

Interagency Report on the Implementation of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons Around the World (2022)



Forward

On February 4, 2021, President Joseph R. Biden Jr. issued the Presidential Memorandum on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI+) Persons Around the World. Building on the Memorandum issued by President Obama in 2011, it directs executive departments and agencies engaged abroad to ensure that U.S. diplomacy and foreign assistance promote and protect the human rights of LGBTQI+ persons around the world.

The policy goals outlined in the Memorandum include advancing the human rights of LGBTQI+ persons through combating criminalization of individuals abroad on the basis of LGBTQI+ status or conduct; protecting vulnerable LGBTQI+ refugees and asylum seekers; providing foreign assistance to protect the human rights and advance nondiscrimination of LGBTQI+ persons; responding swiftly and meaningfully to human rights abuses of LGBTQI+ persons abroad; building coalitions of like-minded nations and engaging international organizations in the fight against LGBTQI+ discrimination; and rescinding policies inconsistent with the memorandum and reporting on progress of the memorandum's implementation.

This is the first ever public report on the U.S. government's implementation of the February 4, 2021, Presidential Memorandum on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World. This historic report provides detailed, transparent reporting from U.S. government agencies engaged abroad in efforts to protect and promote the human rights of LGBTQI+ persons around the world. Through this report, the U.S. government shares what it has done to achieve progress toward the goals of the Presidential Memorandum. The report aims to inspire other governments to undertake similar actions to advance the human rights of LGBTQI+ persons and integrate their needs across foreign assistance and foreign policy.

While this report provides insights into the U.S. government's work, it is comprehensive, not exhaustive. It is clear we must be doing more, and we will continue to strive for additional progress. Some of the work undertaken is redacted to ensure security and safety for LGBTQI+ persons, human rights defenders, and non-governmental organizations. Our efforts as a government take place in partnership with global civil society and in the spirit of "do no harm" and "nothing about us, without us" to ensure efforts do not contribute to backlash or negative repercussions for members of LGBTQI+ communities who are on the frontlines of human rights movements globally.

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The United States cannot make progress in advancing the human rights of LGBTQI+ persons without the partnership of and meaningful work done by LGBTQI+ human rights defenders, civil society organizations, and allies. We are also grateful for the like-minded governments and multilateral institutions with which we work on these critical issues. Human rights are universal, and LGBTQI+ persons have the same human rights as everyone else.

President Biden has made clear that the protection and promotion of the human rights of LGBTQI+ persons is a U.S. foreign policy priority. It is, as President Biden has said, the “the policy of the United States to pursue an end to violence and discrimination on the basis of sexual orientation, gender identity or expression, or sex characteristics, and to lead by the power of our example in the cause of advancing the human rights of LGBTQI+ persons around the world.”

The United States recognizes that to lead on advancing the human rights of LGBTQI+ persons internationally, we must also strengthen the protections and opportunities for LGBTQI+ communities at home. The Biden-Harris Administration continues to work to pass the Equality Act, strengthen civil rights protections for LGBTQI+ individuals, address the crisis of anti-transgender discrimination and violence, advance health equity and economic security for LGBTQI+ communities, and ensure that LGBTQI+ people lead at every level of the government. We will continue to strive to lead by example in the promotion of the human rights of LGBTQI+ persons, and all persons.

The following report includes submissions from the following agencies: Department of State, Development Finance Corporation, Department of Homeland Security, Department of Commerce, Department of Defense, Department of Justice, Department of Labor, Department of Health and Human Services, Millennium Challenge Corporation, Peace Corps, Department of Treasury, Export-Import Bank of the United States, United States Agency for International Development and the U.S. Trade Representative.



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Department of State



Executive Summary

Since the issuance of the February 4, 2021, Presidential Memorandum (PM) on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World, the State Department has worked to advance the human rights of LGBTQI+ persons abroad. The efforts being undertaken by the Department respond to the actions directed in the PM to protect LGBTQI+ persons abroad from violence and abuse, criminalization, discrimination, and stigma and also support the empowerment of LGBTQI+ movements and persons around the world.

