14:03:42 these individuals' ability to reach their full potential and lead a

14:03:45 productive and healthy life.

In the past two years, of course,

14:03:49 with COVID-19 spreading amongst us, the exclusion of sexual and gender

14:03:54 minorities have been further exacerbated.

14:03:58 For example, we know during the pandemic, trans gender people were

14:04:03 more likely than others to lose their jobs or see a decline in

14:04:07 incomes. Face barriers when seeking work in

14:04:11 the sector and a quantifiable impact on their livelihoods.

14:04:15 We know some impacts are harder to quantify than others, they're no less

14:04:19 real. We know, for example, LGBTI persons were more affect

14:04:23 ed by violence at home during lockdowns than other groups and lockdown

14:04:26 s had important mental health impacts on this group.

14:04:29 For the past five years, we at the World Bank have been working to

14:04:34 improve this in three ways. First

14:04:39 through policies that seek to prevent discrimination in our

14:04:42 investment lending operations and training staff in our government

14:04:45 counterparts and certainly by doing research like this report that

14:04:48 supports positive development outcomes for LGBTI people.

14:04:53 We know we can do a lot more. I truly believe this EQOS

14:04:56 OGI report will help us through this. We need to understand the legal and

14:04:59 institutional challenges that sexual and gender minorities face so that we

14:05:03 can understand the key issues that prevent these groups from fully

14:05:05 contributing to the economy and society.

14:05:10 The findings of this report can help all those of us who want to

14:05:14 promote LGBTI inclusion to prioritize our actions and inform

14:05:18 our dialogue with our clients and partners based on real data and real

14:05:21 facts.

Most importantly, we hope that

14:05:25 this report shows a true commitment to integrating this jaebd agenda

14:05:29 agenda into the work of everything we do at the World Bank. Hope

14:05:32 it helps us show client countries the importance of this agenda and shows

14:05:36 our commitment to improving the lives of

14:05:40 LGBTI people worldwide.

I look forward to learning from

14:05:44 today's panelists. I look forward to Cliff's presentation. How we can work

14:05:47 together on this topic. I hope we can find a way to make a real difference

14:05:51 for sexual and gender minorities worldwide. Thank you and over to you,

14:05:54 Louise.

>> LOUISE CORD: Thank you so

14:05:58 much, Juergen, for your remarks and support for this very important agenda

14:06:01 in the World Bank. We're very grateful and it's very important to have it.

14:06:05 I would now like to turn to Clifton Cortez, the

14:06:10 EQOSOGI Global Adviser add

14:06:13 at the World Bank to provide an overview of this agenda and this

14:06:17 important report. Cliff, over to you.

>> CLIFTON CORTEZ: Thank you,

14:06:21 Louise and thank you, Juergen. I'd like to start by setting the context

14:06:25 of this report within the World Bank's work on EQOSOG

14:06:30 I improvement. You heard our Vice President, Juergen, a

14:06:34 moment ago mention what those are. Essentially, to remind, they're try

14:06:38 ing to help clients ensure nondiscrimination in project design

14:06:42 and implementation and effective stakeholder engagement. Among other

14:06:46 things that we try to ensure through our standards of the bank's varnlt l

14:06:50 environmental and social framework. BESF

14:06:54 . Also to remind to clients who want EQOSO

14:06:58 GI inclusive and helping them to ensure they can include that in

14:07:03 project activities including in how top projects measure success.

14:07:07 Then finally, working with bank clients to generate sexual

14:07:11 orientation, gender identity, gender expression, and sex characteristic-

14:07:15 specific data in order to close the yawning data gap that our community

14:07:19 continues to face. And that's data that can help convince policymakers of the

14:07:23 need for policy and program reform.

And that last pillar

14:07:27 of our work, that's exactly where our new report -- that quality of

14:07:32 Equality of Opportunity for Sexual and Gender Minorities

14:07:36 attempts to make a contribution. Based on the findings of the EQOSOGI report

14:07:39 , we learned despite some legal advances in LGBTI inclusion, no

14:07:43 country of the first 16 studies has achieved true equality and treatment.

14:07:45

And that in itself is an

14:07:49 indication of the importance of this kind analysis.

14:07:54 Beyond that, the Equality of Opportunity for Sexual and Gender

14:07:59 Minorities initiative identifies laws and regulations that discriminate

14:08:03 against or aim to protect sexual and gender my nor

14:08:07 minorities across indicator sets

14:08:12 . Criminalization, access to inclusive education, access to the labor market,

14:08:16 access to public services and social protection, civil and political

14:08:18 inclusion, and protection from hate crimes.

14:08:23 We found that the majority of the 16 countries surveyed do not have

14:08:27 legal frameworks that allow providers to effectively deliver

14:08:31 critical health care to sexual and gender minorities, such as COVID

14:08:35 vaccinations and HIV prevention services. Few countries recognize

14:08:40 persecution based on EQOSOGI as grounds of

14:08:44 seeking asylum. LGBTI workers are not guarantee

14:08:47 d equal pay or pensions for equal work.

14:08:51 Now, the good news is through the law we can address

14:08:54 discrimination and help pave the way to a more inclusive future. Based on

14:08:59 our analysis of these 16 countries, the EQO

14:09:02 SOGI report offers numerous policy recommendations.

14:09:06 We hope EQOSOGI will be first in a series of reports and

14:09:09 become a go-to resource for evidence and data needed to inform better

14:09:14 legislation and policymaking for inclusion based on sexual orientation

14:09:19 , gender identity, gender expression, and sex characteristics

14:09:21 .

