FOR ALL

The Sustainable Development Goals and LGBTI People

"We pledge that no one will be left behind…. [T]he Goals and targets must be met for all nations and peoples and for all segments of society."

United Nations General Assembly. The 2030 Agenda for Sustainable Development.

PREFACE

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Terms

Asexual	A person who identifies as asexual or has a low capacity for sexual attraction or desire for other people.
Assigned at birth	The gender or sex of a child at birth according to the child's family or caregivers, often indicated on a birth or baptism certificate, or indicated by the gender associated with a child's name or pronouns used to refer to the child.
Bisexual	A person who identifies themselves as bisexual, or is attracted to, or has engaged in sexual activity with, individuals of more than one sex or gender identity.
Cisgender	A person whose current gender identity and expression aligns with those typically associated with the gender assigned to them at birth.
Gay	A person who identifies themselves as gay, or is attracted to, or has engaged in sexual activity with, individuals of the same gender.
Gender	The cultural, and legal attributes and opportunities associated with being a man, woman, or other gender.
Gender expression	External appearance of one's gender through behavior, appearance (including through body modification and surgical/medical means), dress and mannerisms.
Gender identity	One's internal awareness of one's own gender. Gender identity can be the same or different from the gender assigned at birth.
Intersex	Intersex people are born with sex characteristics (including genitals, gonads and chromosome patterns) that do not fit typical binary notions of male or female bodies. Being intersex does not imply any specific sexual orientation, gender identity or gender expression.
Lesbian	A woman who identifies herself as a lesbian, or is attracted to, or has engaged in sexual activity, with other women.
Non-binary	Binary refers to the traditional notion of gender which consists of a single set of binary options, male or female. Non-binary is an umbrella term for a person who does not identify their gender as either male or female.
Sex characteristics	Physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty.
Sexual orientation	A characteristic of a person based on the gender of those to whom one is attracted, the gender of sexual activity partners, and self-determined identity.

Stigma	A shared social belief about a particular characteristic that negatively reflects on the person or group possessing that characteristic. Stigmas are often expressed as stereotypes and false assumptions. Prejudice refers to the attitude or opinion of an individual when they believe the stigma to be true. Discrimination occurs when stigma is acted upon.
Transgender	An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Transgender identity does not depend on medical procedures. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.
Transition	The process by which some people strive to more closely align their expressed gender, possibly through dress, behavior, body modifications, name and pronouns, with their internal sense of their gender.

Abbreviations

CSE	Comprehensive Sexuality Education
CSO	Civil Society Organizations
DOCO	Development Operations Coordinating Office
DSD	Division of Sustainable Development
GDP	Gross Domestic Product
HDI	Human Development Index
HLPF	High Level Political Forum
LGBTI	Lesbian, Gay, Bisexual, Transgender, and Intersex
LGR	Legal Gender Recognition
MDGs	Millennium Development Goals
MGoS	Major Groups and other Stakeholders
MSM	Men who have sex with men
NGO	Non-governmental organization
NHRI	National Human Rights Institution
ODA	Overseas Development Assistance
OECD	Organization for Economic Cooperation and Development
SDGs	Sustainable Development Goals
SOGIESC	Sexual orientation, gender identity and expression, and sex characteristics

UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDESA	UN Department of Economic and Social Affairs
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNGA	United Nations General Assembly
USAID	US Agency for International Development WHO World Health Organization
VNR	Voluntary National Review
WHO	World Health Organization

In late 2015, the UN General Assembly adopted the 2030 Agenda, a resolution containing the seventeen Sustainable Development Goals (SDGs) that will guide international development activities during the next decade. The goals offer an opportunity for LGBTI advocates to seek inclusion in the international development agenda and in national policies and programs.

THE DEVELOPMENT FRAMEWORK

The SDGs represent the current international development framework. This framework has continued to evolve since the formation of the first global development institutions in 1944. The development framework compliments the human rights framework, though each continues to operate through different institutions and according to distinct methodologies and goals. Understanding these differences will increase the effectiveness of advocates in both the human rights and development arena. Historically, the development framework has focused on seeking to improve people's lives by increasing economic growth, particularly in low and middle income countries. In recent decades, development practitioners have sought to improve particular outcomes, such as health, education, and income, by tracking how well individuals are doing, and then implementing policies to improve these outcomes.

THE 2030 AGENDA AND THE SUSTAINABLE DEVELOPMENT GOALS

The UN has endorsed the principle of 'leave no one behind' as part of the 2030 Agenda. In addition, the SDGs, unlike prior development goals, apply to all nations. These two principles combine to constitute a mandate that all States include LGBTI people in their development efforts. Each country is responsible for establishing their own development priorities and planning process. States and LGBTI communities should work together to ensure inclusion of LGBTI people when formulating national policy. Additionally, States can participate in Voluntary National Reviews each year at the UN to report on their progress. These reviews offer an opportunity for advocates to weigh in on whether their government has made sufficient efforts regarding LGBTI people.

LGBTI POPULATIONS AND DEVELOPMENT

Development agencies rely on a detailed understanding of populations in each country in order to design development programs and monitor progress toward development goals. Thus, to effectively include LGBTI people in development goals, development practitioners must become knowledgeable about LGBTI populations, their development outcomes, and their role in the economy. This task can be challenging. Most countries routinely collect data on various aspects of their population. However, few countries collect information about sexual orientation, gender identity, gender expression, or sex characteristics. In order to fully address development concerns of LGBTI people, States will need to

do more to understand health outcomes, levels of educational attainment, household income, patterns of violence, living conditions, and a variety of aspects of LGBTI experience. States should work with LGBTI communities when creating data collection systems in order to ensure that local communities, and unique cultural identities, are accurately reflected in the process and outcome of data collection efforts.

From an economic development perspective LGBTI people and issues related to sexual orientation, gender identity, gender expression, and sex characteristics, play a role in national economies in at least three different ways. First, LGBTI people have the potential to be fully productive workers, business leaders, and entrepreneurs. However, empirical evidence shows that exclusion from educational opportunities, discrimination in hiring and promotions, as well as harassment and ill-treatment at the workplace can limit this potential. Secondly, businesses that are more diverse and accepting of LGBTI people may experience higher profits because of their ability to attract talent, maintain higher worker satisfaction, and avoid workplace conflict that accompanies discrimination. Lastly, countries that adopt laws protecting the rights of LGBTI people may have a competitive edge when it comes to attracting foreign investment.

LGBTI DEVELOPMENT PRIORITIES

Included in this publication is a discussion of six dimensions of development that are relevant to LGBTI people. Each LGBTI community should develop its own priorities based on the lived experience of LGBTI people. Thus, the priorities of particular communities will likely differ.

HEALTH

Health is a central focus of development activities. Growing evidence shows that the health of LGBTI people can be impacted by lack of access to health care, rejection and exclusion by health care providers, and by the health consequences of stigma and prejudice. In addition, LGBTI people may have specific needs that remain unmet. Many transgender people are unable to obtain basic health care as well as gender-specific services. The reproductive and sexual health care needs of lesbians are often ignored. Providers continue to subject intersex newborns to medically unnecessary surgery and to provide inappropriate treatment to intersex adults out of a lack of understanding of sex characteristics. The response to HIV/AIDS is hampered by a failure to recognize the role of anti-LGBTI stigma and prejudice.

SDG 3: Good Health and Well-being, includes a number of targets relevant to LGBTI people. However, an essential component of ensuring health and well-being is tracking health outcomes of LGBTI populations. Advocates should consider raising issues of data collection with their governments as part of public health efforts. In addition, SDG 3 has targets calling for an end to AIDS as well as other communicable and non-communicable diseases, including those diseases caused by stigma and discrimination. SDG 3 also calls for universal health coverage for all, a goal that cannot be accomplished as long as LGBTI people continue to face exclusion and inadequate care.

EDUCATION

Education is vital to individual development as well as economic growth. Education helps increase human capital, thereby increasing the productive potential of LGBT people. Additionally, education can help create an environment of respect and human rights. Comprehensive Sexuality Education can also benefit the health and well-being of LGBTI people. Unfortunately, LGBTI people face a number of barriers concerning education. Some educational institutions simply exclude LGBTI people. As students, LGBTI people also face bullying from other students and educators. Research shows that bullying can cause mental and physical health problems as well as higher absenteeism and drop-out rates. Children who do not conform to prevailing gender norms are particularly vulnerable to harassment and violence.

Most of the targets pertaining to education are included in SDG 4: Ensure Inclusive and Equitable Quality Education and Promote Lifelong Learning Opportunities for All. This includes making schools inclusive and diverse, implementing Comprehensive Sexuality Education, eliminating gender disparities in education, and eradicating bullying and violence. However, other goals call for data collection (SDG 17: Partnerships to Achieve the Goals), insuring information needed for health (SDG 3: Health), eliminating gender disparities (SDG 5: Gender Equality), and making vocational and job training available to all (SDG 8, Work and Economic Growth).

POVERTY

LGBTI people are vulnerable to poverty caused by stigma and exclusion. A growing number of studies show that LGBTI job applicants and workers are excluded from job opportunities at rates higher than non-LGBT people. In fact, a number of studies have revealed wage disparities, particularly for gay men and transgender people. LGBTI people may also experience homelessness and food insecurity due to economic exclusion, family rejection, and discrimination in the housing market. The experience of poverty is compounded when LGBTI people also have other marginalized characteristics.

Laws and policies prohibiting discrimination in the workplace, in schools, and in the consumer sector are important tools in addressing poverty of LGBTI people. Several of the goals support calls for the passage of non-discrimination laws and laws recognizing LGBTI families. SDG 1: No Poverty, calls for equal rights to economic resources, basic services, land tenure and inheritance rights. SDG 5: Gender Equality, calls for the elimination of discrimination against women and girls. Advocacy under SGD 5 should seek gender-inclusive laws. SDG 10: Reduced Inequality, calls for social, economic, and political inclusion of all. This SDG provides an opportunity to raise issues of discrimination and exclusion at all levels. SDG 11: Sustainable Cities and Communities, includes a call for access to safe housing and transportation systems, both of which are essential for full economic inclusion.

SAFETY

Safety, peace, and security underpin all other development goals. Violence and insecurity frustrate the ability of individuals and institutions to reach their full potential. The existence of violence against LGBTI people is well recognized. Law enforcement officials are often unresponsive. In some instances, police officers may be perpetrators themselves.

Two SDGs are particularly relevant to the issue of personal safety: SDG 11: Sustainable Cities and Communities, and SDG 16: Peace, Justice, and Strong Institutions. SDG 11 focuses on making cities inclusive, safe, resilient and sustainable in matters relating to housing, transportation, public spaces, cultural heritage and disaster prevention. SDG 16, which includes most of the targets related to access to justice and the building of effective, accountable and inclusive institutions at all levels. SDG 16 also provides a basis for seeking collection and disaggregation of crime statistics for LGBTI people.

FAMILY

Forming families and supportive relationships is a basic human impulse. From birth, and through old age, families play a central role in human development. Families support many development goals, as they provide a network to meet economic, health, social, and emotional needs. For LGBTI people, forming and maintaining family relationships can be difficult. Same-sex intimacy is considered a crime in more than 70 countries. Same-sex relationships, which can be the source of important legal protections and economic benefits, are not recognized in most countries. In some countries, LGBTI people may be considered unfit for parenting. Many countries prohibit transgender people from being married if they want to seek legal gender recognition.

Advocates could frame their efforts to push for legal reform to decriminalize same-sex intimacy under SDG 10: Reduced Inequality. Several other SDGs are also relevant to family formation.

LEGAL GENDER RECOGNITION

Legal gender recognition is the recognition of a person's current gender identity though the amendment of official personal identification documents. All legal registrations systems in the world assign each person a legal gender at birth. Cisgender people (those whose current gender is the same as their gender assigned at birth) will never need to alter these documents. However, for transgender individuals, the ability to obtain proper identification is vital. Government identification is required for voting, banking, travelling, renting a home, seeking medical assistance and many critical activities.

The lack of identification hampers many development goals. Advocates can seek legal gender recognition in the context of education (SDG 4), obtaining work (SDG 1 and 8), personal safety (SDG 11), and health (SDG 3).

I. THE DEVELOPMENT FRAMEWORK

1. INTRODUCTION TO THE DEVELOPMENT FRAMEWORK

The field of international development has evolved over the past seventy years, rooted in post-World War II agreements to establish a global economic system. In 1944, forty-four allied nations met at Bretton Woods, New Hampshire, to created global financial structure, including the World Bank and other international financial institutions. The initial focus of the Bank was to promote reconstruction and to aid the economic development of poor countries.

A year later, the newly drafted UN Charter declared that the UN shall promote "higher standards of living, full employment, and conditions of economic and social progress and development."[1] The United Nations Charter, adopted the following year, identifies the need to promote "social progress and better standards of living," and "employ international machinery for the promotion of economic and social advancement of all peoples"[2] and "solutions of international economic, social health and related problems."[3] That mandate underpinned the activities of several UN bodies, some of which were merged in 1966 to create the UN Development Programme.

A. EVOLVING MEANINGS OF DEVELOPMENT

There is no agreed-upon definition of the term international development. In general, it refers to the process by which countries respond to problems that impact them, poverty being the most prominent. The international nature of international development signifies a focus on policies and activities of international institutions. The meaning continues to evolve to match changes political priorities, advances in knowledge, and because new economic and social science theories take hold, suggesting new pathways to development. Development practitioners understand that the term is used broadly and has multiple meanings.

Initially the goals of development agencies focused on infrastructure, industrial capacity, and access to global finance. In the 1970's, the overriding priority of global development was to meet basic needs, such as nutrition, shelter and clothing.[4] Not only did this shift respond to a growing concern about poverty, it also responded to the increasing belief that people and labor were the primary productive asset of poor nations. Thus, some development officials began to view economic development as a broader concept that included health, education, and other factors that would increase the economic output of those in poverty.

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[1] United Nations, Charter of the United Nations, 24 October 1945, 1 U.N.T.S. Article 55, 26 June 1945.
[2] United Nations, Charter of the United Nations, 24 October 1945, 1 U.N.T.S. Preamble, 26 June 1945.
[3] United Nations, Charter of the United Nations, 24 October 1945, 1 U.N.T.S. Article 55, 26 June 1945.
[4] International Labour Office, *Employment, Growth and Basic Needs: A One-World Problem. Report of the Director-General of the International Labour Office*, 1976, https://doi.org/0-03-021601 -X (hardback). This document, presented at the 1976 World Employment Conference, embodied the basic needs approach.

Throughout this period, economic development, and the success of economic development activities, was measured by Gross Domestic Product (GDP), or the total value of goods and services produced within a country. The emphasis on GDP reflected at least two things: First, GDP has been seen as a good indicator for changes in standard of living, as increases in one are usually tied to increases in another. Second, GDP is used in nearly every country in the world. The consistency permits an apples-to-apples comparison across borders and time periods. Critics of the GDP measurement note that it does not capture inequalities, and new forms of capital flows decrease the reliability of the measurement.

In 1990, the UNDP issued a new definition of development as "a process of enlarging people's choices." This focus reflected a "people-centered" approach to development advocated by Amartya Sen, the goal of which is to ensure that each person has enough freedoms, or capabilities, to choose one's own life is the goal of development. "The most critical of these wide-ranging choices are to live a long and healthy life, to be educated and to have access to resources needed for a decent standard of living. Additional choices include political freedom, guaranteed human rights and personal self-respect."[5] That same year, economist Mahbub ul Haq introduced the Human Development Index. The HDI is intended to reflect a simplified measurement of standard-of-living by consolidating measurements of longevity, education and income. Health, knowledge and income are three central capabilities that underlie a person's freedom to make other choices.

Since 1990, a series of world conferences and summits has served to "give concrete content to the objectives of the United Nations Charter by defining values, setting goals, articulating strategies and adopting programs of action in the different dimensions of development."[6] The United Nations development agenda "serves as the internationally shared framework for development."[7] In 2000, UN Member States adopted the Millennium Development Goals (MDGs) which focused on poverty reduction in developing countries. These were followed in 2015 by the Sustainable Development Goals (SDGs) which encompass a broader set of concerns, including ending hunger, promoting access to efficient energy, protecting the environment, enhancing economic growth, promoting health and well-being, and achieving gender equality. The SDGs apply to people in all countries, including developed and developing.[8]

Today the meanings of development continue to evolve. Some development programs continue to focus on increasing economic growth, either because of the belief that growth continues to be a central goal, or because growth is seen as a necessary strategy to the elimination of poverty and the achievement of other goals. Some programs focus on improving individual's outcomes in areas such as employment, health, and education. More recently, the imperative to address climate change has created a focus on sustainable development. Thus, it is common to hear development activities classified into economic development, human development, and sustainable development. From a broad perspective, none of these issues can be viewed in isolation. The distinction in meanings is most relevant to how development agencies, policies and practitioners are characterized.

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[5] Human Development Report, United Nations Development Programme, (New York: Oxford University Press, 1990), 1.

[6] The United Nations Development Agenda, *Development for All, Department of Economic & Social Affairs* (New York: 2007), 1.

[7] Ibid.

[8] Alanna J. Galati, "Onward to 2030: Sexual and Reproductive Health and Rights in the Context of the Sustainable Development Goals," *Guttmacher Policy Review* 18, No. 4 (Fall 2015).

B. DEVELOPMENT AND HUMAN RIGHTS

In recent years, there have been clear efforts to integrate human rights and development. In 2003, UN agencies came together to adopt a Common Understanding on Human Rights-Based Approaches to development cooperation and programming. The Common Understanding articulates attributes of such an approach. As policies are formulated, fulfilment of human rights should be the primary objective, and activities should support rights-holders and be guided by human rights standards. Though the approach applies human rights principles to development activities, it does not supplant development goals and strategies. Thus, it would be incorrect to conclude that a human rights-based approach (HRBA) to development is the same as the human rights approach itself.[9]

The reality of the distinction between development and human rights was illustrated by the deliberations around inclusion of LGBTI people in Agenda 2030. By several measures, the advancement of LGBTI issues in the human rights and development spheres has been highly asymmetrical. Though it has become increasingly common for States and UN human rights mechanisms to specifically reference LGBTI people in the context of human rights obligations, none of the targets or indicators in the SDGs make reference to LGBTI people. The number of LGBTI NGOs and advocates participating in the SDG process has been only a fraction of the number that participate in the proceedings of the UN Human Rights Council and treaty bodies. Additionally, General Assembly resolutions, observations of treaty bodies, the Yogyakarta Principles, and reports of the Office of the High Commissioner for Human Rights (OHCHR) constitute authoritative support for inclusion of LGBTI people in human rights discussions. There have been almost no similarly authoritative statements regarding LGBTI people from a development perspective.

Advancing the recognition of LGBTI people in the development framework requires an understanding of the differences between the human rights and development frameworks. As indicated earlier, the UN development agenda has a distinctly different history, enacted by a separate set of institutions according to a different set of priorities and methodologies.

The frameworks also focus on different entities. The human rights framework focuses primarily on State actors, as well as non-State institutions. A central question is whether States are in compliance with human right standards relating to LGBTI people. Development, on the other hand, is people-centered. States and institutions are seen as a means to an end, and in many cases development activities do not involve or seek any action by States. The question is whether LGBTI people's development outcomes can be improved.

For example, the right to equality, recognized by many States, is a central tool of LGBTI advocacy. However, in many instances, a government that treats LGBTI people poorly can still be in compliance with equality standards as long as it treats everyone equally poorly. A development approach would seek to improve the level of outcomes of individual LGBTI people at whatever level they are at, and regardless of whether they are experiencing disparities.

Each framework also brings with it a different inclination in terms of what kind of data is meaningful when assessing problems and solutions. Data about the existence, or lack, of laws and policies is central to the

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[9] For a detailed analysis of many different methods of integrating the two fields, some of which are explicit and deeply structural, while others are implicit and maintain the separateness of the two fields see: The World Bank and Organization for Economic Co-operation and Development (OECD), *Integrating Human Rights into Development: Donor Approaches, Experiences, and Challenges*, 2nd ed. (Washington D.C.: The World Bank, 2013).

human rights framework. Accordingly, countries like South Africa, Serbia, Brazil would be considered some of the best from the perspective of human rights protections. Data about individual outcomes holds great weight, sometimes seen as a prerequisite to, a development analysis.

Say, for instance, that there are indications that LGBTI people are facing barriers in the workplace. As a starting point, the human rights approach might look at the policies of the employer, the relevant laws, and whether there are any patterns of unfair treatment by the employer. A development approach might start by looking at LGBTI workers themselves, seeking information about rates of joblessness, underemployment, job skills, and work availability.

2. LGBTI POPULATIONS

When designing, implementing, and evaluating a development program, development practitioners must identify the targeted populations as precisely as possible. While the size of the LGBTI population is uncertain, what is certain is their existence in all cultures.[10]   Given the complexity of gender and sexuality, a myriad of possible classification systems are possible.   What follows is a review of some conceptual elements of classification schemes that have been developed in the social sciences, particularly demography, epidemiology, and survey methodology. These approaches are based around simple assumptions that can be applied cross culturally.

Populations can be divided into two groups: one group whose gender and sexuality generally conforms to the norms of their society, and another group whose gender and sexuality does not. Looking at populations in this way helps identify how gender and sexuality can result in disparities in development outcomes. Each of these groups can be further broken down.

A. GENDER

All people have a gender. Traditionally, that has meant either man or woman, for life. More recently, some countries have permitted people to designate a third gender as well as change gender. Though changing, virtually all individuals in all countries are assigned, legally and/or socially, a gender at birth, and all individuals continue to have a gender throughout their life. In addition, this scheme assumes that possible genders include male, female, third, as recognized in a number of countries, genders recognized by local cultures, or genders chosen by individuals in their own exercise of agency.[11]

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[10] Susan D. Cochran et al., "Proposed Declassification of Disease Categories Related to Sexual Orientation in the International Statistical Classification of Diseases and Related Health Problems (ICD-11)," *Bulletin of the World Health Organization* 92, no. 9 (2014): 672–79, https://doi.org/10.2471/BLT.14.135541. "[R]ecent surveys demonstrate that homosexual behaviour is a widely prevalent aspect of human sexuality." Ibid., 672. Where data is available, demographers have been able to make estimates of population using nationally representative surveys. Joanne G. Patterson, Jennifer M. Jabson, and Deborah J. Bowen, "Measuring Sexual and Gender Minority Populations in Health Surveillance," *LGBT Health* 4, no. 2 (2017): lgbt.2016.0026, https://doi.org/10.1089/lgbt.2016.0026.
[11] Empirically, there is no expectation that babies are assigned any gender other than male or female.

A basic classification scheme is based on two measurements:

- The person's *gender assigned at birth*, possibly as indicated by birth records or parental child rearing expectations.
- The person's *current gender*.

If these two are the same, or concordant, then the person is considered cisgender. If these two are different, or discordant, then the person is considered transgender. Thus, a person assigned female at birth and who currently identifies as female would be considered cisgender. A person who was assigned female at birth, and whose current gender is male or any other gender besides female, would be considered transgender. Even though terms referring to people who break social and cultural expectations of gender may vary greatly depending on context, the umbrella term transgender is used most often.

An individual's current gender has at least two components:

- *Gender identity*, defined as how an individual perceives their own gender according to their own internal awareness of themselves.
- *Gender expression*, defined as how an individual seeks to express their gender through behavior, appearance (including through body modification and surgical/medical means), dress and mannerisms.

These two components of gender do not always match. For example, someone assigned male at birth may continue to express themselves as male even though they have an inner awareness that they are female. By the same token, someone assigned male at birth may feel, inwardly, that they are male even though their external expression of gender does not adhere to male gender norms of their culture, such as a highly effeminate men. Distinguishing between these two groups may be useful given that the two groups may experience different patterns of discrimination and stigma, and may have different sets of psycho-social support and health needs.

Recognizing these two features of gender results in three subgroups of people whose gender differs from the gender assigned at birth. As shown in the Venn diagram in Figure 1, the circle on the left portrays those people whose gender identity is discordant with their gender assigned at birth. The circle on the right is those whose gender expression is discordant with their gender assigned at birth. The area of intersection is those people whose gender identity and gender expression is discordant with their gender assigned at birth.
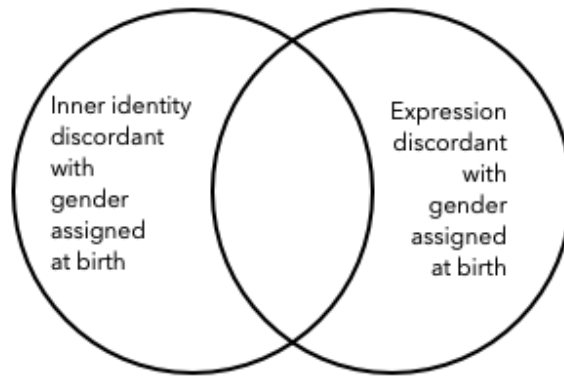
Figure 1. Gender Identity and Expression

B. SEXUAL ORIENTATION

All people have a sexual orientation. Individuals can be categorized according to three characteristics of their sexual orientation: [12]

- *Identity:* When a person describes their own sexual orientation, this is considered their sexual orientation identity. Identity is entire self-determined. In addition to the well-known western identities of straight, gay, lesbian, homosexual, heterosexual, bisexual, and asexual, individuals could choose culturally specific terms such as methis (Nepali), kathoey (Thai), kuchu (Swahili), bakla (Tagalog), hijra (Hindi), or any term they wish. In some cases, the same terms to describe gender may also be used as sexual orientation identity terms.
- *Behavior:* This category is based on whether the person has engaged in sexual activity with someone of the same gender or a different gender. While terms for various subgroups differ (heterosexual/homosexual/bisexual, MSM/MSW) looking at sexual activity reveals several subgroups. For instance, someone's behavior would be considered heterosexual if they only engage in sexual activity with someone of the binary opposite gender. Sexual activity with someone of the same gender would be considered homosexual, and sexual behavior which includes people of more than one gender would be considered bisexual. Individuals who engage in sexual behavior with sexual activity with people who do not identify with the gender binary or identify as transgender might also constitute a separate group. Each of these groups may face different patterns of stigma and have different needs related to discrimination, health, and relationship recognition.
- *Attraction:* This category is based on whether someone experiences attraction to individuals of the same or a different gender (including those people who do not identify with the gender binary norm or identify as transgender.).

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[12] Sexual Minority Assessment Research Team, *Best Practices for Asking Questions about Sexual Orientation on Surveys*, (Los Angeles: The Williams Institute, 2009), i.
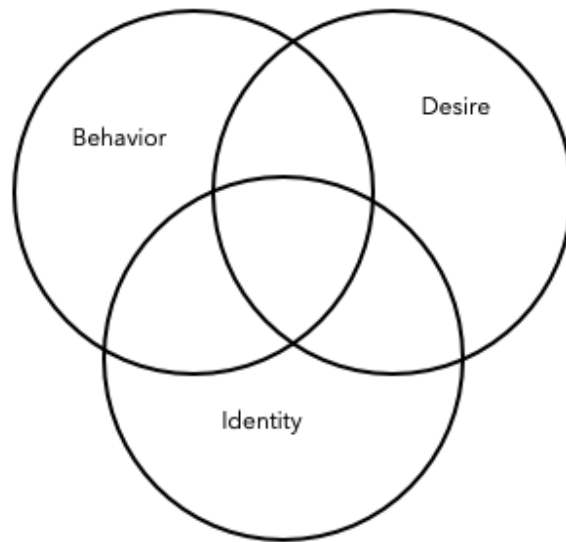
Figure 2. Sexual Orientation

C. SEX CHARACTERISTICS

All people have sex characteristics. Sex characteristics are different from sexual orientation and gender. Sex characteristics are "physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty;" [13] Each sex characteristic is tied to cultural and medical notions of being male or female.

The term intersex is an umbrella term which refers to a range of different variations in sex characteristics. The Office of the UN High Commissioner for Human Rights describes intersex people in the following way:

> Intersex people are born with sex characteristics (including genitals, gonads and chromosome patterns) that do not fit typical binary notions of male or female bodies… Because their bodies are seen as different, intersex children and adults are often stigmatized and subjected to multiple human rights violations, including violations of their rights to health and physical integrity, to be free from torture and ill-treatment, and to equality and non- discrimination.[14]

Sex characteristics refer to biological traits, and are distinct from gender and sexual orientation. An intersex person may have any gender or sexual orientation as people who are not intersex.

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[13] Philip Alston, et. al., "The Yogyakarta Principles plus 10: Additional Principles and State Obligations on the Application of International Human Rights Law in Relation To Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics To Complement the Yogyakarta ," 2017, 6.
[14] United Nations Office of the High Commissioner for Human Rights, "Intersex Fact Sheet," 2015, https://www.unfe.org/wp-content/uploads/2017/05/UNFE-Intersex.pdf.

3. THE IMPACT OF EXCLUSION ON THE ECONOMY

LGBTI people can occupy any role in the economy: worker, taxpayer, business owner, consumer, head-of-household, recipient of public assistance, and so on. Calculating the economic impact of the activities of LGBTI people is currently not possible in most countries due to the lack of underlying data regarding the prevalence rates of LGBTI people as well as data concerning disparities between LGBTI populations and the general population regarding employment, education, living conditions and other outcomes needed for such calculations.

A. EXCLUSION AND LGBTI WORKERS

LGBTI workers can be found in all employment sectors. A small but growing literature illustrates how stigma hold LGBTI people back from fully contributing to a nation's economy

1) Exclusion limits human capital

Stigma can limit the acquisition of human capital. Human capital is the economic value of an individual's skills, knowledge, experience, and capacities which can be used to create wealth and engage in productive activity. Higher levels of education, experience and health can increase an LGBTI person's job opportunities and earning potential.

- *Education:* LGBTI youth experience higher levels of bullying, absenteeism, dropout rates, all of which can limit educational attainment.
- *Experience:* LGBTI people face exclusion from workplace opportunities due to discrimination, thereby undermining long-term earning potential.
- *Health:* Lower levels of health and well-being, caused by workplace dynamics or by prejudice and violence outside the workplace, can limit the ability of workers to obtain experience and training. In addition, stigma can cause a "bottle neck" effect for some LGBTI people who, because of the difficulties in the personal identity development process, are not able to devote the same level of energy to career development activities as their non-LGBTI counterparts.

2) Exclusion decreases productivity

Discrimination against LGBT workers has been document using several research methods. These studies are described in more detail in the section below addressing poverty. Public attitudes surveys show that negative attitudes towards LGB employees exists in all parts of the world. In addition, in studies of self-reported experience of discrimination in all parts of the world, LGBTI people report discrimination, both in the application and promotion process. . Statistical analysis of wage data collected by government surveys identify wage differences between LGBT and non-LGBT populations, likely caused by discrimination. Experimental studies show that LGBT job applicants are not treated in the same way as heterosexual applicants by employer.

Discrimination can result in lost productivity. Nobel prize-winning economist Gary Becker's theory of discrimination illustrates how, when faced with exclusion, minority workers might end up in less productive

and lower paying jobs than would otherwise happen given their level of skills and abilities, thereby causing economic inefficiency because of the loss of potential productivity.[15]

There is evidence that in some economies, LGBTI people may employ strategies to avoid the formal employment market, such as self-employment and casual employment, working multiple jobs or more hours, or working in so-called "purple-collar" jobs. These are jobs in employment sectors that are considered LGBTI friendly such as, depending on the region, hospitality, call centers, or retail fashion. While these strategies may provide alternative employment opportunities, there is little evidence that employers of casual workers have more favorable attitudes toward LGBTI people. LGBTI people in purple collar jobs often face barriers getting promotions up or out of such jobs, undermine the long-run ability for promotion and mobility.[16] In either case, these strategies result in economic inefficiency if the worker would have, absent stigma, been able to obtain more economically productive work in the formal sector.