Prominent Department of State highlights include the welcoming of Jessica Stern as the Special Envoy to Advance the Human Rights of LGBTQI+ Persons; the issuance of the first X gender marker passport; the historic raising of the Progress flag for the first time at Department of State headquarters in Washington, D.C; the hosting of the U.S.'s first side event at the UN Human Rights Council (HRC) focused on



transgender issues; updates to the Human Rights Reports to more thoroughly address the human rights of LGBTQI+ persons; and acknowledgement of violence against LGBTQI+ persons within the drafting of the new U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally and the first U.S. National Action Plan to End GBV.

The Bureau of Consular Affairs (CA): Since the issuance of the PM, the Department has updated its gender marker policies for U.S. passports. On June 30, 2021, Secretary Blinken announced all U.S. citizens can now self-certify their gender, without the need for medical documentation. In October 2021, the Department issued its first X gender marker passport. On March 31, 2022, the Department announced that a third gender marker (X) will be available to all U.S. citizens applying for a routine passport book starting April 11, 2022. The X gender marker is anticipated to become available on passport cards and other citizenship documents in late 2023.

Consular Affairs updated its interpretation and application of Section 301 of the Immigration and Nationality Act (INA), which establishes the requirements for acquisition of U.S. citizenship at birth.

The updated interpretation and application of the INA accounts for the realities of modern families and advances in assisted reproductive technology (ART) from when the Act was enacted in 1952. The updated interpretation allows increased numbers of married couples, including parents in same-sex marriages, to transmit U.S. citizenship to their children born overseas. Children born abroad to parents, at least one of whom is a U.S. citizen and who are married to each other at the time of the child's birth, will be U.S. citizens from birth, if they have a genetic or gestational tie to at least one of their parents and meet the INA's other requirements. Previously, the Department's interpretation and application of the INA required children born abroad to have a genetic or gestational relationship to a U.S. citizen parent. This update has allowed for increased numbers of married couples, including LGBTQI+ couples and those using ART, to transmit citizenship to the children born abroad.

The Bureau of Conflict and Stabilization Operations (CSO): CSO established a community of practice on the intersection of the LGBTQI+ community and conflict and peacebuilding and is creating a primer of resources. The Bureau has integrated its activities into other existing interagency efforts, including the LGBTQI+ Violence Reduction working group and the Advisory Committee for the LGBTQI+ and Violence Reduction partnership with the Library of Congress. As part of this working group, CSO is exploring whether it can assist in producing data analytics and promoting evidence-based approaches to violence reduction against LGBTQI+ persons in conflict-affected areas. The Bureau's new Negotiation Support Unit (NSU) hosted an interagency event on Inclusion in Peace Processes, which focused on sexual and gender minorities, masculinities, and how to use an intersectional approach to gender-sensitive conflict analysis. The NSU, which provides expert technical assistance on peace processes and complex political negotiations, offers negotiation support regarding LGBTQI+ issues and consults with civil society to develop procedural and substantive good practices and negotiating points for responding to recurring acute issues.

The Bureau of Democracy, Human Rights, and Labor (DRL): In September 2021, the Department welcomed Jessica Stern as the U.S. Special Envoy to Advance the Human Rights of LGBTQI+ Persons. Special Envoy Stern has since engaged across the Department, interagency, civil society, private sector, foreign governments, and academia to conduct listening sessions and engage in strategic dialogue on the human rights of LGBTQI+ persons; held discussions across the Department and with embassies abroad on how to increase support to LGBTQI+ persons and movements globally, including in Afghanistan; collected and analyzed data from Posts and Bureaus on the and embassies globally to update the annual Human Rights Reports (HRRs); and participated in internal Diversity, Equity, and Inclusion working groups, lines of efforts, and discussions.

The U.S. Special Envoy to Advance the Human Rights of LGBTQI+ Persons is an active member in the Department of State's Equity Council. Convened by the Chief Diversity and Inclusion Office, the Equity Council provides a platform for equity leads to share information, discuss challenges, and reinforce intersections between the various efforts aimed at embedding racial equity and support for underserved communities in U.S. foreign policy development and implementation.