The initiative aims to increase

14:09:25 global awareness around the laws and policies that discriminate against

14:09:29 sexual and gender minorities and the impact these laws have on the everyday

14:09:33 lives. And especially from the bank's perspective to encourage client

14:09:36 countries to make legal reforms that are inclusive.

14:09:40 So as we expand the study to a wider set of countries going forward,

14:09:44 I am hopeful that the addition of economic impact analysis

14:09:49 will contribute further to the goal of legal and regulatory

14:09:52 reform that can help ensure a world of inclusion.

14:09:57 So back over to you, Louise.

14:09:59

>> LOUISE CORD: Thanks, Cliff. I

14:10:02 think it's really helpful to frame this study the way you did in our broader

14:10:06 program of support at the World Bank around the EQOSOGI agenda

14:10:11 as well as to highlight some of the most

14:10:14 sharper findings.

We're going to turn to our

14:10:19 panelists who have perspective of this agenda. It's interesting to understand

14:10:22 how the report and its findings have influenced them and their thinking.

14:10:27 I'll pose a question to each of our panelists. We have

14:10:30 two rounds and may go to a third depending on time. And I hope that you

14:10:34 can keep your responses to five minutes to let us really have this discussion

14:10:38 .

I will start with Victor. And I

14:10:42 think a question, again, the report about data. It's a report about based

14:10:46 on facts. So I'd love to get your perspective of why it's so important

14:10:51 that multilateral organizations take a lead in generating data to

14:10:55 improve what our knowledge around exclusion and inclusion of

14:10:58 sexual and gender minorities.

>> VICTOR MADRIGAL-BORLOZ: Thank

14:11:02 you very much, Louise. Good morning. Good afternoon. Good evening to

14:11:06 all who are joining us today. It's wonderful to be here because every

14:11:11 time that one such report in which

14:11:15 evidence-approached approaches are really embraced, I think the work

14:11:19 of addressing violence and discrimination gets furthered

14:11:23 significantly.

In my work as independent expert

14:11:27 appointed by the Human Rights Council, I have two basic duties. One of them

14:11:31 is to give visibility to the way in which violence and

14:11:36 discrimination occurs. And the other

14:11:39 one is to advise states on what effective measures they can take to

14:11:41 address that violence and discrimination.

14:11:46 Just allow me to begin by stating that in my

14:11:50 work, I have come back over and over again to the

14:11:54 fact that establishing a knowledge

14:11:58 base, establishing an understanding and knowledge about the lived

14:12:03 realities of LGBT people, is

14:12:07 the starting point for any effective measure to address violence and

14:12:12 discrimination. The absence of data enables negation

14:12:16 . In contexts in which there are --

14:12:20 there is, let's say, the political position that LGBT

14:12:24 people do not exist. And, of course, this actually leads

14:12:30 to absolute denial of any measure of address

14:12:33 ing the real violence and discrimination that occurs against

14:12:38 them. And, of course, the adoption of measures of

14:12:42 inclusion for them.

The same thing occurs with

14:12:48 criminalization. Criminalization casts a shadow that

14:12:53 actually prevents and hinders the collection of data. Because

14:12:57 , of course, in criminalized environments, there

14:13:02 is a significant barrier for people to disclose the reality

14:13:06 ies of their health, their family life, the

14:13:10 people with whom they live, how their families

14:13:14 are, what are the realities of discrimination in their access to

14:13:16 education and work, and so on and so forth.

14:13:22 So criminalization is a real barrier

14:13:27 to data in this connection that is so necessary now.

14:13:29

As Cliff was mentioning, we know

14:13:33 that full equality and absence of discrimination and violence in

14:13:38 relation to sexual orientation and gender identity remains

14:13:42 a pending task anywhere in the world. But I

14:13:46 have found constantly in my work that

14:13:51 contexts in which the idea of

14:13:55 collecting, system izinging

14:13:59 izing and giving political consequence to the data are contexts

14:14:04 in which the work of addressing violence and discrimination is move

14:14:08 ing forward faster. Having accurate data provides

14:14:12 evidence to the extent of the challenges faced by the

14:14:17 LGBT population and communities. And policy and

14:14:21 legislative needs in that regard.

It also is fundamental to

14:14:25 dispel myths and stereotypes that feed

14:14:30 stigma and discrimination. It also helps policymakers and

14:14:34 advocates to draft state measures for social, economic inclusion

14:14:38 . Access to health and education. Inclusion in the civic and

14:14:44 political sphere. Anti-discrimination measures. Prevention of abuses

14:14:48 . And most importantly, access to justice

14:14:53 .

Such comprehensive and coherent

14:14:58 approaches to data are, of course, very much at the center of what

14:15:02 I believe human rights-based approaches and agency

14:15:06 ies working in development, security, and human rights

14:15:11 , not only at the United Nations but also at the regional level, can

14:15:15 contribute by joint

14:15:19 comparative experience such as the one that is in this report, Louis

14:15:21 e.

>> LOUISE CORD: Thank you so

14:15:24 much, Victor, for highlighting the important role that we can play in

14:15:27 generating this knowledge and evidence that's critical to advance the agenda.

14:15:29

Let me take a different

14:15:33 perspective and I'll go to Cheryl who has a global perspective as part

14:15:37 of a major donor organization. And tell us from your viewpoint

14:15:42 how can discrimination of sexual and gender minorities, how does that

14:15:46 impact global economic development today?