Stigma can limit the total factor productivity, or workers. Total factor productivity refers to the variables which account for changes in total output not caused by traditionally measured inputs such a human capital. Thus, in the case of LGBTI workers, even when human capital and labor participation are at their most optimal, productivity can be impacted by factors such as job stress,[17] low job satisfaction,[18] or having to conceal one's identity. For some workers, concealing their identity may be the best strategy to avoid discrimination. [19] However, identity concealment is associated with higher anxiety and stress as well as lower job satisfaction.[20] Workplace supports, such as supportive workplace relationship, a supportive climate, and the existence of formal policies, are all associated with stronger workplace attitudes.[21]

B. EXCLUSION AND BUSINESS PROFITS

A more diverse workplace can lead to improved business outcomes. An analysis of the market performance of 275 companies that have taken steps to become more inclusive shows that those companies performed as

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[15] Gary S. Becker, *The Economics of Discrimination* (Chicago: University of Chicago Press, 1971); Annette. Friskopp and Sharon. Silverstein, *Straight Jobs, Gay Lives : Gay and Lesbian Professionals, the Harvard Business School, and the American Workplace* (Touchstone, 1996); Karyn J. Boatwright et al., "Impact of Identity Development upon Career Trajectory: Listening to the Voices of Lesbian Women," *Journal of Vocational Behavior* 48, no. 2 (April 1996): 210–28, https://doi.org/10.1006/jvbe.1996.0019; Belle Rose Ragins and John M. Cornwell, "Pink Triangles: Antecedents and Consequences of Perceived Workplace Discrimination against Gay and Lesbian Employees.," *Journal of Applied Psychology* 86, no. 6 (2001): 1244–61, https://doi.org/10.1037/0021-9010.86.6.1244.

[16] Emmanuel David, "Transgender Workers and Queer Value at Global Call Centers in the Philippines," *Gender & Society*, 29, no. 2 (2015): 169-194.

[17] George Halkos and Dimitrios Bousinakis, "The Effect of Stress and Satisfaction on Productivity," *International Journal of Productivity and Performance Management* 59, no. 5 (2010): 415–31, https://doi.org/10.1108/17410401011052869.

[18] Jeanine M. Driscoll, Frances A. Kelley, and Ruth E. Fassinger, "Lesbian Identity and Disclosure in the Workplace: Relation to Occupational Stress and Satisfaction," *Journal of Vocational Behavior* 48, no. 2 (1996): 229–42, https://doi.org/10.1006/jvbe.1996.0020.

[19] Nancy Day and Patricia Schoenrade, "Staying in the Closet Versus Coming Out: Relationships Between Communication About Sexual Orientation and Work Attitudes," *Personnel Psychology* 50, no. 1 (1997): 147–64.

[20] Kristin H. Griffith and Michelle R. Hebl, "The Disclosure Dilemma for Gay Men and Lesbians: 'Coming out' at Work," *Journal of Applied Psychology* 87, no. 6 (2002): 1191–99, https://doi.org/10.1037/0021-9010.87.6.1191; Driscoll, Kelley, and Fassinger, "Lesbian Identity and Disclosure in the Workplace: Relation to Occupational Stress and Satisfaction"; Anna-Kaisa Newheiser, Manuela Barreto, and Jasper Tiemersma, "People Like Me Don't Belong Here: Identity Concealment Is Associated with Negative Workplace Experiences," *Journal of Social Issues* 73, no. 2 (June 2017): 341–58, https://doi.org/10.1111/josi.12220.

[21] Charlie L Law et al., "Trans-Parency in the Workplace: How the Experiences of Transsexual Employees Can Be Improved," *Journal of Vocational Behavior* 79 (2011): 710–23, https://doi.org/10.1016/j.jvb.2011.03.018; Claire Armstrong et al., "The Impact of Diversity and Equality Management on Firm Performance: Beyond High Performance Work Systems," *Human Resource Management* 49, no. 6 (November 2010): 977–98, https://doi.org/10.1002/hrm.20391; Amy Wax, Kimberlee K. Coletti, and Joseph W. Ogaz, "The Benefit of Full Disclosure: A Meta-Analysis of the Implications of Coming out at Work," *Organizational Psychology Review* 8, no. 1 (2018): 3–30, https://doi.org/10.1177/2041386617734582.

well or better than others in their sectors.[22] The business case for diversity suggests a variety of paths to increased profits. First, companies with supportive attitudes toward LGBT employees are perceived to be more open to innovative,[23] and have improved productivity of R&D functions.[24] Second, a more inclusive workforce has fewer stressors, and distractions caused by discrimination are viewed as a business cost and a burden on profit.[25] The existence of discrimination in a workplace increased voluntary turnover level.[26] Third, supportive companies have increased success at recruitment and retention of talent,[27] including both LGBT workers[28] and non-LGBT workers.[29] Attracting talent is a major reason that companies adopt LGBT inclusion policies.[30] Lastly, supportive companies may have advantages attracting customers.[31]

C. EXCLUSION AND THE NATIONAL ECONOMY

The relationship between inclusion, exclusion, and the size and growth of the national economy has been the subject of increasing empirical and theoretical study. One approach looks at the cost of health disparities, in terms of lost labour and cost burden of disease. For example, a study of the health disparities for LGB people in Canada estimated an annual loss of between $500 million and $2.3 billion in Canadian dollars, or US$317 million to US$1.5 billion.[32]   Another study modelled the effect of employment discrimination and health disparities in India, estimating an annual loss of $1.2billion to $27 billions. [33]

Other approaches look at how inclusion impacts a national economy as compared to other economies. The theory of "strategic modernization" suggests that economies which ease the burdens of doing business relative to other countries will attract new investment and donors.[34] Such barriers include legal climates that do not support the inclusion of LGBTI workers, business leaders, and customers.

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[22] Julia Dawson, "LGBT: The Value of Diversity," Credit Suisse ESG Research, 2016.

[23] In a global survey of companies with a turnover of more than $500 million, 85 percent agreed that diversity encourages different perspectives that drive innovation. Christiaan Rizy, "Fostering Innovation Through a Diverse Workforce" (New York, 2011), https://images.forbes.com/forbesinsights/StudyPDFs/Innovation_Through_Diversity.pdf. At companies with a supportive attitude towards LGBT employees, 62 percent of LGBT employees say their team is not afraid to fail. Meanwhile, at companies with a negative attitude towards LGBT employees, 47 percent of LGBT employees say their team is not afraid to fail. Sylvia Ann Hewlett and Kenji Yoshino, "Out in the World: Securing LGBTI Rights in the Global Marketplace" (New York, NY, 2016), 25–27.

[24] Ray Reagans and Ezra W. Zuckerman, "Networks, Diversity, and Productivity: The Social Capital of Corporate R&D Teams," *Organization Science* 12, no. 4 (August 2001): 502–17, https://doi.org/10.1287/orsc.12.4.502.10637.

[25] Ibid; M. V. Lee Badgett et al., *The Business Impact of LGBT-Supportive Workplace Policies* (Los Angeles: The Williams Institute, May 2013).

[26] By Jon Miller and Lucy Parker, "Open for Business: Strengthening the Economic Case" (Washington DC, 2018), 68.

[27] Emir Ozeren, "Sexual Orientation Discrimination in the Workplace: A Systematic Review of Literature," *Procedia-Sexual an.*

[28] Yiu Tung Suen Eliz Miu Yin Wong Randolph Chun Ho Chan Geoffrey Ka Wai Yeung, "Hong Kong Public and LGB People's Attitudes towards LGB-Friendly Business Organizations," accessed July 25, 2018, http://www.gender.cuhk.edu.hk/images/content/people/academic_staff/suen/PolicyBrief_English_SOBusiness.pdf.

[29] Miller and Parker, "Open for Business: Strengthening the Economic Case," 67.

[30] Brad Sears and Christy Mallory, "Economic Motives for Adopting LGBT-Related Workplace Policies Introduction Key Findings" (Los Angeles, CA, 2011), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Mallory-Sears-Corp-Statements-Oct2011.pdf.

[31] Miller and Parker, "Open for Business: Strengthening the Economic Case"; Dawson, "LGBT: The Value of Diversity"; Bach Polakowski, "America's LGBT 2015 Buying Power Estimated at $917 Billion | OutNewsWire" (Washington, DC, 2016), https://www.nlgja.org/outnewswire/2016/07/20/americas-lgbt-2015-buying-power-estimated-at-917-billion/.

[32] Christopher Banks, "The Cost of Homophobia: Literature Review on the Human Impact of Homophobia in Canada," no. May (2003), http://www.usask.ca/cuisr/sites/default/files/BanksHumanCostFINAL.pdf.

[33] Badgett, M. V. L. (2014). *The economic cost of stigma and the exclusion of LGBT people: a case study of India.* Washington, DC: World Bank Group. Available at: http://documents.worldbank.org/curated/en/2014/10/23952131/economic-cost-stigma- exclusion-lgbt-people-case-study-india

[34] Meredith L. Weiss, "We Know Who You Are. We'll Employ You: Non-Discrimination and Singapore's Bohemian Dreams" in *Sexual Orientation Discrimination: An International Perspective*, M. V. Lee Badgett and Jeff Frank, eds. (New York, Routeledge, 2007).

Using the existence of laws recognizing LGBT relationships as an indicator of LGBTI inclusive countries, Open for Business shows that inclusion is associated with high scores on the World Economic Forum Competitiveness Index, the World Banks, Ease of Doing Business Index, the Global Innovation Index.[35] One study, which looked at the correlation between levels of public acceptance of homosexuality and foreign direct investment (FDI) found that countries with higher level of acceptance also had higher levels of FDI.[36] Economist Richard Florida who theorizes that inclusion of LGBT people can signal the openness and attractiveness of the local economy, thereby improving economic development. He shows that per capita GDP is higher in countries that are more accepting of LGBT people, according to a Gallup World Poll.[37]

Additionally, studies have looked at how inclusion relates to national economic growth from one year to the next. One study, looking at the status of eight different types of legal protections in 39 emerging economies over a twenty-year period. The study found that each additional right was associated with an increase of $320 in GDP per capita, or roughly three percent of average GDP per capita.[38]

4. DATA, INDICES AND DEFINITIONS

A. THE NEED FOR DATA

The development field is "data-driven." The UN Secretary-General has recognized that Agenda 2030 will require all those involved in implementing the SDGs to "significantly scale up support to countries and national statistical offices with critical needs for capacities to produce, collect, disaggregate, analyse and share data crucial to the new agenda"[39] Currently, very few countries seek to identify the sexual orientation, gender identity, gender expression or sex characteristics of the population. Nonetheless, data about LGBTI people is needed for many reasons:

- *Understanding demographics* of LGBTI people: In all but a few countries, very little is known about LGBTI populations. Data is needed to understand the size of the LGBTI population as well as other characteristics such as race, ethnicity, age, education, income levels, relationship status, and other important variables.
- *Tracking disparities* between LGBTI populations and the general population usually requires quantitative data from representative samples of LGBTI and non-LGBTI populations. The SDG's, particularly the emphasis on leaving no one behind, increases the necessity to track disparities faced by LGBTI people. Common tools for gathering data about populations include national surveys and censuses in each country as well as demographic and health surveys which serve as the central data collection tool for global development activities.
- *Calculating the economic cost of discrimination.* Information such as population prevalence, wage and income disparities, occupation, and educational attainment are necessary to calculate the economic cost of discrimination. Economist M. V. Lee Badgett observed that "to date, almost no research

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[35] Miller and Parker, "Open for Business: Strengthening the Economic Case," 55–56.

[36] Marcus Noland, "Popular Attitudes, Globalization, and Risk," 2004; Marcus Noland and Howard Pack, "Policy Brief 04-4: Islam, Globalization, and Economic Performance in the Middle East," 2004, http://www.iie.com/publications/pb/pb04-4.pdf.

[37] Richard Florida, *The Global Map of Homophobia,* The Atlantic Citylab website, February 7, 2014, http://www.citylab.com/politics/2014/02/global-map-homophobia/8309/

[38] M. V. Badgett et al., "The Relationship between LGBT Inclusion and Economic Development: An Analysis of Emerging Economies," *The Williams Institute,* 2014, https://escholarship.org/uc/item/3kn013kr.pdf.

[39] United Nations General Assembly, Resolution 69/700*, The road to dignity by 2030*, A/RES/69/700, 4 December 2014, para. 142.

looks at the fuller concept of LGBT inclusion and … its relationship to economic development across or within countries. A large barrier to such a project is that there are few comparable international indictors of even the most basic aspects of actual LGBT life, such as population, size, income, poverty, or health."[40]

- *Monitoring compliance with human rights requirements*. Large scale statistical data can be used to monitor compliance with human rights obligations. Data from large-scale population studies can reveal patterns of discrimination, or unequal consequences of government policies.[41] As one official of a national human rights institution stated, "[c]ollecting data on human rights violations occurring to LGBT people is of particular importance for [analyzing] … measures taken by the State, [and] adopting policies in compliance with human rights principles…"[42]

2. UNDP LGBTI INCLUSION INDEX

Development indices help communicate development concepts, particularly to those who are not accustomed to working with the volumes of data underlying each index.[43] Indices rank and rate each country based on standardized data related to development concepts. The most notable of these is the Human Development Index (HDI) which consolidates national scores on education, income and health and permits States to be ranked against each other.[44]

The UNDP has begun work on an LGBTI Inclusion Index which would score and rank each country in the areas of health, education, personal security and violence, political and civic participation, and economic well-being.[45] In order to establish the LGBTI Inclusion Index, UNDP identified, for each of the five areas, a set of indicators on which to base rankings. Some indicators are based on data that has already been gathered on a country-by country basis. For example, data regarding non-discrimination laws is contained in the State Sponsored Homophobia Report produced by ILGA.[46] Other kinds of data might be collected by establishing global systems to collect data from governments, such as crime statistics or school policies. However, data regarding educational attainment, individual health outcomes, or income and employment of LGBTI people would require extensive efforts.   Thus, the initial attempts to evaluate and rank countries will likely be based on limited data as UNDP works with countries to build the knowledge base and collect more accurate data.[47]

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[40] Badgett et al., "The Relationship between LGBT Inclusion and Econom," 18.

[41] United Nations Office of the High Commissioner for Human Rights, *Human Rights Indicators: A Guide to Measurement and Implementation*, HR/Pub/12/5 (Geneva: United Nations, 2012).

[42] Briefing Document, Workshop on the Role of National Human Rights Institution in Promoting and Protecting the Rights of LGBTI people in Asia and the Pacific, 24-25 February 2015, Bangkok, 18, citing the comments of the representative of the Mongolian Human Rights Commission.

[43] Amartya Sen, "Introduction by Amartya Sen" in *Human Development Report 2010: 20th Anniversary Edition,* Jeni Klugman (New York: United Nations Development Programme (UNDP), 2010), vi.

[44] United Nations Development Programme (UNDP), *Human Development Index* (Human Development Reports, 2013) http://hdr.undp.org/en/statistics/hdi/.

[45] Clifton Cortez, "*When People are Counted, No One is Left Behind*," Our perspectives, United Nations Development Programme webstite, December 10, 2015, http://www.undp.org/content/undp/en/home/blog/2015/12/10/When-people-are-counted-no-one-is-left-behind.html.

[46] Aengus Carroll and Lucas Ramón Mendos, "State-Sponsorder Homophobia: A World Survey of Sexual Orientation Laws," 2017, http://ilga.org.

[47] Badgett, M.V.L., & Sell, R. (2018). A Set of Proposed Indicators for the LGBTI Inclusion Index. New York: UNDP.

3. GLOBAL STANDARDS VERSUS LOCAL IDENTITIES

To make comparisons between one nation and another, data must be comparable. For example, countries may collect data about people who are unemployed, or people with disabilities, or people living in a household unit. International guidelines have set out standardized frameworks used to define concepts such as "disability," "unemployed," and "household." Thus, data from one country can be compared to data from another country if both countries use standardized definitions.

There are many methods to increase knowledge about particular populations. As a general matter, gathering data about LGBTI people in a particular population might involve identifying the sexual orientation, gender identity, gender expression, and sex characteristics of individuals in that population. However, there are no international guidelines with regard to defining sexual orientation, gender identity, gender expression, or sex characteristics.[48] Given the widespread use of the categories of lesbian/gay/bisexual, transgender, and intersex, such as in the UNDP Inclusion Index, it is likely that global standards will use these categories. As is illustrated above, these concepts are multi-faceted and can be defined in a number of different ways. Thus, the use of data on a global level will require the creation of a standardized framework and best practices regarding defining and collecting data.

However, the development of global standards may pose a challenge for those working with local LGBTI populations. There has been very little scholarly research on identity formation of LGBTI people across ethnicity, social class, region or between Western and non-Western societies.[49] Almost all research about intersex people has been in a medical/clinical framework.[50] The cultural construct of "LGBTI" may not reflect the authentic reality of all communities in question. The terms used to classify LGBTI people, as well as the meanings of those terms, differ from culture to culture. Attempts to use one globally standardized classification system could result in local populations being ignored or misunderstood. LGBTI advocates should with international agencies as well as their own governments to ensure that local communities are accurately reflected in data collection efforts.

4. PRIVACY, CONFIDENTIALITY, AND SECURITY

In many contexts, not only can information about a person's sexual orientation, gender identity, gender expression, and sex characteristics be used as a basis for discrimination, but the act of asking about sexual orientation, gender identity, gender expression, and sex characteristics may be considered such a breach of cultural norms that individuals collecting such data might also be at risk. Involvement of LGBTI people in research and data gathering efforts invokes three principles: privacy, confidentiality, and security. Privacy is both a legal and an ethical concept which states that an individual should have control over the extent, timing, and circumstances of how they share their personal information. Confidentiality is a legal and ethical principle that requires information about an individual to be stored, transferred and used in ways that prevent unauthorized disclosure of that information to third parties. In many cases, information about an individual can be shared only after it has been "de-identified," that is, the information has been stripped of any data that

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[48] Andrew Park, "An Inclusive Approach to Surveys of Sexual and Gender Minorities: Report of Meeting, Kathmandu, Nepal" (Los Angeles, 2015), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Inclusive-Approach-to-Surveys-of-Sexual-and-Gender-Minorities-Nepal-March-2015.pdf.

[49] Ritch C. Savin-Williams and Kenneth M. Cohen, "Developmental Trajectories and Milestones of Lesbian, Gay, and Bisexual Young People," *International Review of Psychiatry* 27, no. 5 (November 2015): 357–66, https://doi.org/10.3109/09540261.2015.1093465.

[50] Jones, Tiffany et al., Intersex: Stories and Statistics from Australia. Intersex: Stories and Statistics from Australia (Cambridge, UK: Open Book Publishers, 2016).

can be used to identify who is the source of the data. Security refers to the collection of technical approaches that insure physical, electronic, and procedural aspects of collecting and maintaining data in a manner that is private and confidential.

Such concerns are relevant to all phases of data collection, storage, analysis and dissemination. In order to address these issues, researchers, scientific associations and governments have established ethical, legal, and funding requirements to protect the rights of individuals participating in research and data gathering efforts.[51] These standards call for additional vigilance when dealing with vulnerable populations such as LGBTI people. LGBTI advocates should seek a collaborative role in the design of data collection efforts and should closely monitor any data collection activities to insure compliance with these standards. If the legal and social environment is such that particular data collection efforts cannot meet standards of confidentiality, privacy, and security, then such methods of data collection should not be employed.

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[51] The international community has developed a series of standards to help evaluate and address potential risks and ethical concerns, including risks concerning privacy and confidentiality. The Nurenberg Code, and subsequently the Declaration of Helsinki, are a set of human-rights based principles that have been adopted by governments and international research institutions. They set out criteria to determine whether research can take place, what methods can used, and how to insure continued oversight of data collection activities. Nuernberg Military Tribunals, "Permissable Medical Experiments (The Nuernberg Code)" (Washington, D.C.: Government Printing Office, 1949), http://www.loc.gov/rr/frd/Military_Law/pdf/NT_war-criminals_Vol-II.pdf%5Cnhttp://www.hhs.gov/ohrp/archive/nurcode.html; "Declaration of Helsinki -- Ethical Principles for Medical Research Involving Human Subjects," *World Medical Association*, 2013, https://www.wma.net/policies-post/wma-declaration-of-helsinki-ethical-principles-for-medical-research-involving-human-subjects/.

II. AGENDA 2030 AND THE SUSTAINABLE DEVELOPMENT GOALS

This chapter identifies and explores the roles of the many actors implicated in the development field. The text of 2030 Agenda does not specify which actors are in charge of which tasks and sets up goals and targets in open ended terms, offering ample space for different configurations and customised partnerships.

1. GOALS, TARGETS, AND INDICATORS

In 2015, The UN General Assembly adopted the 2030 Agenda[52] which contained the 17 SDGs:

Goal 1:   End poverty in all its forms everywhere

Goal 2:   End hunger, achieve food security and improved nutrition and promote sustainable agriculture

Goal 3:   Ensure healthy lives and promote well-being for all at all ages

Goal 4:   Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

Goal 5:   Achieve gender equality and empower all women and girls

Goal 6:   Ensure availability and sustainable management of water and sanitation for all

Goal 7:   Ensure access to affordable, reliable, sustainable and modern energy for all

Goal 8:   Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Goal 9:   Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation

Goal 10:   Reduce inequality within and among countries

Goal 11:   Make cities and human settlements inclusive, safe, resilient and sustainable

Goal 12:   Ensure sustainable consumption and production patterns

Goal 13:   Take urgent action to combat climate change and its impacts*

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[52] United Nations General Assembly, Resolution 70/1: Transforming our world: the 2030 Agenda for Sustainable Development, A/RES/70/1, 21 October 2015.

Goal 14:   Conserve and sustainably use the oceans, seas and marine resources for sustainable development

Goal 15:   Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

Goal 16:   Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Goal 17:   Strengthen the means of implementation and revitalize the global partnership for sustainable development

Listed along with each goal is a number of targets, totaling 169 between all the goals. Targets state how much progress countries should have made by 2030. Each target has one or more indicators. Indicators specify how to measure progress toward the target. For example, SDG 4 is Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. Ten targets are listed under SDG 4. Target 4.3 is "By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university." Target 4.3 has one indicator. Indicator 4.3.1 is "Participation rate of youth and adults in formal and non-formal education and training in the previous 12 months, by sex."

There is no mention of LGBTI people in the SDGs, targets or indicators. However, these goals apply to all people. The principle of leaving no one behind means that "[t]argets (are) met for all nationals and peoples and for all segments of society."53

In addition, the 2030 agenda recognizes that the global goals and indicators were identified by a global process of consultation. Each country will need to develop their own set of targets to incorporate into their national planning processes and development strategies. Thus, advocates should seek the inclusion of LGBTI people into the national framework for implementing the SDGs. In addition, advocates should use the SDGs to bring to light patterns of discrimination and exclusion that ministries and government officials have not recognized.

2. GOVERNMENTS

The UN General Assembly has indicated that "each country has primary responsibility for its own economic and social development" and that "the role of national policies, domestic resources and development strategies cannot be overemphasized".54 It also stated that, even though contributions resulting from voluntary partnerships are of great importance, they are not intended to be *a substitute* for the commitment made by Governments with a view to achieving the goals.55

The fundamental role of governments in development is based on the reality that they are responsible for the administration and allocation of resources and funds. Governments are the guardians of key elements and

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53 Ibid., para. 4.
54 United Nations General Assembly, Resolution 66/288, *The future we want*, A/RES/66/288, 11 September 2012, para. 252.
55 United Nations General Assembly, Resolution 70/479, *Toward global partnerships*, A/70/479, 15 December 2015, para. 3.

determinants of development: political stability, peace, and the rule of law. Without these essential requisites, full development can never be achieved.

Governments of developed countries are responsible for a great proportion of the funding channeled towards international development initiatives. The UN General Assembly recognized that achieving sustainable development in developing countries will demand additional resources.[56]

Since the late-90s, and then against the background of the then recently adopted MDGs, donor countries and aid agencies have made considerable efforts to improve the quality, potential, and impact of international aid to promote economic and human development in recipient countries. The first UN-sponsored summit-level meeting of this kind was the United Nations International Conference on Financing for Development, held in 2002 in Monterrey, Mexico.[57] Further on, since 2003, several high-level fora on aid effectiveness have taken place in Rome (2003), Paris (2005), Accra (2008) and Busan (2011).

The outcome of the Mexico conference was the *Monterrey Consensus*,[58] a key instrument in international cooperation between developed and developing countries, in which both recognized their responsibilities in strategic areas such as trade, aid, debt relief and institution-building.[59] In the *Rome Declaration* (2003) donor countries agreed to take into account the priorities and timing of aid receiving countries and to promote their ability to determine their development path.[60]

The Second High-Level Forum on Aid Effectiveness, held in Paris in 2005, produced the *Paris Declaration on Aid Effectiveness* (or simply, the "Paris Declaration"), by which signatory countries endorsed joint commitments and set up a roadmap with defined goals to be achieved by 2010. This time *both* donor and recipient countries (now referred to as "partner countries") agreed to follow five major principles: (1) *ownership*, reinforcing the commitment to respect developing countries in how they set their own plans for development; (2) *alignment*, stressing that donor countries must offer overall support to developing countries and their priorities; (3) *harmonization*, urging donor countries to simplify procedures and avoid duplication; (4) *results*, orienting donors and recipients to focus on measurable outcomes; and (5) *mutual accountability*, requiring donors and developing countries to be accountable for development results.

A few years later, in 2008, an even greater number of stakeholders came together in Ghana to endorse the *Accra Agenda for Action* (AAA) at the Third High-Level Forum on Aid Effectiveness. This new instrument was conceived to accelerate and deepen the implementation of the principles contained in the *Paris Declaration*, with further commitments with regard to national ownership, aid transparency, and conditionalities, among others. The AAA acknowledged that three major challenges to accelerate progress on aid effectiveness needed to be addressed, namely: partner country ownership, inclusive partnership (including civil society) and capacity development in aid recipient countries.[61] The AAA also stresses that partnerships for development are most

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[56] United Nations General Assembly, Resolution 66/288, *The future we want*, A/RES/66/288, 11 September 2012, para. 252.

[57] United Nations, Department of Economic and Social Affairs, *Financing for Development: Building on Monterrey* (New York: UN, 2002), v.

[58] Monterrey Consensus of the International Conference on Financing for Development. See: Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002 (A/CONF.198/11), chapter 1, resolution 1, annex.

[59] United Nations, Department of Economic and Social Affairs, *Financing for Development: Building on Monterrey* (New York: UN, 2002), vii.

[60] "HLF1: The First High Level Forum on Aid Effectiveness, Rome", OECD website, http://www.oecd.org/dac/effectiveness/hlf-1thefirsthighlevelforumonaideffectivenessrome.htm

[61] *Accra Agenda for Action*, adopted on 4 September 2008, paras. 7 to 10.

effective when they fully harness the energy, skills and experience of all development actors and expressly includes bilateral and multilateral donors, global funds, CSOs, and the private sector.[62]

In spite of all the efforts, or lack thereof, few of the proposed goals were achieved by 2011.[63] The Fourth High-Level Forum on Aid Effectiveness, held in Busan, South Korea, in 2011, led to the signing of the *Busan Partnership for Effective Development Cooperation*,[64] an instrument that incorporated the relevance of the south-south cooperation and the implications of the greater willingness of the private sector to invest in a range of developing countries. This meeting is said to have marked a pivotal point in global aid governance and the construction of 'foreign aid'.[65] The Busan conference broadened the agenda significantly: from 'aid effectiveness', as pertaining principally to the OECD-DAC providers of ODA, to 'development effectiveness', encompassing the myriad actors and partnerships involved in South–South, triangular, philanthropic and private-sector cooperation.

3. MAJOR GROUPS AND OTHER STAKEHOLDERS (MGoS)

The 2030 Agenda includes and implicates a series of distinct actors grouped under the term "Major Groups and other Stakeholders" (MGoS). This broad category includes companies, businesses, NGOs, unions, academia, and vulnerable groups, among others. The UN General Assembly has encouraged States to work closely with MGoS in collaborative partnership and to include them in processes that contribute to decision-making, planning and implementation of policies and programmes for sustainable development at all levels.[66]

The implementation of the 2030 Agenda highly depends on successful multi-stakeholder partnerships. SDG 17 marks these partnerships as important vehicles for mobilizing and sharing knowledge, expertise, technologies and financial resources to support the achievement of the sustainable development goals in all countries. Therefore, MGoS should be actively engaged throughout the process of design, implementation, monitoring, review and follow up of the 2030 Agenda.

The *UN Agenda 21* was the main output of the *United Nations Conference on Environment & Development* (also referred to as the "Earth Summit"), held in Rio de Janeiro in 1992. This instrument acknowledged that broad public participation of all social groups was critical to sustainable development. Section 3 of the *Agenda 21* formalized nine sectors of society, called "Major Groups", as the channels through which participation would be organised and facilitated in UN activities related to sustainable development,[67] namely:

1. Women;
2. Children and Youth;
3. Indigenous Peoples;
4. Non-Governmental Organizations (NGOs);
5. Local Authorities;

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[62] *Accra Agenda for Action*, adopted on 4 September 2008, para. 16.
[63] OECD, "2011 Survey on Monitoring the Paris Declaration," 2012, 15.
[64] 4th High Level Forum on Aid Effectiveness, "*Busan Partnership for Effective Development Co-operation,*" December 1, 2011.
[65] Emma Mawdsley *et al.*, "A 'post-aid world'? Paradigm shift in foreign aid and development cooperation at the 2011 Busan High Level Forum" *The Geographical Journal* (2013), 1.
[66] United National General Assembly, Resolution 66/288: "The Future We Want", A/RES/66/288, 11 September 2012, para. 43; Resolution 70/1: Transforming our world: the 2030 Agenda for Sustainable Development, A/RES/70/1, 21 October 2015, Preamble.
[67] UN General Assembly, "Report of the United Nations Conference on Environment and Development" (UNCED, 1992), para. 23.1-23.4.

6. Workers and Trade Unions;
7. Business and Industry;
8. Scientific and Technological Community;
9. Farmers.

Twenty years later, after *Rio+20*, the General Assembly again stressed that sustainable development required "the meaningful involvement and active participation of regional, national and subnational legislatures and judiciaries, and all major groups"[68] and called out to all of them and a new set of "other stakeholders", among which it included:

10. Local communities;
11. Volunteer groups and foundations;
12. Migrants and families;
13. Older persons;
14. Persons with disabilities.

Furthermore, in 2013, UNGA Resolution 67/290[69] enlarged this list by adding:

15. Philanthropic organizations; and
16. Educational and academic entities.

Even though each Member State ultimately decides how it will participate in the MGoS structure, governments should make serious efforts to ensure free and unrestricted access to public information and spaces for interaction and exchange with interested stakeholders. This should be one of the main responsibilities of the agencies charged with following up on the SDGs in each country.

Each Major Group organizes itself autonomously. The Division of Sustainable Development, within the UN Department of Economic and Social Affairs (UNDESA), is in charge of the *Stakeholders Engagement Programme*, collaborating closely with MGoS Organizing Partners. Organizing partners are accredited organizations or networks that serve as focal points to represent specific sectors and constituencies in the UN SDG process. Their function is to help disseminate information about the SDG process and streamline communication to UNDESA.

LGBTI advocates should consider establishing a relationship with one or more of the organizing partners. The issues of LGBTI people are implicated in nearly every MGoS. Thus, insuring LGBTI participation will advance LGBTI issues relevant to all the SDGs.

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[68] United National General Assembly, *Resolution 66/288: The Future We Want*, A/RES/66/288, 11 September 2012, para. 43.
[69] United National General Assembly, Resolution 67/290: Format and organizational aspects of the high-level political forum on sustainable development, A/RES/67/290, 23 August 2013, para. 16.

