.S. Embassy's central goal of strengthening Albania's democracy and commitment to human rights. From invitations for the July 4 celebration to the formal placement of a Peace Corps volunteer with the organization, from strategic planning sessions facilitated by Embassy volunteers to overt high-level diplomatic engagement, the partnership between Aleanca and the U.S. Embassy continues to provide the organization with critical assistance and the embassy with an opportunity to engage effectively on LGBT issues and support human rights in Albania.

# 4

## How to Ask for Support

- How to Get Attention
- How to Frame Your Request so that the Embassy Listens

In all of these areas, we encourage you to see U.S. embassies as partners in advancing the fundamental human and civil rights of all people, including those from the LGBT community. Since 2009, U.S. embassies have been encouraged to be more visible and more active in this task, and we have seen a marked difference in how embassies are carrying out these duties. However, given demands on embassy officers' time and attention, the best starting point may be for you to initiate contact with the embassy, and to begin developing the type of friendly but professional relationships that can allow you to take advantage of opportunities that may be presented over the course of the year.

It is important to recognize, of course, that your organization will not be the only one seeking embassy attention. There are dozens of issues requiring U.S. advocacy at any given time, and dozens of administrative priorities that may distract or delay action. The personalities and interests of individual personnel may also come into play: just because one official is interested in your organization or issues doesn't guarantee that another will be equally interested.

Your best chance of garnering the attention you need is to anchor your advocacy requests in language understood by diplomatic personnel: that of America's support for equal treatment; for the rule of law; for strong and cohesive communities in which the rights of each individual and minority are fully respected; and for basic freedoms of assembly, association, expression, and speech, all of which we see as foundational to any truly democratic society. By making common cause with these bedrock goals of U.S. diplomacy, you can strengthen the chances that your concerns will be heard and acted upon. (See attached a sample request framed in these terms.)

In a similar vein, it is worth pointing out how the problems that LGBT individuals are encountering in your country impact negatively on the country's broader cohesion. When LGBT and other minorities are marginalized economically, and excluded from participating openly in society, the social fabric of the country can only fray. Where LGBT health concerns are ignored, simply because same-sex relations or relationships are criminalized, the country's broader health inevitably is impacted. And when your voices are disregarded, or cannot be heard, your country's commitment to democracy can only be called into doubt. Make this case in your contacts with the embassy, and you will have a stronger case for embassy support.

Finally, focus your requests. It will be far easier to convince the embassy to take some action when you can demonstrate that your request is well-founded and realistic. Do you need an issue to be raised with the local government? Guide your interlocutor as to whom to seek out, and whom to avoid, and where in the government action must be taken. Asking for financial support? Be suitably modest in your request, thus making clear that you understand the limits on funding, and present a well-thought-out request that shows a commitment to results. Looking for a public statement of concern? Again, attach your issue to U.S. principles and values, underscoring that your request is in keeping with the mission of the embassy or consulate.

There's a world of opportunity that's been little tapped in how LGBT groups can partner with U.S. and other equality-minded foreign embassies. Please join us in exploring this new world. We look forward to hearing of the positive results you achieve in your countries.

# 5

## Appendix

- Secretary Clinton – “Free and Equal In Dignity and Rights”
- Statements by Top U.S. Officials
- Anti-Homosexuality Bill Condemned in Resolution by U.S. Congress
- Sample Email/Letter to U.S. Human Rights Reporting Officer
- Sample Statement for Human Rights Reporting Officer

### **Secretary Clinton – “Free And Equal In Dignity And Rights”**

**Delivered by Secretary of State Hillary Rodham Clinton,  
December 6, 2011, at the UN in Geneva**



photo by Eric Bridiers / State Department

Good evening, and let me express my deep honor and pleasure at being here. I want to thank Director General Tokayev and Ms. Wyden along with other ministers, ambassadors, excellencies, and UN partners. This weekend, we will celebrate Human Rights Day, the anniversary of one of the great accomplishments of the last century.

Beginning in 1947, delegates from six continents devoted themselves to drafting a declaration that would enshrine the fundamental rights and freedoms of people everywhere. In the aftermath of World War II, many nations pressed for a statement of this kind to help ensure that we would prevent future atrocities and protect the inherent humanity and dignity of all people. And so the delegates went to work. They discussed, they wrote, they revisited, revised, rewrote, for thousands of hours. And they incorporated suggestions and revisions from governments, organizations, and individuals around the world.

