CENTRE *for* GENDER *in* POLITICS

POLITICS

Policy Brief

Jamie J. Hagen

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Minimizing protection gaps for LGBTQ people living in conflict

In June of 2021 the United Nation's Independent Expert (IE) on protection against violence and discrimination based on sexual orientation and gender identity published a report about thematic work on gender theory as it relates to the IE's mandate. This policy brief answers some of the key questions raised by the IE's gender theory research, with a focus on LGBTQ people's experiences living in conflict.

Defining gender and women

Of the utmost importance to recognizing gendered vulnerabilities is understanding how an individual's multiple social identities (race, class, sexuality, ability, gender) inform their lived-experiences, and may magnify their vulnerability to violence. This intersectional thinking is increasingly being applied to understanding gender in academic, activist and policy work. However feminist analysis shows there is still work to be done to integrate the following insights into all gender programs to minimize protection gaps:

1. Everyone has a sexual orientation and gender identity.
2. Gender is not just about women.
3. Not everyone is heterosexual or cisgender.
4. Masculinity is not only about men, femininity is not only about women.
5. LGBTQ communities have important contributions to make for thinking about gender, peace and security.

The Centre for Gender in Politics serves the growing community of feminist scholars and activists in international studies who apply a gendered lens to understand challenges in global politics. Research conducted at the Centre investigates the centrality of gender, in intersection with other categories such as race, class, sexuality and ability, in shaping local, national and global dynamics.

QUEEN'S UNIVERSITY BELFAST

Relatedly, one problematic practice in peace and security work is the way that the words gender and women are used interchangeably. The way gender is defined often defaults to an assumed cisgender, heterosexual women. This slip betrays a much larger gap in understanding the importance of attention to gender in conflict and specifically how it has an impact on LGBTQ populations. For example, "woman" is often used as the simple opposite of "man", suggesting only two genders in a fixed and binary relationship. This limited understanding assumes that everyone is cisgender leaving out trans individuals.

Understanding gender requires the careful observation of power in the form of political gender relations including the socialized normative assumptions about masculinity and femininity. Inclusive practices of the experiences of LGBTQI individuals in peacebuilding still lags behind in taking this more expansive approach.

Defining gender in a way that also includes attention to men as survivors of sexual violence has been an important shift in how sexual and gender-based violence is understood. For example, there is growing work to draw attention to men's experiences of sexual violence in conflict-related environments. At the same time, this work does not always consider how LGBT people experience this violence, so an intersectional understanding that invites LGBT experiences into the conversation is necessary to further address existing protection gaps. This is partially a result of the way work at the UN continues to operate in silos. Recent research by Albert Trithart at International Peace Institute found that building the human resources needed to institutionalize the UN's work on SOGIESC, mainstreaming and coordinating work on SOGIESC, strengthening partnerships between the UN and other actors and continuing to expand policy and programming on SOGIESC into new areas are important next steps for supporting UN programming on SOGIESC.

Confronting the patriarchal, homophobic, lesbo-and trans-violence of "gender ideology"

In recent years there have been increasing instances of political leaders in various contexts around the world making claims that defenders of human rights of LGBT individuals are furthering a so-called "gender ideology".   Sexuality has long been used to attack women's rights organizing. Cynthia Rothschild writes about how this has occurred in the form of 'lesbian-baiting' and 'sexuality-baiting' across UN organizing. These strategies directly affect the human rights and girls in a number of ways. As Rothschild's work shows, this anti-LGBT rhetoric results in derailing and excluding women's sexuality in gender initiatives, taking attention away from lesbian, bisexual and transgender women in human rights work.

There is significant evidence of the use of religious narratives or narratives of tradition, traditional values or protection of the family to hinder the adoption of legislative or policy measures aimed at addressing or eradicating violence and discrimination based on sex, gender, sexual orientation and gender identity. One prominent example of this is the way that gender-ideology was used to push back against the Colombia peace deal in 2016. What happened in Colombia is similar to the increase an anti-trans bills in the United States. A similar framing of "traditional" ideas about women and the family have driven conversations about LGBT equality in both countries. Be the issue abortion, sexual orientation, or wearing a hijab, topics of gender politics trigger larger debate about power, politics and progress. Researcher Elizabeth Corredor writes, "Latin America appears to be the latest battleground as gender ideology backlash has entered political debates in Mexico, Brazil, Peru, Guatemala, Chile, Argentina, and Colombia. As in Europe, the debates in Latin America focus primarily on policies concerning sex education, antibullying in schools, and LGBTQ1 rights" (2019:614).