4. THE PRIVATE SECTOR

The private sector has been defined as a concept comprising "all individual, for-profit, commercial enterprises or businesses, businesses associations and coalitions, and corporate philanthropic foundations."[70]

Government and international organizations are increasingly recognizing the value of including the private sector as a key stakeholder in development. Some have observed that more companies seem to be looking for strategic opportunities to take action and align their business operations with national and international development priorities. Even within the UN System, there seems to exist consensus that the private sector is one of the most critical partners in boosting United Nations capacity to deliver on the Sustainable Development Goals and that strategic partnerships will be critical to achieving the 2030 Agenda.[71] Indeed, the vital role played by the private sector in development is evinced by its capacity to generate decent employment and investment, stimulating sustained, inclusive and equitable economic growth.[72]

5. CIVIL SOCIETY ORGANIZATIONS (CSOs)

The World Bank has defined "Civil Society Organization (CSO)" as a broad concept that encompasses "all associational activity outside the orbits of the government or the for-profit sector."[73] These associations are sometimes referred to as the "third sector" (the first being the State, and the second, the private sector explored above), and include religious institutions, students and youth-led organizations, professional associations, trade unions, and academic bodies, think-tanks, etc.

Although sometimes used interchangeably, the concept of "Non-Governmental Organization (NGO)" is narrower. The World Bank has indicated that, for the purposes of development, the concept of NGO encompasses "a wide variety of associations, societies, foundations, and charitable entities that are (i) entirely or largely independent of government; (ii) not operated for profit; and (iii) exist to serve humanitarian, social or cultural interests, either of their memberships or of society as a whole."[74]

CSOs play a critical role in development. However, this has not always been the case. Some analysis claim that "perceived failures of State-led development approaches throughout the 70s and 80s" allowed CSOs to become a "development alternative", offering innovative and people-centred approaches to service delivery, advocacy and empowerment.[75] In fact, by 2003, UNDP identified how CSOs had by then developed the

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[70] United Nations General Assembly, Cooperation between the United Nations and all relevant partners, in particular the private sector: Report of the Secretary General, A/56/323, 9 October 2001, Annex 1, para. 1.
[71] United Nations General Assembly, Resolution 72/310: Enhancing cooperation between the United Nations and all relevant partners, in particular the private sector, A/72/310, 10 August 2017, para. 6.
[72] United Nations General Assembly, *Resolution 70/479: Toward global partnerships*, A/70/479, 15 December 2015, para. 3.
[73] World Bank, "The Bank's relations with NGOs: issues and directions" *Social development papers* 28 (Washington, D.C.: The World Bank, 1998), 3.
[74] World Bank, "The Bank's relations with NGOs: issues and directions" *Social development papers* 28 (Washington, D.C.: The World Bank, 1998), 2.
[75] Nicola Banks and David Hulme, *The Role of NGOs and Civil Society in Development and Poverty Reduction*, *SSRN Electronic Journal*, 2012, https://doi.org/10.2139/ssrn.2072157.

capacity to advance the interests of the poor, especially where governments were unresponsive or failed to take action in poverty reduction.[76]

The relationships that CSOs establish with beneficiaries of development policies are based upon principles of voluntarism[77] while the role of the State is one of administration and control. Marginalized groups can be left out of both, particularly where there is an unsupportive civil society and an oppressive State. Many sources indicate that LGBTI people do not trust State agents or institutions given the history of criminal persecution, brutal violence and discrimination they have suffered from security forces, civil servants, health care professionals in public hospitals, among others.[78] Thus, LGBTI groups may need to engage in advocacy for inclusion as a central development strategy. Thanks to the broad terms in which it has been drafted, under the 2030 Agenda almost any NGO will be able to link their mission and one or multiple SDGs.
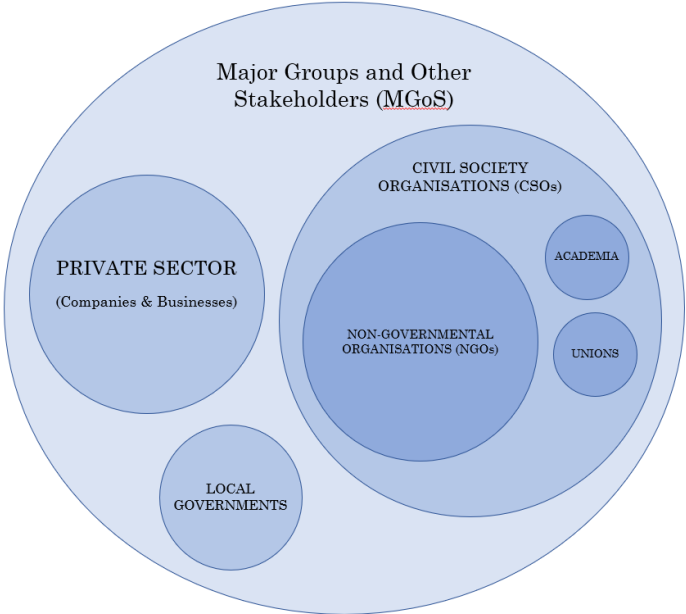
Figure 3 - Major Groups and other Stakeholders

6. UNITED NATIONS

In 2012, the UN General Assembly recognized the "central role of the United Nations in advancing the sustainable development agenda".[79] Indeed, most agencies and groups within the UN System are implicated

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[76] UNDP, "*UNDP and Civil Society Organizations: Partners in Development*" (New York, 2003), 23.

[77] Mark Turner and David Hulme, "Beyond the Market , Beyond the State: The Rise of Non Governtnental Organizations," in *Governance, Administration and Development: Making the State Work* (New York: Palgrave Macmillan, 1997), 207.

[78] UNDP, "UNDP and Civil Society Organizations: Partners in Development," 125.

[79] United Nations General Assembly, Resolution 66/288, *The future we want*, A/RES/66/288, 11 September 2012, para. 46 and 47.

by at least one or more SDG. This section contains a brief overview of the main UN agencies and groups in the field of development.

A. UNITED NATIONS DEVELOPMENT GROUP (UNDG)

The *United Nations Development Group* (UNDG) is the office that brings together all UN agencies working on issues related to development. Responding to critiques about the lack of consistency and coordination of UN action in development, the UNDG was created in 1997 to facilitate joint policy formation and decision-making, to encourage programmatic cooperation and to realise management efficiencies.[80]

The UNDG holds two meetings every year in New York. The Development Operations Coordination Office (UNDOCO) acts as the executive secretariat of the UNDG. As the coordinating unit of more than 30 UN agencies and groups, the UNDG has a key role in the implementation the 2030 Agenda.

B. UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)

The United Nations Development Program (UNDP) is one of the main UN agencies that focuses on providing assistance to countries to achieve their development goals. It provides expertise, networks, and other resources to 170 countries as they face their own specific challenges.[81] UNDP also works in partnership with the private sector. In 2017, it worked with thousands of businesses, from large global brands, to small companies, social enterprises, and local cooperatives.[82] International Financial Institutions, including multilateral, regional and national development banks, are also among stakeholders that work closely to UNDP.

C. DIVISION OF SUSTAINABLE DEVELOPMENT (DSD-UNDESA)

The Division of Sustainable Development, within the UN Department of Economic and Social Affairs (UNDESA), serves as the primary UN office providing support to different intergovernmental processes in the field of development, including the High Level Political Forum on Sustainable Development (see below).

The DSD is also in charge of the *Stakeholders Engagement Programme*, collaborating closely with MGoS Organizing Partners. It supports their effective participation in the UN political processes, including through efforts to build their capacity, knowledge and skills base. The Division monitors multi-stakeholder partnerships and voluntary commitments through its Partnerships for SDGs online platform.

D. THE HIGH-LEVEL POLITICAL FORUM AND OPPORTUNITIES FOR CSO INVOLVEMENT

The High-level Political Forum (HLPF) was established in 2012 with a broad mandate to follow-up on how signatory States are implementing the SDGs[83]. It meets once a year under the auspices of the UN Economic

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[80] UN General Assembly, Renewing the United Nations: A Programme for Reform: Report of the Secretary General, A/51/950, 14 July 1997, para. 73.
[81] UNDP, *Annual Report 2017* (New York: UNDP, 2017), 8.
[82] UNDP, *Annual Report 2017* (New York: UNDP, 2017), 9.
[83] United Nations General Assembly, Resolution 66/288, *The future we want*, A/RES/66/288, 27 July 2012, para. 84.

and Social Council (ECOSOC) and every four years under the auspices of the General Assembly (UNGA).[84] To carry out its duties, the Forum is assisted by the UN Division for Sustainable Development Goals, which serves as its executive secretariat.

1) Voluntary National Reviews (VNR)

As of 2016, the HLPF conducts annual thematic reviews called Voluntary National Reviews (VNRs) in New York.[85] In these reviews States share their experiences on the progress made and the challenges they may have encountered in their efforts to implement the 2030 Agenda, including cross-cutting issues. They are convened by the President of the ECOSOC, who leads and moderates the VNRs. The HLPF is also tasked with providing guidance and recommendations for follow-up.

These reviews are voluntary, State-led, and are supposed to provide a platform for partnerships through the participation of major groups and relevant stakeholders (i.e. invited CSOs and NGOs, business and industry, and local authorities). Unlike the MDGs—which focused mainly on developing countries—SDGs make a strong point of implicating all countries. In other words, both developing and developed countries can submit their VNR reports and discuss how they are implementing the SGDs, share their achievements, challenges, and other critical factors. In practice, this represents a key opportunity to support countries in making informed policy choices and to learn from the experiences of other countries. Even though UN Member States have committed to reviewing and following up on the implementation of the Agenda that operates at the national, regional and global level,[86] the 2030 Agenda does not stipulate a frequency for the national and subnational reviews.

Concretely, the annual high-level political forum could typically include four parts: (a) review of overall progress, with the review of the Sustainable Development Goals progress report, national reviews, and regional reviews; (b)review of progress in specific areas, with thematic review on the theme and in-depth reviews of a subset of Sustainable Development Goals; (c) review of Goal 17 and other inputs on the implementation of the Addis Ababa Action Agenda; and (d)new and emerging issues and looking to the long term.[87]

In order to guarantee a minimum level of consistency among VNRs, the UN Secretary General has issued a set of voluntary guidelines for participating States.[88] These guidelines suggest that presentations before the HLPF include a specific reference to how the principle of "leaving no one behind", enshrined as one of the key principles of the 2030 Agenda, has taken shape in actual implementation of the SDGs. More specifically, the guidelines suggest that this is the adequate moment to address how vulnerable groups have benefited from the work that is being carried out to achieve sustainable development. It has been said that "leaving no one behind will require efforts to reach the 'last mile', and that countries will need to re-evaluate their approaches

[84] United Nations General Assembly, Resolution 67/290, *Format and organizational aspects of the high-level political forum on sustainable development*, A/RES/67/290, 23 August 2013, paras. 3 to 7.

[85] United Nations General Assembly, Resolution 67/290, *Format and organizational aspects of the High-Level Political Forum on Sustainable Development*, A/RES/67/290, 23 August 2013, para. 7.

[86] United Nations General Assembly, Resolution 70/1, *Transforming our world: the 2030 Agenda for Sustainable Development,* A/RES/70/1, 21 October 2015, paras. 72 to 91.

[87] United General Assembly, Critical milestones towards coherent, efficient and inclusive follow-up and review at the global level Report of the Secretary-General, A/70/684, 15 January 2016, para. 21.

[88] Secretary-General's Voluntary Common Reporting Guidelines for Voluntary National Reviews at the High-Level Political Forum on Sustainable Development (HLPF)

and development interventions."[89] Countries that have reported on matters related to LGBTI people have done so under this section.[90]

In 2016, only 22 countries decided to participate in the first round of VNRs. However, this number was almost doubled in 2017 when 43 countries presented VNRs, increasing again in 2018 with 46 countries presenting VNRs. 2019 will see a record number of VNRs with 51 countries expressing interest in reporting.

Apart from VNRs, the HLPF selects a specific theme that defines the scope of SDGs that are going to be evaluated. Consequently, not all SDGs are evaluated every year. To allow for the evaluation process to be more amenable and allow for more in-depth analysis, around six to seven SDGs are reviewed each year. The only exception is SDG 17, which is evaluated every year.

At the national level, States are encouraged to create domestic mechanisms to follow up on the 2030 Agenda, including the designation of a specific entity or authority to lead the process. This process needs to be carried out in partnership and in consultation with MGoS.[91] The regional level is an intermediate instance of evaluation that facilitates the exchange of information and experiences among States, usually facilitated by regional and sub-regional commissions and organizations.[92]

2) CSO participation

Each annual cycle of reviews involves months of preparation at the local level, as well as interactive sessions at the HLPF itself, and follow-up activities. CSOs can use these activities as an opportunity to be a strong voice on behalf of LGBTI communities. CSOs should consider advocating for the following:

- *Inclusion in national reviews.* Governments must ensure open consultations with all MGoS, especially with those structurally "left behind," who tend to be underrepresented or marginalized in decision-making processes.
- *Accountability.* All MGoS must have access to relevant information, especially statistics and quantitative data, and be able to comment on the way it is being collected, used and interpreted.
- *Disaggregation.* Data disaggregation based on sexual orientation, gender identity, gender expression, and sex characteristics should inform the national review. Without disaggregation, it becomes impossible to effectively assess whether "no one is left behind".
- *Specific indicators.* Resolution 70/1 establishes that the indicators used to follow up on SDGs and targets will be complemented by indicators at the regional and national levels which will be developed by Member States.[93] LGBTI CSOs should advocate for the incorporation of specific indicators which may be relevant to LGBTI development priorities.

[89] United Nations, Department of Economic and Social Affairs (DESA), *Synthesis of Voluntary National Reviews 2017* (New York: DESA, 2018), 28.
[90] United Nations, Department of Economic and Social Affairs (DESA), *Synthesis of Voluntary National Reviews 2017* (New York: DESA, 2018), XI.
[91] United Nations General Assembly, Resolution 70/1, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, 21 October 2015, paras. 78, 79.
[92] United Nations General Assembly, Resolution 70/1, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, 21 October 2015, paras. 80, 81.
[93] United Nations General Assembly, Resolution 70/1, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, 21 October 2015, paras. 75.

- *Legal frameworks*. LGBTI CSOs should advocate for the approval of laws and regulations to further SDGs that are relevant to the local LGBTI community. This requires adopting the language and terminology used in the development field and fit each initiative within a specific SDG.
- *Awareness raising*. Special efforts should be aimed at raising awareness on how LGBTI people are part of the 2030 agenda. SDGs should be brought to the local level by showing how their implementation can affect LGBTI people's daily life. This will create ownership of the Agenda among communities.

III. LGBTI DEVELOPMENT PRIORITIES

The SDGs reflect global development priorities. Each country is responsible for establishing development goals that are relevant to local populations. LGBTI people face development challenges much the same as those faced by the general population. However, stigma and prejudice may pose additional development challenges for LGBTI people that non-LGBTI people to not experience. Thus, LGBTI communities may have unique development priorities.

Identifying development priorities

LGBTI communities in each country should identify their own development priorities. Limited aspects of six dimensions are discussed below. However, a more comprehensive list would might include specific goals related to particular LGBTI subgroups, indigenous identities, age groups, and intersectional identities. Numerous dimensions of development are also relevant to LGBTI populations, such as employment, living conditions, civic participation and leadership, education, information and communication technologies, support networks, religion, health, housing, income, partnership formation, parenting, food and nutrition, wellness, migration, community institutions, urban and rural spaces, entrepreneurship and others.

Compiling analysis and evidence of development challenges

LGBTI advocates should ground their advocacy in an understanding of the lived experience of LGBTI people and the challenges they face. Advocates should create an analysis of how stigma and prejudice impair the ability of LGBTI people to reach their full potential, and how specific policies or programs could address the situation. To the extent possible, advocates should collect evidence that illustrates their analysis.

Seeking advocacy opportunities

The SDG framework offers many opportunities for advocates to engage with governments and other stakeholders and seek policies and programs that benefit LGBTI people. Opportunities related to specific SDGs are listed below. Additionally, the 2030 Agenda process calls for planning processes at the national level as well as review processes at the global level. These provide the opportunity for LGBTI advocates to make their priorities known.

1. HEALTH

A. GOALS

Each LGBTI person should be able to have good health, which includes a state of physical, emotion, mental, and social wellbeing. Necessary for good health is access to appropriate and supportive health care, shelter,

nourishment, and social support networks. In order to accomplish this, States must have adequate knowledge of health outcomes of LGBTI people, adopt policies to make appropriate health care available to all on a non-discriminatory basis, support the research and development of medicines, technologies, and health care delivery, and address social determinants of poor health such as stigma and prejudice.

SDG 3: Good Health and Well Being, includes a number of targets relevant to LGBTI people.

B. CHALLENGES TO LGBTI HEALTH

Lack of access to fully supportive health care as well as the development of minority stress can lead to poor health outcomes. Research shows that these dynamics may be happening in regions all over the world.[94]

1) Exclusion from access

LGBTI people may face one of several kinds of barriers when seeking health care services. First, LGBTI people may encounter health care providers who are hostile or abusive to them.[95] LGBTI people may also encounter health care providers who assume that their patients are cisgender and heterosexual.[96] In this case, those LGBTI people who are able to conceal their sexuality or gender identity are faced with a choice of either "coming out" to the provider, risking rejection or abuse by provider and other staff, or withholding information about themselves, and risking that the care they receive is not based on complete information.[97] Because of these realities, many LGBTI people delay seeking health care.[98] Research has shown that the more comfortable people are with their provider, the more likely they are to seek treatment and preventative care.[99]

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[94] LGBT Denmark, *Sexual Orientation and Gender Identity in Development Cooperation* (Copenhagen: LGBT Denmark, 2012), 27; World Health Organization, *Sexual Health, Human Rights and the Law* (Geneva: World Health Organization (WHO), 2015), 24, 25.

[95] Tim Lane et al., "'They See You as A Different Thing': The Experiences of Men Who Have Sex with Men with Healthcare Workers in South African Township Communities," *Sexually Transmitted Infections* 84, vol. 6 (2008): 430-433. In South Africa, MSMs reported that health care workers use local derogatory slang words such as *stabane* ("hermaphrodite") and *sgezo* ("faggot") to refer to openly gay patients. *Surveying Nepal's Sexual and Gender Minorities: An Inclusive Approach* (Bangkok: United Nations Development Programme (UNDP), The Williams Institute, 2014), 9-10. In Nepal, almost one in four sexual and gender minorities surveyed said they were denied services, and that number rose to nearly one third for transgender women.

[96] Kathleen A. Bonvicini and Michael J. Perlin, "The Same but Different: Clinician-Patient Communication with Gay and Lesbian Patients," *Patient Education and Counseling* 51, no. 2 (2003): 115–22, https://doi.org/10.1016/S0738-3991(02)00189-1; Dana D Dehart, "Breast Health Behavior among Lesbians: The Role of Health Beliefs, Heterosexism, and Homophobia.," *Women & Health* 48, no. 4 (2008): 409–27, https://doi.org/10.1080/03630240802575146; M. K. Hutchinson, Angela C. Thompson, and Julie A. Cederbaum, "Multisystem Factors Contributing to Disparities in Preventive Health Care among Lesbian Women," *JOGNN - Journal of Obstetric, Gynecologic, and Neonatal Nursing* 35, no. 3 (2006): 393–402, https://doi.org/10.1111/J.1552-6909.2006.00054.x.

[97] M R Arbeit et al., "Bisexual Invisibility and the Sexual Health Needs of Adolescent Girls," *LGBT Health* 3, no. 5 (2016): 342–49, https://doi.org/10.1089/lgbt.2016.0035; Sherry Bergeron and Charlene Y. Senn, "Health Care Utilization in a Sample of Canadian Lesbian Women: Predictors of Risk and Resilience," *Women & Health* 37, no. 3 (2003): 19–35.

[98] The International Gay and Lesbian Human Rights Commission (IGLHRC), *Violence: Through the Lens of Lesbians, Bisexual Women and Transgender People in Asia* (New York: IGLHRC, 2014), 116. In Malaysia, lesbian and transgender women said they generally avoided seeking health care unless they had a trusted doctors. "Surveying Nepal's Sexual and Gender Minorities: An Inclusive Approach" (Los Angeles, CA, October 2014). In Nepal, Twelve percent of all respondents reported they had not experienced discrimination because they had not tried to access a hospital or health clinic. Ibid., 22. J Kathleen Tracy, Alison D Lydecker, and Lynda Ireland, "Barriers to Cervical Cancer Screening among Lesbians.," *Journal of Women's Health* 19, no. 2 (2010): 229–37, https://doi.org/10.1089/jwh.2009.1393.

[99] Sherry Bergeron and Charlene Y Senn, "Health Care Utilization in a Sample of Canadian Lesbian Women : Predictors of Risk and Resilience," *Women & Health* 37, no. 3 (2003): 19–35, https://doi.org/10.1007/s10151-013-1020-0. The more comfortable sexual minority women are with their health care providers, the more likely they are to seek preventive care.

2) Impact of stigma and prejudice

Prejudice and social stigma faced by LGBTI people can itself be harmful to health. The minority stress model is a framework developed by researchers to analyze how the experience of stigma and prejudice impacts health outcomes. At its core is the recognition that stigma and prejudice aimed at LGBTI people results in stress and trauma that is not experienced by heterosexual, gender conforming people.[100] According to this model, there are four specific processes through which social stigma and prejudice are manifested in the lives of LGBTI people.[101]

First, LGBTI people experience prejudice events and conditions which symbolize the deep cultural meaning of worthlessness assigned to this population. Such events might include assault, rejection by friends or family members, harassment at work or school, or persistent messages in the media about LGBTI people.

Second, after experiencing repeated instances of prejudice, LGBTI people form an expectation of such events and conditions, triggering a constant vigilance in an attempt to protect themselves from future instances of prejudice. The stress caused by this vigilance may exist even in situations where those around the person do not hold negative stereotypes.[102]

Third, LGBTI people conceal their identity in response to the incidence, and expectation, of prejudice events. This identity concealment can impact an individual in at least three ways. First, identity concealment can require significant psychological resources, particularly if the individual develops a preoccupying fear and suspicion of discovery. Second, the individual is denied the psychological- and health benefits that come from honesty expression and sharing of emotions and experiences with others.[103] Third, LGBTI people are cut off from the ability to develop social support and coping networks.

Fourth, the LGBTI person can begin internalizing the negative messages and stereotypes of LGBTI people (and presumably transphobia, though the research on internalized transphobia is very scarce). Such internalized stigma can affect self-esteem, the capacity for intimacy, as well as constrain the ability of an individual to envision a life course which incorporates sexual and gender identity. Such an ability is necessary for the healthy development of LGBTI people.[104]

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[100] David M. Frost and Meyer, I.H., "Internationalized Homophobia and Relationship Quality Among Lesbians, Gay Men, and Bisexuals," *Journal of Counselling Psychology* 56, no. 1 (2009): 97-109.

[101] We note that peer-reviewed studies on transgender and intersex people are sparse compared to lesbian, gay, bisexual people. Nonetheless, all available studies indicate that the minority stress model operates with regard to transgender and intersex people and probably serves to explain some of their poor health outcomes as well. Testa, Rylan J., Matthew S. Michaels, Whitney Bliss, Megan L. Rogers, Kimberly F. Balsam, and Thomas Joiner. "Suicidal ideation in transgender people: Gender minority stress and interpersonal theory factors." *Journal of abnormal psychology* 126, no. 1 (2017): 125; Tiffany Jones et al., *Intersex: Stories and Statistics from Australia* (Cambridge: Open Book Publishers, 2016), http://www.openbookpublishers.com/product/431. Thus, minority stress processes are described here as an experience of LGBTI people.

[102] Jennifer Crocker, "Social Stigma and Self-Esteem: Situational Construction of Self-Worth," *Journal of Experimental Social Psychology* 35, no. 1 (1999): 89-107 cited in Ilan Meyer, "Prejudice, Social Stress, and Mental Health in Lesbian, Gay and Bisexual Populations: Conceptual Issues and Research Evidence," *Psychological Bulletin* 129, no. 5 (2003): 674-697.

[103] Ilan Meyer, "Prejudice, Social Stress, and Mental Health in Lesbian, Gay and Bisexual Populations: Conceptual Issues and Research Evidence," *Psychological Bulletin* 129, no. 5 (2003): 674-697; John Pachankis, "The Psychological Implications of Concealing a Stigma: A Cognitive-Affecitve-Behavioral Model," *Psychological Bulletin* 133, no. 2 (2007): 328-345.

[104] Gilbert H. Herdt, Children of Horizons: How Gay and Lesbian Teens Are Leading a New Way Out of the Closet (Boston: Beacon Press, 1996), 205.

These processes, individually and collectively, have been linked to poor health outcomes. Anxiety caused by concealment can lead to significant distress, shame, anxiety, depression, low well-being and self-esteem, and loneliness.[105] The resulting anxiety is a predictor of substance use disorders as the individual attempts to reduce tension, fear, and nervousness by using substances.[106] A systematic review of 199 studies in both the Global North and South, each looking at a comparison between heterosexuals and sexual minorities, showed that sexual minorities were at increased risk for depression, anxiety, suicide attempts or suicides.[107] A qualitative and quantitative study of gay men and lesbian women in Brazil showed worse mental health, major depression and risk of suicide. Authors found this consistent with hostile social context as well as worsening of social support.[108]

3) Lack of knowledge and data

Possibly the greatest risk to the health of LGBTI people is the lack of knowledge about them. Randy Sell, an early pioneer in LGBT health research and a co-author of a World Bank report on the development of international indicators of LGBTI inclusion,[109] has said that even in the United States, the lack of data about LGBT health constitutes the number one health crisis for LGBTI people.[110]

With the exception of research about HIV among gay and bisexual men and transgender women, peer-reviewed research on sexual and reproductive health needs of lesbian and bisexual women and transgender men in the global south is virtually non-existent. A recent analysis of studies of lesbian health found over 6,800 published since 2000, none of which were in low income countries.[111] Without data, stereotypes of LGBTI people can remain unchallenged, including the claim that there are no LGBTI people in particular communities. A lack of data feeds a cycle of denial about the needs of LGBTI people.[112]

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[105] Deborrah E. S. Frable, Platt, L., and Hoey, S., "Concealable Stigmas and Positive Self-Perceptions: Feeling Better Around Similar Others," *Journal of Personality and Social Psychology* 74, no. 4 (1998): 909-922; Eric W. Schrimshaw et al., "Disclosure and Concealment of Sexual Orientation and the Mental Health of Non-Gay Identified, Behaviorally Bisexual Men," *Journal of Consulting and Clinical Psychology* 81, no. 1 (2013): 141-153; Kristin P. Beals, Peplau, L.A., and Gable, S.L., "Stigma Management and Well-Being: The Role of Perceived Social Support, Emotional Processing, and Suppression," *Personality and Social Psychology Bulletin* 35, no. 7 (2009): 867-879; Tom Frijns and Finkenauer, C., "Longitudinal Associations Between Keeping a Secret and Psychological Adjustment in Adolescence," *International Journal of Behavioral Development* 33, no. 2 (2009): 145-154.

[106] Joel Swendsen et al., "The Comorbidity of Alcoholism with Anxiety and Depressive Disorders in Four Geographic Communities," *Comprehensive Psychiatry* 39, no. 4 (1998) cited in John E. Pachankis and Bernstein, L.B., "An Etiological Model of Anxiety in Young Gay Men: From Early Stress to Public Self-Consciousness," *Psychology of Men & Masculinity* 13, no. 2 (2012): 107-122.

[107] Martin Plöderl and Pierre Tremblay, "Mental Health of Sexual Minorities. A Systematic Review," *International Review of Psychiatry* 27, no. 5 (2015): 367-85. The study included 199 studies which had a heterosexual comparison group. 26 studies had nationally representative studies using clinical interviews.

[108] Daniela Barbetta Ghorayeb and Dalgalarrondo, P., "Homosexuality: Mental Health and Quality of Life in a Brazilian Socio-Cultural Context," *International Journal of Social Psychiatry* 57, no. 5 (2011): 496-500.

[109] M. V. Lee Badgett and Randall L. Sell, "A Set of Proposed Indicators for the LGBTI Inclusion Index" (New York, NY, 2018).

[110] Randall L Sell and Michelle L Holliday, "Sexual Orientation Data Collection Policy in the United States: Public Health Malpractice.," *American Journal of Public Health* 104, no. 6 (June 13, 2014): 967–69, https://doi.org/10.2105/AJPH.2013.301814.

[111] K. Robinson et al., "Lesbian and Bisexual Women's Gynaecological Conditions: A Systematic Review and Exploratory Meta-Analysis," *BJOG: An International Journal of Obstetrics and Gynaecology* 124, no. 3 (2017): 381–92, https://doi.org/10.1111/1471-0528.14414.

[112] Steff Baral and Matt Greenall, "The 'Data Paradox' – Where There Is No Data," accessed December 10, 2018, https://wherethereisnodata.org/2013/07/05/the-data-paradox/.

4) Specific populations

a) Lesbians, bisexual, and intersex women

The reproductive and sexual health needs of lesbian and bisexual women are often ignored because of the myth of lesbian immunity, which is the pervasive belief that lesbians, bisexual women, or women having sex with women do not contract STIs and are not at risk of unplanned pregnancy.[113] This belief is anchored in the assumption that physical affection between two women does not constitute 'real sex', or that their sexual behavior adheres rigidly to patterns that do not include men at all.

In actuality, lesbians, bisexual women, or women having sex with women require health care, testing, treatment, and care for planned and unplanned pregnancy. Sexuality is fluid and identity, attraction, and behavior can vary throughout the course of one's life.[114] Research shows that self-identified sexual orientation is not a reliable indication of sexual practice.[115] Surveys have shown that a large majority of self-identified lesbians have had sex with a male partner,[116] and only a small minority of women who have sex with women have never had sexual contact with a male.[117]

Adult lesbians, bisexual women or women having sex with women can get pregnant, two studies revealing a rate of about one out of every four.[118] For adolescent youth, studies have shown rates of pregnancy higher

[113] Kathleen A. Dolan and Phillip W. Davis, "Nuances and Shifts in Lesbian Women's Constructions of STI and HIV Vulnerability," *Social Science and Medicine* 57, no. 1 (2003): 25–38, https://doi.org/10.1016/S0277-9536(02)00305-2; Diane Richardson, "The Social Construction of Immunity: Hiv Risk Perception and Prevention among Lesbians and Bisexual Women," *Culture, Health & Sexuality* 2, no. 1 (2000): 33–49, https://doi.org/10.1080/136910500300859; Jennifer Power, Ruth McNair, and Susan Carr, "Absent Sexual Scripts: Lesbian and Bisexual Women's Knowledge, Attitudes and Action Regarding Safer Sex and Sexual Health Information.," *Culture, Health & Sexuality* 11, no. 1 (2009): 67–81, https://doi.org/10.1080/13691050802541674; Z Matebeni et al., "'I Thought We Are Safe': Southern African Lesbians' Experiences of Living with HIV," *Cult Health Sex* 15 Suppl, no. August (2013): 34–47, https://doi.org/10.1080/13691058.2013.764016; C H Logie, D Navia, and M R Loutfy, "Correlates of a Lifetime History of Sexually Transmitted Infections among Women Who Have Sex with Women in Toronto, Canada: Results from a Cross-Sectional Internet-Based Survey," *Sex Transm Infect* 91, no. 4 (2015): 278–83, https://doi.org/10.1136/sextrans-2014-051745.