At three o'clock in the morning on December 10th, 1948, after nearly two years of drafting and one last long night of debate, the president of the UN General Assembly called for a vote on the final text. Forty-eight nations voted in favor; eight abstained; none dissented. And the Universal Declaration of Human Rights was adopted. It proclaims a simple, powerful idea: All human beings are born free and equal in dignity and rights. And with the declaration, it was made clear that rights are not conferred by government; they are the birthright of all people. It does not matter what country we live in, who our leaders are, or even who we are. Because we are human, we therefore have rights. And because we have rights, governments are bound to protect them.

In the 63 years since the declaration was adopted, many nations have made great progress in making human rights a human reality. Step by step, barriers that once prevented people from enjoying the full measure of liberty, the full experience of dignity, and the full benefits of humanity have fallen away. In many places, racist laws have been repealed, legal and social practices that relegated women to second-class status have been abolished, the ability of religious minorities to practice their faith freely has been secured.

In most cases, this progress was not easily won. People fought and organized and campaigned in public squares and private spaces to change not only laws, but hearts and minds. And thanks to that work of generations, for millions of individuals whose lives were once narrowed by injustice, they are now able to live more freely and to participate more fully in the political, economic, and social lives of their communities.

Now, there is still, as you all know, much more to be done to secure that commitment, that reality, and progress for all people. Today, I want to talk about the work we have left to do to protect one group of people whose human rights are still denied in too many parts of the world today. In many ways, they are an invisible minority. They are arrested, beaten, terrorized, even executed. Many are treated with contempt and violence by their fellow citizens while authorities empowered to protect them look the other way or, too often, even join in the abuse. They are denied opportunities to work and learn, driven from their homes and countries, and forced to suppress or deny who they are to protect themselves from harm.

I am talking about gay, lesbian, bisexual, and transgender people, human beings born free and given bestowed equality and dignity, who have a right to claim that, which is now one of the remaining human rights challenges of our time. I speak about this subject knowing that my own country's record on human rights for gay people is far from perfect. Until 2003, it was still a crime in parts of our country. Many LGBT Americans have endured violence and harassment in their own lives, and for some, including many young people, bullying and exclusion are daily experiences. So we, like all nations, have more work to do to protect human rights at home.

Now, raising this issue, I know, is sensitive for many people and that the obstacles standing in the way of protecting the human rights of LGBT people rest on deeply held personal, political, cultural, and religious beliefs. So I come here before you with respect, understanding, and humility. Even though progress on this front is not easy, we cannot delay acting. So in that spirit, I want to talk about the difficult and important issues we must address together to reach a global consensus that recognizes the human rights of LGBT citizens everywhere.

The first issue goes to the heart of the matter. Some have suggested that gay rights and human rights are separate and distinct; but, in fact, they are one and the same. Now, of course, 60 years ago, the governments that drafted and passed the Universal Declaration of Human Rights were not thinking about how it applied to the LGBT community. They also weren't thinking about

how it applied to indigenous people or children or people with disabilities or other marginalized groups. Yet in the past 60 years, we have come to recognize that members of these groups are entitled to the full measure of dignity and rights, because, like all people, they share a common humanity.

This recognition did not occur all at once. It evolved over time. And as it did, we understood that we were honoring rights that people always had, rather than creating new or special rights for them. Like being a woman, like being a racial, religious, tribal, or ethnic minority, being LGBT does not make you less human. And that is why gay rights are human rights, and human rights are gay rights.

It is violation of human rights when people are beaten or killed because of their sexual orientation, or because they do not conform to cultural norms about how men and women should look or behave. It is a violation of human rights when governments declare it illegal to be gay, or allow those who harm gay people to go unpunished. It is a violation of human rights when lesbian or transgendered women are subjected to so-called corrective rape, or forcibly subjected to hormone treatments, or when people are murdered after public calls for violence toward gays, or when they are forced to flee their nations and seek asylum in other lands to save their lives. And it is a violation of human rights when life-saving care is withheld from people because they are gay, or equal access to justice is denied to people because they are gay, or public spaces are out of bounds to people because they are gay. No matter what we look like, where we come from, or who we are, we are all equally entitled to our human rights and dignity.