In June 2021, DRL's Acting Principal Deputy Assistant Secretary Scott Busby testified before the House Foreign Affairs Committee at its first hearing devoted exclusively to LGBTQI+ human rights issues. The testimony emphasized the Department's commitment to protecting and promoting the human rights of LGBTQI+ persons through targeted policy and foreign assistance efforts. The testimony highlighted the need for support for increased visibility and empowerment of queer women, transgender and other gender diverse people, intersex people, and members of other marginalized LGBTQI+ communities.

The DRL Office of Global Programs (DRL/GP) administered the Global Equality Fund (GEF) throughout the year. The GEF is a unique and effective public-private partnership which supports emergency assistance to LGBTQI+ organizations and persons under threat, small grants to grassroots LGBTQI+ organizations, and long-term human rights programming to catalyze positive change. In response to the critical challenges created by the COVID-19 pandemic, the office worked closely with implementing partners to adjust programming and enable them to continue their work and address critical, evolving needs. With support from Congress and current partners, the GEF is growing. DRL/GP has initiated a renewed effort to expand membership and contributions, including financial contributions, from new and current partners.

As part of the Presidential Initiative for Democratic Renewal launched at the Summit for Democracy, the State Department also intends to provide up to \$5 million to launch the Global LGBTQI+ Inclusive Democracy and Empowerment (GLIDE) Fund, a new program under the Global Equality Fund that will facilitate the participation and leadership of LGBTQI+ community members in democratic institutions.

Throughout the year, DRL's Office of Multilateral and Global Affairs (MLGA) managed the LGBTQI+ portfolio for the Department prior to Special Envoy Stern's arrival. This included, among other things, continuing Department efforts to support the repeal laws in countries that criminalize individuals on the basis of sexual orientation, gender identity, expression or sex characteristics, something the Special Envoy's Office now leads.

DRL/MLGA also worked to ensure that LGBTQI+ human rights equities were mainstreamed across interagency and Department gender-focused policy lines of effort. DRL regional offices continued efforts to promote and protect the human rights of LGBTQI+ persons throughout the year. For example, DRL's Office of Western Hemisphere Affairs (DRL/WHA) met with several international organizations to discuss potential collaboration in the fight against LGBTQI+ discrimination in the Western Hemisphere.

During Pride Month, the Department raised the Progress flag for the first time at its headquarters in Washington, DC, and U.S. embassies and consulates worldwide did the same, as appropriate and in line with local sensitivities. In addition, the Department hosted public panels with transgender activists, intersex activists, and LGBTQI+ persons from various faith or belief backgrounds. DRL consistently spoke at high-level meetings and events the importance of advancing the human rights of LGBTQI+ persons.

The Department's social media platforms documented and promoted numerous noteworthy and historic events. For International Day Against Homophobia, Transphobia and Biphobia (IDAHOTB) and Pride 2021, Secretary Blinken released statements commemorating each day, and DRL created social media toolkits that were shared with all embassies and consulates. Numerous bureaus and embassies hosted and participated in wide-ranging Pride events. In addition, the Department celebrated Coming Out Day, Spirit Day, International Pronouns Day, Intersex Awareness Day, Intersex Day of Solidarity, and Ace week (celebrating those with asexual-spectrum identities), with many of these commemorative days highlighted for the first time in the Department's history.

The Bureau of Educational and Cultural Affairs (ECA): ECA has a long-standing record of prioritizing diversity, equity, inclusion, and accessibility in exchange programs and activities, striving to ensure that participants and programming reflect U.S. society and societies abroad. This commitment is reflected in its Diversity Statement and includes programming and public diplomacy engagements with LGBTQI+ communities around the world. ECA utilizes a variety of different programs to affirm the human dignity of LGBTQI+ persons and calls attention to human rights violations and abuses of LGBTQI+ persons worldwide. This includes the U.S. Speaker Program, the International Visitor Leadership Program (IVLP), Cultural Exchange Programs, Global Leaders Exchange Programs, engagement with foreign audiences through overseas American Spaces (including Binational Centers), and Academic Exchanges such as the Fulbright Program.