[114] Lisa M. Diamond, Susan B. Bonner, and Janna Dickenson, "The Development of Sexuality," *Handbook of Child Psychology and Developmental Science* 3 (2015): 888–931, https://doi.org/10.1002/9781118963418.childpsy321; Rosemary C Veniegas and Terri D Conley, "Biological Research on Women's Sexual Orientations: Evaluating the Scientific Evidence," *Journal of Social Issues* 56, no. 2 (2000): 267–82, https://doi.org/10.1111/0022-4537.00165; Kelly D Brooks and Kathryn Quina, "Women's Sexual Identity Patterns: Differences among Lesbians, Bisexuals, and Unlabeled Women.," *Journal of Homosexuality* 56, no. June 2014 (2009): 1030–45, https://doi.org/10.1080/00918360903275443.

[115] Jeanne M. Marrazzo, Patricia Coffey, and Allison Bingham, "Sexual Practices, Risk Perception and Knowledge of Sexually Transmitted Disease Risk among Lesbian and Bisexual Women," *Perspectives on Sexual and Reproductive Health* 37, no. 1 (2011): 6–12, https://doi.org/10.1363/psrh.37.006.05.Marrazzo and Gorgos, 2012

[116] Allison L. Diamant et al., "Lesbians' Sexual History With Men: Implications for Taking a Sexual History," *Archives of Internal Medicine* 159 (1999): 2730–36, https://doi.org/10.1001/archinte.159.22.2730; Fujie Xu, Maya R. Sternberg, and Lauri E. Markowitz, "Women Who Have Sex With Women in The United States: Prevalence, Sexual Behavior and Prevalence of Herpes Simplex Virus Type 2 Infection—," *Sexually Transmitted Diseases* 37, no. 7 (2010): 1, https://doi.org/10.1097/OLQ.0b013e3181db2e18; Audrey S. Koh et al., "Sexual Risk Factors Among Self-Identified Lesbians, Bisexual Women, and Heterosexual Women Accessing Primary Care Settings," *Sexually Transmitted Diseases* 32, no. 9 (2005): 563–69, https://doi.org/10.1097/01.olq.0000175417.17078.21; Dolan and Davis, "Nuances and Shifts in Lesbian Women's Constructions of STI and HIV Vulnerability"; Katherine Fethers et al., "Sexually Transmitted Infections and Risk Behaviours in Women Who Have Sex with Women," *Public Health*, 2000, 345–49, https://doi.org/10.1136/sti.76.5.345.

[117] Fethers et al., "Sexually Transmitted Infections and Risk Behaviours in Women Who Have Sex with Women."Fethers et al., 2000

[118] Jeanne M. Marrazzo and Kathleen Stine, "Reproductive Health History of Lesbians: Implications for Care," *American Journal of Obstetrics and Gynecology* 190, no. 5 (2004): 1298–1304, https://doi.org/10.1016/j.ajog.2003.12.001; G R Bauer, J A Jairam, and S M Baidoobonso, "Sexual Health, Risk Behaviors, and Substance Use in Heterosexual-Identified Women with Female Sex Partners: 2002 US National Survey of Family Growth," *Sex Transm Dis* 37, no. 9 (2010): 531–37, https://doi.org/10.1097/OLQ.0b013e3181d785f4.

than their heterosexual counterparts.[119] A recent study on adolescents, and the only one looking at rates of termination, also reported higher rates of unwanted pregnancies and terminations.[120] While the cause of higher pregnancy and termination rates is not known, some studies have found that young lesbians, bisexual women or women having sex with women may be less likely to discuss and use pregnancy prevention methods with their partner,[121] more likely to experience coerced sexual encounters,[122] and less likely to access sexual health services.[123]

Lesbians also face risks of STIs from female sexual partners.[124] In various communities of women who have sex with women, researchers have found significant rates of bacterial vaginosis and hepatitis C,[125] genital herpes,[126] HIV,[127] particularly among lesbians, bisexual women or women having sex with women who have experienced forced sex.[128] One study, which look at women who have sex with women and sexual minority women showed no difference of STIs occurrence among them as compared to heterosexual women. [129] In some populations studies, the rate of cervical smear may be higher than in the general population.[130]

[119] Elizabeth M. Saewyc, "Adolescent Pregnancy," in *Nelson Textbook of Pediatrics, 2-Volume Set*, ed. Abbie E. Goldberg (Thousand Oaks: SAGE Publications, Inc., 2011), 978–982.e1, https://doi.org/10.1016/B978-1-4557-7566-8.00118-6. E M Saewyc et al., "Sexual Intercourse, Abuse and Pregnancy among Adolescent Women: Does Sexual Orientation Make a Difference?," *Family Planning Perspectives* 31, no. 3 (1999): 127–31, https://doi.org/10.2307/2991695; Andrew Cherry and Mary Dillon, "International Handbook of Adolescent Pregnancy," in *International Handbook of Adolescent Pregnancy*, ed. A.L. Cherry and M.E. Dillon (New York: Springer Science+Business Media, 2014), 726, https://doi.org/10.1007/978-1-4899-8026-7; Lisa L. Lindley and Katrina M. Walsemann, "Sexual Orientation and Risk of Pregnancy Among New York City High-School Students," *American Journal of Public Health* 105, no. 7 (2015): 1379–86.

[120] Robinson, K., K. Y. Galloway, S. Bewley, and C. Meads. "Lesbian and Bisexual Women's Gynaecological Conditions: A Systematic Review and Exploratory Meta-Analysis." *BJOG: An International Journal of Obstetrics and Gynaecology* 124, no. 3 (2017): 381–92. https://doi.org/10.1111/1471-0528.14414.

[121] M Doull et al., "Sexual Minority Teen Parents in a Minnesota Population Survey: Disparities in Risk Exposures and Supportive Assets," *Journal of Adolescent Health* 56, no. 2 (2015): S60–61, https://doi.org/10.1016/j.jadohealth.2014.10.310.

[122] Bethany G Everett and Katharine F Mccabe, "Sexual Orientation Disparities in Mistimed and Unwanted Pregnancy Among Adult Women," *Perspectives on Sexual and Reproductive Health* 49, no. 3 (2010), https://doi.org/10.1111/psrh.12032.

[123] Logie, Navia, and Loutfy, "Correlates of a Lifetime History of Sexually Transmitted Infections among Women Who Have Sex with Women in Toronto, Canada: Results from a Cross-Sectional Internet-Based Survey."

[124] Hutchinson, Thompson, and Cederbaum, "Multisystem Factors Contributing to Disparities in Preventive Health Care among Lesbian Women"; Marrazzo and Stine, "Reproductive Health History of Lesbians: Implications for Care"; L L Lindley et al., "Sexual Behaviors and Sexually Transmitted Infections among Self-Identified Lesbian and Bisexual College Women," *Journal of LGBT Health Research* 3, no. 3 (2008): 41–54, https://doi.org/10.1080/15574090802093323; Logie, Navia, and Loutfy, "Correlates of a Lifetime History of Sexually Transmitted Infections among Women Who Have Sex with Women in Toronto, Canada: Results from a Cross-Sectional Internet-Based Survey."

[125] Fethers et al., "Sexually Transmitted Infections and Risk Behaviours in Women Who Have Sex with Women."

[126] J M Marrazzo et al., "Papanicolaou Test Screening and Prevalence of Genital Human Papillomavirus among Women Who Have Sex with Women," *American Journal of Public Health* 91, no. 6 (2001): 947–52; Jeanne M. Marrazzo and Linda M. Gorgos, "Emerging Sexual Health Issues among Women Who Have Sex with Women," *Current Infectious Disease Reports* 14, no. 2 (2012): 204–11, https://doi.org/10.1007/s11908-012-0244-x.

[127] Carmen H. Logie et al., "Sexual Orientation Differences in Health and Wellbeing Among Women Living with HIV in Canada: Findings from a National Cohort Study," *AIDS and Behavior*, 2017, 1–15, https://doi.org/10.1007/s10461-017-1781-y.

[128] Matebeni et al., "'I Thought We Are Safe': Southern African Lesbians' Experiences of Living with HIV."

[129] Hutchinson, Thompson, and Cederbaum, "Multisystem Factors Contributing to Disparities in Preventive Health Care among Lesbian Women."

[130] J. V. Bailey et al., "Lesbians and Cervical Screening," *British Journal of General Practice* 50, no. 455 (2000): 481–82; Marrazzo and Stine, "Reproductive Health History of Lesbians: Implications for Care"; Diamant et al., "Lesbians' Sexual History With Men: Implications for Taking a Sexual History."

Nonetheless, due to the perception that women who have sex with women are at a lower risk for STIs, a substantial number of women who have sex with women are less likely to get tested for STIs[131] or to have a pap smear or completed an HPV vaccine series.[132]

Though there is no conclusive data that lesbians have a higher rate of breast cancer than the general population,[133] there is data to support that women who have sex with women are disproportionately affected by factors that increase breast cancer risk.[134] Studies have shown that lesbians are less likely to seek out or receive adequate breast cancer screening.[135]

b. Transgender people

In addition to transition-related health care, research shows that transgender people experience pregnancy involvement (the term used in public health to encompass both the role of becoming pregnant and the role of providing sperm) both planned[136] and unplanned.[137] In one study, prevalence rates among 14 to 18 year olds were found to be comparable to general population estimates. Some transgender men may elect to have female reproductive organs intact, and transition related hormones may not prevent pregnancy.[138] Transgender women can also be involved in pregnancy through providing sperm to their partners, as limited studies have shown that estrogen therapy may not prevent normal sperm production.[139]

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[131] Marrazzo and Gorgos, "Emerging Sexual Health Issues among Women Who Have Sex with Women"; Hutchinson, Thompson, and Cederbaum, "Multisystem Factors Contributing to Disparities in Preventive Health Care among Lesbian Women"; Dianne L. Kerr, Kele Ding, and Amy J. Thompson, "A Comparison of Lesbian, Bisexual, and Heterosexual Female College Undergraduate Students on Selected Reproductive Health Screenings and Sexual Behaviors," *Women's Health Issues* 23, no. 6 (2013): e347–55, https://doi.org/10.1016/j.whi.2013.09.003.Marrazzo and Gorgos, 2012; Hutchinson, Thompson, and Cederbaum, 2006. ; Kerr, Ding, and Thompson, 2013

[132] Marrazzo and Gorgos, "Emerging Sexual Health Issues among Women Who Have Sex with Women"; Alicia K. Matthews et al., "Correlates of Underutilization of Gynecological Cancer Screening among Lesbian and Heterosexual Women," *Preventive Medicine* 38, no. 1 (2004): 105–13, https://doi.org/10.1016/j.ypmed.2003.09.034; Brittany M. Charlton et al., "Reproductive Health Screening Disparities and Sexual Orientation in a Cohort Study of U.S. Adolescent and Young Adult Females," *Journal of Adolescent Health* 49, no. 5 (2011): 505–10, https://doi.org/10.1016/j.jadohealth.2011.03.013; Annie-Laurie McRee et al., "HPV Vaccination among Lesbian and Bisexual Women: Findings from a National Survey of Young Adults.," *Vaccine* 32, no. 37 (2014): 4736–42, https://doi.org/10.1016/j.vaccine.2014.07.001; Madina Agénor et al., "Sexual Orientation and Sexual and Reproductive Health among African American Sexual Minority Women in the U.S. South," *Women's Health Issues* 26, no. 6 (2016): 612–21, https://doi.org/10.1016/j.whi.2016.07.004.

[133] Catherine Meads and David Moore, "Breast Cancer in Lesbians and Bisexual Women: Systematic Review of Incidence, Prevalence and Risk Studies.," *BMC Public Health* 13 (2013): 1127, https://doi.org/10.1186/1471-2458-13-1127.

[134] Kasey Clavelle et al., "Breast Cancer Risk in Sexual Minority Women during Routine Screening at an Urban LGBT Health Center," *Women's Health Issues* 25, no. 4 (2015): 341–48, https://doi.org/10.1016/j.whi.2015.03.014; Suzanne L. Dibble, Stephanie A. Roberts, and Brenda Nussey, "Comparing Breast Cancer Risk between Lesbians and Their Heterosexual Sisters," *Women's Health Issues* 14, no. 2 (2004): 60–68, https://doi.org/10.1016/j.whi.2004.03.004.

[135] Ashley Lacombe-Duncan and Carmen H. Logie, "Correlates of Clinical Breast Examination among Lesbian, Gay, Bisexual, and Queer Women," *Can J Public Health* 107, no. 4–5 (2016): 467, https://doi.org/10.17269/cjph.107.5351.

[136] C. A. Jones, L. Reiter, and E. Greenblatt, "Fertility Preservation in Transgender Patients," *International Journal of Transgenderism* 2739, no. June (2016): 1–7, https://doi.org/10.1080/15532739.2016.1153992. T'Sjoen, van Caenegem, and Wierckx, 2013

[137] J Veale et al., "Prevalence of Pregnancy Involvement among Canadian Transgender Youth and Its Relation to Mental Health, Sexual Health, and Gender Identity," *International Journal of Transgenderism* 17, no. 3–4 (2016): 107–13, https://doi.org/10.1080/15532739.2016.1216345.

[138] Danielle Cipres et al., "Contraceptive Use and Pregnancy Intentions among Transgender Men Presenting to a Clinic for Sex Workers and Their Families in San Francisco," *Contraception* 95, no. 2 (2017): 186–89, https://doi.org/10.1016/j.contraception.2016.09.005; Juno Obedin-Maliver and Harvey J Makadon, "Transgender Men and Pregnancy," *Obstetric Medicine* 9, no. 1 (2016): 4–8, https://doi.org/10.1177/1753495X15612658.

[139] Jones et al., *Intersex*.

It is well documented that transgender women face a high risk of HIV infection worldwide,[140] though the research into risk levels for transgender men is nearly non-existent.

A review of studies found that transgender people may remain at risk for conditions related to bodily systems and sex characteristics of their current gender as well as their gender assigned at birth. Such conditions might include breast cancer, prostate cancer, cervical, ovarian, and endometrial cancer. The review concluded that cancer screenings should be chosen based on the bodies that patients have, rather than based on a typical approach of assigning testing based on a person's gender.[141]

c. People with diverse sex characteristics (Intersex)

For intersex people, the need for appropriate health care can start at birth. Throughout the world, care providers approach issues relating to sex characteristics with a "normalizing" framework, often subjecting infants to medically unnecessary surgeries, often followed by years of follow-up procedures and hormone treatment in order to force the bodies of intersex people to conform to expectations of the physician or parents.[142]

5) Need for appropriate services

The World Health Organization's (WHO's) study notes that "access to appropriate health services for the wide range of sexual health problems is essential"[143] given the significant disease burden of these health conditions throughout the world. Second, delivery of care should be inclusive and delivered in a manner that respects privacy, confidentiality and informed decision-making.[144] Evidence shows that positive health outcomes are increased when people have access to information about sexuality and sexual health, and comprehensive sexuality education which builds personal communication skills.[145]

C. ADVOCACY OPPORTUNITIES

In order for States to meet any of the targets in SDG 3, systems to gather data about the health of LGBTI people will need to be created. Data should be collected through routine health surveillance systems as well as through targeted efforts to understand the health of LGBTI people. Such data is need not only to show progress toward the meet the SDGs, but also to identify health disparities faced by LGBTI people. Collecting data about health has been identifies by the UNDP as a priority for the creation of the LGBTI Inclusion Index, which names health as one of the five dimensions of LGBTI development.

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[140] Sari L. Reisner et al., "Global Health Burden and Needs of Transgender Populations: A Review," *The Lancet*, 2016, https://doi.org/10.1016/S0140-6736(16)00684-X.

[141] Sarah M. Peitzmeier et al., "Pap Test Use Is Lower among Female-to-Male Patients than Non-Transgender Women," *American Journal of Preventive Medicine* 47, no. 6 (2014): 808–12, https://doi.org/10.1016/j.amepre.2014.07.031; Hayley Braun et al., "Cancer in Transgender People: Evidence and Methodological Considerations," *Epidemiologic Reviews* 00, no. 9 (2017): 1–15, https://doi.org/10.1093/epirev/mxw003; Anne E Mattingly, John V Kiluk, and M Catherine Lee, "Clinical Considerations of Risk, Incidence, and Outcomes of Breast Cancer in Sexual Minorities.," *Cancer Control : Journal of the Moffitt Cancer Center* 23, no. 4 (2016): 373–82, http://www.ncbi.nlm.nih.gov/pubmed/27842326.

[142] "The Malta Declaration," 2013, https://www.intersexequality.com/consensus-public-statement-by-the-third-international-intersex-forum/.

[143] World Health Organization, *Sexual Health, Human Rights and the Law* (Geneva: World Health Organization (WHO), 2015), 2.

[144] Ibid.

[145] Ibid.

The efforts of many governments regarding HIV continues to be inadequate for LGBTI people. Target 3.3,[146] calling for an end to AIDS and other communicable diseases, can only be reached if governments include LGBTI people in national prevention and treatment programs and health planning processes. Evidence indicates that criminalization of same-sex sexual activity significantly interferes with efforts to respond to HIV. Stigma and discrimination also continue to drive infection rates higher and treatment and prevention rates lower.

Efforts to respond to health disparities caused by stigma and prejudice can be tied to Target 3.4[147] which calls for a reduction in premature mortality from non-communicable diseases, and for the promotion of mental health and well-being. For LGBTI people, such efforts need to identify, track, and target social determinants of health disparities.

Sexual and reproductive health is a centrally important need for LGBTI people. Improving sexual and reproductive health requires effective health interventions, access to information, assistive reproductive technologies and consumer products such as condoms and lubricant. In addition, health providers need to be trained and monitored to provide appropriate care. Healthcare systems need to understand and respond to the needs of transgender and intersex people. Target 3.7,[148] which focuses on access to sexual and reproductive health care services, directly speaks to these needs.

Many of the needs of LGBTI people for essential health care come down to issues of affordability and access. Target 3.8,[149] which seeks universal health coverage, seeks to address this for all people. This is particular important for disparities in health coverage tied to economic status. However, with regard to LGBTI people, States must also address issues of people opting-out of care due to fear of ill-treatment, as well as the scope of services being provided, especially for transgender and intersex people.

2. EDUCATION

A. GOALS

Each LGBTI person should have the knowledge, skills, and abilities to develop to their full potential, as well as the capability to think, reason, and make decisions about one's own life in a way that is informed by sufficient information and cultivated by adequate schooling and training. Education should also support a wide respect for human rights and diversity.

From a development standpoint, education can increase an individual's human capital, increasing their potential for productivity as workers and members of civil society.[150] Additionally, education – both formal

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[146] Target 3.3: By 2030, end the epidemic of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases.

[147] Target 3.4: Reduce by one third premature mortality from noncommunicable diseases (NCDs) through prevention and treatment, and promote mental health and well-being.

[148] Target 3.7: By 2030, ensure universal access to sexual and reproductive health care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programs.

[149] Target 3.8: Achieve universal health coverage (UHC), including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all.

[150] M. V. Lee Badgett et al., "The Relationship between LGBT Inclusion and Economic Development: An Analysis of Emerging Economies," 2014, 5.

and informal – is key to bringing about change with regard to prejudice, stigma and discrimination against LGBTI people. In the case of LGBTI children and youth, education becomes vital with regard to their own process of understanding their own identities and experience of sexual orientation and gender identity.

Most efforts in the 2030 Agenda towards achieving inclusive and equitable quality education for all are concentrated in SDG 4: Quality Education. However, other SDGs also feature specific targets which are relevant to LGBTI people and are intimately related to education. These include education on sexual and reproductive health (SDG 3 and SDG 5) and reducing the proportion of youth not in employment, education or training (SDG 8). The following section analyses the main barriers that LGBTI people encounter while trying to access education and learning opportunities.

B. CHALLENGES TO EDUCATION

Exclusion, negative school climate, and lack of appropriate educational and curricular opportunity can all pose serious obstacles for LGBTI people to fully develop their human capital, thereby decreasing employment and growth opportunities.

1) Institutional exclusion

LGBTI youth may be refused enrolment or expelled from educational institutions if they are visibly out or simply gender non-conforming. For instance, in Serbia, "feminine boys" (widely perceived as being gay) were at least three times more likely to be refused enrolment in primary schools compared to boys not perceived to be feminine.[151] Furthermore, there is anecdotal evidence of LGBTI students being discriminated against during admission or expelled from schools due to their sexual orientation or their gender expression.[152] Civil society organizations in the Americas have reported the existence of school bylaws that expressly discriminate against students based on their sexual orientation and gender identity, including the case of a school headmaster who announced publicly that he would "initiate an investigation" to determine if two male students had a romantic relationship, and expel them from the institution in order to preserve the school's "prestige" and "reputation".[153] Other documented cases involve transgender students being sent to therapy as a response to their transitioning or gender expression.[154]

Indeed, visibility of non-normative identities and expressions is still explicitly barred in school bylaws and regulations. This also applies to teachers or employees. Additionally, diversity of sexual orientations and gender identities is expressly left out of school curricula or even still portrayed as pathological or immoral. In

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[151] Dominik Koehler et al., *Discrimination against Sexual Minorities in Education and Housing: Evidence from Two Field Experiments in Serbia* (Washington, DC: World Bank Group, 2018), 8.
[152] Máiréad Dunne, Sara Humphreys, and Fiona Leach, "Gender Violence in Schools in the Developing World," *Gender and Education* 18, no. 1 (2006): 89; Suneeta Singh et al., "South Asia Human Development Sector Charting a Programmatic Roadmap for Sexual Minority Groups in India (Discussion Paper Series)" (Washington DC, 2012), 15; Red Peruana de Trans Lesbianas Gays y Bisexuales & Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos, "'Informe Anual Sobre Derechos Humanos de Personas Trans, Lesbianas, Gays y Bisexuales En El Perú 2008' [Annual Report on Human Rights of Trans, Lesbian, Gay and Bisexual People in Peru 2008]" (Lima, 2008), 60.
[153] Inter-American Commision on Human Rights, "Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas" (Washington DC: IACHR, 2015), para. 323.
[154] Aramís Lascano, "Aportes En Torno a La Desjudicialización de La Identidad de Género de Niños , Niñas y Adolescentes," *Derechos En Acción (UNLP)* 4 (2017): 395.

numerous countries, these issues cannot be taught in school due to laws that restrict freedom of speech on issues related to sexual and gender diversity, as it is the case in Russia and the United States, among others.[155]

Studies that focused on the effect of school policies and regulations have found a significant correlation between the enactment of inclusive school policy-based protections with increased feelings of safety at school among LGBTI students.[156] Even more, these protections have been resulted in LGBTI students feeling better about their sexuality, with considerable beneficial implications on mental health.[157]

In order to create safer learning environments, schools need to incorporate and teach about notions of difference and embrace diversity.[158] In this regard, UNESCO has indicated that inclusive education requires inclusive policies, school environments, curricula and training of teachers.[159]

2) Hostile school climate

Gender non-conforming children and LGBTI youth can become victims of severe bullying from an early age and endure teasing and violence based on their appearance, behaviour, gender expression, gender identity or sexual orientation. Numerous studies and surveys from various different countries show a considerably high prevalence of this type of bullying in schools. Although methods and samples vary greatly, most studies and surveys tend to render results in which up to 85 percent of LGBTI youth state that they had experienced verbal abuse at school, and up to 25 percent have suffered some sort of physical or sexual violence. These figures are corroborated by sources from Argentina,[160] Brazil,[161] Canada,[162] Chile,[163] Colombia,[164] Israel,[165] Japan,[166] New Zealand,[167] Peru,[168] Thailand,[169] the United Kingdom,[170] the United States[171] and other

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[155] Aengus Carroll and Lucas Ramón Mendos, *State-Sponsored Homophobia: A World Survey of Sexual Orientation Laws: Criminalisation, Protection and Recognition*, 12th ed. (Geneva: ILGA, 2017), 41; Gay Lesbian & Straight Education Network–GLSEN, "Laws That Prohibit the 'Promotion of Homosexuality': Impacts and Implications," 2018.

[156] Tiffany Jones, "Education Policies: Potential Impacts and Implications in Australia and Beyond," *Journal of LGBT Youth* 13, no. 1 (2016): 149.

[157] Jones, "Education Policies: Potential Impacts and Implications in Australia and Beyond."

[158] Gerald Walton, "Discourse : Studies in the Cultural Politics of Education Spinning Our Wheels : Reconceptualizing Bullying beyond Behaviour-Focused Approaches," no. November 2014 (2011): 142.

[159] UNESCO, "Education Sector Responses to Homophobic Bullying" (Paris, 2012), 24.

[160] 100 percent Diversidad y Derechos, "Encuesta de Clima Escolar En Argentina Dirigida a Jóvenes LGBT" (Buenos Aires, 2016).

[161] Mandi M. Alexander et al., "Effects of Homophobic versus Nonhomophobic Victimization on School Commitment and the Moderating Effect of Teacher Attitudes in Brazilian Public Schools," *Journal of LGBT Youth* 8, no. 4 (2011): 33.

[162] Catherine G. Taylor and Peter Tracey, "Every Class in Every School: Final Report on The First National Climate Survey on Homophobia, Biphobia, and Transphobia in Canadian Schools" (Winnipeg, 2011).

[163] Andrea Infante Soler et al., "Encuesta Nacional de Clima Escolar En Chile 2016," *Fundación Todo Mejora*, 2016.

[164] Lina Cuellar Wills and Juan Felipe Rivera, "Encuesta de Clima Escolar LGBTI En Colombia 2016" (Bogotá, 2016), 27, 34.

[165] Oren Pizmony-Levy et al., "Do My Teachers Care I'm Gay? Isaraeli Lesbigay School Student's Experience at Their Schools," *Journal of LGBT Youth* 5, no. 2 (2008): 46.

[166] Human Rights Watch, "'The Nail That Sticks out Gets Hammered down': Bullying in Japan" (New York, 2016).

[167] Mark Henrickson, "'You Have to Be Strong to Be Gay': Bullying and Educational Attainment in LGB New Zealanders," *Journal of Gay and Lesbian Social Services* 19, no. 3–4 (2007): 76.

[168] Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos (PROMSEX), "Estudio Nacional Sobre Clima Escolar En El Perú 2016" (Lima, 2016).

[169] Pimpawun Boonmongkon, Timo T. Ojanen, Chet Ratchadapunnathikul, Nattharat Samoh, Thasaporn Damri, Mudjalin Cholratana, Thomas E. Guadamuz, et al., "Bullying Targeting Secondary School Students Who Are or Are Perceived to Be Transgender or Same-Sex Attracted: Types, Prevalence, Impact, Motivation and Preventive Measures in 5 Provinces of Thailand" (Sayala: Mahidol University, Plan International Thailand, United Nations Educational, Scientific and Cultural Organization (UNESCO) Bangkok Office, 2014).

[170] National Union of Students, "Education Beyond the Straight and Narrow: LGBT Student's Experience in Higher Education," 2014, 56.

[171] Joseph G. Kosciw et al., *The 2015 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual and Transgender Youth in Our Nation's Schools* (New York: GLSEN, 2016); Anthony R. D'Augelli, Neil W. Pilkington, and Scott L. Hershberger, "Incidence and Mental

countries in the Asia-Pacific region.[172] One study carried out in the United States even suggests that, unlike racial slurs, homophobic epithets appear to be more frequently tolerated.[173] Bullying based on sexual orientation, gender identity, gender expression, and sex characteristics can also materialize in social distance taken by peers. In a survey carried out in the Netherlands, an overall average of 67 percent of the respondent students answered they would distance themselves from gay and lesbian students or, at least, feel insecure about being in contact with them.[174]

In highly oppressive and religious environments, bullying can be pervasive even on university campuses.[175] Moreover, where same-sex intimacy is criminalized, bullying can take the form of extortion and blackmail to "out" the victim, a type of bullying that can even be legitimized as a form of "denouncing and exposing social immoralities".[176]

Bullying can have dramatic effects on educational outcomes. Social science has produced compelling evidence that victims of bullying – besides suffering the physical and psychological harms derived from aggressions – are also deprived of the possibility to fully benefit from educational opportunities.[177] LGBTI youth who are victims of bullying tend to have lower academic performance[178] or show less commitment toward school.[179]

Several studies also found that bullying is among the main causes of absenteeism and school dropout among LGBTI students[180]. In the United States, different studies found that LGBTI youth were three to four times more likely than heterosexuals to report not attending school at least on day in the previous month because they felt unsafe[181] and almost half (42.5 percent) of LGBTQ students who felt unsure about finishing high school, indicated that they were considering dropping out because of the harassment they faced at school.[182] Moreover, when bullying becomes so severe that a student is forced to drop out – especially when harassment escalates to physical or sexual attacks – the possibilities of graduating are affected even more. Testimonies

Health Impact of Sexual Orientation Victimization of Lesbian, Gay, and Bisexual Youths in High School.," *School Psychology Quarterly* 17, no. 2 (2002): 148–67.

[172] UNESCO, "From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity" (Paris, 2015); UNESCO, "Out in the Open: Education Sector Responses to Violence Based on Sexual Orientation and Gender Identity/Expression" (Paris, 2016).

[173] Michael R. Woodford et al., "'That's So Gay!': Examining the Covariates of Hearing This Expression Among Gay, Lesbian, and Bisexual College Students," *Journal of American College Health*, no. October 2012 (2010): 433.

[174] Stichting Global Alliance for LGBT Education, "Fighting Homophobia through Active Citizenship and Media Education (The Netherlands)," 2009, 44.

[175] Kehinde Okanlawon, "Homophobic Bullying in Nigerian Schools: The Experiences of LGBT University Students," *Journal of LGBT Youth* 14, no. 1 (2017): 51–70.

[176] Okanlawon, 59.

[177] UNESCO, "Out in the Open: Education Sector Responses to Violence Based on Sexual Orientation and Gender Identity/Expression," 19.

[178] Molly O'Shaughnessy et al., "A Safe Place to Learn: Consequences of Harassment Based on Actual or Perceived Sexual Orientation or Gender Non-Conformity and Steps for Making Schools Safer," 2004, 34; M. Román and F J. Murillo, "Latin America: School Bullying and Academic Achievement," *Cepal Review* 104 (2011): 50.

[179] Alexander et al., "Effects of Homophobic versus Nonhomophobic Victimization on School Commitment and the Moderating Effect of Teacher Attitudes in Brazilian Public Schools," 303.

[180] O'Shaughnessy et al., "A Safe Place to Learn: Consequences of Harassment Based on Actual or Perceived Sexual Orientation or Gender Non-Conformity and Steps for Making Schools Safer"; Okanlawon, "Homophobic Bullying in Nigerian Schools: The Experiences of LGBT University Students"; Singh et al., "South Asia Human Development Sector Charting a Programmatic Roadmap for Sexual Minority Groups in India (Discussion Paper Series)," 12, 15; Lynne Hillier et al., "Writing Themselves In 3 (WTi3): The Third National Study on the Sexual Health and Wellbeing of Same Sex Attracted and Gender Questioning Young People," 2010, 56.

[181] Massachusetts Department of Education, "2003 Youth Risk Behavior Survey Results," 2004, 43.

[182] Kosciw et al., *The 2015 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual and Transgender Youth in Our Nation's Schools*, 43.

collected in highly oppressive countries like Nigeria, show that bullying can even be the reason why an advanced university level student decides to quit their studies.[183]

Their possibilities of achieving satisfactory educational performance are also affected by the impact of bullying on mental and physical health. In fact, numerous sources indicate that bullying victimization appears to be correlated with mental health symptoms,[184] including, posttraumatic stress,[185] reduced self-esteem and feelings of depression or anxiety,[186] fear of negative evaluation,[187] suicidal ideation,[188] and other long-term adverse mental health consequences.[189]

a. Particularly vulnerable groups

i) Gender non-conforming children

Children can become victims of bullying based on their gender expression, even before they become aware of their sexual orientation or gender identity.[190] Several sources indicate that gender non-conformity appears to attract virulent reactions from peers from a very young age,[191] even more so than bullying based on sexual orientation.[192] In fact, the more norm breaking the child's gender expression is, the more bullying they tend to suffer.[193] Children with non-normative gender expressions are frequently called derogatory names by others, including even parents and family members, which contributes to the high levels of verbal and physical violence they suffer.[194]

Bullying based on gender expression is frequently characterized as bullying based on "perceived sexual orientation," given that children with non-normative gender expressions are considered lesbian, gay or

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[183] Okanlawon, "Homophobic Bullying in Nigerian Schools: The Experiences of LGBT University Students," 62.