The second issue is a question of whether homosexuality arises from a particular part of the world. Some seem to believe it is a Western phenomenon, and therefore people outside the West have grounds to reject it. Well, in reality, gay people are born into and belong to every society in the world. They are all ages, all races, all faiths; they are doctors and teachers, farmers and bankers, soldiers and athletes; and whether we know it, or whether we acknowledge it, they are our family, our friends, and our neighbors.

Being gay is not a Western invention; it is a human reality. And protecting the human rights of all people, gay or straight, is not something that only Western governments do. South Africa's constitution, written in the aftermath of Apartheid, protects the equality of all citizens, including gay people. In Colombia and Argentina, the rights of gays are also legally protected. In Nepal, the supreme court has ruled that equal rights apply to LGBT citizens. The Government of Mongolia has committed to pursue new legislation that will tackle anti-gay discrimination.

Now, some worry that protecting the human rights of the LGBT community is a luxury that only wealthy nations can afford. But in fact, in all countries, there are costs to not protecting these rights, in both gay and straight lives lost to disease and violence, and the silencing of voices and views that would strengthen communities, in ideas never pursued by entrepreneurs who happen to be gay. Costs are incurred whenever any group is treated as lesser or the other, whether they are women, racial, or religious minorities, or the LGBT. Former President Mogae of Botswana pointed out recently that for as long as LGBT people are kept in the shadows, there cannot be an effective public health program to tackle HIV and AIDS. Well, that holds true for other challenges as well.

The third, and perhaps most challenging, issue arises when people cite religious or cultural values as a reason to violate or not to protect the human rights of LGBT citizens. This is not unlike the justification offered for violent practices towards women like honor killings, widow burning, or

female genital mutilation. Some people still defend those practices as part of a cultural tradition. But violence toward women isn't cultural; it's criminal. Likewise with slavery, what was once justified as sanctioned by God is now properly reviled as an unconscionable violation of human rights.

In each of these cases, we came to learn that no practice or tradition trumps the human rights that belong to all of us. And this holds true for inflicting violence on LGBT people, criminalizing their status or behavior, expelling them from their families and communities, or tacitly or explicitly accepting their killing.

Of course, it bears noting that rarely are cultural and religious traditions and teachings actually in conflict with the protection of human rights. Indeed, our religion and our culture are sources of compassion and inspiration toward our fellow human beings. It was not only those who've justified slavery who leaned on religion, it was also those who sought to abolish it. And let us keep in mind that our commitments to protect the freedom of religion and to defend the dignity of LGBT people emanate from a common source. For many of us, religious belief and practice is a vital source of meaning and identity, and fundamental to who we are as people. And likewise, for most of us, the bonds of love and family that we forge are also vital sources of meaning and identity. And caring for others is an expression of what it means to be fully human. It is because the human experience is universal that human rights are universal and cut across all religions and cultures.

The fourth issue is what history teaches us about how we make progress towards rights for all. Progress starts with honest discussion. Now, there are some who say and believe that all gay people are pedophiles, that homosexuality is a disease that can be caught or cured, or that gays recruit others to become gay. Well, these notions are simply not true. They are also unlikely to disappear if those who promote or accept them are dismissed out of hand rather than invited to share their fears and concerns. No one has ever abandoned a belief because he was forced to do so.

Universal human rights include freedom of expression and freedom of belief, even if our words or beliefs denigrate the humanity of others. Yet, while we are each free to believe whatever we choose, we cannot do whatever we choose, not in a world where we protect the human rights of all.

Reaching understanding of these issues takes more than speech. It does take a conversation. In fact, it takes a constellation of conversations in places big and small. And it takes a willingness to see stark differences in belief as a reason to begin the conversation, not to avoid it.

But progress comes from changes in laws. In many places, including my own country, legal protections have preceded, not followed, broader recognition of rights. Laws have a teaching effect. Laws that discriminate validate other kinds of discrimination. Laws that require equal protections reinforce the moral imperative of equality. And practically speaking, it is often the case that laws must change before fears about change dissipate.