14:15:50

>> CHERYL URBAN: Thanks, Louise.

14:15:54 First, thank you very much for inviting me to today's event. I am speaking to

14:15:58 you today from the unseated territory of

14:16:03 Algonquin people and I want to let you know this week in Canada, we're

14:16:05 marking the first national day of truth and reconciliation between the

14:16:10 government of Canada indigenous peoples. That's

14:16:13 a day that honors lost children and survivors of residential schools,

14:16:17 their families, and communities

14:16:20 .

Therefore, I'd like to begin

14:16:24 before I get further into my remarks by addressing a question of terminology.

14:16:28 In Canada, the term two spirit

14:16:32 is used to indicate a person, gender identity

14:16:36 , sexual orientation, comprises both male and female spirits. So

14:16:40 as such, I will use the term

14:16:45 L grks brks

14:16:49 GBTQ2I in my remarks.

I'd like to congratulate

14:16:53 the World Bank on

14:16:57 this report. The exclusion of L grks brks trks

14:17:02 GBTQ2I people has a human cost and economic cost

14:17:06 . And I'd also like to emphasize that economics a

14:17:10 side, inclusion is important in and of itself. And human rights are intrinsic

14:17:14 ally valuable.

As the report rightly notes

14:17:19 , when injustices are institutionalized and enshrined

14:17:22 in law, the opportunities for sexual and gender minorities to participate

14:17:27 in and to contribute to economic growth are limited. So that's definitely

14:17:30 going to constrain the country's overall development.

14:17:35 So not only are laws that criminalize sexual orientation and

14:17:39 gender identity an attack on human dignity, but we can see from

14:17:43 this report that there is evidence of how decriminalization

14:17:47 can positively -- sorry, decriminalization can positively

14:17:51 impact economic development.

And there's also proof of a

14:17:54 positive correlation between legal rights for sexual and gender

14:17:58 minorities and GEP.

The report also shows us

14:18:02 evidence of the economic costs of exclusion that are based on

14:18:06 sexual orientation and gender identity. And that includes lost labor

14:18:11 and productivity.

So sexual and gender

14:18:15 minorities can face many barriers in accessing inclusive public services

14:18:19 . Education, employment. And those are essential to developing

14:18:23 human capital. The type of human capital that generates livelihoods.

14:18:27 And sexual and gender minorities face criminalization, it's impossible for

14:18:32 them to realize the full spectrum of their rights including

14:18:36 their full economic potential.

So recognizing this reality de

14:18:40 criminalization is an issue that Canada is working with partner

14:18:43 s to address. So I'll just give you one example of the ways in which we're

14:18:47 doing that. Canada is supporting the common

14:18:52 Commonwealth Equality Network's work in addressing laws, policies and process

14:18:56 es at a local level, a national level, and an international level.

14:19:00 We have a partner in this project for Kaleidoscope Trust. They're

14:19:04 working on decriminalization of the -- on the basis of

14:19:07 sexual orientation and gender identity. They're doing that through

14:19:11 collective advocacy, through research, through resource mobilization, and

14:19:15 also through capacity strengthening.

So through the commonwealth

14:19:18 Equality Network and through our other programs, we're aiming to deepen our

14:19:23 engagement with national, regional, and international government

14:19:27 s. And also we're working with the Commonwealth. What we're

14:19:31 aiming to do is to engage, in particular, with governments who are

14:19:34 open to creating law and policy change. And that's including in the

14:19:37 areas of health, education, and employment.

14:19:41 So I'll just finish off this intervention of mine by emphasizing

14:19:46 that protection under the law is

14:19:50 for sexual and gender minorities to thrive. I think the work of the World

14:19:53 Bank and others toward decriminalization really will go a

14:19:57 long way toward increasing equality and inclusion. Thank you.

14:20:00 >> LOUISE CORD: Thank you so much. I couldn't agree more. I think this

14:20:04 report makes that point very pointedly, the relevance and the need

14:20:08 to look at legislation and institutional regulations and how

14:20:13 they impact the playing field for the

14:20:17 LGBTI2 community as you said.

14:20:22 Let me turn to Solana. Uruguay is a global leader

14:20:26 for LGBTI rights. The country has very

14:20:29 progressive legislation, building on what Cheryl just noted on the

14:20:33 importance of this legislation to promote EQOSOGI

14:20:35 inclusion. According to your experience, though, based on what

14:20:39 you've been doing in Uruguay, what are some of the

14:20:43 challenges you face in promoting EQ

14:20:47 OSOGI policies in a country

14:20:51 that's relatively LGBTI friendly? I'll ask the question briefly in

14:20:56 Spanish for Solana.

(Speaking Spanish)

14:21:21

(Speaking Spanish)

14:21:59

(Speaking Spanish)

14:22:32

(Speaking Spanish)

14:23:42

(Speaking Spanish)

14:24:32

(Speaking Spanish)

14:25:07

(Speaking Spanish)

14:25:31 .

>> LOUISE CORD: Thank you so

14:25:35 much, Solana, for sharply showing the need both for the legislation

14:25:39 but also the challenge of having it go hand in hand with cultural norms and

14:25:43 realities and the challenges that that continues to face even in a country

14:25:46 like Uruguay which should give us all pause. Thank you so much.