Yet this call to "traditional" values by political and religious leaders neglects the lived experiences of LGBTI communities now and in the past. And the anti-LGBT backlash faced when legal gains are made should also look familiar. Same-sex marriage was legalized in Colombia in 2016. Similar to the backlash in the form of anti-trans laws in the

United States, conservative Colombian's are pushing back against these gains. Often this patriarchal rhetoric cracks down on not only LGBT rights but also access to abortion as has been the case in Poland.

The impact of this violence is far reaching given that homophobic rhetoric of this kind legitimizes violent targeting of LGBT people. There is some research about the way that states target LGBT actors, there is far less information about the way that non-state actors also engage in homophobic and transphobic acts of prejudice in conflict-related environments. This is troubling as there is also evidence of targeted killings of lesbian human rights defenders as was the case with Marielle Franco who was murdered in Brazil in 2018.[1]

The Women, Peace and Security (WPS) Agenda and SOGI (or Queering WPS)

The Women, Peace and Security resolution UNSCR 1325 sets precedent for drawing attention to gender at the Security Council pointing to the need of "a gender perspective" and "gender considerations" in peace and security work. My research and policy engagement has looked most closely at the Women, Peace and Security agenda and how this work can more directly engage. Violence against LGBTQ individuals takes a similar shape to the targeted violence against women the WPS architecture has long worked to address. Organizations including Outright Action International point to the way the WPS architecture could be used to better address how LGBTQ individuals experience conflict as well as how they are working for peacebuilding.

As I reflected in an article in a series for IPI Global Observatory, although neither Resolution 1325 nor any of the subsequent WPS resolutions explicitly mention LGBTQ individuals, civil society actors have been campaigning to bring attention to lesbian, bisexual, transgender, and queer

women in WPS projects. Including attention to sexual orientation and gender identity is important for moving past policies that default to the needs of cisgender, heterosexual women. Civil society actors are finding new ways to pursue alliances and work in coalitions in an environment that is increasingly hostile to those working for gender equality. By working with those individuals and organizations committed to LGBTQ human rights in the international arena, WPS programs can reflect a more complex understanding of gender.

While the move to include language about LGBTQ individuals in peace deals is important, it also requires financial, organizational, and political backing by WPS programs. This support might include establishing best practices for documenting and responding to homophobic violence or supporting transgender people to get documentation that matches their gender identity. To mobilize such support, panelists at the Forum on Peace and Development also recommended "continuously emphasiz[ing] the grievances and concerns of the LGBTQ community and other neglected groups particularly at higher political levels."

WPS Initiatives by states on gender, sexual orientation and gender identity

Another space where civil society and policy actors have drawn attention to LGBTQ human rights is the WPS national action plans developed to implement Resolution 1325. In these documents, states define what specific actions they plan to take to implement the WPS resolutions, including what security concerns they will prioritize. For example, Canada's 2017–2022 national action plan specifically pledges to pay attention to LGBTQ+ refugees and asylum seekers. The plan states that the Immigration and Refugee Board of Canada will "promote greater understanding of cases involving sexual

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[1] Forthcoming research by Meredith Loken and Jamie J. Hagen offers more data about how this violence by non-state actors takes shape.

orientation and gender identity and expression, and the harm individuals may face due to their non-conformity with socially accepted norms." This focus on asylum illustrates how national action plans offer an opportunity for states to draw attention to LGBTQ human rights not just in foreign policy but also in domestic policy.

The national action plans of several other countries, including Argentina, Albania, Japan, Sweden, the UK, and the US also include specific commitments to consider the needs of LGBTQ populations either domestically or in foreign policy. In several of the national action plans there is a recognition that LGBT people (Japan) or those with diverse sexual orientation or gender identities (Argentina, Sweden, Switzerland, United States) are a group of people uniquely vulnerable to violence related to their gender. In the case of the Albanian national action plan there is a call to "strengthen professional capacities of police officers to investigate crimes on the grounds of sexual orientation (hate crimes)." Notably the United States national action plan explicitly mentions intersex individuals alongside attention to lesbian, gay, bisexual, and transgender and individuals whose meaningful participation should be sought for executing WPS policy.