Many in my country thought that President Truman was making a grave error when he ordered the racial desegregation of our military. They argued that it would undermine unit cohesion. And it wasn't until he went ahead and did it that we saw how it strengthened our social fabric in ways even the supporters of the policy could not foresee. Likewise, some worried in my country that the repeal of "Don't Ask, Don't Tell" would have a negative effect on our armed forces. Now, the Marine Corps Commandant, who was one of the strongest voices against the repeal, says that his concerns were unfounded and that the Marines have embraced the change.

Finally, progress comes from being willing to walk a mile in someone else's shoes. We need to ask

ourselves, “How would it feel if it were a crime to love the person I love? How would it feel to be discriminated against for something about myself that I cannot change?” This challenge applies to all of us as we reflect upon deeply held beliefs, as we work to embrace tolerance and respect for the dignity of all persons, and as we engage humbly with those with whom we disagree in the hope of creating greater understanding.

A fifth and final question is how we do our part to bring the world to embrace human rights for all people including LGBT people. Yes, LGBT people must help lead this effort, as so many of you are. Their knowledge and experiences are invaluable and their courage inspirational. We know the names of brave LGBT activists who have literally given their lives for this cause, and there are many more whose names we will never know. But often those who are denied rights are least empowered to bring about the changes they seek. Acting alone, minorities can never achieve the majorities necessary for political change.

So when any part of humanity is sidelined, the rest of us cannot sit on the sidelines. Every time a barrier to progress has fallen, it has taken a cooperative effort from those on both sides of the barrier. In the fight for women’s rights, the support of men remains crucial. The fight for racial equality has relied on contributions from people of all races. Combating Islamophobia or anti-Semitism is a task for people of all faiths. And the same is true with this struggle for equality.

Conversely, when we see denials and abuses of human rights and fail to act, that sends the message to those deniers and abusers that they won’t suffer any consequences for their actions, and so they carry on. But when we do act, we send a powerful moral message. Right here in Geneva, the international community acted this year to strengthen a global consensus around the human rights of LGBT people. At the Human Rights Council in March, 85 countries from all regions supported a statement calling for an end to criminalization and violence against people because of their sexual orientation and gender identity.

At the following session of the Council in June, South Africa took the lead on a resolution about violence against LGBT people. The delegation from South Africa spoke eloquently about their own experience and struggle for human equality and its indivisibility. When the measure passed, it became the first-ever UN resolution recognizing the human rights of gay people worldwide. In the Organization of American States this year, the Inter-American Commission on Human Rights created a unit on the rights of LGBT people, a step toward what we hope will be the creation of a special rapporteur.

Now, we must go further and work here and in every region of the world to galvanize more support for the human rights of the LGBT community. To the leaders of those countries where people are jailed, beaten, or executed for being gay, I ask you to consider this: Leadership, by definition, means being out in front of your people when it is called for. It means standing up for the dignity of all your citizens and persuading your people to do the same. It also means ensuring that all citizens are treated as equals under your laws, because let me be clear – I am not saying that gay people can’t or don’t commit crimes. They can and they do, just like straight people. And when they do, they should be held accountable, but it should never be a crime to be gay.

And to people of all nations, I say supporting human rights is your responsibility too. The lives of gay people are shaped not only by laws, but by the treatment they receive every day from their families, from their neighbors. Eleanor Roosevelt, who did so much to advance human rights worldwide, said that these rights begin in the small places close to home – the streets where people live, the schools they attend, the factories, farms, and offices where they work. These places are

your domain. The actions you take, the ideals that you advocate, can determine whether human rights flourish where you are.

And finally, to LGBT men and women worldwide, let me say this: Wherever you live and whatever the circumstances of your life, whether you are connected to a network of support or feel isolated and vulnerable, please know that you are not alone. People around the globe are working hard to support you and to bring an end to the injustices and dangers you face. That is certainly true for my country. And you have an ally in the United States of America and you have millions of friends among the American people.