The Bureau of International Narcotics and Law Enforcement (INL): As INL works with partner nations on issues related to civilian security, we assist them to ensure that citizens are safe and secure, including against bias-motivated violence. INL provides tools and resources to address this problem set, including training for law enforcement officers and other criminal justice actors on how to investigate, prosecute, and adjudicate hate crimes, including those against LGBTQI+ persons, and how to identify and address their bias and its impact on their work. Since the release of the PM, INL has convened a new interagency Violence Reduction and Civilian Security Assistance Working Group on a monthly basis, committed to several concrete actions that advance working group priorities, and highlighted the importance of countering hate crimes during a UN Commission on Crime Prevention and Criminal Justice side event.

The Bureau of International Organization Affairs (IO): IO coordinates U.S. Government efforts across the United Nations (UN) system and works with partner bureaus and agencies to ensure United States engagement extends to regional and functional multilateral organizations outside of the UN and to ad hoc coalitions and multilateral groupings. The United States has rejuvenated our engagement in the United Nations LGBTI Core Group in New York and became a founding member of the Sexual Orientation and Gender Identity (SOGI) Group of Friends in Geneva in June 2021.

Since January 20, 2021, the United States has resumed a leadership role at the UN and other multilateral bodies, having joined every joint statement on LGBTQI+ issues at UN bodies. This includes joining the first such statement at the UN Security Council, hosting the United States' first-ever side event at the HRC on transgender issues, and leading the first-ever resolution at the UN to pass by consensus with the inclusion of the phrase "sexual orientation and gender identity," which was adopted by the UN General Assembly in December 2021. This resolution is also the first in UN history to include a reference to women in all of their diversity. This landmark resolution is only the second in the UN General Assembly to include LGBTQI+ inclusive language, following the biennial resolution on extrajudicial executions.

The Office to Monitor and Combat Trafficking in Persons (TIP): The TIP Office took steps during the past year to address and highlight the vulnerability of marginalized and underserved communities, including the LGBTQI+ community, to human trafficking. The TIP Office's actions have focused on incorporating inclusive language and equitable opportunities into its foreign assistance programming and in the text of the annual Trafficking in Persons Report (TIP Report).

The Bureau of Population, Refugees and Migration (PRM): PRM redoubled its efforts to prioritize protection of LGBTQI+ refugees and asylum seekers as part of its mandate to provide protection, ease suffering, and resolve the plight of refugees, asylum seekers, internally displaced persons (IDPs), stateless persons, and conflict-affected populations, also known as PRM's populations of concern (PoCs). Throughout the year, PRM began work to systematically engage partners and the public on LGBTQI+ human rights, develop or re-establish associated training for PRM staff, and develop additional specific mechanisms to support equal access, protection, and solutions for LGBTQI+ PoCs. At the United Nations High Commissioner for Refugees (UNHCR) High-Level Officials Meeting (HLOM), PRM announced a package of pledges to support enhanced LGBTQI+ protection and access to assistance, including enhanced training of UNHCR staff. PRM released a request for concept notes in December 2021 to expand resettlement referrals for LGBTQI+ and other vulnerable refugees by NGOs and other organizations and included projects supporting LGBTQI+ PoCs as a priority area for the Julia Taft Refugee Fund.

The Office of the U.S. Global AIDS Coordinator (S/GAC): Provision of non-discriminatory HIV prevention and treatment services for key populations, inclusive of gay, bisexual, and other men who have sex with men and transgender individuals, will continue to be a priority for the Office of the U.S. Global AIDS Coordinator (S/GAC) U.S. President's Emergency Plan for AIDS Relief (PEPFAR) irrespective of politics or priorities within a country. Going forward, PEPFAR's core program and policy priorities will focus on deepening efforts to support key populations, including through increased focus on improving an enabling environment for HIV service delivery for gay, bisexual and other men who have sex with men. PEPFAR's latest program data document the number of men who have sex with men and transgender individuals who have been provided HIV services through PEPFAR during the first three quarters of FY 2021, as well as how it has engaged in multilateral spaces to advance a Global AIDS Strategy (released in March 2021) that is responsive to the needs and enduring inequities faced by key populations. In addition, S/GAC is providing information on anticipated HIV funding for men who have sex with men and transgender individuals in FY 2022. Notable examples of programming to support the PM over the past year are included in regional and agency reports.