[184] Elise D Berlan et al., "Sexual Orientation and Bullying Among Adolescents in The Growing Up Today Study," *Journal of Adolescent Health* 46, no. 4 (2010): 6; Michelle Birkett, Dorothy L. Espelage, and Brian Koenig, "LGB and Questioning Students in Schools: The Moderating Effects of Homophobic Bullying and School Climate on Negative Outcomes," *Journal of Youth and Adolescence* 38, no. 7 (2009): 998.

[185] D'Augelli, Pilkington, and Hershberger, "Incidence and Mental Health Impact of Sexual Orientation Victimization of Lesbian, Gay, and Bisexual Youths in High School.," 163.

[186] Ricardo Baruch-Dominguez, Cesar Infante-Xibille, and Claudio E. Saloma-Zuñiga, "Homophobic Bullying in Mexico: Results of a National Survey," *Journal of LGBT Youth* 13, no. 1 (2016): 24, https://doi.org/10.1080/19361653.2015.1099498.

[187] Darrell C. Greene, Paula J. Britton, and Brian Fitts, "Long-Term Outcomes of Lesbian, Gay, Bisexual, and Transgender Recalled School Victimization," *Journal of Counseling and Development* 92, no. 4 (2014): 413.

[188] D'Augelli, Pilkington, and Hershberger, "Incidence and Mental Health Impact of Sexual Orientation Victimization of Lesbian, Gay, and Bisexual Youths in High School.," 160.

[189] Greene, Britton, and Fitts, "Long-Term Outcomes of Lesbian, Gay, Bisexual, and Transgender Recalled School Victimization," 413.

[190] Anthony R. D'Augelli, "Mental Health Problems among Lesbian , Gay , and Bisexual Youths Ages 14 to 21 1," *Clinical Child Psychology and Psychiatry* 7, no. 200207 (2002): 439.

[191] Anthony R. D'Augelli, Arnold H. Grossman, and Michael T. Starks, "Childhood Gender Atypicality, Victimization, and PTSD among Lesbian, Gay, and Bisexual Youth," *Journal of Interpersonal Violence* 21, no. 11 (2006): 16; Michael J. Higdon, "To Lynch a Child: Bullying and Gender Nonconformity in Our Nation's Schools," *Indiana Law Journal* 86, no. 3 (2011): 827; Andrea Daley et al., "Traversing the Margins: Intersectionalities in the Bullying of Lesbian, Gay, Bisexual and Transgender Youth," *Journal of Gay and Lesbian Social Services* 19, no. 3–4 (2008): 23; Arnold H. Grossman et al., "Lesbian, Gay, Bisexual and Transgender Youth Talk about Experiencing and Coping with School Violence: A Qualitative Study," *Journal of LGBT Youth* 6, no. 1 (2009): 35.

[192] Pimpawun Boonmongkon, Timo T. Ojanen, Chet Ratchadapunnathikul, Nattharat Samoh, Thasaporn Damri, Mudjalin Cholratana, and Thomas E. Guadamuz, *Bullying Targeting Secondary School Students Who Are or Are Perceived to Be Transgender or Same-Sex Attracted: Types, Prevalence, Impact, Motivation and Preventive Measures in 5 Provinces of Thailand* (Sayala: Mahidol University, Plan International Thailand, United Nations Educational, Scientific and Cultural Organization (UNESCO) Bangkok Office, 2014), 81; Baruch-Dominguez, Infante-Xibille, and Saloma-Zuñiga, "Homophobic Bullying in Mexico: Results of a National Survey," 22.

[193] D'Augelli, Pilkington, and Hershberger, "Incidence and Mental Health Impact of Sexual Orientation Victimization of Lesbian, Gay, and Bisexual Youths in High School.," 158.

[194] D'Augelli, Grossman, and Starks, "Childhood Gender Atypicality, Victimization, and PTSD among Lesbian, Gay, and Bisexual Youth," 11.

bisexual. For instance, a study conducted in Botswana, Lesotho, Namibia and Swaziland found high prevalence rates of violence against "boys who look or act like girls and girls who look or act like boys".[195] Moreover, in a quantitative study led by UNDP in Peru, all respondents agreed that as soon as a "feminine trait" is perceived in a boy, harassment begins and persists.[196] In fact, respondents, both heterosexual and non-heterosexual, considered that "effeminate" male students are more prone to suffer bullying.[197] The role of gender nonconformity was confirmed in the US in a statistical analysis of data from 10,655 people reporting on their experience in elementary school. The study found that, though sexual orientation played a significant role in bullying, gender nonconformity, regardless of sexual orientation, was also a predictor of higher risk for bullying as well as mental health outcomes associated with being bullied.[198]

ii) Transgender youth and adults

Studies which disaggregate sexual orientation, gender identity, gender expression, and sex characteristics-based bullying tend to show that transgender students suffer the highest levels of victimization.[199] This warrants special attention towards this specific group, considering that other factors – such as lack of family support and home eviction – also tend to be higher among transgender individuals.

For instance, in a national survey carried out in the United States, more than 77 percent of transgender respondents experienced some form of mistreatment at some point between Kindergarten and K–12 (end of secondary school), more than half (54 percent) had been verbally harassed, nearly one-quarter (24 percent) had been physically attacked, and 13 percent had been sexually assaulted because of being transgender.[200] In India, only 46 percent of transgender people were literate, compared to 74 percent of the general population.[201] A survey in Argentina showed that up to 45 percent of transgender students dropped out of school because of bullying and mistreatment.[202]

3) Deficiencies in comprehensive sexuality education

Comprehensive Sexuality Education (CSE) can support development goals in at least two ways. First, it offers youth and adults the tools and skills they need "to make responsible, informed decisions regarding their sexuality".[203] In this way, CSE can impact a person's right to health. For example, the right to health will be highly affected by the inability to make informed decisions about one's sexuality, what may also lead to risky behavior, bodily or psychological harm, the contraction of STIs and gender-based violence, especially in the

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[195] UNESCO, "Out in the Open: Education Sector Responses to Violence Based on Sexual Orientation and Gender Identity/Expression," 25.

[196] Carlos Cáceres and Ximena Salazar, "'Era Como Ir Todos Los Días Al Matadero...': El Bullying Homofóbico En Instituciones Educativas Públicas de Chile, Guatemala y Perú" (Lima: UNESCO, 2012), 16.

[197] Cáceres and Salazar, 18.

[198] Andrea L. Roberts et al., "Childhood Gender Nonconformity, Bullying Victimization, and Depressive Symptoms across Adolescence and Early Adulthood: An 11-Year Longitudinal Study," *Journal of the American Academy of Child and Adolescent Psychiatry* 52, no. 2 (2013): 143–52, https://doi.org/10.1016/j.jaac.2012.11.006.

[199] See, among others, National Union of Students, "Education Beyond the Straight and Narrow: LGBT Student's Experience in Higher Education," 22; Taylor and Tracey, "Every Class in Every School: Final Report on The First National Climate Survey on Homophobia, Biphobia, and Transphobia in Canadian Schools," 16; Çavaria, "Fighting Homophobia through Active Citizenship and Media Education (Belgium)," 2009, 31. Jaime M. Grant et al., *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (Washington D.C.: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011), 72.

[200] S. E. James et al., "The Report of the 2015 U.S. Transgender Survey," 2016, 131.

[201] R Nagarajan, *First Count of Third Gender in Census* (Delhi: The Times of India, April 2014), 3.

[202] Lohana Berkins, *Cumbia Copeteo y Lágrimas* (Buenos Aires: ALITT, 2007).

[203] UN General Assembly, "Report of the United Nations Special Rapporteur on the Right to Education," 2010, para. 17, A/65/162.

case of transgender and gender non-conforming youth and young men who have sex with men.[204] Today, there is a solid body of evidence attesting to the effectiveness of comprehensive sexuality education in different countries around the world.[205] Specific studies have focused on how these programs are capable of increasing knowledge of and use of contraceptives,[206] of reducing STIs and unintended pregnancy,[207] increasing knowledge of HIV and safer sexual behaviors, including condom use,[208] delayed sexual debut,[209] decrease in abuse and assault, and even improving parent-child communication about sexual issues.[210]

Secondly, by providing scientific information about sex and sexuality, Comprehensive Sexuality Education can also contribute to eradicate stereotypes and prejudice which contribute to a hostile school climate. Research shows that inclusive schools can reduce the effects of discrimination and negative outcomes for LGBT youth.[211]

In 2015, UNESCO published a global review in which it recognized that "implementing and resourcing Comprehensive Sexuality Education programs continues to be a challenge in many parts of the world."[212] Additionally, school curricula very often ignore the existence and the needs of LGBTI people.[213] Consequently, many children and youth fail to receive vital information, skills and values that could enable them to deconstruct prejudice and biased conceptions of diverse sexual orientations and gender identities and to develop one's ability to form and express opinions. For instance, in studies carried out in the United

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[204] UNESCO, "Comprehensive Sexuality Education: A Global Review 2015" (Paris, 2015), 28.

[205] See, among others, Douglas Kirby, B. A. Laris, and Lori Rolleri, *Impact of Sex and HIV Education Programs on Sexual Behaviors of Youth in Developing and Developed Countries* (Family Health International, 2005), 15 (reviewing results from 83 studies from around the world: 18 were conducted in developing countries: Belize, Brazil, Chile, Jamaica, Kenya, Mexico, Namibia, Nigeria, South Africa, Tanzania, Thailand, and Zambia and of the remaining 65, 56 were conducted in the United States and nine in Canada or Europe. These studies reported on results regarding initiation of sex, condom use, contraceptive use, measures of sexual risk-taking, pregnancy and STI rates); See also: Douglas Kirby, *The Impact of Sex Education on The Sexual Behaviour of Young People*, Expert Paper No. 2011/12 (New York: United Nations Department of Economic and Social Affairs, 2011) (summarizing and updating the results of the review of the impact and effectiveness of 97 sex education programmes conducted by UNESCO in 2008-2009); Boonstra, H. D., "Advancing sexuality education in developing countries: evidence and implications" *Guttmacher Policy Review* 14, No. 3 (2011): 17–33.

[206] Antonio Hernández-Martínez et al., "Efectividad de un programa de educación sexual en adolescentes acerca de la adquisición de conocimientos y cambios de actitud ante el empleo de métodos anticonceptivos" [Effectiveness of a sexual education program in teenagers in knowledge acquisition and changes in attitude to the use of contraceptive methods], *Enfermería Clínica* 19, No. 3 (2009): 121-28.

[207] Douglas B. Kirby, "The impact of schools and school programs upon adolescent sexual behavior," *The Journal of Sex Research* 39, No. 1 (2002): 27-33, 31; Douglas B. Kirby, *Emerging Answers 2007: Research Findings on Programs to Reduce Teen Pregnancy and Sexually Transmitted Diseases* (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007), 103.

[208] Virginia A. Fonner et al., "School Based Sex Education and HIV Prevention in Lowand Middle-Income Countries: A Systematic Review and Meta-Analysis" PLOS One 9, No. 3 (2014): 1-18, 16; Douglas B. Kirby, "Reducing the Risk: Impact of a New Curriculum on Sexual Risk-Taking" *Family Planning Perspectives* 23, No. 6 (1991), 261; Douglas Kirby, "Effective approaches to reducing adolescent unprotected sex, pregnancy, and childbearing," *The Journal of Sex Research* 39, Vol. 1 (2002), 56.

[209] Douglas B. Kirby et al., "Sex and HIV Education Programs: Their Impact on Sexual Behaviors of Young People throughout the World," *supra* note 52, 214 (explaining that 42 percent of the reviewed studies found that CSE programs significantly delayed the initiation of sex); See also: Douglas Kirby, "Effective approaches to reducing adolescent unprotected sex, pregnancy, and childbearing," *supra* note 55, 56.

[210] Douglas B. Kirby et al., "Reducing the Risk: Impact of a New Curriculum on Sexual Risk-Taking" *supra* note 55, 253 (stating that 60 percent of students exposed to "Reducing the Risk" sexuality education discussed abstinence and birth control with their parents and about 50 percent agreed or strongly agreed that the curriculum enabled them to talk to their parents more easily).

[211] Eleanor Formby, "Sexuality Education with LGBT Young People" in *Evidence-based Approaches to Sexuality Education*, James J. Ponzetti Jr. (ed.) (New York: Routledge, 2016), 252.

[212] UNESCO, "Comprehensive Sexuality Education: A Global Review 2015," 15.

[213] Lynne Hillier and Anne Mitchell, "'It Was as Useful as a Chocolate Kettle': Sex Education in the Lives of Same-Sex-Attracted Young People in Australia," *Sex Education* 8, no. 2 (2008): 221; Eleanor Formby, "Sex and Relationships Education, Sexual Health, and Lesbian, Gay and Bisexual Sexual Cultures: Views from Young People," *Sex Education* 11, no. 3 (2011): 263; Eleanor Formby, "Sexuality Education with LGBT Young People" in *Evidence-based Approaches to Sexuality Education*, James J. Ponzetti Jr. (ed.) (New York: Routledge, 2016), 255.

Kingdom,[214] Estonia,[215] and Italy[216] most LGBT students said they had never been taught key information about what it means to be LGBT at school.

C. ADVOCACY OPPORTUNITIES

In general terms, advocates could refer to the *Education 2030 Framework for Action*, which was developed by UNESCO through a consultative process and adopted in November 2015 by 184 States. This framework provides guidance for implementing SDG 4 and its essential elements have been condensed in the *Incheon Declaration*.[217] It is noteworthy that the Declaration states that signatories "commit to addressing all forms of exclusion and marginalization, disparities and inequalities in access, participation and learning outcomes".[218] Even more, the Declaration highlights that "no education target should be considered met unless met by all", hence the commitment of all signatories to making "the necessary changes in education policies" and focusing on the most disadvantaged "to ensure that no one is left behind."[219] This instrument and the specific commitments contained in it provide strong support for advocacy with regard to initiatives on inclusive education.

Moreover, UNESCO convenes the *SDG Education 2030 Steering Committee*,[220] a multi-stakeholder coordination mechanism that supports States and partners in their efforts to achieve SDG 4 and all other targets related to education in the 2030 Agenda. Engaging in specific fora like this one offers new avenues and spaces for strategic advocacy.

1) Data collection and research

Advocates could seek efforts to better understand school climate and the consequences bullying and exclusion on educational and health outcomes of LGBTI youth. School surveys and other research methods are key to are the key to updated information on how LGBTI people are actually benefitting or not from education opportunities. SDG 4, as well as Targets 17.18[221] and 17.19,[222] dealing with data collection, provide the adequate basis for data collection advocacy.

2) Inclusive schools

Advocacy for measures to make schools more inclusive relate to most Targets under SDG 4. These measures could include advocacy to repeal norms and regulations that prohibit the teaching of issues related to sexual

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[214] Josh Bradlow et al., "School Report: The Experiences of Lesbian, Gay, Bi and Trans Young People in Britain's Schools in 2017" (London, 2017).

[215] Christian Veske, "Fighting Homophobia through Active Citizenship and Media Education (Estonia)," 2009, 12.

[216] Marie Debicki and Antonella Passani, "Fighting Homophobia through Active Citizenship and Media Education (Italy)," 2009, 49.

[217] UNESCO, "Incheon Declaration and SDG4 – Education 2030 Framework for Action" (Paris, 2015).

[218] UNESCO, para. 7.

[219] UNESCO, para. 7.

[220] For more information on the *SDG Education 2030 Steering Committee*, visit: "SDG Education 2030 Steering Committee", Unesco.org, https://en.unesco.org/themes/sdg-education-2030-steering-committee (accessed July 5th 2018). See also: UNESCO, "Unpacking SDG4-Education 2030" (2016); UNESCO, "Mainstreaming SDG4-Education 2030 in sector-wide policy and planning" (2016).

[221] Target 17.18: By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.

[222] Target 17.19: By 2030, build on existing initiatives to develop measurements of progress on sustainable development that complement gross domestic product, and support statistical capacity-building in developing countries.

and gender diversity or any other norm imposing unequal restrictions on LGBTI children, youth and/or adults in education institutions.

3) Legal gender recognition in schools and education institutions

Activists and organizations could advocate for the enactment of laws and regulations for legal gender recognition at the national or federal level. These laws should adhere to international human rights standards and should not pathologize applicants. Most of the Targets under SDG 4 are related to this specific need. These targets should be read in conjunction with Target 16.9[223], which offers a substantive basis for advocacy on legal gender recognition.

If a law on legal gender recognition appears to be unfeasible or improbable under the local political context, activists could also advocate for the implementation of policies and school protocols to provide for the use of "social names" in schools and other education institutions. This could be a temporary and provisional measure to achieve higher levels of permanence of transgender youth and adults in the educational system. Moreover, such policies do not usually require long negotiation processes before the legislative bodies and can be implemented at the local level by school boards or supervising education agencies.

4) Comprehensive sexuality education

Under target 4.7,[224] activists can advocate for the design of public policies that include education in human rights and comprehensive sexual education as a means to ensure that education becomes a tool to questions prejudices, stereotypes and false notions related to gender diversity. Under Target 4.5 (on eliminating gender disparities in education), the *Incheon Declaration* governments should review education plans, budgets, curricula and textbooks, and should ensure teacher training and supervision "so that they are free of gender stereotypes and promote equality, non-discrimination and human rights."[225]

A recent technical guidance issued by UNESCO sets out how comprehensive sexuality education should be implemented in order to meet SDG 4.[226]   According to a recent guidance issued by UNESCO, curricula should explicitly incorporate a diversity approach and include notions related to sexual orientations, gender identities and expressions, bodily diversity, transition processes, the value of one's own body, affectivity in gender diversity, healthy relationships, prevention of STIs, prejudices and preconceptions against diverse sexual orientations and gender identities, unhealthy social and cultural models of beauty, the deconstruction of stereotypes and the promotion of healthy sexual and affective habits. Activists could also rely on the standards developed by UNESCO with regard to topics and learning objectives which should be part of every school sexuality curriculum.[227] Additionally, human rights education plans should incorporate sexual and

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[223] Target 16.9: By 2030, provide legal identity for all, including birth registration.

[224] Target 4.7: By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development

[225] UNESCO, "Incheon Declaration and SDG4 – Education 2030 Framework for Action," para. 57.

[226] UNESCO, "International Technical Guidance on Sexuality Education: An Evidence-Informed Approach, Revised Edition," *Unesco* (Paris, 2018), https://doi.org/10.1523/JNEUROSCI.0529-04.2004.

[227] UNESCO, International Technical Guidance on Sexuality Education. An evidence-informed approach for schools, teachers and health educators. Volume 2: Topics and learning objectives (Paris: UNESCO, 2009), 7-33.

gender diversity and the rights of LGBTI people to mainstream its content across school curricula and extra-curricular activities and training.

5) School bullying against LGBTI children, youth and adults

Considering that bullying is a major impediment for the full development of one's educational potential, as developed above, most targets under SDG 4 provide a good basis for advocacy on policies and regulations against this kind of violence. Furthermore, Target 16.2[228] provides a strong basis for any advocacy effort aimed at eradicating violence against children. Activists could advocate for the design of laws, regulations and protocols to prevent bullying and school harassment against LGBTI youth, including effective monitoring and reporting mechanisms. These initiatives could be complemented with strong advocacy efforts towards the implementation of permanent training programs and campaigns for educators, teachers and school authorities of public and private institutions so that they are adequately trained in how to respond to acts of discrimination and violence.[229] Guidelines and specific support materials for educators of different levels in matters of comprehensive sexual education and human rights education are also an important asset.

Advocacy efforts could also push for policies to provide support to LGBTI teachers to ensure they are not discriminated based on their sexual orientation, gender identity, gender expression, and sex characteristics. Reports have shown that LGBTQ teachers are more likely to be aware of harassment of LGBTI students and promote inclusive education.[230] Even more, teacher support towards LGBTI students appears to be key factor in how they perform academically.[231] Therefore, their inclusion among school workers is also a powerful initiative to further equality and ensure the incorporation of sexual orientation, gender identity, gender expression, and sex characteristics-inclusive curricula.

6) Affirmative action

Advocates could explore initiatives of affirmative action to facilitate and promote access and permanence of LGBTI students in the educational system, especially those in extremely vulnerable situations. These initiatives include, but are not limited to, the creation of special scholarships for LGBTI youth, subsidies or exemptions, special support programs, quotas and counselling services, among many others.

3. WORK AND POVERTY

A. GOALS

Each LGBTI person should have access to, and control over, adequate resources to meet life's needs. For most LGBTI people, the issue of resources comes down to the capability to earn a living through decent, productive work. Earning a living is just one aspect of the multi-dimensional concept of poverty, which

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[228] Target 16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children.

[229] Dennis A Francis and Finn Reygan, "'Let's See If It Won't Go Away by Itself.' LGBT Microaggressions among Teachers in South Africa," *Education as Change* 20, no. 3 (2016): 193.

[230] Catherine G. Taylor et al., "Gaps between Beliefs, Perceptions, and Practices: The Every Teacher Project on LGBTQ-Inclusive Education in Canadian Schools," *Journal of LGBT Youth* 13, no. 1 (2016): 128, https://doi.org/10.1080/19361653.2015.1087929.

[231] Alexander et al., "Effects of Homophobic versus Nonhomophobic Victimization on School Commitment and the Moderating Effect of Teacher Attitudes in Brazilian Public Schools," 303.

includes a range of deprivations faced by poor LGBTI people such as social isolation, stigma, lack of political influence, exclusion from family and support networks, and vulnerability to violence.

This chapter focuses primarily on aspects of poverty that relate to income. The SDG 8: Decent Work and Economic Growth, deals specifically with employment and calls for full employment for all. However, several other SDGs are also relevant. SDG 10: Reduced Inequality, and SDG 5: Gender Equality, are both directly relevant. SDG 11: Sustainable Cities and Communities, includes several target relating to living conditions such as housing, transportation, and safe spaces.

B. DEVELOPMENT CHALLENGES

1) Human capital

LGBTI people may face challenges that limit their ability to develop their own skills, knowledge, and experience, otherwise known as their human capital. Bullying and exclusion from educational settings may limit the ability of LGBTI people from educational advancements. In addition, health disparities resulting from exposure to stigma, prejudice and violence, as well as lack of access to health care, my impact LGBTI workers from maintaining high levels of daily productivity. For some, the process of defining and developing their sexual orientation and gender identity may interact with the accumulation of human capital because the two processes often involve critical stages during the same stage in life.[232] Many LGBTI people face issues concerning their identity during young adulthood, at the same time they are making early career decisions. The process of dealing with oppression and stigmatization may delay, disrupt or even completely derail a career.[233]

2) Workplace bias

Employment is often viewed as the most important link between economic growth and poverty reduction. However, an international review of scholarly articles revealed that LGBTI people face at least two barriers to equal workplace participation. The first, called formal discrimination, includes discrimination in hiring, promotion, and unequal wages. The second, called informal discrimination, includes verbal harassment, loss of credibility, and lack of acceptance and respect by colleagues.[234] A number of studies reveal poor treatment by bosses and co-workers. LGBT respondents in China, the Philippines and Thailand report being harassed at work at a rate of 21 to 30 percent, depending on the subgroup.[235] These patterns of discrimination have

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[232] Jeffrey P Prince, "Influences on the Career Development of Gay Men," *The Career Development Quarterly* 44, no. 2 (1995): 168–75, https://doi.org/10.1002/j.2161-0045.1995.tb00683.x; Joseph T. Chojnacki and Susan Gelberg, "Toward a Conceptualization of Career Counseling with Gay/Lesbian/Bisexual Persons," *Journal of Career Development* 21, no. 1 (1994): 3–10, https://doi.org/10.1007/BF02107099; John E. Elliott, "Career Development With Lesbian and Gay Clients," *The Career Development Quarterly* 41, no. 3 (1993): 210–26, https://doi.org/10.1002/j.2161-0045.1993.tb00372.x.

[233] Belle Rose Ragins, "Sexual Orientation in the Workplace: The Unique Work and Career Experiences of Gay, Lesbian and Bisexual Workers," *Research in Personnel and Human Resources Management* 23 (2004): 35–120, https://doi.org/10.1016/S0742-7301(04)23002-X; James M. Croteau, "Research on the Work Experiences of Lesbian, Gay, and Bisexual People: An Integrative Review of Methodology and Findings," *Journal of Vocational Behavior* 48, no. 2 (1996): 195–209, https://doi.org/10.1006/jvbe.1996.0018; Boatwright et al., "Impact of Identity Development upon Career Trajectory: Listening to the Voices of Lesbian Women."

[234] Ozeren Emir, "Sexual Orientation Discrimination in the Workplace: A Systematic Review of Literature. Procedia, Sexual and Behavioral Sciences," *Procedia-Sexual and Behavioral Sciences* 109 (2014): 1203-1215, 1208-10.

[235] Suen Yiu Tung, "LGBTI People and Employment Discrimination Based on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics in China, the Philippines and Thailand," 2018, http://www.asia-pacific.undp.org/content/rbap/en/home/library/democratic_governance/hiv_aids/lgbti-people-and-employment--discrimination-based-on-sexual-orie.html.

been echoed by studies of workers Honk Kong,[236] South Africa,[237] of gender non-conforming lesbians in Chile,[238] and of third-gender people in Nepal.[239]

A growing number of studies focus on discrimination in the hiring process. In a survey of LGBT people in China, the Philippines and Thailand, 60 percent of respondents said they had seen a job advertisement that explicitly excludes their sexual orientation and gender identity.[240] A review of experimental studies in OECD countries which used paired resumes submitted to employers in response to vacancy announcements, indicated that lesbians and gay men are 1.8 times less likely to be called back than heterosexual counterparts. Transgender women are half as likely to get a call-back as compared to cisgender women.[241]

The impact on wages and employment rates have also been documented. Data from the census in India indicate that the employment rate of transgender people in India is 21 percent lower than the general population.[242] A review of survey-based studies in OECD countries revealed that, with the exception of transgender men, LGBT people face a wage penalty with regard to employment.[243] A meta-analysis of studies of wage differences in the United States, Netherlands, UK, Sweden, Greece, France, and Australia, show that gay men make eleven percent less than their heterosexual counterparts.[244] Several surveys of non-representative samples in India document high rates of poverty among men who have sex with men and transgender people.[245] A review of studies of same-sex households in OECD countries revealed that gay men made, on average, eight percent less than non-gay men. Bisexual men face an earnings penalty of 12 percent.[246] Intersex earnings were half of the general population.[247]

Several studies have identified that lesbians may make more than heterosexual women. However, three factors provide context for this finding.[248] First, lesbians are more likely to work more hours, and are more likely to be employed in full-time jobs than other non-lesbian women. Secondly, lesbians may have more access for selection into traditionally male jobs. Last, lesbians may be working multiple jobs to earn the same amount as other women. In one study of 9000 young lesbians in Australia, lesbians reported harassment and greater

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[236] In a 2011 study of sexual minorities in Hong Kong, Holning Lau and Rebecca Stotzer found that discrimination based on sexual orientation in the workplace was negatively correlated with life satisfaction and positively correlated with internalized homophobia. Individuals who concealed their sexual orientation and believed their employers thought that they were straight experienced less discrimination than individuals who made clear their sexual orientation or did not take efforts to conceal it. Holning Lau, Stotzer, R., "Employment Discrimination Based on Sexual Orientation: A Hong Kong Study," *Employee Responsibilities and Rights Journal,* 23, no. 1 (2011), 17-35.

[237] Centre for Population and Policy Studies Gadjah Mada University, *PRIDE at Work: A Study on Discrimination at Work on the Basis of Sexual Orientation and Gender Identity in Indonesia,* 2016, http://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_481580.pdf.

[238] Jaime Barrientos and Bozon, M., "Discrimination and Victimization against Gay Men and Lesbians in Chile: Two Patterns or Just One?," *Interdisciplinaria* 31, no. 2 (2014): 323-39.

[239] UNDP and Williams Institute, "Surveying Nepal's Sexual and Gender Minorities : An Inclusive Approach" (Bangkok, 2014).

[240] Tung, "LGBTI People and Employment Discrimination Based on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics in China, the Philippines and Thailand."

[241] Marie-Anne Valfort, "Lgbti in Oecd Countries: A Review" 33, no. June (2017): 100, https://doi.org/10.1787/d5d49711-en.

[242] Nagarajan, Rama, "First Count of Third Gender in Census: 4.9 lakh," *The Times of India,* May 30, 2014. http://timesofindia.indiatimes.com/india/First-count-of-third-gender-in-census-4-9-lakh/articleshow/35741613.cms.

[243] Valfort, "Lgbti in Oecd Countries: A Review," 98.

[244] Marieka Klawitter, "Meta-Analysis of the Effects of Sexual Orientation on Earnings," *Industrial Relations* 54, no. 1 (2014): 4-32, 21.

[245] Pankaj Masih, Gayatri Singh, and Rishabh Mishra, *Ummeed Live 2012: Third Gender Leadership Development Project* (Raipur: UNDP, 2012); Peter A. Newman et al., "Determinants of Sexual Risk Behavior Among Men Who Have Sex with Me Accessing Public Sex Environments in Chennai India," *Journal of LGBT Health Research* 4, no. 2-3 (2008): 81-87.

[246] Valfort, "Lgbti in Oecd Countries: A Review," 106.

[247] Valfort, 108.

[248] Emir Ozeren, "Sexual Orientation Discrimination in the Workplace: A Systematic Review of Literature," *Procedia-Sexual and Behavioral Sciences* 109, no. 8 (2014): 1203-1215.

difficulty finding work and a higher likelihood of losing jobs. Other reviews of research have found that for lesbians who do not fit the norms for femininity it is hard to find employment.[249] Interestingly, in a study of data by the OECD, the lesbian premium is much lower where women had a prior marriage to a man, indicating prior earning expectations may undermine investment in market oriented characteristics.

The UK Household Longitudinal study reveals that bisexual people face poorer economic conditions that heterosexual, regardless of gender.[250]

The National Transgender Discrimination Survey in the United States, which looked at 6,400 transgender and gender non-conforming participants from all fifty States, showed that transgender people were four times more likely to have a household income of less than $10,000 per year compared to the general population. Transgender people of color had an unemployment rate four times the national average and almost one in five reported being homeless at least one time in their life.[251]

3) Housing

A handful of studies have examined some of the channels through which sexual orientation and gender identity may lead to homelessness. A review of data in OECD countries shows that disclosure of sexual or gender minority status results in a housing crises for youth,[252] a finding that has been corroborated by a number of researchers.[253] Studies also show potential discrimination in both the rental market and that same-sex couples are less likely to have a mortgage.[254]

4) Food Insecurity

Economic exclusion can also result in food insecurity, defined as having limited or uncertain access to food. In the US, 27 percent of LGBT adults experienced a time in 2014 when they did not have enough money to feed themselves, compared to 17 percent of non-LGBT adults. Adults in same-sex couples were 1.58 times more likely than different-sex couples to have participated in government food assistance programs.[255]

5) Intersectionality and poverty

Studies also show that LGBT people who share other marginalized characteristics experience higher levels of poverty. In the United States, LGBT people of color face compounded marginalization in places where people of color constitute a minority. According to a Williams Institute analysis of United States Census data, African-American same-sex couples are significantly more likely to be poor than their African-American

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[249] Swedish International Development Cooperation Agency (Sida), "Sexual Orientation and Gender Identity Issues in Development" (Stockholm: Swedish International Development Cooperation Agency (SIDA), 2005), 40.