The Obama Administration defends the human rights of LGBT people as part of our comprehensive human rights policy and as a priority of our foreign policy. In our embassies, our diplomats are raising concerns about specific cases and laws, and working with a range of partners to strengthen human rights protections for all. In Washington, we have created a task force at the State Department to support and coordinate this work. And in the coming months, we will provide every embassy with a toolkit to help improve their efforts. And we have created a program that offers emergency support to defenders of human rights for LGBT people.

This morning, back in Washington, President Obama put into place the first U.S. Government strategy dedicated to combating human rights abuses against LGBT persons abroad. Building on efforts already underway at the State Department and across the government, the President has directed all U.S. Government agencies engaged overseas to combat the criminalization of LGBT status and conduct, to enhance efforts to protect vulnerable LGBT refugees and asylum seekers, to ensure that our foreign assistance promotes the protection of LGBT rights, to enlist international organizations in the fight against discrimination, and to respond swiftly to abuses against LGBT persons.

I am also pleased to announce that we are launching a new Global Equality Fund that will support the work of civil society organizations working on these issues around the world. This fund will help them record facts so they can target their advocacy, learn how to use the law as a tool, manage their budgets, train their staffs, and forge partnerships with women's organizations and other human rights groups. We have committed more than \$3 million to start this fund, and we have hope that others will join us in supporting it.

The women and men who advocate for human rights for the LGBT community in hostile places, some of whom are here today with us, are brave and dedicated, and deserve all the help we can give them. We know the road ahead will not be easy. A great deal of work lies before us. But many of us have seen firsthand how quickly change can come. In our lifetimes, attitudes toward gay people in many places have been transformed. Many people, including myself, have experienced a deepening of our own convictions on this topic over the years, as we have devoted more thought to it, engaged in dialogues and debates, and established personal and professional relationships with people who are gay.

This evolution is evident in many places. To highlight one example, the Delhi High Court decriminalized homosexuality in India two years ago, writing, and I quote, "If there is one tenet that can be said to be an underlying theme of the Indian constitution, it is inclusiveness." There is little doubt in my mind that support for LGBT human rights will continue to climb. Because for many young people, this is simple: All people deserve to be treated with dignity and have their human rights respected, no matter who they are or whom they love.

There is a phrase that people in the United States invoke when urging others to support human rights: “Be on the right side of history.” The story of the United States is the story of a nation that has repeatedly grappled with intolerance and inequality. We fought a brutal civil war over slavery. People from coast to coast joined in campaigns to recognize the rights of women, indigenous peoples, racial minorities, children, people with disabilities, immigrants, workers, and on and on. And the march toward equality and justice has continued. Those who advocate for expanding the circle of human rights were and are on the right side of history, and history honors them. Those who tried to constrict human rights were wrong, and history reflects that as well.

I know that the thoughts I’ve shared today involve questions on which opinions are still evolving. As it has happened so many times before, opinion will converge once again with the truth, the immutable truth, that all persons are created free and equal in dignity and rights. We are called once more to make real the words of the Universal Declaration. Let us answer that call. Let us be on the right side of history, for our people, our nations, and future generations, whose lives will be shaped by the work we do today. I come before you with great hope and confidence that no matter how long the road ahead, we will travel it successfully together. Thank you very much.

(Applause.)

**Translations in all six UN languages available at [www.humanrights.gov](http://www.humanrights.gov)**



“Because we recognize that LGBT rights are human rights, my Administration stands with advocates of equality around the world in leading the fight against pernicious laws targeting LGBT persons and malicious attempts to exclude LGBT organizations from full participation in the international system. We led a global campaign to ensure “sexual orientation” was included in the United Nations resolution on extrajudicial execution—the only United Nations resolution that specifically mentions LGBT people -- to send the unequivocal message that no matter where it occurs, state-sanctioned killing of gays and lesbians is indefensible. No one should be harmed because of who they are or who they love, and my Administration has mobilized unprecedented public commitments from countries around the world to join in the fight against hate and homophobia.”

**President Barack Obama**

May 31, 2011

Presidential Proclamation—  
Lesbian, Gay, Bisexual, and Transgender  
Pride Month



“This is a human rights issue. Just as I was very proud to say the obvious more than 15 years ago in Beijing that human rights are women’s rights and women’s rights are human rights, well, let me say today that human rights are gay rights and gay rights are human rights, once and for all.”