14:25:51 Now we turn to South Asia. I'll turn to Menaka

14:25:55 . India's a great example of a country that's undergone some

14:25:59 recent legal reforms. I think thanks to the most part to

14:26:02 some of the interventions you've done in recent years. Maybe you can let us

14:26:06 know what are these changes, what is still the unfinished business that

14:26:10 India is facing to ensure equality of opportunity through law and

14:26:14 regulations for the EQOSOGI area?

14:26:16

>> MENAKA GURUSWAMY: Thanks,

14:26:20 Louise. Firstly, congratulations to the bank for this wonderful

14:26:24 report. I think, you know,

14:26:28 across the world, the global north and the global south, the invisible

14:26:32 ization of LGBTQ people has been an endure

14:26:37 ing and endemic problem. Reports such as this which actually bring

14:26:41 s to life the numbers behind our lives is incredibly

14:26:45 important. So congratulations to the bank on

14:26:50 this -- I think the first edition of a report of this kind.

14:26:53

Thanks so much to all of you for

14:26:57 having me. Greetings from a pretty sultry evening in New

14:27:02 Delhi. I spent most of the day today before the Supreme Court argue

14:27:06 ing a case involving a pretty gruesome murder. But on

14:27:10 to more pleasant topics here.

On September 6th

14:27:15 , 2018, the world's largest democracy, constitutional

14:27:19 democracy in my country, India, the Supreme Court

14:27:23 of India decriminalized LGBTQ

14:27:27 people. So that's a little over three years ago.

14:27:36 You know, this was a long, long journey. It was a 160-year-old sodomy

14:27:41 law left behind by a British Colonial power. And it took

14:27:45 many iterations, many attempts in court, to, in fact, eventual

14:27:50 ly have the Supreme Court of my country give a resound

14:27:54 ing judgment. It really was a resound

14:27:58 ing judgment. Unlike a lot of, you know, classic decriminalization

14:28:05 cases, this was not just what you do in the privacy of your bedroom is your

14:28:09 business. This was much further. Because it spoke to equality,

14:28:13 nondiscrimination dignity, the right to a choice of partner

14:28:18 of LGBTQ Indians.

14:28:22 Really, the judgment ended with an apology for Indians and their families

14:28:26 for the kind of discrimination that they had faced including at the habds

14:28:30 hands of the state.

Needless to say, you know, it was

14:28:35 a mementos decision. It's a mementos day. It's

14:28:40 a mementos decision

14:28:44 because I think it provided a firm foundation to

14:28:48 kind of the next

14:28:52 face for the quest of a true equality right. A more complete equality.

14:29:00 Which includes right to same-sex case

14:29:03 s, which are, in fact, pending in court as we speak.

14:29:08 I think there's plenty of unfinished business that includes

14:29:13 some pretty disappointing legislation that has been passed by the

14:29:18 government as a -- non-gendered

14:29:22 Indians. A statute was passed in 2019 and in 2020, you know, related rules

14:29:31 . Essentially at the heart, it's discrimination -- because it forces

14:29:36 transgender Indians to actually, if they want to undergo a medical

14:29:39 procedure, they have to go to a recognized doctor. They have to, in

14:29:44 fact, be certified by a functionality

14:29:48 of the state. That certificate has to be verified before they can claim, you

14:29:52 know, benefits and citizenship and have their identity recognized.

14:29:56 So really, the state is now involved in the business of

14:30:00 deciding who identifies as what. Which is a

14:30:04 business we'd rather not have the state and its

14:30:10 countries involved in. There's plenty of work to be done. There's

14:30:15 discriminatory statutes such as this. There's court cases pend

14:30:18 ing.

As a litigator, that's really

14:30:21 what I am, a litigator. It's interesting for me to see that Indian

14:30:25 courts have been substantially more progressive than lawmakers. Your

14:30:29 report measures legislation and collects data premised

14:30:33 on legislation, but it's really interesting where in India, much

14:30:37 of the emancipation of queer Indians has actually

14:30:41 come from court cases and court decisions. In the last three years

14:30:45 since decriminalization of the 20 high courts, a

14:30:49 structure much like American -- we

14:30:52 have a top court and high courts across states. In the last three

14:30:57 years, we've had over 20 high courts passing various decisions protecting

14:31:01 same-sex couples.

Speaking to discrimination,

14:31:06 choice of partner, ability to live together

14:31:08 and protecting them from their families. The change has been

14:31:11 overwhelming, swift, and we're delighted with that.

14:31:15 Do we have a long way to go? Do we have miles to go before full equality

14:31:20 ? Absolutely. No question. And that includes

14:31:24 pushing lawmakers, pushing legislators. And I think this is

14:31:29 where institutions like World Bank are so hugely important. Because you

14:31:34 meet politicians, you meet lawmakers, you meet legislators. So some of that

14:31:40 is also about international institutions, you know,

14:31:45 diplomatically asking those questions of when will queer India have

14:31:48 equality and when will the Indian state embrace a fuller equality for

14:31:52 all Indians?

>> LOUISE CORD: Thank you. That's

14:31:57 a fascinating and inspiring story. And I think I'd like to really delve

14:32:01 a little bit deeper in round two to understand what allow

14:32:06 -- I mean, what were the conditions? What were the lessons learned about

14:32:10 the process that you -- that happened in India that allowed such a

14:32:14 fundamental change. And interesting point that the courts are more

14:32:17 advanced, as you said, than the legislative bodies. And a little bit

14:32:21 your views on that.