The Secretary's Office of Global Women's Issues (S/GWI): Since the issuance of the PM, S/GWI has continued policy, programming, and bilateral and multilateral diplomatic efforts to advance gender equity and equality and the empowerment of women and girls in all their diversity. During the reporting period, S/GWI funded a research project with the OECD aimed at collecting gender-disaggregated data including data on LGBTQI+ persons to support evidence-based policy making. Research will support the development and mainstreaming of gender-disaggregated indicators in four areas: gender digital divide, teleworking, taxes and benefits, and parental leave.

Led by S/GWI, the Department's implementation of E.O. 14020 and the National Strategy on Gender Equity and Equality, including the development of the Department Action Plan, aims to advance the empowerment of women, girls, and LGBTQI+ persons, in all their diversity, throughout the formation of U.S. foreign policy and programs. S/GWI also leads ongoing implementation of the U.S. Strategy on Women, Peace, and Security (WPS) including engagement with bilateral and multilateral partners and women-led civil society organizations and offers opportunities to address the impact of conflict on LGBTQI+ women and girls and advance their inclusion in conflict mitigation, peacebuilding, and governance efforts.

Department of State Embassies: U.S. embassies and consulates abroad are actively engaged in efforts to fully implement the PM and maintain regular contact with LGBTQI+ civil society organizations. They engage government officials; coordinate with like-minded countries on promoting the human rights of LGBTQI+ persons and support public and private engagements, programs, grants, and outreach in support of LGBTQI+ human rights, as well as celebrate and prominently support local and regional Pride celebrations. U.S. Missions to multilateral bodies such as the Organization for Security and Cooperation in Europe issue statements and engage in initiatives in concert with like-minded countries in defense of the human rights of LGBTQI+ persons, promoting tolerance, countering discrimination, and condemning hate crimes against them. Our overseas efforts to advance and protect the human rights of LGBTQI+ persons under each line of effort in the PM are detailed throughout the report.

Rescinding Inconsistent Policies

The Department has worked diligently to update its gender policies throughout the year. As noted above, on June 30, 2021, Secretary Blinken announced the Department's updated policy allowing U.S. citizens to self-attest to their gender without the need for medical documentation. On March 31, 2022, the Secretary announced that starting April 11, 2022, U.S. passport applicants may select male (M), female (F), or unspecified or another gender identity (X) on their passport book application for routine service.

Additionally, under the Department's updated interpretation of INA 301, announced May 18, 2021, children born abroad to parents, at least one of whom is a U.S. citizen and who are married to each other at the time of the child's birth, will be U.S. citizens from birth if they have a genetic or gestational tie to at least one of their parents and meet the INA's other requirements. This updated interpretation is more consistent with the Department's goal of equal treatment of LGBTQI+ persons.

Additionally, the United States withdrew from the “Geneva Consensus Declaration” and requested its removal from the UN document system in February 2021. The Geneva Consensus Declaration opposes abortion and related reproductive health and rights and is widely viewed as anti-LGBTQI+ .

Actions, Programs, and Initiatives

a. Combatting Criminalization

The Department advocates for the repeal of laws in countries that criminalize individuals on the basis of sexual orientation and/or gender identity or expression. The Office of the Special Envoy for LGBTQI+ Human Rights is developing country-specific approaches using Department, interagency, and intergovernmental tools and resources to support decriminalization. Areas of engagement throughout the year include, but are not limited to, coordinating diplomatic responses to human rights violations and abuses resulting from the criminalization of LGBTQI+ status or conduct; providing emergency assistance; and advocating for policies, including supporting civil society efforts to repeal laws and prevent passage of proposed legislation criminalizing LGBTQI+ status or conduct.

The Bureau of African Affairs (AF)

On November 29, Botswana’s Court of Appeals upheld a lower court’s 2019 decision that struck down a colonial-era sodomy law that forbade “carnal knowledge of any person against the order of nature.” The decision ended a five-year legal struggle by LGBTQI+ advocates to overturn the nearly 60-year-old, discriminatory and outdated Penal Code clause. U.S. Embassy staff attended the November 29 decision and the October 12 Court of Appeals hearing on the case. The Embassy also coordinated a press statement with the UK, EU, Australia, France, and Germany celebrating the decision and congratulating activists for their long but successful struggle.