**U.S. Secretary of State  
Hillary Rodham Clinton**

June 22, 2010



“. . . LGBT persons are endowed with the same inalienable rights as all human beings and entitled to the same protections as all human beings. The United Nations is finally beginning to codify and enshrine the promise of equality for LGBT persons—and as it does so, the world will become a safer, more just, and more humane place for all.

“The quest for equality for LGBT persons isn’t just an American challenge. It must be the work of all peoples and all nations. But I do see it as a struggle rooted in a great and distinctly American promise: to ensure that all people can live with dignity and fairness under the law.

“The story of America is, in part, a story of the expanding boundaries of equality and dignity—of the way that discrimination and prejudice have been overcome by diversity and respect. I feel this deeply and personally. Even at a time of profound challenges at home and abroad, we dare not give up on the great causes of equality and fundamental rights. And that includes the pursuit of full and equal rights for LGBT people in this country and around the world.”

**Ambassador Susan E. Rice**

U.S. Permanent Representative to the  
United Nations

June 24, 2011

UNITED STATES SENATE  
111th Congress, 2d Session

Adopted by Unanimous Consent

S. Res 409  
April 13, 2010

RESOLUTION

Calling on members of the Parliament in Uganda to reject the proposed 'Anti-Homosexuality Bill', and for other purposes.

Whereas a bill introduced on October 14, 2009, by a member of Parliament in Uganda would expand penalties for homosexuality to include the death penalty and requires citizens to report information about homosexuality to the police or face imprisonment;

Whereas many countries criminalize homosexuality, and in some countries, such as Iran, Nigeria, Saudi Arabia, and Sudan, the penalty for homosexuality includes the death penalty;

Whereas the United States, in seeking to promote the core American principles of equality and 'Life, Liberty, and the pursuit of Happiness,' has long championed the universality of human rights;

Whereas religious leaders in the United States, along with representatives from the Vatican and the Anglican Church, have stated that laws criminalizing homosexuality are unjust; and

Whereas the people and Government of the United States recognize that such laws undermine our commitment to combating HIV/AIDS globally through the President's Emergency Plan for AIDS Relief (PEPFAR) by stigmatizing and criminalizing vulnerable communities: Now, therefore, be it

Resolved, That the Senate—

1. calls on members of the Parliament in Uganda to reject the 'Anti-Homosexuality Bill' recently proposed in that country;
2. urges the governments of all countries to reject and repeal similar criminalization laws; and
3. encourages the Secretary of State to closely monitor human rights abuses that occur because of sexual orientation and to encourage the repeal or reform of laws such as the proposed 'Anti-Homosexuality Bill' in Uganda that permit such abuses.

## SAMPLE E-MAIL OR LETTER TO U.S. HUMAN RIGHTS REPORTING OFFICER

[Insert Date]

Dear [insert name of human rights reporting officer at the Embassy or use “U.S. Embassy Representative” if you are sending this to a general email address]:

My organization, [insert NGO name and website, if you have one], supports human rights for lesbian, gay, bisexual and transgender individuals in this country. We have read with great interest Secretary Clinton’s Human Rights Day speech on LGBT rights at the UN in Geneva in 2011 and noticed that in the last U.S. State Department report on human rights conditions, the Embassy reported on recent trends in human rights protections for LGBT individuals. I am writing because we would like to work with you to provide additional information for next year’s report. We also hope to introduce ourselves so that you may rely on us as a source of information on LGBT issues in the country.

I wonder if you might be available to meet with me to discuss these issues? We are very pleased to see that LGBT issues are of concern to the Embassy, and indeed to Americans who read the State Department report. We would like to work with you to provide leadership in advancing equality and human rights for all.

Sincerely,

[Insert name and contact information]

**SAMPLE ONE-PAGE SUMMARY FOR HUMAN RIGHTS OFFICER  
IN THE U.S. EMBASSY IN THE  
“REPUBLIC OF OZ”**

Human Rights Developments for LGBT People in 2012

**Legal Status**

The criminal code of the Republic of Oz provides a penalty of up to 14 years in prison for consensual adult sexual relations between people of the same sex. There were at least three arrests last year based on this provision. One of the individuals was convicted. Two have been released on bail. The pending charges against them have made their lives exceedingly difficult, and one of them is now in hiding. Newspaper articles about the arrests are attached. In particular, it would be helpful if the U.S. Embassy could report on these three cases and ask to visit the man who is detained in prison to verify his conditions of detention. We are very concerned about his safety in detention.