So we'll start round two -- we'll

14:32:25 start with you to go a bit deeper in this fascinating journey that India's

14:32:28 undergone.

>> MENAKA GURUSWAMY: Yeah. I

14:32:33 think that, you know, one of the big lessons that all of us

14:32:36 have learned, you know, and I've always learned, is that you have to be

14:32:40 hugely discontent with discrimination. You have to be impatient about it

14:32:45 . I think Martin Luther King said this right, that for majority

14:32:49 of his life he was asked to wait. And to be patient

14:32:54 . And I think, you know, L grks brks

14:32:59 GBTQI indians are not patient. We're not going to wait. I think that's

14:33:03 the biggest lesson that we've taken away. That you have to be discontent

14:33:07 and impatient with institutionalized discrimination.

14:33:12

I think the second big lesson is

14:33:17 LGBTQI Indians put faith in domestic institutions. They went to court

14:33:21 . They kept going back to court.

14:33:27 They kept litigating cases. That's hugely important in making this kind

14:33:31 of change. The Supreme Court of India ruled for, in favor, of the sodomy

14:33:35 statute. Upheld its constitutionality in 2013. In 2018, five years

14:33:40 later after a long litigation, multiple petitions

14:33:43 in court, the court strikes it down.

So the lesson we learned is that

14:33:46 you have to keep going back to those institutions. You have to refine how

14:33:50 you tell your stories. You have to push against invisible

14:33:55 izations and humanize your lives. And I think that was

14:33:59 hugely important to take away the detached nature of

14:34:04 law making, the detached nature of adjudication. And

14:34:08 actually put your lives before adjudicate

14:34:12 ors and saw this is how your law impacts my life. And burden

14:34:16 s my ability to live a full life of dignity and equality.

14:34:21 I think the third big lesson I think that

14:34:25 we have learned is that in what matters. This is not

14:34:29 just a victory of professionals and

14:34:33 litigators. It's a victory, actually, of activists. It's a victory of a few

14:34:38 progressive institutions. It's a victory of multiple

14:34:42 facets, multiple methods,

14:34:44 multiple disciplines coming together.

14:34:49 And I think that change now has been swift, you know, from the private

14:34:53 sector to the public sector. You'll

14:34:57 actually see movies today in India on queer lives and see books written

14:35:01 upon them. You have private institutions adopting

14:35:04 domestic partnership laws. And benefits.

14:35:08 So that change has been swift. But it takes multiple institution

14:35:12 s across sectors to make that change. I think that's

14:35:16 the big lesson that we've learned. You have to keep lobbying multiple

14:35:21 institutions.

And I think that, you know

14:35:25 , we've also learned that you have to keep

14:35:29 pushing, politely, charmingly, but Resolutely

14:35:33 . I think that's the big takeaway. That you have to

14:35:38 be consistent about it. And you have to

14:35:41 , you know, you have to have faith in domestic institutions and their

14:35:45 capacity to change

14:35:49 . As we have seen in India.

>> LOUISE CORD: Well, an

14:35:53 important set of lessons, I think, for all of us.

14:35:58 I particularly think the message of teamwork is important. And

14:36:02 acting on multiple fronts. It also touches on what Solana said about the

14:36:05 role of culture. Because, and about what you're saying that the courts are

14:36:10 almost ahead of culture and ahead of the law. And so you need to --

14:36:14 progress is incremental as all these parts of society I see need to --

14:36:16 you're suggesting need to move together.

14:36:20 So, fascinating. Thank you for sharing this experience with us.

14:36:24 Let me move back to Uruguay. And for those of you just turning in,

14:36:29 please note Solana will answer her question in Spanish. There's an

14:36:33 interpretation button at the bottom of the screen on right-

14:36:36 hand side.

So, Solana, what can other

14:36:40 questions learn from Uruguay on EQ

14:36:44 OSOGI data efforts? You've done so much in Uruguay to

14:36:48 generate data around the EQOSOGI community which is important when

14:36:52 you're going to court to have that dialogue. It's an important part

14:36:56 of the dialogue.

(Speaking Spanish)

14:38:35

(Speaking Spanish)

14:39:30

(Speaking Spanish)

14:40:53

(Speaking Spanish)

14:41:37

(Speaking Spanish)

14:42:55 .

>> LOUISE CORD: Well, that's what

14:42:59 I can say as well. It's a lot of different interventions. What you're

14:43:03 saying is they need to be maintained and repeated and renewed over time to

14:43:07 actually implement some of the laws. You're really highlighting that the

14:43:11 legal change is the first part

14:43:15 of the story. The implementation challenges are both very minute and

14:43:19 specific and need continual attention, as well as transparency in tracking.

14:43:23 These are absolutely critical points showing sort of the agenda ahead after

14:43:26 a report like this. Thank you so much, Solana.

14:43:31 Let me go back now to Canada. And from

14:43:35 Canada's own experience, what protective measures, Cheryl, can

14:43:39 countries take against discrimination of sexual and gender minorities?

14:43:43

>> CHERYL URBAN: Yes, thank you,

14:43:47 let me say I'm very much enjoying listening to the viewpoints of my

14:43:50 fellow panelists and lessons learned and recommendations. It's actually

14:43:53 quite inspiring and I think probably a lot of people listening in today are

14:43:56 feeling similarly.

