

# ERC 2021 Convening Civil Society Statement

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We, the undersigned civil society organizations participating in the Equal Rights Coalition, present this Statement on the occasion of the ERC Meeting held July 6-7, 2021.

The meeting is taking place in a challenging time for LGTBI+ people, affected by COVID-19 and its consequences, as well as by the aggravation of political situations in several countries, the persistence of stigma, discrimination, and violence, and the impact of climate change.

We celebrate the new ERC Strategy and express our support of its Five-Year Implementation Plan. They have the potential to provide a shared framework for Member States and multilateral institutions, in collaboration with each other and with stakeholders in civil society and other sectors, to progress human rights and inclusive development for LGTBI+ people globally. At the same time, we consider it necessary to highlight those issues that persistently challenge the ERC's role and the achievement of its aims. Those issues are:

1. Around the world, LGTBI+ people are still subjected to criminalization, pathologization, “conversion” or “reparative” treatments, as well as harassment, persecution, torture and killings. In many cases, anti-LGBTI+ movements, political parties, religious institutions and/or governments are consistently promoting human rights violations against our communities as a strategic tool to access and keep power and dismantle resistance.
2. Human rights violations against LGTBI+ persons and, in particular, against trans and intersex people, keep taking place *within* ERC Member States, whose national laws and policies openly contradict human rights standards related to gender identity, gender expression and sex characteristics. The intersection of patriarchy, homophobia and transphobia also heighten the vulnerabilities of all LBTIQ women. The rise of *conservative/traditional* and *radical/critical* anti-gender movements is worsening this situation by interfering with legal reform processes, justifying discriminatory policies, and multiplying fear and hate at all levels of social and institutional life.
3. Around the globe, LGTBI+ people are facing terrible socio-economic exclusion as a consequence of the pandemic, aggravated by climate change and other natural and human-made disasters, the scarcity of resources and their unfair distribution across regions. In several countries, those socio-economic issues are worsened by their combination with oppressive and repressive political regimes and their explicit contempt for basic human rights. This situation is particularly affecting refugees and asylum seekers, migrants and displaced people, persons of afro-descent, indigenous persons and/or those belonging to ethnic, religious and/or

linguistic minorities, those living with HIV and other chronic conditions, disabled people, women, as well as those living in poverty.

4. LGBTI+ communities and their activists, organizations and networks are still severely underfunded. This situation characterizes our entire sector, but affects disproportionately trans-led and intersex-led initiatives, LBQ-led organizing, as well as those coordinated from the Global South and/or from Global South leaders. As a direct result, our movements are facing increasing difficulties in organizing, mobilizing and influencing developments at the national, regional and international levels in a context that requires, more than ever, strong and resilient advocates to ensure human rights for all.
5. Irregular and limited engagement of many Member States within the ERC structures themselves, in particular the Thematic Groups, has impeded the mechanism's ability to fully and effectively deliver on its aims and commitments, as articulated in the Founding Principles, and subsequent communiqués.

We believe that the Equal Rights Coalition has the capacity to respond to those challenges. Based on that belief, we urge Member States to:

1. Establish effective mechanisms for international diplomacy to advance and protect LGBTI+ people's human rights everywhere, including decriminalization, banning all forms of "conversion" or "reparative" treatments, and banning all forms of imposed interventions on innate sex characteristics.
2. Take decisive steps to domesticate and mainstream human rights standards among the ERC Member States and, in particular, ensure full access of all persons to legal gender recognition based on self-determination, and ensure all intersex children and persons are protected from all forms of imposed intervention on innate sex characteristics.
3. Confront anti-gender movements and affirm the centrality of gender theory and a women's rights and gender justice framework to democratic societies, as well as the universality of human rights.
4. Adopt and institutionalize an intersectional perspective on development and commit to work collaboratively to address the material causes and consequences of stigma, discrimination and violence affecting LGBTI+ people.
5. Commit to adopting laws and policies that advance LGBTI+ rights, and hold Member States accountable when they adopt or propose potentially regressive legislation that put LGBTI+ persons at risk.
6. Commit to drastically increase funding for LGBTI+ movements, to prioritize LGBTI+ organizations for LGBTI+ grants, and, in particular, to support activists, organizations and networks led by those more vulnerable among us, to ensure that LGBTI+ civil society can operate with

adequate financial and political resources as well as free from violence or intimidation.

7. Develop policies for diverse LGBTI+ inclusion in ODA and humanitarian assistance, with active monitoring of implementation to ensure that the broadest range of thematic programs include substantive steps toward inclusion of LGBTI+ people, and coordinate the development of an economic framework with International Financial Institutions that address livelihoods at the national level.
8. Endorse all three goals the UN IE-SOGI has made to:
  - i. End all criminalization on grounds of SOGI by 2030.
  - ii. End all conversion therapy by 2030.
  - iii. Recognise gender diversity based on self-determination everywhere.
9. Address the lack of state participation, and ensure consistent, sustained representation and participation by States in all relevant ERC structures and spaces, in particular the Thematic Groups and Coordinating Committee.
10. Expand the opportunities for civil society engagement within the ERC and ensure transparency, accessibility, and accountability for all, including annual Member State updates on progress against specific indicators aligned to the Five-Year Strategy.
11. Make stronger efforts to increase participation of Global South actors in the ERC, including increasing membership in the ERC from the Global South and other underrepresented regions, whilst ensuring that the ERC does not duplicate existing mechanisms, but rather focuses on the creation of new tools to fill protection gaps and seize opportunities.