[250] Valfort, "Lgbti in Oecd Countries: A Review," 111.

[251] Jaime M. Grant et al., *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (Washington D.C.: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011), 2-8.

[252] Valfort, "Lgbti in Oecd Countries: A Review," 110.

[253] Tumaini R. Coker, S. Bryn Austin, and Mark A. Schuster, "The Health and Health Care of Lesbian, Gay, and Bisexual Adolescents," *Annual Review of Public Health* 31, no. 1 (2010): 457–77, https://doi.org/10.1146/annurev.publhealth.012809.103636.

[254] Valfort, "Lgbti in Oecd Countries: A Review," 112.

[255] Taylor N T Brown, Adam P Romero, and Gary J Gates, "Food Insecurity and SNAP Participation in the LGBT Community," *The Williams Institute, UCLA School of Law*, no. July (2016), http://williamsinstitute.law.ucla.edu/wp-content/uploads/Food-Insecurity-and-SNAP-Participation-in-the-LGBT-Community.pdf.

married heterosexual counterparts and are roughly three times more likely to live in poverty than white same-sex couples.[256] Transgender people of color fared worse than other transgender people in areas of income, health, and homelessness.[257] Levels of food insecurity of LGBT African Americans were nearly twice as high as that of other LGBT groups.[258]

6) Multi-dimensional aspects of poverty

For LGBTI people, poverty can result in multiple marginalization which can limit opportunities, forcing people into lives they do not choose. The Institute for Development Studies has theorized several ways in which poverty impacts people of diverse sexualities:

- *Lack of information:* Poverty can restrict education and information about sexuality, health, legal rights or even information about other LGBTI people and role models.
- *Places of the poor:* Poorer locations often have fewer health and social services, less police protection and more violence. Individuals who bear more stigmas such as transgender people are often restricted to living in poorer areas.
- *Lack of support networks:* Those who do not conform to norms of sexuality have a higher chance of being excluded from religious organizations, clubs, and social networks that are often the source of support during crises.
- *Lack of political clout:* Stigma and exclusion hinders efforts to use the political process to respond to needs.
- *Expense of obtaining equality:* Seeking to adopt a child, make a claim of discrimination in court, or obtain legal recognition of one's gender can require additional time and expense. Even being a witness to hate crime case may require taking time off of work. These kinds of expenses may not be possible for those with fewer resources.[259]

C. ADVOCACY OPPORTUNITIES

SDG 10: Reduced Inequality, includes an important target.   Target 10.2 aspires "[b]y 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or *other status.*" While not specific to sexual orientation, gender identity, gender expression, and sex characteristics, advocates have a strong basis to argue the sexual orientation, gender identity, gender expression, and sex characteristics should be included given its inclusion as an 'other status' by other UN agencies. Target 10.4 reinforces this state obligation: "Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality."

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[256] Randy Albelda et al., *Poverty in the Lesbian, Gay, Bisexual Community* (Los Angeles: The Williams Institute, 2009), ii, http://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/poverty-in-the-lesbian-gay-and-bisexual-community/.

[257] Jaime M. Grant et al., *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (Washington D.C.: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011), 33, 51, 72, 106.

[258] Brown, Romero, and Gates, "Food Insecurity and SNAP Participation in the LGBT Community."

259 Institute for Development Studies, *Sexuality and Development. Policy Briefing*, Issue 29 (Brighton: IDS, April 2006), 2; Robert Chambers, "What Is Poverty? Who Asks? Who Answers?" *Poverty in Focus* (Brasilia: International Poverty Center, United Nations Development of Programme (UNDP), December 2006), 3-4.

SDG 11: Sustainable Cities and Communities, includes targets calling for access to housing (Target 11.1) and safe accessible transport systems, with special attention to those in vulnerable situations, (Target 11.2), both of which are a concern for LGBTI people.

SDG Target 1.4,[260] which seeks to insure equal rights to economic resources, basic services, land tenure, and inheritance rights, would, in many countries, require the adoption of laws prohibiting discrimination on the basis of sexual orientation, gender identity, gender expression, and sex characteristics in the areas of employment, credit, housing, and public services. Additionally, legal recognition of gender as well as the equal recognition of same-sex family relationships would be necessary. One indicator under this target,[261] which focuses on legally recognized documentation to secure land rights, is particularly relevant to transgender people whose current gender does not match their government issued documents.

SDG 5: Gender Equality, includes broad targets relating to the elimination of all forms of discrimination and violence against girls and women and seeking full participation for women in political, economic and public life. These goals are directly responsive to the discrimination and inequalities faced by lesbian, bisexual, transgender and intersex women. Additionally, these goals are part and parcel of efforts to confront harmful gender stereotypes. Advocates should seek implementation of non-discrimination policies. Additionally, advocates should seek to ensure that the definition of gender used in development policies is fully-trans inclusive, inclusive of gender non-binary, and that programs are implemented which confront, rather than reinforce, hetero-normative gender constructs.

Insuring that business environments support diverse workforces though the adoption of non-discrimination laws can be a strategy to attract foreign investment and recruit workers. Thus, SDG 8, related to decent work and economic growth, can offer possibilities. Targets under this goal include sustaining economic growth,[262] achieving higher levels of productivity,[263] and encouraging creativity and innovation.[264] Advocates should familiarize themselves with arguments and evidence regarding the economic role of LGBTI people in order to establish links between discrimination, exclusion, and economic outcomes.

Target 8.5 calls for full employment for all people, and equal pay for equal work.[265] This expansive target can only be met if barriers to employment based on stigma and prejudice are confronted.

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[260] Target 1.4: By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

[261] Indicator 1.4.2: Proportion of total adult population with secure tenure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure.

[262] Target 8.1: Sustain per capita economic growth in accordance with national circumstances….

[263] Target 8.2: Achieve higher levels of economic productivity through diversification, technological upgrading and innovation….

[264] Target 8.3: Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation.

[265] Target 8.1: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.

4. SAFETY

A. GOALS

Each LGBTI person should have the capability to be safe from physical violence and emotional abuse, to live in a state of peace and personal security, and to expect and receive protection by those in authority. Safety is a key element to realize the full potential of every human life. Violence, threat, and insecurity can negatively affect the ability of LGBTI people to be productive, creative, and to contribute to the community.

Two SDGs are particularly relevant to the issue of personal safety: SDG 11 (inclusive, safe, resilient and sustainable cities) and SDG 16 (peace and justice).

1) SDG 11: inclusive, safe, resilient and sustainable cities

SDG 11 focuses on urban development issues to make cities inclusive, safe, resilient and sustainable in matters relating to housing, transportation, public spaces, cultural heritage and disaster prevention. Urban spaces, which area main setting for crime and violence, are home to an estimated half of humanity.[266]

Target 11.7 aims at ensuring universal access to safe, inclusive and accessible public spaces, in particular for vulnerable groups.[267] Included in this target is an indicator that focuses on reducing the proportion of persons who fall victim of physical or sexual harassment.[268]

2) SDG 16: Peace, justice, and strong institutions

Efforts to promote peaceful and inclusive societies for sustainable development are concentrated under SDG 16, which includes most of the targets related to access to justice and the building of effective, accountable and inclusive institutions at all levels. This SDG is considered the first-ever universally agreed goal for achieving peaceful, just and inclusive societies. The UNDP has characterized this SDG as "an important 'enabling goal' for the entire sustainable development agenda".

Highly relevant to the development agenda of LGBTI people, this SDG condenses most efforts aimed at reducing discrimination and violence. Indeed, many of the targets under this SDG deal with issues that are at the very core of the fight for equality and, therefore, are intimately related to the mission and objectives of numerous LGBTQ groups and organizations around the world. A commitment to human rights, justice, accountability and transparency – all of which are recognized as prerequisites to ensuring an enabling an environment in which people are able to live freely, securely and prosperously—is evident throughout the Goal 16 targets.[269]

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[266] High Level Political Forum on Sustainable Development, "2018 Review of SDGs Implementation: SDG 11 – Make Cities and Human Settlements Inclusive, Safe, Resilient and Sustainable," 2018, 1.

[267] Target 11.7: By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities.

[268] Indicator 11.7.2: Proportion of persons victim of physical or sexual harassment, by sex, age, disability status and place of occurrence, in the previous 12 months.

[269] Transparency Accountability & Participation (TAP) Network, "Goal 16: Advocacy Toolkit - A Practical Guide for Stakeholders for National-Level Advocacy around Peaceful, Just and Inclusive Societies" (New York, 2016), 8.

B. CHALLENGES TO SAFETY

1) Violence against LGBTI people

Violence against LGBTI people is a concern in all countries around the world. Attempts to identify and characterize specific patterns of violence against LGBTI people is frustrated by the ubiquitous nature of anti-LGBTI violence. What seems to be universal is the continued existence of negative attitudes towards LGBT people. A recent analysis of global attitudes in 141 countries since 1980 reveals an increase in polarization of global attitudes. Though the most accepting countries have experienced increased levels of acceptance, the least accepting countries have experienced decreased levels of acceptance, with average levels of acceptance not improving over the past several decades.[270]

Even in countries where the average levels of acceptance have increased, LGBTI people remain at risk for violence by those who are motivated by hostility and prejudice. A conglomerate of factors has been identified as contributing to this type of violence, including laws in force that criminalize same-sex intimacy, police indifference and abuse, official rhetoric, and extra judicial activity.[271]

International human rights bodies have recognized that sexual orientation, gender identity, gender expression, and sex characteristics-based violence is a pervasive phenomenon, found in all regions of the world.[272]   It has taken the form of includes murders, beatings, kidnappings, rape and sexual assault, threats, coercion and arbitrary deprivations of liberty.[273] Specific forms of gender-based violence are perpetrated against lesbian and bisexual women, including "corrective" rape, a heinous type of sexual violence by which men rape their victims to correct their sexual orientation and make them heterosexual.[274] Furthermore, besides "street" violence and spontaneous attacks in public spaces, LGBTI suffer organized abuse, including by religious extremists, paramilitary groups and extreme nationalists.[275] The lived experience of many LGBTQ people indicates that violence can be omnipresent: at home, at school, at the hospital, at the workplace, on the street, while travelling or migrating, in prisons, among other settings.276

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[270] Andrew R Flores and Andrew Park, "Polarized Progress: Social Acceptance of LGBT People in 141 Countries, 1981 to 2014" (Los Angeles, CA, 2018).

[271] Mark Ungar, "State Violence and Lesbian, Gay, Bisexual and Transgender (LGBT) Rights," *New Political Science* 22, no. 1 (2000): 61–75.

[272] United Nations Human Rights Council, "Discriminatory Laws and Practices and Acts of Violence against Individuals Based on Their Sexual Orientation and Gender Identity" (A/HRC/19/41, 2011), 8–12; European Union Agency for Fundamental Rights, "EU LGBT Survey, European Union Lesbian, Gay, Bisexual and Transgender Survey: Main Results" (Luxembourg: FRA, 2014), 55–78; Inter-American Commision on Human Rights, "Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas."

[273] United Nations Human Rights Council, "Discriminatory Laws and Practices and Acts of Violence against Individuals Based on Their Sexual Orientation and Gender Identity" (A/HRC/19/41, 2011), 8–12, 20; European Union Agency for Fundamental Rights, "EU LGBT Survey, European Union Lesbian, Gay, Bisexual and Transgender Survey: Main Results" (Luxembourg: FRA, 2014), 55–78; Inter-American Commision on Human Rights, "Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas" (Washington DC: IACHR, 2015).

[274] Lea Mwambene and Maudri Wheal, "Realisation or Oversight of a Constitutional Mandate? Corrective Rape of Black African Lesbians in South Africa," *African Human Rights Law Journal* 15, no. 1 (2015): 58–88; Luis Abolafia Anguita, "Tackling Corrective Rape in South Africa: The Engagement between the LGBT CSOs and the NHRIs (CGE and SAHRC) and Its Role," *International Journal of Human Rights* 16, no. 3 (2012): 489–516.

[275] Human Rights Watch, *"Scared in Public and Now No Privacy": Human Rights and Public Health Impacts of Indonesia's Anti-LGBT Moral Panic* (New York: HRW, 2018); Phillip M. Ayoub, "With Arms Wide Shut: Threat Perception, Norm Reception, and Mobilized Resistance to LGBT Rights," *Journal of Human Rights* 13, no. 3 (2014): 337–62; Centro Nacional de Memoria Histórica (Colombia), *Aniquilar La Diferencia. Lesbianas, Gays, Bisexuales y Transgeneristas En El Marco Del Conflicto Armado Colombiano* (Bogotá: CNMH - UARIV - USAID - OIM, 2015).

[276] Sérgio Carrara and Paula Lacerda, "Vivir Bajo Amenaza: Prejuicio, Discriminación y Violencia Homofóbica En Brasil," in *Diversidade e Homofobia No Brasil*, ed. Gustavo Venturi and Vilma Bokani (Brasil: Perseu Abramo, 2010), 143; Alisher Latypov, Tim Rhodes, and Lucy Reynolds, "Prohibition, Stigma and Violence against Men Who Have Sex with Men: Effects on HIV in Central Asia," *Central Asian Survey*

Scholars have assessed the effects of violence against LGBTI people on a victim's productivity and cumulative economic harms caused to the economy of a country by this kind of violence.[277] It has been noted that physical attacks can restrict someone's ability to work because of direct physical injuries and/or derived psychological trauma.[278] Additionally, the frequency – and brutality – with which crimes are perpetrated against LGBTQ people in many regions has strong chilling effect that sends out a clear and disturbing message that diverse sexual orientations and gender identities will not be tolerated if its visible.[279] The short and long-term effects on the victim's physical and mental health will, in turn, reduce their overall ability to work and their productivity in the workplace.[280]

2) Violence perpetrated by law enforcement officers

Several sources indicate that law enforcement officers are among the perpetrators of violence against LGBTQ people in many countries. This is especially the case in jurisdictions where same-sex intimacy is criminalized or where vague laws on indecency or morality can be discretionally used to harass and persecute people based on their SOGIE.

In Jamaica, activists have reported instances of police abuse and harassment based on the local laws on gross indecency.[281] Numerous accounts gathered by the Kenyan Human Rights Commission show how LGBTI people have also been targeted by State officials.[282] In Senegal, a survey carried out among MSM found that 13 percent of respondents reported being raped by a policeman.[283] More evidence has been documented in several other countries showing how police officers often discriminate, mistreat, brutalize or incite others to discriminate and attack LGBTI people.[284] Specific studies have focused on LGBTI youth,[285] transgender and gender non-conforming people[286] as vulnerable victims of police abuse. Different surveys carried out in the United States of America indicate that LGBT individuals and communities face profiling, discrimination and harassment at the hands of law enforcement officer.[287]

32, no. 1 (2013): 56; Souradet Y. Shaw et al., "Factors Associated with Sexual Violence against Men Who Have Sex with Men and Transgendered Individuals in Karnataka, India," *PLoS ONE* 7, no. 3 (2012): 5–6; Inter-American Commision on Human Rights, "Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas"; The Kenya Human Rights Commission, "The Outlawed amongst Us: A Study of the LGBTI Community's Search for Equality and Non-Discrimination in Kenya," 2011, 62.

[277] Badgett et al., "The Relationship between LGBT Inclusion and Economic Development: An Analysis of Emerging Economies."

[278] Badgett et al., 2.

[279] Gregory M. Herek, Jeanine C. Cogan, and J. Roy Gillis, "Victim Experience in Hate Crimes Based on Sexual Orientation," *Journal of Social Issues* 58, no. 2 (2002): 319–39.

[280] Badgett et al., "The Relationship between LGBT Inclusion and Economic Development: An Analysis of Emerging Economies," 2.

[281] Jarret S. Lovell, "'We Are Jamaicans:' Living with and Challenging the Criminalization of Homosexuality in Jamaica," *Contemporary Justice Review: Issues in Criminal, Social, and Restorative Justice* 19, no. 1 (2016): 93.

[282] The Kenya Human Rights Commission, "The Outlawed amongst Us: A Study of the LGBTI Community's Search for Equality and Non-Discrimination in Kenya," 21.

[283] Cheikh Ibrahima Niang et al., "'It's Raining Stones': Stigma, Violence and HIV Vulnerability among Men Who Have Sex with Men in Dakar, Senegal," *Culture, Health and Sexuality* 5, no. 6 (2003): 507.

[284] Inter-American Commision on Human Rights, "Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas," 127–44; Christine M Evans, "Challenging 'Unnatural Crimes': The Connection between LGBTI Rights and Gender-Specific Sexual Violence Laws in Belize," *Northwestern Journal of International Human Rights* 11, no. 2 (2013): 192.

[285] Angela Dwyer, "'It's Not like We're Going to Jump Them': How Transgressing Heteronormativity Shapes Police Interactions with Lgbt Young People," *Youth Justice* 11, no. 3 (2011): 203–20; Nusrat Ventimiglia, "LGBT Selective Victimization: Unprotected Youth on the Streets," *The Journal of Law and Society* 13, no. 2 (2012): 439–53.

[286] UNDP and Williams Institute, "Surveying Nepal's Sexual and Gender Minorities : An Inclusive Approach."

[287] Christy Mallory et al., "Discrimination and Harassment by Law Enforcement Officers in the LGBT Community" (Los Angeles, 2015); Kristina B. Wolff and Carrie L. Cokely, "'To Protect and to Serve?': An Exploration of Police Conduct in Relation to the Gay, Lesbian, Bisexual, and Transgender Community," *Sexuality and Culture* 11, no. 2 (2007): 1–23.

3) Underreporting and lack of reliable data on crime prevalence

The scarce information available on crimes based on sexual orientation, gender identity, gender expression, and sex characteristics underrepresents the real dimension of violence LGBTI people suffer. Two main problems explain this lack of data, namely underreporting and lack of disaggregated data according to sexual orientation, gender identity and expression, and sex characteristics.[288]

Studies indicate underreporting is driven by several dynamics. Firstly, law enforcement agents sometimes refuse to take reports and even harass and mistreat LGBTI victims.[289] Secondly, LGBTI people themselves may opt out of reporting the attacks and crimes they suffer because they see that nothing will come of making a report, or because they too will become victims of abuse at the hands of the law enforcement agents whose help they are seeking (this is usually referred to as "fear of secondary victimization).[290] In places where same-sex intimacy criminalized, LGBTI people who are victims of crimes are deterred from reporting crimes or requesting official assistance.[291] Fear of extortion or reprisals, the fear of being "outed" or having to expose one's sexual orientation or gender identity are also among the reasons why many victims are reluctant to come forward.[292] Courts and judges can also be unreceptive to LGBTI plaintiffs and reluctant to write published opinions about them.[293]

For example, in Europe, a regional survey conducted by the European Union Agency for Fundamental Rights (FRA) found that only twenty-two percent of the most serious incidents of violence experienced by respondents because they were LGBT were reported to the authorities, and only six percent of equivalent incidents of harassment were brought to the police's attention.[294] In many contexts, law enforcement officials are considered to be among those who perpetrate most violence against LGBTI people, therefore very few victims feel protected or safe when reporting crimes. In Russia, a quantitative study carried out by the Russian LGBT Network found that 69.4 percent of respondents do not trust the police at all, and often "do not even consider" reporting crimes.[295]

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[288] Helen Wells and Louise Polders, "Anti-Gay Hate Crimes in South Africa: Prevalence, Reporting Practices, and Experiences of the Police," *Agenda* 20, no. 67 (2006): 20–28, http://www.tandfonline.com/doi/abs/10.1080/10130950.2006.9674694.

[289] Boglarka Fedorko and Lukas Berredo, "The Vicious Circle of Violence: Trans and Gender-Diverse People, Migration, and Sex Work," 2017, 19; European Union Agency for Fundamental Rights, "European Union Lesbian, Gay, Bisexual and Transgender Survey: Results At A Glance" (Luxembourg, 2013), 20; REDLACTRANS, "The Night Is Another Country: Impunity and Violence against Transgender Women Human Rights Defenders in Latin America," 2012, 19; Jaime M. Grant, Lisa A. Mottet, and Justin Tanis, "Injustice at Every Turn: A Report of the National Transgender Discrimination Survey," vol. 25, 2011, 162; Toby Miles-Johnson, "LGBTI Variations in Crime Reporting: How Sexual Identity Influences Decisions to Call the Cops," *SAGE Open* 3, no. 2 (2013): 10; Evans, "Challenging 'Unnatural Crimes': The Connection between LGBTI Rights and Gender-Specific Sexual Violence Laws in Belize," 192.

[290] Herek, Cogan, and Gillis, "Victim Experience in Hate Crimes Based on Sexual Orientation," 332.

[291] Lovell, "'We Are Jamaicans:' Living with and Challenging the Criminalization of Homosexuality in Jamaica"; Evans, "Challenging 'Unnatural Crimes': The Connection between LGBTI Rights and Gender-Specific Sexual Violence Laws in Belize," 192.

[292] Tad Stahnke et al., "Violence Based on Sexual Orientation and Gender Identity Bias: 2008 Hate Crime Survey" (New York, 2008), 4; United Nations Human Rights Council, "Discrimination and Violence against Individuals Based on Their Sexual Orientation and Gender Identity: Report of the Office of the United Nations High Commissioner for Human Rights," 2015, para. 25.

[293] Brad Sears and Christy Mallory, "Documented Evidence of Employment Discrimination & Its Effects on LGBT People" (Los Angeles, 2011), 12.

[294] FRA - European Union Agency for Fundamental Rights, *Protection against Discrimination on Grounds of Sexual Orientation, Gender Identity and Sex Characteristics in the EU - Comparative Legal Analysis* (Luxembourg: FRA, 2015), 9.

[295] Russian LGBT Network, "Monitoring of Discrmination and Violence Based on Sexual Orientation and Gender Identity in Russia in 2016-2017" (Saint Petersburg, 2018), 12.

4) Impunity and lack of access to justice

LGBTI people face considerable challenges when attempting to seek justice, including difficulties in accessing judicial services, legal aid and legal representation in court, and witness protection mechanisms. Several reports indicate that law enforcement officials as well as justice operators, including prosecutors, judges and jurors tend to make stereotyped assumptions with regard to the causes and motives of crimes committed against LGBTI people. Indeed, reports from different countries indicate that hate motives based on sexual orientation, gender identity, gender expression, and sex characteristics are frequently not even considered during investigations.[296]

On the contrary, the victim's personal characteristics, including their "lifestyle", habits and "tendencies", as well as the circumstances surrounding the crime, oftentimes become the focus of attention in order to find traces of "provocation" or any conduct carried out by the victim which may have "caused" or justified the crime. Reports show that LGBTI people often see their credibility put to question and their claims are not taken seriously.[297] In 2015, the Inter-American Commission on Human Rights noted how, in Latin America, killings of LGBTI people are frequently not categorized as hate crimes or crimes motivated by prejudice but are labelled from the outset as "crimes resulting from emotions, jealousy, or reasons related to a pre-existing relationship".[298] All of these factors often translate into a shift of the blame onto the victim based on their sexual orientation, gender identity, or gender expression.[299]

Last but not least, the existence of legislation or judicial precedent which condones or justifies violence based on sexual orientation, gender identity, gender expression, and sex characteristics (usually referred to as "gay/trans panic defense") constitutes another obstacle to seek effective redress.[300] Under these precedents, jurors or decision makers in judicial cases may become more lenient towards defendants in cases in which a same-sex sexual advance had been made onto him by the victim and justify the use of force – even lethal – as a legitimate reaction.[301] In 2015, the Inter-American Commission on Human Rights found that several Commonwealth countries of the Caribbean had accepted a "same-sex sexual advance defense" either to reduce a conviction or to acquit defendants.[302]

5) Legal definitions of domestic or intimate partner violence that exclude same-sex couples

A growing body of evidence show that intimate partner violence occurs in same-sex couples in many parts of the world.[303] Surveys conducted in the United States indicate transgender people may confront higher levels

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[296] Russian LGBT Network, 14.

[297] United Nations General Assembly, "Question of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, A/56/156," 2001, para. 21; Renato Soares da Silva, Alessandro Barboza, "Diversidade Sexual, Gênero e Exclusão Social Na Produção Da Consciência Política de Travestis," *Athenea Digital. Revista de Pensamiento e Investigación Social* 8 (2005): 39.

[298] Inter-American Commision on Human Rights, "Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas," para. 485.

[299] Karyn M. Plumm et al., "Victim Blame in a Hate Crime Motivated by Sexual Orientation," *Journal of Homosexuality* 57, no. 2 (2010): 282; Human Rights Watch, "License to Harm Violence and Harassment against LGBT People and Activists in Russia" (New York, 2014), 60.

[300] Cynthia Lee, "The 'Gay Panic' Defense," *U.C. Davis Law Review* 42 (2008): 471–566.

[301] Jessica M. Salerno et al., "Excusing Murder? Conservative Jurors' Acceptance of the Gay-Panic Defense," *Psychology, Public Policy, and Law* 21, no. 1 (2015): 24–34.

[302] Inter-American Commision on Human Rights, "Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas," paras. 490–497.

[303] National Coalition of Anti-Violence Programs (NCAVP) - Emily Waters, "Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-Affected Hate Violence in 2016" (New York, 2017), 59; Mikel L. Walters, Jieru Chen, and Matthew J. Breiding, "The National Intimate

of intimate partner violence as compared to LGB people and cisgender people, and that bisexual women are between 1.8 and 2.6 times more likely to have experienced intimate partner violence compared to heterosexual women.[304]

The lack of legal protections on intimate partner violence that apply to same-sex couples has been identified as a major problem to offer effective solutions victims.[305] Moreover, it has been suggested that the way in which intimate partner violence is commonly understood among LGBTI may even prevent victims from acknowledging abuse by their partners as such.[306]

6) Abuse and violence against LGBTI children

Children may suffer severe violence and discrimination based on their sexual orientation, gender identity, gender expression, and sex characteristics. Besides school bullying (see section on *Barriers to Education* above), LGBTI children are often victims of verbal and physical abuse in their homes. For many teenagers, coming out to unwelcoming parents may entail being forced to leave their homes. Even though precise figures are unavailable, studies indicate that LGBTI youth over-represented in the homeless youth population.[307] Parents may also decide to subject their children to so called "conversion therapy", against their will.[308] Several studies concluded that parental rejection in adolescence can be a strong predictor of the use of illegal drugs, depression, attempted suicide, and sexual health risk by LGB young adults.[309]

C. ADVOCACY OPPORTUNITIES

SDG 11 and SDG 16 present activists with numerous opportunities for advocacy on sexual orientation, gender identity, gender expression, and sex characteristics issues.

In addition, the *Quito Declaration on Sustainable Cities and Human Settlements for All,* an outcome document of an intergovernmental conference on the world's cities and towns, is an extension of the 2030 Agenda.[310] Although the declaration contains no explicit reference to sexual orientation, gender identity, gender expression, and sex characteristics, it contains commitments to cities that are free from crime and violence,

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Partner and Sexual Violence Survey 2010 Findings on Victimization by Sexual Orientation" (Atlanta, GA, 2013); Christopher J. Alexander, "Violence in Gay and Lesbian Relationships," *Journal of Gay & Lesbian Social Services* 14, no. 1 (2002): 95–98. Jaime Barrientos and Álvaro Rodríguez-carballeira, "Violencia En Parejas Del Mismo Sexo : Revisión y Perspectivas Actuales," *Revista Argentina de Clínica Psicológica* 25, no. 3 (2016): 289–98; Sabrina N. Nowinski and Erica Bowen, "Partner Violence against Heterosexual and Gay Men: Prevalence and Correlates," *Aggression and Violent Behavior* 17, no. 1 (2012): 36–52; Samantha Jeffries and Matthew Ball, "Male Same-Sex Intimate Partner Violence : A Descriptive Review and Call for Further Research," *Murdoch E-Law Review* 15, no. 1 (2008): 134–79.

[304] Taylor N T Brown and Jody L Herman, "Intimate Partner Violence and Sexual Abuse Among LGBT People" (Los Angeles, 2015).

[305] Catherine Finneran et al., "Intimate Partner Violence and Social Pressure among Gay Men in Six Countries," *Western Journal of Emergency Medicine* 13, no. 3 (2012): 269; Brown and Herman, "Intimate Partner Violence and Sexual Abuse Among LGBT People," 17.

[306] Susan C. Turell, "Seeking Help for Same-Sex Relationship Abuses," *Journal of Gay & Lesbian Social Services* 10, no. 2 (2000): 47.

[307] Jen Reck, "Homeless Gay and Transgender Youth of Color in San Francisco: 'No One Likes Street Kids'-Even in the Castro," *Journal of LGBT Youth* 6, no. 2–3 (2009): 224; Les B. Whitbeck et al., "Mental Disorder, Subsistence Strategies, and Victimization among Gay, Lesbian, and Bisexual Homeless and Runaway Adolescents," *Journal of Sex Research* 41, no. 4 (2004): 330.

[308] Jason Cianciotto and Sean Cahill, *Youth in the Crosshairs: The Third Wave of Ex-Gay Activism* (New York: National Gay and Lesbian Task Force Policy Institute, 2006), 8–14.

[309] Caitlin Ryan et al., "Family Acceptance in Adolescence and the Health of LGBT Young Adults," *Journal of Child and Adolescent Psychiatric Nursing* 23, no. 4 (2010): 206; Margaret Rosario, Eric W. Schrimshaw, and Joyce Hunter, "Disclosure of Sexual Orientation and Subsequent Substance Use and Abuse Among Lesbian, Gay, and Bisexual Youths: Critical Role of Disclosure Reactions," *Psychology of Addictive Behaviors* 23, no. 1 (2009): 182.

[310] *Quito Declaration on Sustainable Cities and Human Settlements for All*, United Nations Conference on Housing and Sustainable Urban Development (Habitat III) from 17 to 20 October 2016, Quito, Ecuador.

including sexual harassment and gender-based violence.[311] Data collection commitments to track violence contain an open clause ("other characteristics") that leave room for advocacy efforts to include sexual orientation, gender identity, gender expression, and sex characteristics where applicable.[312]

1) Tackling violence and discrimination against LGBTI people

In many countries, violence and discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics are not addressed with a specific approach or are even denied as a problem altogether. Under Target 16.1,[313] which calls for the reduction of violence, activists can advocate for a variety of measures. One such measure is the enactment of hate crimes laws. Target 16.b, calling for the promotion of non-discrimination laws and policies, is a key frame for these initiatives.[314] The enactment of hate crime laws or criminal provisions establishing aggravating circumstances for crimes based on the victim's sexual orientation or gender identity has also been identified as a priority among advocacy efforts. Moreover, in several countries, incitement to violence based on sexual orientation and gender identity is criminalized or otherwise banned by law.[315] In fact, in 2018, the existence of these laws was included among the proposed set of indicators for the construction of the UNDP LGBTI Inclusion Index (Indicator 5.3).[316]

The prohibition of discrimination in other contexts can contribute to efforts to reduce violence. According to ILGA, 72 countries (only 37 percent of UN Member States) prohibited discrimination based on sexual orientation in the workplace as of 2017.[317] Other States have enacted more general prohibitions which ban discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics in multiple contexts. Indicator 16.b.1 refers to the "proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination *prohibited under international human rights law*" (keeping in mind that sexual orientation, gender identity, gender expression, and sex characteristics have been recognized as such by official UN and regional human rights bodies[318]).

Target 16.1 also can be a basis to call for other public policy initiatives intended to curb violence against LGBTI people, such as public awareness programs, victims assistance programs, and the ethical collection of data on the prevalence of victimization based on SOGIESC.