In addition to these three arrests, the police regularly harass and detain individuals suspected of being lesbian, gay, bisexual or transgender (LGBT). Elite presidential security are particularly known for their abuse of LGBT individuals and other “social undesirables.” Police and security officials often ask for a bribe to avoid detention, or to be released while once in detention. The police sometimes encourage violence by placing individuals in large common cells and announcing to the other detainees that they are sharing a cell with an LGBT person.

Our organization has prepared a report to the United Nations outlining these concerns and asking that the Human Rights Council declare that the criminal penalty violates the human rights obligations of Oz. A copy of that submission is attached.

**Current Social Context**

LGBT people have fewer educational and employment opportunities, and societal discrimination is severe. Oz consistently ranks among the least developed countries in terms of life expectancy, education, and general poverty indicators. Even within this context, the LGBT community is disproportionately impacted by all of these social trends.

Over the past decade, growing poverty and a significant HIV/AIDS crisis have led to a remarkable deterioration in health and living standards of the LGBT community. Individuals who are, or are perceived to be, LGBT are often dismissed by their employers, kicked out of schools and denied access to public services, including health services, or housing. Reports (attached) from some international HIV/AIDS service providers in the country discuss this extreme social exclusion.

Violent crime targeting LGBT individuals is also a significant problem. The police rarely investigate and often refuse to even file complaints when victims of LGBT violence attempt to report crimes. Recent sexual assaults have targeted lesbian women, with reports suggesting that some of the attackers were seeking to “cure” the victims by forcing them to have heterosexual intercourse. One of these women was killed. Alarming reports also note that transgender sex workers are being killed under suspicious circumstances. To date, these reports have not been investigated by the police. See newspaper articles describing some of these incidents attached.

**Media**

Throughout the year, some local newspapers have printed stories that are demeaning to LGBT individuals and suggest that they are trying to abuse local children and are undermining social values. A copy of one of these stories is attached. As you will see, it is not based on any actual facts and relies instead on stereotypes and bias.

# About the Council for Global Equality

[www.globalequality.org](http://www.globalequality.org)

The Council for Global Equality is a Washington-based advocacy NGO that encourages a clearer and stronger American voice on international lesbian, gay, bisexual and transgender (LGBT) human rights concerns. The Council focuses on the opportunities and impacts of U.S. foreign policy for LGBT communities abroad. As American human rights advocates, we work to ensure that those who represent the United States—in the U.S. Congress, in the White House, in U.S. embassies and in U.S. corporations—use the diplomatic, political and economic leverage available to them to oppose human rights abuses that are too often directed at individuals because of their sexual orientation, gender identity or gender expression.

The Council also seeks to increase support for foreign LGBT organizations as vital contributors to the free and vibrant civil societies abroad that we believe are in the national interest of the United States and, indeed, of an increasingly interconnected world. As U.S. citizens, we believe that other countries that strive to protect the rights of all of their citizens, including those that are LGBT, make stronger global partners for the United States, and that truly inclusive societies hold the best prospects for stability, economic advancement and equality.

## End Notes

<sup>i</sup>The figures come from a useful resource for additional information on how U.S. embassies work: *Inside a U.S. Embassy*, 3rd Edition, Dorman, Shawn, ed., American Foreign Service Association 2011.

<sup>ii</sup> Letter to the Editor from Ambassador Bridgewater in *The Jamaica Gleaner*, available at: <http://jamaica-gleaner.com/gleaner/20110517/letters/letters6.html>.

<sup>iii</sup> Secretary Clinton's 2011 Pride Speech, Washington, DC, June 27, 2011, available at: <http://www.state.gov/secretary/rm/2011/06/167144.htm>

<sup>iv</sup> Available at: <http://www.pepfar.gov/guidance/combinaprevention/combprevmsm/index.htm>

<sup>v</sup> Available at: <http://www.state.gov/r/pa/prs/ps/2010/07/144419.htm>.







The Council for   
**Global Equality**

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