Learning with and from LGBTIQ people in conflict-related environments

Internationally feminist organizations are working to also draw attention to sexual orientation and gender identity in their work. For example, in Northern Ireland the Feminist Recovery Plan covers a wide range of evidence on the disproportionate impact of COVID-19 on women and the recommendations to address this from the WPG NI including specific attention to LGBT+ communities: (2020: 70):

LGBT+ communities in Northern Ireland experience mental health issues at disproportionately high levels due to widespread social stigma, abuse, and institutionalized homophobia, biphobia and transphobia. Mental health issues within the community are

exacerbated in a myriad of ways by statutory services which fail to meet their needs including: failure to adequately fund and competently advertise sexual & reproductive health services, leading to significant HIV/STI anxiety; failure to provide transition-related-care for trans individuals in a timely and culturally competent manner; failure to fund access to IVF for lesbian and bisexual couples; failure to enforce equality legislation in schools and adequately clamp down on anti-LGBT+ bullying; failure to address poverty, homelessness, and criminalizing drug use; among many others.

These issues, compounded with the chronic underfunding of mental health services and lack of cultural competency within such, has led to a mental health crisis within LGBT+ communities. This manifests itself in a variety of different mental health issues, such as depression, suicide, substance abuse, self-harm, unemployment and homelessness. "

This plan was informed by the intersectional strategies of the Feminist Recovery Plan in Hawaii. That said, many of these organizations continue to work outside the state with little to no funding. In this way, the rhetoric is successful in pushing LGBT issues and feminist organizing to the margins at a time when they should be front and center.

During Covid-10 these mobilizations have also taken on new forms, learning from those strategies marginalized Black people have long relied on to find care outside of the state. Mutual aid efforts have continued to fill the gap in care, especially for transgender individual who have long faced transphobia and a lack of access to resources even before the pandemic. In many instances these networks have focused on supporting LGBT people of color such as the UK QRIBIPOC Emergency relief and Hardship fund and the Seattle, WA US based Trans Women of Color Solidarity Network. This has proven especially important for sex workers who have established emergency funds and mutual aid networks around the world.

In recent years international human rights organizations have been releasing grounded research focusing on sexual orientation and

gender identity in conflict-related environments. For example, a 2020 report for Astrea Lesbian Foundation for Justice by Pascha Bueno Hanson focuses on the Judicial, Political and Socio cultural movement strategies LGBTIQ actors have taken in Colombia over the past two decades. Other civil society organizations have published reports drawing attention to sexual and gender minorities in conflict-related environments including International Alert, Human Rights Watch, MOSAIC, Stockholm Institute for Peace Research Institute, the Centre for Transnational Development and Collaboration and Colombia Diversa:

It is important to note that of the research that does exist, very little focuses on lesbian, bisexual and transgender women's experiences in conflict-related environments as these communities are doubly marginalized lacking access to power, resources and funding.

Where and how to collect data on SOGI in conflict-related environments

Some ways researchers, policy makers and actors can address the lack of data about SOGI when doing gender work in conflict-related environments include:

1. Work with local LGBTQ organizations and actors in developing and implementing gender research while doing ethical research in fragile and violent conflicts. This will require being creative and responsive to the needs of the communities, you are working with about funding, research methodology, timelines and publication. Challenges may include finding responsive ways to include people who may not be able to physically attend interviews or workshops as well finding ways to work with those who are doing this work without the official label of 'LGBTQ organization' given political, social and funding constraints.
2. Ask questions to participants/survivors/organizers about sexual orientation and gender identity in data collection. A 2020 report from the Williams Institute offers best-practices advice.
3. Be intentional and inclusive of LGBTQ individuals so these communities feel more comfortable raising sexuality as an important dimension of research about gender in conflict-related environments.
4. Be explicit about defining gender in a way that also includes attention to sexual orientation and gender identity. Alongside this, be intentionally inclusive (in writing, in reporting data, in media about the research, in speaking with participants)) of those who do not fit into LGBT categories including non-binary and genderqueer individuals.
5. Translate and support in-country research related to sexual orientation and gender identity led by local civil-society organizations. Even though much of this research is still excluded from many academic and policy spaces, there is extensive in-country and transnational feminist research to consider gender and sexuality in an intersection way beyond limited binary approaches to research.

Additional Resources:

Roth, D., Blackwell, A., Canavera, M., & Falb, K. (2021). When "we know nothing": Recommendations for ethical research and learning with and for LGBTQI people in humanitarian settings. New York: International Rescue Committee.

United Nations General Assembly (UNGA) Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Victor Madrigal-Borloz (2021) UN Doc A/HRC/47/27.