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[311] *Quito Declaration on Sustainable Cities and Human Settlements for All*, United Nations Conference on Housing and Sustainable Urban Development (Habitat III) from 17 to 20 October 2016, Quito, Ecuador, section 100.
[312] *Quito Declaration*, Sections 104, 157 and 159.
[313] Target 16.1: Significantly reduce all forms of violence and related death rates everywhere.
[314] Target 16.b: Promote and enforce non-discriminatory laws and policies for sustainable development.
[315] Carroll and Mendos, *State-Sponsored Homophobia: A World Survey of Sexual Orientation Laws: Criminalisation, Protection and Recognition*, 63.
[316] M. V. Lee Badgett and Randall L. Sell, "A Set of Proposed Indicators for the LGBTI Inclusion Index" (New York, 2018), 24.
[317] Carroll and Mendos, "State-Sponsorder Homophobia: A World Survey of Sexual Orientation Laws."
[318] David Brown, "Making Room for Sexual Orientation and Gender Identity in International Human Rights Lw: An Introduction to the Yogyakarta Principles," *Michigan Journal of International Law* 31, no. 4 (2010): 821–79; Michael O'Flaherty and John Fisher, "Sexual Orientation, Gender Identity and International Human Rights Law: Contextualising the Yogyakarta Principles," *Human Rights Law Review* 8, no. 2 (2008): 207–48; Eric Heinze, "Sexual Orientation and International Law: A Study in the Manufacture of Cross-Cultural 'Sensitivity,'" *Michigan Journal of International Law* 22, no. Winter (2001): 283–309.

2) Violence perpetrated by law enforcement agents

Target 16.3, which calls for the rule of law and equal access to justice[319] and, more specifically, Indicator 16.3.1, which looks at the proportion of victims who report their victimization,[320] are both available frameworks to advocate for training of law enforcement agents, including correction officials, as well as punishment of perpetrators. The implementation of such trainings has been included as a relevant indicator under the *Personal Safety and Violence* dimension of the UNDP LGBTI Inclusion Index (Indicator 5.7).[321] Advocates could also focus on efforts to promote the creation of internal accountability procedures within security forces by which violence perpetrated by agents is sanctioned with administrative penalties. Express references to the prohibition of violence or discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics could also be expressly included in statutes and codes of conduct, so that supervising bodies can have a specific legal basis for imposing penalties.

3) Impunity and lack of access to justice

Under SDG 16, Target 16.3[322] aims to increase the equal access to justice for all. Such equal access must take into account structural pre-existent inequalities so that disadvantaged groups are offered specific assistance to access justice. For instance, the implementation of public legal aid services, witness protection programs and legal costs waivers are among the many initiatives that could tackle many of the challenges that LGBTI people face. Additionally, advocacy efforts to implement training programs on sexual orientation, gender identity, gender expression, and sex characteristics for law enforcement and judicial officers can also be framed under this Target, so as to ensure that all stakeholders will have the knowledge to deal with and sanction these acts of violence.

Under Target 16.6,[323] related to developing accountable institutions, a specific indicator measures the proportion of the population satisfied with their last experience of public services.[324] This indicator is well suited to include the experience of LGBTI people in their interaction with institutions such as the police and the judiciary to measure their receptivity, professionalism and lack of prejudice when dealing with cases of crimes or acts of discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics. Concurrently, the percentage of LGBTI people who say that they trust the justice system to take appropriate response to violence on the basis of real or perceived sexual orientation, gender identity, gender expression, and sex characteristics has been proposed as a relevant indicator for the UNDP Inclusion Index (Indicator 5.8).[325]

Target 16.10[326] contains a specific indicator on the fundamental freedoms of human rights advocates, measuring cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture. Activists can

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[319] Target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.
[320] Indicator 16.3.1: Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms.
[321] Badgett and Sell, "A Set of Proposed Indicators for the LGBTI Inclusion Index," 2018, 25.
[322] Target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.
[323] Target 16.6: Develop effective, accountable and transparent institutions at all levels.
[324] Indicator 16.6.2: Proportion of the population satisfied with their last experience of public services.
[325] Badgett and Sell, "A Set of Proposed Indicators for the LGBTI Inclusion Index," 2018, 25.
[326] Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

find in this target a solid basis to advocate for the inclusion of human rights defenders who are victims of violence and to advocate for prevention policies and the protective measures for defenders at risk.

4) Underreporting and lack of data on crimes committed against LGBTI people

In order to reduce levels of underreporting several strategies and initiatives must be implemented. When LGBTI people experience mistreatment, discrimination or violence from State agents they are prevented from trusting in the justice system and, hence, reporting crimes when they are victimized.[327]

Activists could base their advocacy on Target 16.3, relating to equal access to justice for all, to push for the disaggregation of data on reported crimes based on sexual orientation, gender identity, gender expression, and sex characteristics. Such disaggregation is the only way in which information on these crimes can be obtained systematically and, therefore, the only way to measure how many LGBTI people are among those included under Indicator 16.3.1.[328] This information will be also required to feed the relevant proposed indicator for the UNDP LGBTI Inclusion Index (Indicator 5.4: proportion of persons subjected to physical, psychological, or sexual violence in previous 12 months on the basis of real or perceived sexual orientation, gender identity, gender expression, and sex characteristics).[329]

The collection of data related to safety that is used to report on SDG indicators has been standardized under the UN Office on Drugs and Crime *International Classification of Crime for Statistical Purposes* (ICCS).[330] This classification offers a standard set of criminal offences to enhance consistency and comparability of crime statistics at the international level. It is noteworthy that UNODC has expressly included "sexual orientation" among the targeted characteristics of victims of discrimination[331] and hate crimes.[332] However, "gender identity" or "sex characteristics" have not been included.

5) Intimate Partner Violence

Advocacy efforts to address intimate partner violence faced by LGBTI people can be framed under the broad terms of SDG 16 and Target 16.1., calling for a reduction in all forms of violence.[333] Such framing can be complemented with other more specific entries in the 2030 Agenda.

In fact, violence against women and girls is explicitly addressed under SDG 5, Target 5.2 (gender equality).[334] Indicators within this target address intimate partner violence[335] and sexual violence perpetrated by non-

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[327] Kevin L. Nadal and Kristin C. Davidoff, "Perceptions of Police Scale (POPS): Measuring Attitudes towards Law Enforcement and Beliefs about Police Bias," *Journal of Psychology and Behavioral Science* 3, no. 2 (2015): 2.

[328] Indicator 16.3.1: Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms.

[329] Badgett and Sell, "A Set of Proposed Indicators for the LGBTI Inclusion Index," 2018, 24.

[330] UNODC, "International Classification of Crime for Statistical Purposes (ICCS)" (Vienna, 2015).

[331] UNODC, 49.

[332] UNODC, 102.

[333] Target 16.1: Significantly reduce all forms of violence and related death rates everywhere.

[334] Target 5.2: Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

[335] Indicator 5.2.1: Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age.

partners.[336] Additionally, under target 16.a,[337] institutional response to same-sex domestic violence should be strengthened in order to offer protection to victims, even where there is no legal recognition of same-sex unions. Moreover, when laws on domestic violence offer protection only to different-sex couples, they can be deemed discriminatory laws that make an unfair difference based on sexual orientation. Advocacy to repeal discriminatory laws can also be framed under Target 16.b.[338]

6) Violence against children

Violence against children is specifically addressed by Target 16.2. related to violence against children.[339] Besides physical or psychological violence perpetrated by caregivers, which are explicitly mentioned under Indicator 16.2.1, responses to other forms of aggressions could also be included under this target. Measures that could be advanced to curb violence against LGBTI children include establishing that variables of gender-nonconformity are prohibited reasons for violence against children, raising awareness on child abuse based on sexual orientation, gender identity, gender expression, and sex characteristics; providing special protection to children separated from their families due to abuse based on sexual orientation, gender identity, gender expression, and sex characteristics, and ensuring that public shelters do not discriminate against children based on sexual orientation, gender identity, gender expression, and sex characteristics, among others.

5. FAMILY FORMATION

A. GOALS

Each LGBTI person should have the capability to be part of their family, including ancestral, kinship, and chosen family. LGBTI people should have the capability to form establish and maintain intimate, family, and social affiliations, and enjoy the social and legal benefits and duties that may accompany such affiliations.

Being able to relate to others and build meaningful relationships is a key component of any person's life project. "Love" has been categorized as one of the basic needs of all human beings and in most societies, cultural, religious, and economic imperatives tend to put family formation at the top of any adult's main objectives in life. Besides its profound symbolic, legitimizing and cultural value, the legal and social recognition of a relationship with one's partner, child, or parent, has far reaching economic and social consequences. Benefits and rights that attach to such relationships include a series of advantages that can have a considerable impact on the financial well-being of a couple or a family. These include employment benefits, family leave, and unemployment benefits; social security benefits; health insurance coverage; tax benefits; survivors' pension rights and benefits; inheritance and property rights. A growing body of academic literature has found evidence of the importance of family relationships and economic security in early childhood development as a determinant in development outcomes in later stages in life.[340]

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[336] Indicator 5.2.2: Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence.
[337] Target 16.a: Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.
[338] Target 16.b: Promote and enforce non-discriminatory laws and policies for sustainable development.
[339] Target 16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children.
[340] James J. Heckman and Stefano Mosso, "The Economics of Human Development and Social Mobility," *Ann. Rev. Econ.* 6, no. 2006 (2014): para. 689.

B. CHALLENGES TO FAMILY FORMATION

1) Criminalization of same-sex intimacy

In more than 70 countries around the world, same-sex intimacy is considered a crime.[341] Among the many deleterious effects these laws have on LGBTI people, criminalization of sexual activity has a direct impact on the possibilities of forming meaningful relationships without fear of being persecuted.[342] Even when these laws are not enforced, they contribute to reinforce the existence of only one model of family,[343] given that any same-sex relation would fall under prohibited conduct. Testimonies of same-sex couples living under sodomy laws show that their self-esteem is deeply affected because they feel in conflict with the law, as though they were criminals.[344]

Where stigma and prejudice are pervasive, the mere externalization of a non-heterosexual desire or any form of expression related to love or intimacy between people of the same gender may lead to physical attacks, threats and even imprisonment. For example, in 2011, a Cameroonian gay man was convicted to three years imprisonment for sending a text (SMS) message to another man saying: "I'm very much in love with you."[345] Furthermore, in countries where same-sex sexual acts are not criminalized, laws on decency or public morals forbid public displays of affection between people of the same gender. Furthermore, a few criminalizing countries, such as Nigeria, have also enacted laws that explicitly outlaw same-sex unions, with far reaching pernicious effects on the local LGBTI community.[346] Shortly after this law was enacted, dozens were arrested, amidst an increase of the existing levels of discrimination and stigma.[347]

2) No recognition of same-sex unions

Although legal reform is being achieved by LGBTI activists in numerous jurisdictions, most countries around the world still do not afford any legal protection to same-sex couples.[348] Several of them have enacted legislation against the recognition of same-sex unions, oftentimes making express reference to marriage as "restricted to one man and one woman." In others, the lack of recognition of same-sex unions is established by formal legal requirements regarding the different gender of the couple. In a few others, the black letter of the law appears to be neutral, but customs or legal precedent restrict unions to people of different gender.

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[341] Carroll and Mendos, *State-Sponsored Homophobia: A World Survey of Sexual Orientation Laws: Criminalisation, Protection and Recognition*, 8.

[342] AIDS-Free World, "The Unnatural Connexion: Creating Societal Conflict Through Legal Tools. Laws Criminalizing Same Sex Sexual Behaviors and Identities and Their Human Rights Impact in Caribbean Countries" (Georgetown, Guyana, 2010).

[343] C. Leslie, "Creating Criminals: The Injuries Inflicted by 'Unenforced' Sodomy Laws," *Harvard Civil Rights-Civil Liberties Law Review* 35, no. 1 (2000): 119.

[344] Ryan Goodman, "Beyond the Enforcement Principle: Sodomy Laws, Social Norms, and Social Panoptics," *California Law Review* 89, no. 3 (2001): 694.

[345] "Cameroon jails 'gay' man for texting 'I'm in love with you' to male friend", *The Guardian*, 17 December 2012. Available at: https://www.theguardian.com/world/2012/dec/17/cameroon-antigay-legislation-mbede-text; "Cameroon urged to overhaul laws criminalizing gay relationships", *Amnesty International*, 5 March 2012.

[346] Sheree R Schwartz et al., "The Immediate Effect of the Same-Sex Marriage Prohibition Act on Stigma, Discrimination, and Engagement on HIV Prevention and Treatment Services in Men Who Have Sex with Men in Nigeria: Analysis of Prospective Data from the TRUST Cohort," *Lancet HIV* 2, no. 7 (2015): 1–18.

[347] "Nigeria arrests dozens as anti-gay law comes into force", The Guardian, 14 January 2014. Available at: https://www.theguardian.com/world/2014/jan/14/nigeria-arrests-dozens-anti-gay-law.

[348] Carroll and Mendos, *State-Sponsored Homophobia: A World Survey of Sexual Orientation Laws: Criminalisation, Protection and Recognition*, 9.

3) Social pressure to conform

In some cultural contexts, family members can exert enough pressure onto LGBTI individuals to enter into traditional different-sex unions so that they conform to social standards and avoid social humiliation. It has been reported that lesbian women are particularly vulnerable to this type of forced arrangements,[349] especially in contexts in which women may not have access to resources or education.

4) Restriction on family formation by transgender people

Transgender people still face the burden of restrictive LGR laws which impose limitations with regard to marital status. Many jurisdictions require applicants either to divorce or be single in order to be eligible for LGR.[350] These kinds of restrictions may force them to choose between their identities and the protection of their family ties.

C. ADVOCACY OPPORTUNITIES

Advocates could frame their efforts to push for legal reform to decriminalize same-sex intimacy under SDG 10: Reduced Inequality, specifically under target 10.3 (discriminatory laws).[351] Further, even though the 2030 Agenda does not expressly contemplate the protection of same-sex couples, the framework mentioned above can be the basis for protective laws affording protection for same-sex couples and achieve their legal recognition. When same-sex unions are legalized, psychological effects among LGBTI people in couples include reports of feeling more included in society and even more commitment to the person that they marry.[352]

6. LEGAL GENDER RECOGNITION

A. GOALS

Each LGBTI person should have the capability to identify and express their gender, to have their self-determined gender respected by the people and institutions in their lives, and to obtain legal recognition of their gender as well as legal recognition of their personhood without respect to gender.

One aspect of the goal of gender recognition is *Legal Gender Recognition* (LGR), generally understood as the official recognition of a person's gender identity through the amendment of personal identification

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[349] China LBT Rights Initiative, "Shadow Report: Implementation of the Convention to Eliminate All Forms of Discrimination against Women in the People's Republic of China. Submitted to the 59th Session of the Committee on the Elimination of Discrimination against Women," 2014, 5; Emma Psaila et al., "Forced Marriage from a Gender Perspective," 2016; Khatidja Chantler, Geetanjali Gangoli, and Marianne Hester, "Forced Marriage in the UK: Religious, Cultural, Economic or State Violence?," *Critical Social Policy* 29, no. 4 (2009): 587–612, https://doi.org/10.1177/0261018309341905.

[350] Zhan Chiam, Sandra Duffy, and Matilda González Gil, "Trans Legal Mapping Report 2017: Recognition before the Law" (Geneva, 2017).

[351] Target 10.3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

[352] Richard G. Wight, Allen J. LeBlanc, and M. V. Lee Badgett, "Same-Sex Legal Marriage and Psychological Well-Being: Findings from the California Health Interview Survey," *American Journal of Public Health* 103, no. 2 (2013): 339–46, https://doi.org/10.2105/AJPH.2012.301113.

documents.[353] All legal registration systems in the world assign each person a legal gender at birth. This means that those who identify with such marker (cisgender people) will never need to go through any procedure to have their gender identity legally recognized.[354] However, for most transgender individuals, LGR is achieved only through the amendment of their name(s) and/or gender marker (and in some countries, a gender-specific social security code or numbering) in their official identity documents and registries.

Personal IDs are regularly required in common situations and are necessary to perform numerous transactions, many of which take place on a daily or regular basis. These include collecting mail packages; voting; crossing a border; opening a bank account; requesting a credit card; applying for a scholarship; enrolling in an educational institution or proving one's academic achievement; finding employment; leasing, renting, selling and buying property, land, goods or services; seeking medical assistance and health services; requesting and picking up medicine under prescription; buying plane tickets; using a personalized public transport ticket; applying for a driver's license or a passport, and presenting those documents to gain access to buildings that require ID to enter.

These are *only a few* of the needs that can become a challenge—and even pose serious risks, including violence—when the name and gender marker in an ID do not reflect the gender expression and identity of the holder. Every example cited above has a clear direct (or indirect) impact on the possibilities of transgender people of achieving their full personal development. Therefore, having one's gender reflected in personal IDs has profound implications in every person's capabilities.

Moreover, several rights are extremely dependent on LGR, including the right to health, work, education, employment, housing and even sanitation.[355] LGR is also instrumental in the empowerment of transgender people and it has a direct impact on the way in which they are perceived by society at large, especially by their families, educators, health care professionals, State agents and all others with whom they interact every day.[356] In terms of human development, the importance of the availability of LGR procedures cannot be underestimated.

B. CHALLENGES RELATED TO GENDER RECOGNITION

1) No procedures to amend name or gender marker

The lived experience of transgender people around the world shows that presenting IDs that are not in line with one's identity is a situation that exposes them to having to offer explanations or reveal intimate aspects of their private life to complete strangers.[357] Under these circumstances, their identity can be questioned and challenged even several times a day. The inherent risks and the frequency of this situation can lead to high levels of stress, anxiety and vulnerability and is usually the factor that triggers reactions of distrust, disbelief, disgust and even violence towards transgender people.[358] Suspicion of holding stolen IDs or fraud are also

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[353] Richard Koehler and Julia Ehrt, *Legal Gender Recognition in Europe Toolkit* (Berlin: TGEU, 2016), 9.

[354] Vivek Divan et al., "Transgender Social Inclusion and Equality: A Pivotal Path to Development.," *Journal of the International AIDS Society* 19, no. 3 Suppl 2 (2016): 3.

[355] Divan et al., 3.

[356] Divan et al., 3.

[357] Amnesty International, "The State Decides Who I Am: Lack of Recognition for Transgender People" (London, 2014), 20; Jack Byrne, "License To Be Yourself: Laws and Advocacy for Legal Gender Recognition of Trans People" (New York, 2014), 14.

[358] Human Rights Watch, *Controling Bodies, Denying Identities. Human Rights Violations against Trans People in the Netherlands*, *Human Rights Watch* (New York: HRW, 2011), 45; Koehler and Ehrt, *Legal Gender Recognition in Europe Toolkit*, 8.

common reactions which trans people must deal with frequently.[359] The following paragraphs briefly explore the most salient aspects under each SDG and relevant targets.

a. Education (SDG 4)

Lack of accurate IDs can be a major obstacle to benefit from education opportunities as most educational institutions still operate under strong gender-segregated binary logics. The use of specific uniforms and toilets, as well as the practice of certain sports, are common situations in which transgender students will be forced to act or behave according to a gender they do not identify with.[360]

Besides the bullying that any transgender youth may face based on their gender identity or expression, being formally enrolled and called out by peers, teachers and authorities by the name assigned at birth can also be a source of humiliation and constant stress and can contribute to absenteeism or school dropout. Extremely few countries make LGR procedures available to people under 18,[361] forcing most transgender youth to go through their entire schooling with inadequate IDs. Additionally, where no legal procedure exists to amend IDs and other related documents, the ability to produce education certificates can also be hindered. In such circumstances, transgender people may not be able to show they comply with qualification requirements and, therefore, miss most employment opportunities.[362]

b. Poverty, employment and economic well-being (SDG 1, SDG 8).

Most of the opportunities to exit poverty that could potentially be available to a transgender person can be completely hindered by the lack of access to accurate IDs. Several sources indicate that securing formal employment when holding IDs which do not match the person's gender identity tends to be extremely difficult for transgender people.[363] For example, if a person's ID or their education degrees show names which differ from the one used by the applicant, the focus of the interview may shift to the person's identity and history rather than their abilities or expertise for the job.[364] Sometimes they would not even make it to the interview because of discrepancy in their documentation. In some countries, the mere fact that the person appears to be transgender or gender diverse, or actually reveals that they are trans, means that the person will not be hired.[365] The impossibility of finding a job usually forces them into criminal, underground or survival economies which allow them to cover only basic needs.[366] Furthermore, lack of access to LGR tends to deter transgender people from applying for social security benefits.[367]

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[359] Michael Bochenek and Kyle Knight, "Establishing a Third Gender Category in Nepal: Process and Prognosis," *Emory International Law Review* 26 (2012): 24, 47.

[360] UNDP and Asia Pacific Transgender Network (APTN), "Legal Gender Recognition: A Multi-Country Legal and Policy Review in Asia" (Bangkok, 2017), 42; REDLACTRANS, "Esperando La Muerte: Informe Regional 2016-2017" (Buenos Aires, 2017), 44.

[361] Chiam, Duffy, and González Gil, "Trans Legal Mapping Report 2017: Recognition before the Law."

[362] UNDP and Asia Pacific Transgender Network (APTN), "Legal Gender Recognition: A Multi-Country Legal and Policy Review in Asia" (Bangkok, 2017), 42; Amnesty International, "The State Decides Who I Am: Lack of Recognition for Transgender People," 61–62.

[363] See, among others: REDLACTRANS, "Esperando La Muerte: Informe Regional 2016-2017," 44; Human Rights Watch, *Controlling Bodies, Denying Identities. Human Rights Violations against Trans People in the Netherlands*, 48; United Nations Human Rights Council, "Discriminatory Laws and Practices and Acts of Violence against Individuals Based on Their Sexual Orientation and Gender Identity," 71.

[364] Koehler and Ehrt, *Legal Gender Recognition in Europe Toolkit*, 11.

[365] See, among others, OutRight Action International, *Mapping Trans Rights in Colombia* (New York: OutRight, 2016), 19.

[366] Center for American Progress and Movement Advancement Project, "Paying an Unfair Price: The Financial Penalty for Being Transgender in America" (Wasgington DC, 2015), 5.

[367] Center for American Progress and Movement Advancement Project, 11.

c. Personal safety (SDG 11, SDG 16)

When LGR is not available transgender people are left in a serious situation of vulnerability with regard to their personal safety. As explained above, inaccurate documents continuously "out" transgender people to complete strangers on a daily basis, exposing them to individuals with high levels of prejudice against sexual and gender diversity. Violent reactions upon realization of trans status is not uncommon and it has been argued before courts under the so-called "trans panic defense".[368] Furthermore, transgender people may face extreme levels of violence and intimidation when they are accommodated in gender-segregated facilities with no other criteria than gender assigned at birth.[369]

d. Health (SDG 3)

As explained (under SDG 3) transgender people face high levels of rejection and discrimination in health service facilities and hospitals. Lack of training and sensitization of health care professionals translates into psychological and physical violence as well as denial of care. This results in transgender people not coming back to health care system, which has serious consequences on their health and quality of life. Even though accurate identity documents are not certainly not enough to put an end to these issues,[370] they can reduce and minimise levels of misgendering and psychological violence.

2) Abusive requirements

In most countries, legal procedures to amend one's name or gender marker in IDs are conditioned to prohibitive requirements that any applicant must comply to obtain accurate documents.[371] These requirements affect the applicant's human rights, including their right to privacy, physical and psychological integrity and self-determination.[372] Very frequently, procedural requirements call for the intervention of third parties – especially cisgender medical professionals – to ensure the credibility, stability and even the durability of the applicant's gender experience. This has the effect of pathologizing and demeaning the applicant's dignity as a person. In this regard, transgender organizations denounce that is particularly problematic that a person's self-determination is limited by depending on a third party's opinion.[373]

A report published by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) compiling laws on legal gender recognition from numerous countries around the world shows that most countries still impose prohibitive requirements that frequently prevent transgender people from accessing LGR.[374] These include, but are not limited to, producing evidence that the applicant has undergone gender affirming surgeries (generally referred to as "sex change surgery") and/or hormonal therapy; medical, psychological or psychiatric certificates of different sorts; forced sterilization;[375] diagnoses of gender dysphoria or gender identity disorders; witness testimony corroborating the applicants request; expectations of stability

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[368] Cynthia Lee and Peter Kar Yu Kwan, "The Trans Panic Defense: Heteronormativity, and the Murder of Transgender Women," *Ssrn* 77 (2014): 105, https://doi.org/10.2139/ssrn.2430390.

[369] Human Rights Watch, ""Do You See How Much I'm Suffering Here?" Abuse against Transgender Women in US Immigration Detention," *American Mineralogist* (New York, 2016), 19; Koehler and Ehrt, *Legal Gender Recognition in Europe Toolkit*, 8.

[370] Bochenek and Knight, "Establishing a Third Gender Category in Nepal: Process and Prognosis," 48.

[371] Chiam, Duffy, and González Gil, "Trans Legal Mapping Report 2017: Recognition before the Law."

[372] Koehler and Ehrt, *Legal Gender Recognition in Europe Toolkit*, 22.

[373] Koehler and Ehrt, 23.

[374] Chiam, Duffy, and González Gil, "Trans Legal Mapping Report 2017: Recognition before the Law."

[375] Anna Carastathis, "Compulsory Sterilisation of Transgender People as Gendered Violence," in *(In)Fertile Citizens: Anthropological and Legal Challenges of Assisted Reproduction Technologies* ((In)FERCIT, 2015), 79–92.

or having lived socially in the self-perceived identity (also called "real life test"), "cooling off" periods, dissolution of marriage.[376] Furthermore, financial and psychological costs related to cumbersome judicial procedures may also court act as barriers to LGR.[377]

3) Age restrictions

In general terms, LGR laws and regulations do not allow people under the age of 18 to amend their legal documents. Only a few States provide for the legal gender recognition of children and adolescents, including Argentina, Norway, Ireland, Malta, and Canada. This is a major problem for trans children and youth, who end up being forced to live with inadequate IDs until they come of age. Such circumstance leaves them vulnerable to all of the violations enumerated above.[378]

C. ADVOCACY OPPORTUNITIES

In view of the key importance of LGR for the realization of the full potential of trans people, achieving many SDGs and fulfilling the commitment to "leave no one behind" will not be possible without robust legal frameworks providing for the amendment of IDs according to one's gender identity.

LGR is an essential tool that has the potential to significantly reduce social exclusion and lack of opportunities for transgender and gender diverse people. In fact, it has been reported that most transgender people agree or strongly agree that "easier domestic legal procedures for gender reassignment would allow them to be more comfortable living as a transgender person."[379] Participation of transgender people in the design of laws, programs, public policies and all other initiatives that may affect and benefit them must be key element of all advocacy efforts.

Under the 2030 Agenda there is no explicit mention of LGR in any of the SDGs. However, advocacy efforts can be framed concurrently under Target 16.9[380] (which refers to "providing legal identity for all") and under each relevant SDG affected by the lack of recognition. LGR laws and procedures can offer the possibility of amending documents by choosing one of the two elements of the gender binary (M/F), or may include other alternatives, such as providing for other non-binary alternatives[381] or by erasing the gender maker from the documents, as it is offered in Ontario (Canada).[382]

Principle 31 of the Yogyakarta Principles has laid the foundation for the elimination of gender markers from personal documents where such mention is unnecessary. Principle 31(a) indicates that States shall ensure that official identity documents "only include personal information that is relevant, reasonable and necessary as required by the law for a legitimate purpose, and thereby end the registration of the sex and gender of the person in identity documents such as birth certificates, identification cards, passports and driver licenses, and

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[376] Peter Dunne, "Marriage Dissolution as a Pre-Requisite for Legal Gender Recognition," *Cambridge Law Journal* 73, no. 3 (2014): 506–10.
[377] Gail Knudson et al., "Identity Recognition Statement of the World Professional Association for Transgender Health (WPATH)," *International Journal of Transgenderism* 0, no. 0 (2018): 2.
[378] Amnesty International, "The State Decides Who I Am: Lack of Recognition for Transgender People," 27.
[379] Koehler and Ehrt, *Legal Gender Recognition in Europe Toolkit*, 8.
[380] Target 16.9: By 2030, provide legal identity for all, including birth registration.
[381] Bochenek and Knight, "Establishing a Third Gender Category in Nepal: Process and Prognosis."
[382] Service Ontario, "Choose not to display the sex designation field on a birth certificate". Available at:
https://www.ontario.ca/page/changing-your-sex-designation-your-birth-registration-and-birth-certificate#section-2

as part of their legal personality".[383] This Principle mirrors the advisory opinion of the Inter-American Court of Human Rights which detailed the State's duty to establish administrative procedures to recognize gender.[384] Advocating for such progressive measures may be difficult, especially considering deeply-rooted resistances and the scarcity of precedent, but can be framed under Target 16.9 informed by the human right to personal self-determination.

Organizations have started to document the positive effects of progressive legislation providing for LGR. According to TGEU, the number of gender recognition cases doubled during the first year Malta enacted its gender recognition law; 15 times more people had their gender legally recognized in the first three years of the Spanish law; in Argentina, nearly 1,500 individuals amended their documents during the first year of the Argentinian LGR Law.[385] Furthermore, a study carried out in Argentina after the enactment of the LGR law in 2012 found that its implementation generated a "notoriously positive" impact on the conditions and quality of life of transgender people, resulting in an increase in access to health, education, work and the exercise of political rights.[386]

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[383] "The Yogyakarta Principles plus 10: Additional Principles and State Obligations on the Application of International Human Rights Law in Relation to sexual orientation, gender identity, gender expression, and sex characteristics to Complement the Yogyakarta Principles" (Geneva, 2017).

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[385] Koehler and Ehrt, *Legal Gender Recognition in Europe Toolkit*, 20.

[386] Fundación Huésped y Asociación Travestis Transexuales y Transgéneros de Argentina (ATTA), "Ley de Identidad de Género y Acceso Al Cuidado de La Salud de Las Personas Trans En Argentina" (Buenos Aires, 2014), 59.

CONCLUSION: A VISION OF LGBTI PEOPLE IN 2030

The 2030 Agenda provides an opportunity for LGBTI advocates to shape the international development agenda. More importantly, LGBTI advocates can use the SDGs to engage with government agencies and NGOs to advocate for better programs and policies for LGBTI people.

While the 2030 Agenda lists goals, targets, and indicators for UN Member States, LGBTI advocates should feel empowered to identify their own priorities.   In doing this, LGBTI advocates have the opportunity to ask themselves and their communities a vitally important question: What is our vision of a better life for LGBTI people in 2030?

At the core of LGBTI advocacy is the capability to define and express one's own identity. In the development framework, this capability is not just an individual freedom, it is a powerful step to creating a future where all LGBTI people can live a life of their choosing. Communities that can come together and articulate their own development priorities will be that much closer to realizing them. Advocates should use the information in this publication to help inform their work in seeking development policies and outcomes for the benefit of all LGBTI people.

The following is a Goal-by-Goal listing of selected development challenges and possible development responses. Rather than a comprehensive list of all possible priorities, this listing is meant to serve as an illustration of the relationship between the SDGs, LGBTI development challenges, and possible advocacy responses.