In Togo, the United States, the UN, the EU, Germany, and France urged the Human Rights Minister to strike down laws that criminalize homosexuality.

In 2021, Uganda’s parliament passed a Sexual Offenses bill that provided for up to ten years imprisonment for same-sex sexual activity and criminalized sexual activity between females. The U.S. Department of State firmly and clearly noted its public opposition to violence and discrimination against members of the LGBTQI+ community and its concerns with wording in the bill that might violate the human rights of LGBTQI+ persons. In August, President Museveni returned the bill to parliament, and the Embassy has continued engagement with key members of parliament.

In Zimbabwe, the U.S. Embassy's Deputy Chief of Mission (DCM) conducted a press interview in May to discuss the Department's Human Rights Report and the importance of International Day Against Homophobia, Transphobia, and Biphobia. The DCM emphasized the growing recognition of LGBTQI+ human rights and said all should live their lives authentically and without fear. The Embassy featured an excerpt of the interview on social media. LGBTQI+ activists also welcomed the DCM to a special live interview for Pride Month where the hosts shared their insights on challenges the LGBTQI+ community faces in Zimbabwe, successes to celebrate, and their goals for enshrining LGBTQI+ rights in law. While linked to Pride Month, producers intentionally broadcast the episode in July to underscore that Pride happens every month of the year.

The Bureau of South and Central Asian Affairs (SCA)

In Uzbekistan, the Embassy consistently raised the issue of decriminalization with the government and continues to look for ways to make progress on this sensitive issue. Embassy participants joined a November 30 meeting with international businesses and human rights representatives to discuss joint efforts with the business community to encourage the government to decriminalize same-sex activity between men, including highlighting the economic benefits of a more open society.

The Bureau of Western Hemisphere Affairs (WHA)

The Guyanese National Assembly on August 11 removed the offense of cross-dressing from Guyanese law, in keeping with a 2018 decision by the Caribbean Court of Justice (CCJ). The CCJ considered the measure a violation of Guyana's Constitution, and the National Assembly's action was the final implementation of the CCJ ruling. Embassy Georgetown advocated for the removal of this language.

The Bureau of East Asian and Pacific Affairs (EAP)

Special Envoy Stern participated in the U.S.-Vietnam Human Rights Dialogue in November 2021 and inquired about the implementation of a draft gender affirmation law in Vietnam to allow official gender changes without requiring surgical procedures. Additional EAP posts remain committed to supporting decriminalization and anti-discrimination laws in respective countries by speaking out in favor of such legislation, consulting with local activists, and pressing governments to protect LGBTQI+ persons under law.

b. Protecting Vulnerable LGBTQI+ Refugees and Asylum Seekers

The Bureau of Population, Refugees and Migration

PRM worked to reflect the PM as well as key recommendations from a June 7-29, 2021 UNHCR and the Office of the High Commissioner for Human Rights (OHCHR) Global Roundtable on Protection and Solutions for LGBTQI+ Persons in Forced Displacement in its programming, policy, and advocacy on protection and assistance for LGBTQI+ refugees and other populations of concern.

PRM has begun to systematically engage non-governmental and multilateral partners, starting with UNHCR, on ensuring LGBTQI+ PoCs have equal access to protection and assistance from these agencies, and to encourage improved coordination within the UN system.

PRM continued public diplomacy/public affairs efforts to consistently articulate the U.S. government position on these issues, build consensus around LGBTQI+ rights to the extent possible, sensitize different audiences, and ensure LGBTQI+ PoCs are informed of their rights and know how to access services and protection and where to turn if they are facing difficulty. In December, PRM announced a package of efforts to support LGBTQI+ PoCs at the UNHCR High Level Officials Meeting.

PRM began work to develop mechanisms within a new private sponsorship program, to be launched in FY 2022, for LGBTQI+ and/or related affinity groups in the United States to sponsor resettled LGBTQI+ refugees.