I hope that it will be useful if

14:44:00 I can share with you guys some of what Canada is doing. And some of that

14:44:05 just can provide an example. And I'll start -- I'll begin

14:44:09 by talking about what we're doing nationally within Canada for Canadian

14:44:13 s. And then also talk about what that looks like on the international

14:44:16 stage and how we engage internationally.

14:44:22 So first I'll start with some of the laws that Canada has adopted. And

14:44:26 those laws are there to protect sexual and gender minorities

14:44:30 . I'll begin with education. And education

14:44:34 in Canada is under provincial jurisdiction.

14:44:38 Canada has laws that mandates the revision of national textbooks and

14:44:42 national curricula. And the idea of these laws is to eliminate

14:44:46 discriminatory language in the educational settings and also in

14:44:50 school admissions.

The Province of Ontario,

14:44:54 that's where I'm joining you today, has training in place

14:44:59 for teachers for other school staff, and that provides them with

14:45:02 information on how they can address bullying and harassment of students

14:45:05 that's on the basis of sexual orientation, gender identity, and

14:45:10 expression.

So beyond education, we

14:45:14 also -- I'll cover the area of access to the labor market. Canada has one of

14:45:18 the most advanced legal frameworks for protecting sexual and gender

14:45:23 minorities, I believe, in the world. Our Canadian law explicitly prohibit

14:45:27 s employers from discussing sexual orientation, gender

14:45:31 identity, or marital status during the recruitment process. And there's

14:45:36 also an advanced reporting mechanism. And that's for people who would like

14:45:40 to file an employment-related

14:45:44 discrimination claim on EQOSOGI grounds, whether that be in

14:45:46 the public sector or in private sectors.

14:45:50 I'll touch as well on political life and access to public services

14:45:55 . So Canada has members in parliament as well as political leaders who

14:45:59 openly self-identify as part of the LGBT

14:46:04 Q2I opportunity. We established

14:46:06 provincial human rights institutions. They're authorized to promote,

14:46:11 protect, and incorporate the inclusion of sexual and gender minorities.

14:46:15 Canada provides more than two binary gender options in our passport

14:46:20 applications and in our national census questionnaires. And that's to ensure

14:46:23 all identities are reflected and taken into consideration.

14:46:27 The government of Canada is also working on developing the first

14:46:32 federal LGBTQ2I action plan. And so that's

14:46:36 expected to be implemented in 2022. And the idea

14:46:40 of that is that we'll contribute directly to the promotion of LGB

14:46:44 TQ2 equality, protecting L

14:46:48 GBTQ2 rights and

14:46:53 discrimination against LGBTQ2 communities,

14:46:55 past and present in Canada, globally.

14:46:59 I'll turn a little bit internationally to what

14:47:02 Canada does. I really liked what my fellow panelists are saying about this

14:47:07 idea, keep pushing, but also this idea that we should remain in

14:47:10 impatient.

One of the main roles Canada is

14:47:13 playing on the international stage is advocacy. And we are advocating

14:47:18 strongly in support of the rights of LGBTQ

14:47:22 2I people. Working bilaterally with other countries. Partnering with them

14:47:26 to promote and protect human rights. Also

14:47:29 multilaterally, lots of international organizations.

14:47:33 But as part of this as well, it's very important, hopefully Canada is

14:47:39 doing increasingly a better job at this. Partnering closely with civil

14:47:42 society organizations. We have some amazing Canadian civil society

14:47:46 organizations. And there are really well-established inter

14:47:51 national civil society organizations. And so we partner with them as much

14:47:55 as we can in order to make sure that our work is informed by what

14:47:59 they have to say.

The other thing is that we raised

14:48:04 the issue of human rights for LGBTQ2

14:48:08 I populations within the context of the universal periodic review

14:48:12 . That's a peer review mechanism for countries to provide concrete

14:48:15 human rights recommendations so that they can revise their laws and

14:48:17 policies.

And we're also part of the Human

14:48:21 Rights Coalition. And we co-chair the thematic group on national law

14:48:25 s and policies. So that's working to share and promote good practices

14:48:29 , experience, and regulations regarding EQOS

14:48:34 OGI issues. The goal is encouraging the development of progressive

14:48:38 policies and in other member states.

So, and I

14:48:42 think that I should also mention just corporately within our own government

14:48:46 of Canada, we are believe

14:48:50 rs that we need to do a better job within the government of Canada and in

14:48:54 the Department of Global Affairs Canada about addressing racism, about

14:48:58 being more inclusive, and being more diverse. I have a role within our own

14:49:02 department to be a champion for die versety and

14:49:06 diversity and inclusion. We're working together, our staff,

14:49:09 to see what are internal corporate policies that we have. What are the

14:49:13 ways in which we work with partners so that

14:49:17 we can take a look at those and improve them and become better at

14:49:22 being more inclusive. That's another part of our work. Because we've come a

14:49:26 long -- I believe Canada has come a

14:49:29 long way. We're quite proud of what we've done so far. Certainly, there's

14:49:32 a lot more to go. In Canada, there's a lot more to go. So I'll leave my

14:49:34 comments on that. Thank you very much.

14:49:36 >> LOUISE CORD: Thanks for portraying what you've done and also

14:49:39 acknowledging the challenges. I just want to say from our perspective,

14:49:44 Canada has been a great supporter not only of this work but more broadly of

14:49:48 the overall social inclusion agenda. I'd really like to thank you for your

14:49:50 sustained work on this work, if particular, but also our broader

14:49:55 agenda. Good to hear you're continuing the fight and you're motivated to go

14:49:58 even further. So, really glad to hear that.

