

Report – ERC CSO Pre-Conference
British Ambassador’s Residence (Buenos Aires) / Zoom
7 September 2022

Objectives:

That civil society attendees feel equipped to participate in the conference effectively. By the end of the event, attendees would:

1. Feel situated in the ERC conference and understand effective **‘ways of engagement’** for the conference: what the ERC was conceived to do and its unique character, what its entry points are, what’s realistic and effective to ask of member state representatives – and what it is not a space for, what it does not do and what is not realistic;
2. Know **what to expect** during and from the ‘formal’ conference sessions;
3. Agree some **collective headline key messages** from civil society for member states to weave into interventions;
4. For those attending in person: have time to **get to know one another and build interconnections.**

Overview:

Session:	Speakers:
1. Introduction and welcome	Andrea Rivas, AFDA Nancy Kelley, Stonewall Phyll Opoku-Gyimah, Kaleidoscope Trust
2. ERC overview and history	Phyll Opoku-Gyimah, Kaleidoscope Trust (chair) Doug Kerr, Dignity Network Julie Dorf, Council for Global Equality Marna Eide, FRI Paul Jansen, OutRight Stefano Buscaglia, OTD Chile
3. Conference agenda and sessions	Andrea Rivas, AFDA (chair) Gloria Careaga, Fundación Arcoiris Jean Freedberg, HRC Klaus Jetz, LSVD Leanne MacMillan, Stonewall Mauro Cabral Grinspan, GPP Paul Jansen, OutRight Rashima Kwatra, RFSL Stefano Fabeni, Synergía
4. Making best use of the ERC (input from Global South CSOs)	Andrea Rivas, AFDA (chair) Jesús Dellacasagrande, AFDA (chair) CSO attendees, particularly from Global South organisations
5. CSO key messages for Member States	Nancy Kelley, Stonewall (chair) CSO attendees

There were 64 in-person participants at the CSO pre-conference, with approximately 30 more joining online throughout the afternoon. We were not able to gather specific data on the online participants, but in-person representatives came from over 35 different countries, with just over 50% of organisations being from the Global South and East, and approximately 30% of delegates identifying as trans and 8% as intersex.

The overarching points raised during the CSO discussion sessions were:

- Funding is a key issue impacting LGBTI organisations globally. Overall, LGBTI-specific funding must increase, funding needs to reach smaller organisations at the local/community level, funding should come from different areas (such as humanitarian crisis response and economic development), funding mechanisms should be flexible and sustainable, and overall funding streams should be designed to be SOGIESC-inclusive.
- Greater visibility and representation, both within the ERC and in general, of a wider variety of voices. This includes trans-led organisations, intersex-led organisations, CSOs representing other marginalised groups, and Global South and East countries and organisations. To achieve this, there needs to be an emphasis on accessibility, reducing barriers to engagement, and resourcing.
- The ERC must have added value in the global LGBTI/human rights space, as a political commitment from Member States to push SOGIESC-inclusive recommendations in political platforms. This requires sustained engagement in the ERC groups and processes, collaboration with each other and with diverse CSOs, accountability to the ERC, and a commitment to concrete outcomes.
- Collective solidarity on shared and distinct issues is vital. This includes, for example, building advocacy in the ERC space in a way that centres trans and intersex people and issues, and addressing cross-cutting themes such as the global anti-gender movement.

Session Notes:

1. Introduction and welcome

The purpose of this session was to welcome attendees, introduce the pre-conference event and its sessions, and provide a brief overview of the status of the ERC as of the 2022 conference and the goals that we have as civil society. The three co-chairs from Argentina and the UK gave their thoughts on the position of the ERC as a unique space where civil society sits as an equal stakeholder alongside Member States, and the potential for building transformative power. Despite challenges, work has been done to improve the ERC, and to ensure that it has strategic direction, has more political commitment, and is more inclusive and representative. Looking to the future, relationships can be formed and strengthened through the ERC, and the global movement can grow even further.

2. ERC overview and history

The purpose of this session was to provide attendees with an understanding of the origins of and idea behind the ERC, including what it was conceived as being for, and what the entry points are for civil society. The session was also to reflect on the progress so far, and ask what is still needed.

