

## Flash brief

# Supporting human rights of LGBTI persons

The commitment to promote the human rights of Lesbian, Gay, Bisexual, Transsexual and Intersexual (LGBTI) persons comes with a number of dilemmas connected to sensitivity, efficiency and the potentially harmful consequences of human rights sanctions.

While donor interference with domestic human rights protection can be perceived as an imposition and potentially include harmful consequences for citizens on the ground, the choice to not interfere includes the risk of funding and legitimising discriminatory policies. What are the main dilemmas actors face in the support for the human rights of LGBTI persons?

## A human rights-based approach to development

The EU's adoption of guidelines to promote and protect the rights of LGBTI persons strengthened its ambition to conduct a human rights-based approach to development. In doing so, the EU needs to make sure that they take a bottom-up approach involving the concerns of the affected actors and strengthen its monitoring of the situation for LGBTI persons worldwide.

When violations of human rights of LGBTI persons occur, the EU can choose one or both of the following two approaches: a **diplomacy response** includes working behind-the-scenes in political dialogue with the government in question and supporting non-governmental organisations in their work to support the affected groups. A **signalling response** would include 'naming and shaming' of the actor responsible for the violation through public statements and/or human rights sanctions.



*LGBTI demonstrators outside the United Nations building in Geneva, Switzerland. (Photo: Rama, CC BY-SA 2.0)*

## The dilemma of human rights sanctions

Human rights sanctions are used to mark that relations between the aid provider and receiver is no longer 'business as usual'. The main dilemma connected to the use of human rights sanctions is the concern that **aid-cuts can have adverse effects**. Human rights sanctions could thus lead to more discrimination or even increased politicisation of LGBTI issues, or a reduction in public goods for the population at large, such as access to essential medicines. LGBTI activists already face great hostility toward their on-going fight for equality in many societies and human rights sanctions can contribute to further stigmatisation.

The **signaling response** includes sanctions, such as aid cuts, canceling military operations and public shaming. The **diplomacy response** focuses on political dialogue and work behind the scenes.



The anti-homosexual act in Uganda caused reactions all over the world, including public protests (Photo: Riekhavoc, CC BY-SA 2.0)

## Civil society involvement

In order to make sure that the EU's response does not create harmful consequences for the affected groups, the EU should **foster an active and regular dialogue** with civil society organisations. Such organisations can work as critical interlocutors and knowledge providers regarding local context.

For instance, in the case of Uganda's adoption of the anti-homosexuality act in 2014, a well-coordinated civil society coalition advised donors to restructure their investments by reducing support directly to the government and increase funding to non-governmental channels. Civil society representatives also highlighted the risk of stigma and scapegoating when human rights violations are connected to vulnerable groups, such as sexual minorities, and argued that donors should focus on human rights for all people instead of singling out LGBTI persons when addressing the issue publicly.

## Key takeaways for the EU

- In sensitive situations, donors should focus on the anti-discrimination principle rather than singling out the LGBTI group.
- There is a need for tailor-made approaches: context and specific attributes of the situation must be factored in.
- Human rights sanctions are not 'stand-alone' solutions and could be combined with increased support for groups that are affected by the human rights violations.
- A coordinated and strong civil society can function as a critical interlocutor and knowledge provider and can give donors the context-sensitive information necessary to evaluate their choice of response.
- A diplomacy response would be more in line with the EU's goal of building a 'partnership of equals' with Africa than a signaling response.

### Author

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### About the research

This brief is based on interviews with multiple civil society and donor representatives.

### Further readings

Saltnes, J.D. (2017) 'Norm Collision in the European Union's External Policies: The Case of European Union Sanctions towards Rwanda', *Cooperation and Conflict* 52(4): 553-570.

Sjursen, H. (2017) 'Global Justice and Foreign Policy: The Case of the European Union', *GLOBUS Research Paper 2/2017*.

Mikalsen, K.K. (2017) 'Equal Sovereignty: On the Conditions of Global Political Justice', *GLOBUS Research Paper 3/2017*.

Reconsidering European Contributions to Global Justice (GLOBUS) is a research project that critically examines the EU's contribution to global justice.

GLOBUS studies the contents and conduct of the EU's External policies with a focus on climate justice, migration, trade and development, peace and conflict resolution, gender and human rights.

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