14:50:02 We have one more final question --

14:50:09 >> LOuise, forgive me for interrupting, Victor,

14:50:11 forgive me for jumping in in the middle. I have to log off for another

14:50:14 call. I want to thank the panelists for a fascinating conversation. I've

14:50:18 learned a lot and it's strengthened my personal resolve to continue to be

14:50:22 impatient. Manaka, I hear you. You know, this needs persistence. This

14:50:26 needs to be constantly added from all angles. And we've

14:50:30 learned a lot in this conversation and Cliff and Louise

14:50:34 and I will certainly, you know, debrief and have a conversation. How

14:50:38 we can tweak our next round of reports, how we can get even more impact

14:50:42 ful in the data we collect. How we maybe bring this very interesting

14:50:45 argument that you brought in, or point that you brought in, there is progress

14:50:48 in parliaments. There's progress in the courts as well. And there's progress

14:50:52 in other spaces as well. Maybe we should really think this through a

14:50:56 little bit more systemically. How do we draw this out? How do we

14:51:00 generate data that actually make a stronger case for where do you really

14:51:03 see progress? It is not necessarily just in the law, itself.

14:51:08 So lots I've learned today. Really profoundly. Thank you, Victor

14:51:12 . Victor, forgive me again

14:51:15 for jumping in before you make your final comments. Thanks, everybody.

14:51:19 >> LOUISE CORD: Thank you, Juergen, for your support and staying

14:51:22 throughout. Thanks so much.

Victim E I guess we'll now turn

14:51:26 to you. Go back to something that the -- what we do, and Cliff

14:51:30 mentioned the role of the bank that be within

14:51:34 we've been working on, data. Data to show

14:51:38 the costs of EQOSOGI inclusion and data

14:51:42 to show this problem really exists. We've heard great examples coming from

14:51:46 Canada today and Uruguay of how we can improve data. We all know it remains a

14:51:49 huge challenge. I'd love to hear from you on how countries can come together

14:51:53 to help fill the data gap that we see on sexual orientation and gender

14:51:54 identity.

>> VICTOR MADRIGAL-BORLOZ: Thank

14:51:59 you very much, Louisa. Thank you to the panelists for such compel

14:52:03 ling presentations. It's always a learning experience, of course. To

14:52:07 hear how colleagues around the world

14:52:11 are assessing progress and backlash, in many case

14:52:15 s.

So I'd like to begin by making

14:52:19 the point that it's all part of cycles. Right

14:52:24 ? Data lies at the -- as the source of good

14:52:28 policymaking. Good policymaking that is created

14:52:33 transparently, participatory

14:52:37 processes, in a way that's evidence based and unprejudice

14:52:41 d leads to good results and good results, of course, tend to be

14:52:45 promoting inclusion in society.

At the international level, it's

14:52:50 , perhaps, for some of our -- some of

14:52:52 the persons joining us today, it's, perhaps, difficult to know that within

14:52:57 the United Nations, it was almost impossible to have conversations on

14:53:01 sexual orientation and gender identity until very recently. It's

14:53:06 actually only around 2011 and

14:53:10 2015 when the High Commissioner for Human Rights issue

14:53:15 Issues, the first set of reports on this matter, and begins to provide

14:53:19 evidence on the lived realities of LGBT and gender-

14:53:24 diverse persons around the world. That the topic begins to be discuss

14:53:27 ed at the -- within the United Nations.

14:53:31 And let us remember that it was only in 2016 that

14:53:36 the creation of my mandate was actually so controversial that

14:53:40 it required five votes across not only the Human Rights

14:53:44 Council but the 3rd and 5th committees of the General

14:53:48 Assembly.

And of course, all of this under

14:53:53 accusations that this was being created as an agenda for promotion of homo

14:53:57 sexuality and all sorts of stigma and prejudice were being

14:54:00 talked about.

So I think that it's important

14:54:04 that we remind ourselves that we have the evidence in our lifetime

14:54:09 that change is possible. Many of us have seen it in our own context

14:54:13 . I think Solana and Menaka

14:54:17 were only two of the stories that we have seen very clearly

14:54:23 change in a very specific way. Change is possible. We have seen it within

14:54:27 our lifetime. But, of course, we have to keep pushing forward

14:54:29 .

What can countries do to come

14:54:33 together to feed this virtuous cycles?

14:54:37 My mandate has issued a call for global action. And it's a call

14:54:42 for a world free of criminalization, of sexual orientation

14:54:46 , and gender identity, by 2030.

And the reason why we

14:54:50 have identified 2030 for this call is because I am convince

14:54:55 d that it is impossible to

14:54:59 obtain data on the achievement or furtherance of the sustain

14:55:03 able development goals while criminalization exists.

14:55:08 Because I have in my reports examined the issue that all data that

14:55:14 is in criminalized environments needs to be severely

14:55:18 doubted because of the fact that criminalization imposes such barrier

14:55:22 s not only on the substantive access to services and

14:55:27 public goods, but very importantly, to the way people report on those

14:55:31 access to services and public goods.