SDG	Development Challenges	Possible development response
1 NO POVERTY End poverty in all its forms everywhere. **Goal 1 proposes to eradicate extreme poverty for all people everywhere by 2030, and to reduce at least by**	**Violence and discrimination is a barrier to participating in activities to address development concerns.** Criminalization of same-sex intimacy, discrimination, and violence marginalize LGBTI people from a young age. In many contexts, LGBTI people refrain from contacting State authorities out of fear of suffering even more discrimination and victimization. This usually isolates them from State or private initiatives which may help them exit poverty. **Prolonged violence, discrimination, and exclusion causes cycle of exclusion.** The effects of decades of exclusion and discrimination can be difficult to overcome, especially when prejudice against sexual and gender minorities is deeply ingrained in societal attitudes and sentiments.	**SDGs 1, 11, and 16 are also relevant to violence.** **Equal access to social poverty eradication actions and policies.** LGBTI people must be able to benefit from poverty reduction initiatives and have access to social protection systems without discrimination. This requires insuring LGBTI inclusion in the design of programs, eliminating discrimination creating supportive and welcoming systems, and offering effective remedies against violations. **Affirmative action and economic advancement programs.** Affirmative action to place LGBTI people where they would have been absent systemic discrimination, and measures to generally target LGBTI people facing poverty. These measures may consist of quotas, subsidies, tax exemptions, or scholarships to ensure minimum levels of access to opportunities (especially in education and the labor market).

SDG	Development Challenges	Possible development response
half the proportion of people of all ages living in poverty in all its dimensions according to national definitions. There is no possibility of achieving this goal if the specific causes that explain or aggravate poverty among LGBTI people are not effectively tackled.	**LGBT people face homelessness.** LGBT people, especially youth, are disproportionately affected by homelessness. Family rejection (and eviction) at a young age and systematic exclusion can throw youth into a spiral from which it can be hard to exit.	**Specialized strategies to reduce LGBTI homelessness.** Public services must offer supportive and welcoming shelter services that do not discriminate against LGBTI people. Special attention must be given to the causes of their situation and their specific needs. Renting services and landlords should not discriminate against clients on the basis of their sexual orientation, gender identity, gender expression, and sex characteristics status. **SDG 11 is also relevant homelessness.**
	Same-sex couples and families are denied legal and social benefits. The lack of legal recognition of same-sex couples and families can have major impacts on income, access to housing, pensions and even health care.	**Equal social- and legal protection must be granted to same-sex couples.** Local laws must ensure equal protection to same-sex couples. Although civil marriage is the arrangement that usually grants the most rights and benefits, when such level of protection is not politically feasible, several alternatives are available to progressively grant certain benefits, especially those related to social security. **SDG 5 and 16 are also relevant to family recognition.**
	LGBTI elders face unique challenges. For some LGBT elders, having access to education, professional training, and a fair chance of entering the labor market may simply lie beyond their possibilities. Even in countries that are current accepting, the life course of LGBT elders may have been limited by patters of exclusion in the past. Patterns of exclusion from caregiving institutions can exacerbate poverty for elders.	**Compensation and special supports for LGBT elders.** In such cases, social security programs for LGBTI elders who have been victims of historic structural violence and exclusion may operate as an effective last resort to lift them from poverty.
	Poverty alleviation programs exclude LGBTI people. Poverty programs administered by public agencies, NGOs, and international development agencies may operate according to heteronormative assumptions or may explicitly exclude LGBTI people.	**Establish LGBTI-inclusive international cooperation.** Agreements should include clauses barring foreign aid contractors to discriminate against LGBTI people. Where such terms cannot be agreed upon, donor countries should consider alternative ways to ensure that LGBTI people are not left behind.

SDGs 8, 10, and 17 are also relevant to non-discrimination policies in overseas development assistance.

SDG 2 ZERO HUNGER

End hunger, achieve food security and improved nutrition and promote sustainable agriculture

Targets under this goal refer mainly to enhanced food production and distribution. Though LGBTI issues are not prominent in this goal, LGBTI people can be affected by food security and malnutrition.

Development Challenges

LGBTI people may face food insecurity.
As a result of the systematic exclusion, low income, or exclusion from food programs, LGBTI people may have difficulties in meeting their nutritional needs, both in terms of quality and quantity.

LGBTI people experience malnutrition related to eating disorders.
Malnutrition can also be a symptom of poor mental health or eating disorders caused by severe bullying, discrimination and rejection by peers, family members or others, especially among children.

Possible development response

Track levels of food insecurity among LGBTI people.

Combatting bullying, discrimination, violence and their secondary consequences.
Effective support for victims of different forms of bullying, discrimination, and violence must deal with all secondary consequences, including eating disorders and other health related effects.

SDG 3 GOOD HEALTH

Development Challenges

LGBTI people may not be able to access health care.
Many LGBTI people tend to delay or to refrain seeking medical assistance to avoid victimization, mistreatment, or violence by health care providers, their staff, and other patients.

Inconsistent identity documents can lead to permanent exclusion.

Possible development response

Universal health coverage and supportive services.
State policies must ensure full access to public or affordable health care services for LGBTI people, including full mental health care. Addressing the causes of violence, discrimination and prejudice against sexual diversity in health care environments needs to be a priority for all relevant stakeholders.

Full respect for one's identity & name and gender marker change procedures
Local laws/regulations must provide for name and gender marker change procedures to ensure that trans people are not misgendered and excluded from health care services. Where such possibility does not appear to be

SDG	Development Challenges	Possible development response
Ensure healthy lives and promote well-being for all at all ages. Health disparities between the general population and LGBTI people can be caused by lack of access to health care, by health care delivery systems that do not meet the needs of LGBTI people, and by the health impact of stigma and discrimination itself. Efforts carried out towards the accomplishment of this Goal will be closely related to reducing such impact.	Transgender people may not be able to produce identification consistent with their gender, resulting in misgendering, mistreatment, and violence in health care environments. **LGBTI people may engage in unsupervised medical treatment.** Many low-income trans people, especially trans women, resort to unsupervised techniques, such as injections of industrial oils or hormone intake. **Deficiencies in access to sexual and reproductive health and information may contribute to health disparities.** Many LGBTI people are unable to access accurate and comprehensive information relevant to their health **LGBTI people face health disparities generated by stigma.** High levels of discrimination, mistreatment and violence can have a deep impact on mental health and considerably increase the rates of tobacco use, self-medication, substance abuse, suicidal ideation and attempts. **Intersex people are subjected to unnecessary medical interventions.** The intersex community has documented how health care professionals carry out non-consensual and unnecessary surgeries to "normalize" intersex infants. **Prevention and treatment of HIV, Hepatitis and other STIs.**	feasible, health care service providers should set up internal policies to allow for the use of "social names" in medical records. **SDGs 3, 4, 5, 6, 8, and 16 are relevant to gender recognition.** **Ensure access to affordable transition-related health services for trans persons.** Transition-related services must be regarded as medical treatment for trans people, and not merely cosmetic. Health insurance companies should progressively cover these interventions. Medical supervision minimizes all risks that body modifications may inherently pose. **Implement supportive sexual and reproductive health care services and inclusive information.** Ensure that LGBTI people have access to sexual and reproductive information and health care services, especially LGBTI youth, lesbian and bisexual women and trans men. This additionally requires, among other measures, acknowledging trans men paternities as beneficiaries of policies typically designed for women and maternities, ensuring that trans men can have access to menstrual hygiene and information and addressing lesbian and trans men mortality related to sexual orientation, gender identity, gender expression, and sex characteristics stigma. **Specialized approaches to mental health issues within the LGBTI community.** Substance abuse, depression, suicidality and other mental health issues prevalent among LGBTI people, especially LGBTI youth must be tackled by means of specific programs and policies. These efforts should include substance and alcohol abuse prevention and treatment policies tailored to the needs of LGBTI people, especially lower-income youth and trans people. **Prohibit surgery and ensure protection of all intersex people.** Eradicate non-consensual, medically unnecessary infant surgery by enforcing medical protocols prohibiting this harmful practice. Raise awareness about the rights of intersex people. **Support testing, prevention, and treatment programs for HIV and other STIs with a focus on key populations.**

SDG	Development Challenges	Possible development response
	HIV/AIDS disproportionately impacts the LGBTI community. Stigma and discrimination against LGBTI people are still major obstacles to global efforts to put an end to the HIV/AIDS epidemic and prevent new transmissions.	Key populations affected by HIV and other STIs require specialized attention for prevention and treatment efforts. Specific programs and policies must address the specific needs of LGBTI people as one of the most vulnerable key populations and ensure that they can benefit from the progress made by scientific research with regard to antiretroviral therapy or vaccines against HIV.
	LGBTI people may be subjected to conversion therapies. Sexual orientation and gender change efforts can have deleterious effects on the psychological integrity of LGBTI people, especially among children and teenagers.	**Restrict and regulate conversion therapies.** These so-called "therapies" must be legally banned to prevent psychological harm on minors. Other regulations should be put in place for therapies administered on adults.
	Providers do not provide proper care. Health care providers may not understand specific health issues of LGBTI people, and may not be knowledgeable of protocols and methods of health care delivery that are most effective. As a result, LGBTI people may not be received proper health care.	**Train health care providers.** For health care services to be supportive of sexual and gender minorities, service providers must be specifically trained and sensitized. All efforts to increase health financing and recruitment, development, training and retention of the health workforce in developing countries, especially in least developed countries, must be carried out without discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics in all stages.
4 QUALITY EDUCATION Ensure inclusive and equitable quality education and promote lifelong learning opportunities. **Education represents the setting in which every person is provided with the necessary skills, abilities and knowledge to develop one's full potential.**	**No diversity in schools.** LGBTI children and youth suffer exclusion throughout their education. Some schools may seek to exclude LGBTI children from attendance, or may seek to disproportionately subject them to punishment and expulsion.	**Implement Inclusive education for all.** Schools and educational institutions should promote a welcoming and supportive environment for everyone, including LGBTI children and youth. All gender expressions should be respected and stereotypes should be contested before they are legitimized through the inclusion of diversity in all school curricula. **Track the educational outcomes of LGBTI students.** Inclusive and equitable quality education cannot be ensured unless outcomes are tracked.
	Transgender children are misgendered. Transgender children may be excluded from educational opportunities, be forced to wear clothes and uniforms inconsistent with their gender.	**Require full respect for one's identity & name and gender marker change procedures.** Local laws/regulations must provide for name and gender marker change procedures to ensure that trans people are not misgendered and excluded from education. Where such possibility does not appear to be feasible, educational institutions should set up internal policies to allow for the use of "social names" in school internal records.

SDG	Development Challenges	Possible development response
Exclusion from education opportunities will seriously limit ability of LGBTI people to achieve their full economic potential. In addition, education instills values and respect for human rights, as well as more general abilities to socialise and interact with others and with the environment.		**SDGs 3, 4, 5, 6, 8, and 16 are relevant to gender recognition.**
	Bullying leads to absenteeism and dropout. LGBTI youth can become victims of severe bullying from an early age and endure teasing and violence based on their appearance or behavior.	**Eradicate violence in educational environments.** Under the human rights approach of the 2030 Agenda, preventing and confronting school bullying against LGBTI children must be a priority to ensure equal opportunities for all.
	Social science has produced compelling evidence that victims of bullying—besides suffering the physical and psychological harms derived from aggressions—are also deprived of the possibility to fully benefit from educational opportunities.	Ensuring that bullying has no place in schools will reduce—and eventually eliminate—absenteeism and dropout rates among LGBTI youth and contribute to the inclusive and supporting environment described above.
	Sexuality education does not include issues relevant to LGBTI people. Sexuality education should be comprehensive and deal with human sexuality in a broad way, without restricting it to its biological aspect or to the inherent risks of sexual activity.	**Adopt Comprehensive Sexuality Education (CSE) as a tool to eradicate prejudice and stigma.** According to UN standards, Comprehensive Sexuality Education (CSE) must be taught with a gender and sexual diversity approach and must include accurate and age-appropriate information on issues such as: contraception, sexual health, gender roles and discrimination, human relations and power dynamics, sexual abuse prevention, consent, gender-based violence, the value of one's own body, and the enjoyment of sexuality.
	Lack of documentation causes exclusion. Not having the possibility of holding personal documentation reflecting one's gender identity constitutes a serious obstacle to admission to educational and training institutions.	**Adopt systems to legally recognize name and sex/gender marker change.** Local laws/regulations must provide for name and gender marker change procedures to ensure that trans and gender non-conforming people are not excluded from the enjoyment of basic human rights.
	Protracted exclusion is a barrier for adult education and training. LGBTI who have experienced long-term discrimination may have removed themselves from educational institution or engaged in criminalized or stigmatized activities to survive. Because of their job or school history, they may be excluded from continued adult education and training opportunities.	**Respond to educational needs for the extremely vulnerable.** Assisting LGBTI adults to overcome the effects of alienation from the education system due to protracted exclusion and discrimination requires a special strategy. Simply ensuring that these adults can benefit from scholarships available to the general public without discrimination may be insufficient.
		Specific scholarship programs for the educational inclusion of LGBTI adults should be promoted, including by granting scholarships aimed exclusively for LGBTI adults, especially trans women. Measures to stimulate school adherence and to grant access to professional training should also be part of the strategy.

387 United Nations General Assembly, Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development, A/RES/70/1, 21 October 2015, para. 20.

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SDG	Development Challenges	Possible development response
5 GENDER EQUALITY Achieve gender equality and empower all women and girls **Gender equality is an SDG in its own, but it is also a guiding principle of sustainable development that permeates the whole 2030 Agenda. Under this specific goal fall all measures that aim at eliminating barriers to gender equality, starting by ending all forms of discrimination and violence against all women and girls everywhere. The resolution that adopted the 2030 Agenda proclaims that "there can be no sustainable development if the tangible and intangible barriers that hold back half the population are not addressed"[387]. Many of the targets under this SDG are closely related**	**Programs effectiveness may be limited by restrictive views of gender and womanhood.** Development programs may be based on heteronormative assumptions of gender and womanhood. These assumptions can result in programmatic that exclude, or do a poor job of integrating, LBT women.	**Full inclusion of trans and non-binary identities in the notion of gender.** People of all non-normative genders need to be included under the notion of gender and the fight for gender equality. Trans women and non-binary identities must be able to benefit from policies and initiatives aimed at reducing gender disparities without discrimination. This approach must complement the availability of procedures to change one's name and gender marker.
		SDGs 3, 4, 5, 6, 8, and 16 are relevant to gender recognition.
	Intersectional violence and discrimination leads to increased vulnerability. LBTI women are affected by intersectional violence and discrimination based on their gender and their sexual orientation, or their trans, queer or intersex status. This violence is generally caused by structural sexism and inequality among genders. Women who are victims of this type of violence tend to suffer increased levels of vulnerability, less opportunities, and, therefore, severe restrictions to develop their full potential. In fact, inequalities exist in relation to education, health care, labor conditions and wages, unpaid workload, access to assets, to name only a few.	**Create specific responses to violence and discrimination suffered by LBTIQ women.** Sustainable development requires targeted efforts with a focus on gender. This means that all treaties on the rights of women need to be taken as the minimum standard of action to combat violence against women. Eradicating violence and discrimination based on gender is a prerequisite to attain practically any SDG. This applies to LBTIQ women without exception, especially as it relates to specific ways by which they can suffer higher levels of violence and discrimination associated to stigma and prejudice: intrafamily violence, corrective rape, and forced marriage, among many others.
	Unequal laws lead to unequal opportunities. Patriarchal schemes of division of labor have imposed a disproportionate burden of non-remunerated work upon women. These schemes are frequently reinforced by laws that perpetuate such labor division. Consequently, women tend to make less money and are usually more vulnerable to poverty and tend to have unequal access to assets, natural resources, technology, water, food, land and property. This is also reflected in opportunities of promotion and access to managerial or decision-making positions.	**Adopt Anti-discrimination frameworks and support economic empowerment of women.** Equal participation of all genders in the labor market needs to be a priority in every strategy to reduce or eradicate poverty. Strong legal frameworks to prevent gender-based discrimination and active measures to promote equal opportunities should ensure that LBTIQ women are included in every initiative to combat gender inequality and to have equal access to allocated resources. Within the private sector, the adoption of internal regulations sensitive to all genders and the UN Guidelines on Business and SOGI launched by the OHCHR are strategic measures to revert inequalities.

SDG	Development Challenges	Possible development response
to others, especially those under SDG 16 inasmuch as they relate to discrimination, justice, crime prevention, and political participation		**SDGs 1,5,8, 10, 11, and 16 are relevant to legal protections for LGBTI people.**
	LBTI women are underrepresented. Politics continues to be a highly unequal field. Elective, decision-making and power positions in public institutions are mostly held, or even monopolized, by cisgender men.	**Support equality of all genders in political participation and representation.** Enhancing the opportunities of LBTQI women and people of non-normative genders in the public sphere is an important element in the political agenda for sustainable development. These leaderships would incorporate new views, interests and perspectives which are absent in a predominantly male forum. This must be complemented with the promotion of inclusive environments in all public entities, including through the adoption of quotas or targeted incentives. **SDGs 1, 5, and 16, are relevant to political participation of LGBTI people.**
6 CLEAN WATER AND SANITATION Ensure availability and sustainable management of water and sanitation for all	**LGBTI people are excluded from sanitation facilities.** Transgender people and those whose gender does not align with relevant cultural standards may be denied non-discriminatory access to sanitation facilities.	**Access to sanitation facilities according to one's perceived gender.** Installing bathroom facilities with no gender segregation (or) ensuring full respect for self-perceived identity in segregated facilities are key measures that should be adopted. This applies to public buildings as well as private companies.

SDG	Development Challenges	Possible development response
LGBTQ people can experience difficulties in having access to clean water as part of the general population or as a consequence of any form of discrimination or violence. However, under SDG 6, trans and gender non-confirming people have opportunities to engage in advocacy with regard to their safe access to public and private sanitation facilities according to their own gender.		**SDGs 3, 4, 5, 6, 8, and 16 are relevant to gender recognition.**
8 DECENT WORK AND ECONOMIC GROWTH Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all **Having a decent job and being able to earn a livelihood is critical to economic well-being and human development in almost every respect. Addressing the** **Inconsistent identity documents lead to permanent exclusion.**	**LGBTI people face workplace discrimination.** LGBTI people can be excluded form employment opportunities or, once hired, may be subjected to harassment. **Track individual labour outcomes of LGBTI people in order to identity and eradicate disparities.** Awareness on the cost of exclusion should lead to measures to prevent workplace discrimination and promote the inclusion of LGBTI people into the market.	**Adopt laws and policies prohibiting discrimination in the workplace.** The private and public sector should adopt sexual orientation, gender identity, gender expression, and sex characteristics sensitive bylaws and incorporate ILO norms on sexual orientation, gender identity, gender expression, and sex characteristics to standards of compliance. The adoption of UN Guidelines on Business and SOGI launched by the OHCHR could also contribute to reduce inequalities. **SDGs 1, 5, 8, 10, 11, and 16 are relevant to legal protections for LGBTI people.** **Fully respect identity & name and gender marker change procedures.** Local laws/regulations must provide for name and gender marker change procedures.

SDG	Development Challenges	Possible development response
multidimensional nature of inequality and its impacts on different segments of the population is essential for sustainable economic growth.	Transgender people may not be able to access labor market opportunities because their identity documents do not match their gender.	SDGs 3, 4, 5, 6, 8, and 16 are relevant to gender recognition.
	LGBTI people are told to hide and pretend. LGBTI people are sometimes not excluded from work. Rather, they are asked to hide their sexual orientation and gender identity and pretend to be heterosexual and cisgender.	**Implement public education programs to combat stigma, and implement affirmative action where there has been a history of exclusion.**
	Protracted exclusion limits human capital. Some LGBTI people have faced long-term exclusion that has limited their ability to obtain degrees and job experience.	**Increase efforts to reverse deeply rooted prejudice and stigma.** Ensure LGBTI youth inclusion in initiatives launched to promote access to the labor market, with a focus on trans women willing to exit prostitution.
		Implement financial aid programs aimed at supporting LGBTI-led entrepreneurial initiatives.
	LGBTI people may face exclusion from programs funded by ODA.	**Implement non-discrimination policies in ODA contracts.** Ensure economic aid to NGOs working to prevent and eradicate discrimination against LGBTI local people.
		Conditions of aid should focus on aid effectiveness regarding LGBTI people. Ensure that any decision to make aid conditional on LGBTI human rights is done in collaboration with, and in consideration of the impact of that decision on, LGBTI populations and is consistent with general human rights policies of the donor applied to all aid, not just LGBTI-related aid.
		SDGs 1, 10, 8, 16, and 17 are relevant to non-disclimination provisions in ODA.
	Tourism is a sector where LGBTI can make a contribution toward national economic growth.	**Promote the inclusion of local LGBT communities in the tourism industry.** Promote ""LGBTI-friendly"" destinations for LGBTI tourists and empower local LGBTI communities to offer sustainable services in the tourism industry."

10 REDUCED INEQUALITIES

Reduce inequality within and among countries

Inequality is multidimensional and does not relate to income and wealth alone. The cycle of stigma and exclusion, and the multiple measures to address it, are relevant to this goal.

Legal frameworks prevent full development and potential.

LGBTI people are very frequently excluded and discriminated against based on laws that ignored the stigma and discrimination they face, that fail to recognize LGBTI people and their lived experience, or that affirmatively place LGBTI people at a disadvantage. These laws generally reflect deeply ingrained discrimination.

Formal equality under the law is the first step. All laws, norms and regulations which discriminate against LGBTI people and restrict their economic and human development potential should be repealed.

LGBTI people are forced to migrate or strategically leave their homes in order to escape family shame, stigma, discrimination, violence and persecution.

In the context of this mobility, LGBTI people frequently suffer violations to their rights and are exposed to higher levels of vulnerability.

Promote legal frameworks to support inclusive development

All laws, norms and regulations which discriminate against LGBTI people and restrict their economic and human development potential should be repealed. This includes, repealing laws that criminalize same-sex intimacy, prohibit same-sex unions, prohibit the registration of NGOs based on SOGIESC, restrict freedom of speech, reunion and association, ban blood donation by MSM. Legislatures should also enact robust legal frameworks against discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics, including express protections against discrimination to access ESC rights.

By the same token, positive measures must be taken to ensure that neutral laws are not applied or enforced in a discriminatory manner against LGBT people, especially when laws refer to morality, good mores, decency or similar terms.

SDGs 1, 5, 8, 10, 11, and 16 are relevant to legal protections for LGBTI people.

Track development outcomes of LGBTI people to identify disparities.

Ensure there is no de jure or de facto discrimination based on SOGIESC in the access to allocated resources.

Promote the adoption of fiscal incentives and social protection policies specifically targeting lower-income LGBT people, especially youth and trans women.

Receive victims of persecution to integrate them to an inclusive society.

Special efforts should be carried out to protect victims of persecution who seek asylum. Migration agencies should act according to UNHCR standards with regard to LGBTI asylum seekers and adopt even more progressive policies when possible. This protection should be expressed in laws and/or

SDG	Development Challenges	Possible development response
		migration regulations. Social assistance and resettlement policies should expressly include LGBTI migrants and asylum seekers.
	LGBTI people are often invisible in programs supported by overseas development assistance (ODA). ODA often does not account for the existence of LGBTI people in populations targeted by ODA. Additionally, provisions associated with ODA do not address discrimination against LGBTI people.	**Ensure that development agencies and financial institutions adopt clear guidelines on LGBTI equality in the way they assess the impact of the projects they fund.** Member States of economic and financial institutions should promote initiatives to cooperate with developing countries with higher levels of violence and impunity against LGBTI people and assist them in the implementation of LGBT equality initiatives. **SDGs 1, 10, 8, 16, and 17 are relevant to non-disclination provisions in ODA.**
11 SUSTAINABLE CITIES AND COMMUNITIES Make cities and human settlements inclusive, safe, resilient and sustainable **By 2030, the majority of humanity will live in cities. Housing, transportation systems, access to safe public spaces, cultural heritage, and disaster prevention are encompassed under this goal. Large cities and urban areas also constitute the main settings for crime and**	**Public spaces may be inaccessible to LGBTI people because of violence and discrimination.**	**Engage in reforms to increase safety.** Ensure that data on crime occurrence is disaggregated by sexual orientation and gender identity of victims. Promote the adoption of crime prevention policies with specific focus on SOGIESC. Ensure crime investigation policies expressly contemplate motivations related to SOGIESC. Ensure training on SOGIESC issues to law enforcement and judicial officers. Appoint special prosecutors to investigate and bring cases to trial. Take all necessary measures to apply due diligence in preventing, investigating, punishing and providing reparations regarding violence against LGBTI persons, regardless of whether the violence occurs in the context of the family, the community, or the public sphere, the latter of which includes education and health facilities. Undertake the necessary legal and policy changes to expressly indicate that the sexual orientation, gender identity, gender expression and sex characteristics of victims can never be used to establish a partial or full justification of crimes committed against them. Strengthen public legal aid services Adopt measures to guarantee the life, security, and personal integrity of those who report killings and other instances of prejudice-based violence.

SDG	Development Challenges	Possible development response
violence, particularly in the developing world. This affects the lived experience of **LGBTI people, who suffer increased rates of violence motivated by their sexual orientation, gender identity, gender expression or sex characteristics.**		**SDGs 1, 11, and 16 are relevant to violence.**
	Law enforcement systems can be unresponsive to the safety concerns of LGBTI people. In some cases, law enforcement officers are themselves perpetrators of violence and discrimination against LGBTI people. In addition, LGBTI people are sometime disproportionately subjected to prosecution under laws that are meant to keep public space safe, such as anti-loitering laws.	**Engage in reforms to increase responsiveness of police.** Reduce police profiling, selective pat downs and arbitrary arrests of trans women, trans women of color, and LGBTI persons engaged in sex work. Enact hate crimes legislation – either through amendments to existing legislation or through the adoption of new laws – to identify, prosecute, and punish prejudice-based violence against persons due to perceived or actual sexual orientation and gender identity. Appoint an ombudsman or inspector general to investigate incidents of police misconduct.
	LGBTI people can face particular challenges securing safe housing. LGBTI people may be disproportionately represented in homeless populations. In addition, landlords may discriminate against LGBTI people, or laws regarding cohabitation may prohibit LGBTI families from occupying affordable dwellings. In addition, income disparities may increase homelessness for LGBTI people. .	**Adopt specific measures to reduce LGBT homelessness.** Ensure that LGBTI people do not get evicted from communal property based on sexual orientation, gender identity, gender expression, and sex characteristics. Address early eviction of LGBTI youth from their homes, especially trans youth. Ensure access to public accommodation by trans people and ensure that local laws/regulations enable name and gender marker change. Adopt policies which enable the use of a ""social name"" while full change is not legally possible.
	LGBTI communities and cultural history is frequently stigmatized or ignored.	**Promote the participation of civil society organizations working on SOGIESC related issues in city planning initiatives.** Promote the inclusion of cultural expressions related to sexual orientation, gender identity, gender expression, and sex characteristics (historical, political and social expressions) among protected initiatives.

SDG	Development Challenges	Possible development response
	LGBTI people and communities are frequently overlooked in humanitarian crises planning and programming.	**Ensure that shelters and assistance are not restricted or denied to victims based on SOGIESC or family structure.**
		Ensure the adoption of regulations to explicitly prohibit discrimination based on SOGIESC in shelters and disaster aid.

16 PEACE, JUSTICE AND STRONG INSTITUTIONS

Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

The UNDP has characterised this SDG as an important 'enabling goal' for the entire sustainable development agenda. This goal condenses most efforts aimed at reducing discrimination, violence and criminality. It also encompasses agreed targets to grant access to justice for all and to ensure political participation in transparent institutions at all levels.

	Violence constitutes a major development challenge.	**Seek acknowledgement by governmental officials that this type violence is not acceptable.**
	In most countries around the world, LGBTI people experience violence and harassment that impacts their physical, psychological and sexual integrity. This in turn can deeply affect their ability to be productive, creative and contribute to the community. Violence can be omnipresent: at home, at school, at the hospital, at the workplace, on the street, and while travelling. No SDG can be fully achieved if violence against LGBTI people persist.	SDGs 1, 11, and 16 are relevant to violence.
	Violence and ill treatment is sometimes perpetrated by law enforcement officials.	Mandatory trainings for judicial, law-enforcement, and correctional officials
	In many countries, particularly those where same-sex acts are criminalized, police are the perpetrators of crimes. LGBTI people who are poor or belong to racial minorities tend to suffer more profiling, arbitrary detention and mistreatment, especially trans women of color and trans women who are sex workers.	Implementation of legislation and public policies aimed at eradicating societal prejudice against LGBTI people.
		Enactment of hate crime laws or provisions establishing aggravating circumstances expressly contemplating sexual orientation, gender identity, gender expression, and sex characteristics.
		Training for law enforcement officers, prosecutors and judicial staff on access to justice for vulnerable populations.
	Government officials, law enforcement officers, and public institutions are not responsive to LGBTI people who make claims of violence or discrimination, or exclude LGBT people from accessing justice altogether.	Take measures to encourage LGBTI representation among elected officials.
		Adopt statutory legal protections for LGBTI people.
		SDGs 1, 5, 8, 10, 11, and 16 are relevant to legal protections for LGBTI people.

SDG	Development Challenges	Possible development response
This SDG has strong correlations with SDG 11 (especially as it refers to crime and violence reduction in urban contexts) and with SDG 10 (with regard to the legal frameworks that contribute to more accepting and diverse communities).	**Violence against LGBTI people is underreported.** The scarce information available on crimes based on sexual orientation, gender identity, gender expression, and sex characteristics underrepresents the real dimension of violence LGBTI people suffer. Two main problems explain this lack of data: underreporting and lack of disaggregated data.	**Establish accountability procedures to exercise oversight on public institutions that discriminate against LGBTI people.** **Ensure police and judicial training on sexual orientation, gender identity, gender expression, and sex characteristics issues.** Undertake effective, prompt and impartial investigations into killings, torture, and acts of cruel, inhuman and degrading treatment, as well as other acts of violence against LGBTI persons.
	Legal definitions of domestic or intimate partner violence that exclude same-sex couples There is a strong indication of a high-prevalence of intimate partner violence among LGBTI people in same-sex couples. The lack of legal protections on intimate partner violence that apply to same-sex couples is a major problem to protect victims.	**Adopt legal protections and recognition laws.** SDGs 3 and 16 are relevant to family recognition.
	LGBTI youth can be subjected to abuse and neglect by family members. LGBTI youth may be subjected to conversion therapy, abuse, and family rejection. Intersex youth may be subjected to non-consensual medical procedures.	**Provide special protection to children separated from their families due to abuse based on sexual orientation, gender identity, gender expression, and sex characteristics.** **Ensure that shelters do not discriminate against children based on SOGIESC.**
	Transgender people may not be able to access State institutions because their official identity documentation does not match their gender. Not having the possibility of holding personal documentation reflecting one's gender identity constitutes a serious obstacle to enjoy most economic, social and cultural rights and has knock-on effects in most legal and social dimensions of life. It also increases the person's vulnerability to violence, police abuse, arbitrary detention and mistreatment.	**Implement gender recognition laws.** SDGs 3, 4, 5, 6, 8, and 16 are relevant to gender recognition.

17 PARTNERSHIPS FOR THE GOALS

Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development

Under SDG 17, the 18th target is of special relevance to the development agenda of LGBTI people. This short-term target (set for 2020) aims to enhance capacity-building support to developing countries so as to increase significantly the availability of high-quality, timely and reliable, disaggregated data

Because of lack of data, States are unable to determine whether development efforts are reaching LGBTI people.

Without reliable data it is impossible to know the real economic, demographic, social and environmental situation of any country or any social group. The lack of reliable statistics on LGBTI people is one of the major challenges faced by advocates, policy makers, governmental agencies and international organizations.

Institutions tasked to carry out activities under the goals may not operate according to principles of non-discrimination.

Collect and disaggregate data according to sexual orientation, gender identity, gender expression, and sex characteristics.

SDG 17 requires data to be disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts. Other characteristics can include sexual orientation, gender identity, gender expression, and sex characteristics.

Adopt non-discrimination policies and encourage openly LGBTI people to serve in leadership positions.

SDGs 1, 10, 8, 16, and 17 are relevant to non-discrimination provisions in ODA.