PRM undertook efforts to raise awareness among U.S. overseas posts, through cables, virtual trainings, and other outreach, of the availability of Embassy resettlement referral mechanisms for LGBTQI+ persons who are persecuted for their gender identity, sexual orientation, or gender expression.

PRM held bilateral meetings and roundtable discussions with NGOs that serve LGBTQI+ PoCs and LGBTQI+ civil society organizations, particularly those at the local level, and/or LGBTQI+ people with lived experiences in forced displacement to better respond to the unique needs of LGBTQI+ PoCs. This included meetings with LGBTQI+-led and -serving civil society organizations to discuss the aforementioned roundtable recommendations and the needs of LGBTQI+ PoCs in specific countries.

PRM began work to increase funding for local NGOs that serve LGBTQI+ PoCs. In its 2022 Julia Taft Refugee Fund guidance for U.S. Embassies, PRM included funding of locally supported projects to support equal access to protection, assistance, and other solutions for LGBTQI+ refugees and stateless persons.

PRM requires that implementing partners complete gender analyses in their proposals that aim to specify and provide targeted support for specific at-risk sub-populations, including people who identify as lesbian, gay, bisexual, transgender, queer, or intersex.

Relevant PRM offices (e.g., MCE's Gender and Youth team and Admissions' Policy team) began providing technical guidance to regional assistance offices and Admissions program offices, respectively, on issues related to LGBTQI+ PoCs through regional strategy Policy and Program Review Committee decisions, proposal reviews, information dissemination, and monitoring and evaluation.

PRM is working to re-establish a robust program of training and sensitization on LGBTQI+ issues and protection concerns for U.S. Refugee Admissions Program (USRAP) staff. This will include ensuring implementing partners at overseas Resettlement Support Centers, domestic resettlement agencies and institutional partners, and International Organization for Migration (IOM) incorporate appropriate trainings and accountability mechanisms for staff working on the USRAP.

The Bureau of African Affairs

Kenya is one of only two countries in the region to offer official refugee status because of persecution based on sexual orientation or gender identity (along with South Africa). The U.S. Embassy in Nairobi continues to work closely with UNHCR and others to address reports of violence and harassment against LGBTQI+ refugees, including measures such as increasing security presence within refugee camps. The Embassy continues to work on LGBTQI+ resettlement cases and urges the Kenyan government to speed up the exit permit process. In a focus group discussion with the Refugee Coordinator, participants discussed challenges such as violence and harassment, access to social services and assistance, and mental health challenges caused by a sense of isolation in camps.

The Bureau of European and Eurasian Affairs (EUR)

In Bosnia and Herzegovina (BiH), Embassy Sarajevo regularly engages with UNHCR and the EU to encourage BiH authorities to address asylum system inefficiencies that prevent the country from processing asylum requests in a timely manner and differentiating individuals requiring international protection, including vulnerable LGBTQI+ persons from the rest of irregular migrants transiting BiH. Mission staff have had numerous discussions on BiH asylum system deficiencies with UNHCR, the EU, and Washington.

In Germany, Consulate General Leipzig has partnered with an NGO on a program tailored to the specific needs of LGBTQI+ refugees.

In Greece, the Public Affairs Section of Embassy Athens funded a capacity-building program with a workshop with U.S. experts designed for NGO professionals about supporting LGBTQI+ refugees in July. The program highlighted the U.S. commitment to diversity, equity, and inclusion, and helped protect some of the most vulnerable populations.

The Bureau of Western Hemisphere Affairs

In Mexico, a joint INL-United Nations Office on Drugs and Crime (UNODC) project developed a manual for the detection and processing of smuggled migrants. A portion of the manual includes an LGBTQI+-specific training module that educates Mexican law enforcement and immigration officials about LGBTQI+-related needs. The project, which ran through December 2021, also features LGBTQI+ role players in migrant smuggling training scenarios.

In Argentina, a grant to a local NGO, which advocates for the human rights of migrants and refugees with a focus on women, children, and LGBTQI+ community members, helps protect LGBTQI+ refugees in Argentina.

c. Foreign Assistance to Protect Human Rights and Advance Non-Discrimination

The Bureau of Democracy, Human Rights, and Labor

Since its launch in 2011, the Global Equality Fund has provided more than \$100 million in over 100 countries around the world through three primary mechanisms: (1) a global small grants initiative to directly fund nascent and/or grassroots local groups; (2) an emergency protection and rapid response program (Dignity for All); and (3) more than 50 technical assistance projects.