That

14:55:35 call for global action, for a world free of criminalization, is something

14:55:39 where I believe coalitions such as the Equal

14:55:43 Rights Coalition, as was mentioned just now, and other type of coalition

14:55:47 s, should be actually working. And it leads to the point that I wanted to

14:55:51 make, Louise, there's a robust human rights case

14:55:56 for decriminalization. It's been made across

14:56:00 all entities of the United Nations. And then at regional and

14:56:05 local level. And it's a robust case that actually has made the

14:56:10 shift and the judgment of the Supreme Court of India is a beautiful example

14:56:14 of this. From thinking that the realities of L

14:56:18 GBT lives pertain only to privacy and that very clear

14:56:23 ly attach LGBT lives with dignity and

14:56:27 the need to occupy public space.

And that is one of

14:56:32 the beautiful, beautiful passages in the Supreme Court

14:56:36 Justice of India's judgment where it makes this connection between

14:56:38 occupation of public space and dignity.

14:56:43 So the robust case is made for human rights, but we are making

14:56:49 additional -- additional cases, of course. All that we're talking about

14:56:53 about why it makes good sense to include also in

14:56:57 terms of economic indicators and, of course, this is where all of this

14:57:01 additional information comes to play.

Now, for that to be the case

14:57:06 , Solana was making a very persuasive argument that

14:57:09 not only do we need to have decriminalization, but we also need to

14:57:14 have legal recognition of gender identity. Based on self-

14:57:18 determination. Because legal recognition is absolutely

14:57:22 a requirement for economic inclusion of gender-diverse, and in

14:57:26 particular, all of the sectors of life. And, of course

14:57:30 , Menaka was making some reference to solve how we are seeing backlash in

14:57:34 relation to these issues. And as you can imagine, I'm also deeply concerned

14:57:39 not only about different legislation concerning these issues,

14:57:43 but those countries in which criminalization seems to

14:57:47 be going in what I think is under human rights standards the wrong

14:57:51 direction.

I'm currently deeply concerned

14:57:54 about, for example, proposed legislation in Ghana that is actually

14:57:59 not only terrifyingly stigmatizing but very much move

14:58:04 ing toward further criminalization, rather than decriminalizing.

14:58:08 So ensuring that we

14:58:10 continue on the right path is actually, to me, quite important in

14:58:13 this connection.

That leads me to my last point. I

14:58:17 think that the reason why in some contexts we are seeing

14:58:21 the continuity of criminalization, we are seeing resistance

14:58:25 to decriminalize or we are seeing, even

14:58:29 worse, attempts of further or recriminalizing

14:58:33 , is because there is some sort of

14:58:38 political profitability in instrumentalizing

14:58:42 LGBT people,

14:58:47 demonize them and use them as pawns in political discourse. To identify them

14:58:52 with particular political agendas, when in reality, their lives should be

14:58:56 absolutely absent from the idea that

14:58:59 the furtherance of the rights is partisan.

14:59:03 And so my last point in relation to this is I think what we

14:59:07 all need to do together is to ensure that

14:59:11 the message, that instrumentalizing

14:59:15 LGBT gender-diverse lives is absolutely un

14:59:19 acceptable. And that it would not

14:59:24 be continued to be possible to make that

14:59:28 exercise in order to gain political profitability. Thank you so much

14:59:31 Louise.

>> LOUISE CORD: Thank you,

14:59:35 Victor. You did actually a good summary of a lot of what's been said. So that

14:59:39 helps my job in wrapping up, which is great. Because there's only a minute

14:59:43 left.

And also, your last point

14:59:47 , and it cuts to the heart of what we're trying to do with this program,

14:59:51 which is as you said in your opening, put evidence out there

14:59:56 . If you say it exists, first of all, and talk about

15:00:00 some of the costs and the points Cheryl also raised, the costs of

15:00:04 discrimination, and we heard also from Solana. It can't be a denier. And it's

15:00:07 harder to -- hopefully harder to politicize it. When you put out

15:00:11 evidence on how it constrains development. Something that Cliff is

15:00:15 trying to do a lot of in his analytical work. Show how discrimination

15:00:20 lowers GDP. Hurts economic opportunities. Not only

15:00:25 for sexual and gender minorities, but for a country as a whole

15:00:29 .

Inclusion breeds inclusion. And

15:00:33 inclusion breeds social cohesion. Which we know is absolutely essential

15:00:38 to weather some of the stresses that we're facing today. Be

15:00:42 it from climate change, from conflict, from COVID. What

15:00:46 cohesive societies, or inclusive societies, will be better able and

15:00:50 better placed to thrive in this new world that we're facing.

15:00:55 So I had taken copious notes and was going to give a wonderful -- least

15:00:59 at least I hope -- summary, but I think time is short and Victor did the

15:01:02 job for me.

So I have nothing left to do but

15:01:06 to thank all of you for joining and

15:01:09 to -- one thing I just want to highlight is the importance of taking

15:01:14 this issue from so many different angles. The teamwork, the

15:01:18 different partners, the different agencies, the CSOs. The different

15:01:22 levels of government. Absolutely essential. And

15:01:26 it requires sustained persistence, which I want to

15:01:30 say the bank is in this agenda and it's in this agenda for good

15:01:34 . And to carry that forward not only in reports like this but in our

15:01:37 operations. And in our policy dialogue.

15:01:41 So huge thanks for a very stimulating panel and for your

15:01:46 engagement and for everybody who joined. I hope you can take

15:01:49 in access to the report and really look at it. It has so much to say and

15:01:54 lays out so much of an important path for action. Thanks, Cliff. Thanks to

15:01:57 the entire team. Who made this happen. Our ECR team is great. And all of you

15:02:01 for joining. Have a great rest of day or evening.