Speakers first covered the history of the ERC. The idea for what became the ERC emerged from conversations among a number of civil society organisations that advocate with donor country governments on ways to improve sustainable and increased funding from donor governments, and to build a network for information sharing to help states with *how* to do better. This idea for the ERC was further developed at a number of conferences – in Stockholm (2011), Berlin (2013), and Washington DC (2014) – prior to the official launch of the ERC at the conference in Montevideo in 2016. Over subsequent mandates, new ERC structures have been created, North-South collaboration has been improved, and resourcing issues have started to be addressed.

Speakers then reflected on the ERC and its role in LGBTI movements. Though the ERC could not exist without civil society, it is a space for governments to come together to work towards supporting LGBTI movements globally. Of crucial importance is not allowing states to be mere spectators – there must be accountability mechanisms in place. The ERC is important as a mechanism to push donor governments to make funding commitments, and for non-Member State CSOs this includes pushing for embassy funding. In addition, CSO members need to continually ask how this mechanism is additive to the movement, and what we can do to ensure it is. Some examples of important engagement include active and regular involvement in the Thematic Groups, reading and sharing materials, having specific asks, and pushing our and other governments to stay on track.

3. Conference agenda and sessions

The purpose of this session was to provide attendees with an understanding of the objectives of each of the conference sessions as they were designed, how the sessions fit into the ERC's longer-term agenda, and any desired outcomes or next steps.

Tackling the Anti-Gender Movement: A global-level and growing threat, seen as a reaction to progress that has been made at the international level. How anti-gender voices are gaining strength, with a portion identifying with feminist language but aligning with conservative groups. How anti-trans discourse is defined along pseudosexual lines – also anti-sexual identity and sex work. We are seeing the movement grow in the UK and across Europe, the USA, Australia, and throughout Latin America.

Integrating LGBTQI+ Work Across Government: Challenge faced in the ERC of having the appropriate government representatives present. Make clear to states that solutions and leadership must be integrated across government, and are not resident in one department. How integration can address challenges that we face across the board.

Donor Coordination: Focused on funding and the anti-gender movement, to call on donor governments to take action. How states and the ERC can help defund anti-gender movements and support our movements.

National Laws and Policies: How we bring the right people to the table to help governments do better with their own national laws and policies, and the role the ERC can play in coordinating these efforts. The group is a combination of providing best practices, demonstrating what has worked, and looking at what needs to be done to help governments improve. Importance of tracking progress and accountability.

International Diplomacy: Reflect on success so far with high attendance rates. Formed two subgroups: one on decriminalisation and one on engagement in multilateral spaces. The session is on decriminalisation, on which a paper has been produced. Opinions on how the group can work better to improve outputs and added value.

SDGs and 2030 Agenda: How it can be used to progress the rights of LGBTI people, and a SOGIESC-inclusive approach to sustainable development. Analyse where we are globally in relation to the achievement of the SDGs, as well as why the ERC as a mechanism is an important platform to promote progress, share best practices, learn, and bring in conversations on the intersections of human rights and sustainable development, including a SOGIESC-inclusive approach to humanitarian responses.

Taking the ERC Forward: Utilise the work that has already been done and what has been achieved over the previous years, and build on that to strengthen the mechanism. Resourcing, wider membership, greater involvement across regions, greater representation across identities, more funding, greater cooperation across governments and between states and CSOs, and deliver on strategic promises.

4. Making best use of the ERC (input from Global South CSOs)

The purpose of this session was to hear from civil society attendees, and in particular those from smaller and/or Global South organisations, on how the ERC could be useful to their work, and how others could further support this.

Civil society organisations highlighted the importance of speaking about resources, and reaching organisations with them – in particular, those working at the local, community level, who often are not reached by international funding. This is especially important given the impact of COVID-19, and the growing anti-trans movement. In addition, types of funding was brought up: it should come from areas other than just human rights and HIV (for example, humanitarian, crisis response, economic development). Development work was also raised: governments fund this, but the money goes to non-LGBTI organisations despite LGBTI communities being impacted, and as such donor governments need to commit that support is designed to be SOGIESC-inclusive.

CSOs also spoke about the necessity of hearing varied voices within the ERC, and in particular greater visibility of trans and intersex persons and organisations. Obstacles to engagement included language barriers: for example, the ERC is often inaccessible for Francophone voices. Resourcing was also an issue here – the need for resources for small and/or Global South CSOs to be able to work effectively within the ERC, and to advance its agenda. Related to this, working with embassies was highlighted as an effective way to support the work of the ERC, both strategically and financially.

Finally, CSOs spoke about working methods within the ERC, and how to move forwards. CSOs spoke about the added value of the ERC as a clear political commitment from Member States to push LGBTI recommendations in political platforms. However, bringing other governments to engage in the ERC was raised, especially for Global South governments to build capacity and understanding of the issues. It was also suggested that ERC discussions could be regionalised

to move particular issues forward, and existing regional mechanisms could be utilised to move political discussions forward. Overall, it was suggested that the ERC needs to work more on advocacy and promotion, with transparency and diversity at the core of this.

5. CSO key messages for Member States

The purpose of this session was to discuss collective priority messages for civil society, so that those who have the opportunity to speak during the formal agenda can bring in agreed overarching themes and civil society are unified in purpose.

To begin, the session chair provided an overview of the three main themes that had arisen during the previous sessions. The first was funding and resourcing for LGBTI civil society – at every level (international, regional, national, and local/community), and in a sustainable and accessible manner. The second was accountability for ERC Member States in multiple ways, including to substantive and political commitments made in the ERC Strategy, and to working-level commitments such as regular and sustained engagement in the ERC mechanism. The third was the urgency of addressing the anti-gender movement, in its broadest sense, and across the varying ways that it impacts communities in different countries and regions. Finally, the session chair identified two streams within ERC discussions: multilateral advocacy, and addressing the material conditions of LGBTI persons.

CSO attendees then discussed key issues and messages to be addressed during the conference.

On accountability, there is a need for concrete action and outcomes from Member States, to guarantee the ERC as a space of responsibility, and to ensure the durability and sustainability of the mechanism. This includes strengthening coordination and communication amongst states. It was also raised that Member States must have clear leadership on LGBTI issues, and a point of accountability (for some states this may be an envoy, or a designated lead on their LGBTI action plan, or another position/role).

On funding, donor governments need to commit to increased funding for LGBTI work. Deciding on a specific target to hold states accountable to was one suggestion. Others also raised the need to focus not only on the amount of funding, but where it goes, who to, and who controls it. Funding should not just go to intermediary organisations based in the Global North, but instead should flow directly to Global South organisations (and not just regional and national groups, but also local). Funding should be accessible, and needs to come from a variety of pots – the lack of accessibility of funding due to a sole focus on HIV was particularly highlighted by colleagues from African organisations.

On diverse representation, we must continue to use collective solidarity to build advocacy in this space and push our asks in a way that centres trans and intersex people. There is a need for solidarity across movements on shared *and* distinct issues. In particular, within the ERC intersex inclusion and perspectives are vital, and Member States must commit to intersex rights.

On sustainable development, there is a lack of specific LGBTI mentions in the SDGs, so Member States must take action (guided by civil society) on ensuring SOGIESC inclusion in sustainable development. Relatedly, Member States should commit to filling the gap of LGBTI-

disaggregated data, centring the importance of safe and ethical data collection, and connecting with CSOs who are already doing this work. Research should then be connected to real-world interventions.

On working methods within the ERC, it was raised that it is important to create space for governments to talk amongst themselves. We should also push for Member States to speak to Global South countries, either about becoming members (i.e., those already in the UN LGBTI Core Group or Group of Friends of the SOGI Mandate), or about other ways to be involved. There should also be clear spaces for non-donor governments.

Finally, substantive issues to address included LGBTI refugees and people fleeing (both that they need help, and that they should be involved in the conversation), and the global anti-gender movement (including holding Member States accountable in monitoring funding, and awareness of the damage it causes).