In FY 2021, based on strong bipartisan support for the GEF in Congress, the United States increased its support for the GEF to \$10 million in Human Rights and Democracy Fund (HRDF), annually.

The Bureau and its GEF partners and implementers have developed evaluative indicators through a collaborative and consultative process. This allows DRL to aggregate quantitative and qualitative results across GEF-supported projects. Each year, DRL aggregates these indicators to measure portfolio progress and illustrate how partners are contributing to the broader GEF portfolio.

The Bureau is working to secure new commitments to strengthen and grow the GEF, including through the Special Envoy's participation in bi-annual Partners' Meetings, now taking place virtually due to COVID-19.

The Bureau is soliciting new proposals for programming to support the human rights of LGBTQI+ persons, with a focus on LGBTQI+ inclusive democracy, and particularly marginalized populations including lesbian, bisexual and queer women and transgender, intersex and other gender diverse persons, as well as under-resourced regions. Additionally, DRL continually seeks to ensure that marginalized populations, including LGBTQI+ persons, are included in all DRL/GP programs, both through non-discrimination protections, and via intersectional approaches to human rights programming, across the full range of human rights issues.

The Office to Monitor and Combat Trafficking in Persons

The TIP Office foreign assistance programming under the U.S.-Peru Child Protection Compact (CPC) Partnership supports the International Labor Organization (ILO) in conducting trainings for Peruvian government service providers, judges, prosecutors and police that equips them with information about the specific vulnerabilities and needs of LGBTQI+ child trafficking victims.

The Office of the U.S. Global AIDS Coordinator

In November 2021, S/GAC released for public comment its draft Country Operational Plan Guidance which will guide program planning and implementation for FY 2023. Final guidance was published in January of 2022. The guidance features seven new critical elements:

- A focus on equity, which recognize that despite numerous overall successes in the global HIV/AIDS response, a number of groups, including gay men and other men who have sex with men and transgender people, are being left behind, and therefore asserts PEPFAR's priority focus on these groups.
- Introduction of a new minimum program requirement that requires PEPFAR programs and countries, in collaboration with stakeholders, to demonstrate evidence of progress toward achievement of equity, reduction of stigma and discrimination, and promotion of human rights to improve HIV prevention and treatment outcomes for key populations, among other vulnerable groups.
- Revision of an existing minimum program requirement to explicitly include key population-led organizations among the local partners which should increasingly receive direct funding from PEPFAR.

- A specific subsection in overall key populations guidance on needs and services for transgender people.
- A directive that PEPFAR community-led monitoring activities must include an explicit focus on key populations, including gay men, bisexual and other men who have sex with men and transgender people.
- An explicit denunciation of so-called conversion therapy.
- Additional emphasis on safeguarding and do no harm approaches for marginalized populations, including gay, bisexual and other men who have sex with men and transgender people.

In June, 2021, PEPFAR announced an additional \$10 million to support the Robert Carr Fund (RCF), a pooled funding mechanism that works to strengthen regional and global civil society and community networks; empower, involve and serve inadequately served populations (ISPs) including key populations; and achieve results against HIV and for health, inclusion and wellbeing. PEPFAR is already a founding donor of the RCF; the additional \$10 million dollars will support responsive and adaptive community-led programming for a variety of inadequately served populations, including for gay men and other men who have sex with men and transgender populations.

Recognizing PEPFAR's interagency nature and support for activities in more than 50 countries, reports submitted by departments, agencies and posts have included PEPFAR-funded activities. Some of those reports are featured below in either the State Department regional bureau submissions, or in the agency-specific submissions.

The Secretary's Office of Global Women's Issues

S/GWI has created gender analysis tools and trainings that use an intersectional approach to encourage Department personnel to consider how planned activities will impact women, men, girls, boys, and gender diverse persons. In addition, the tools encourage Department of State personnel to respectfully analyze complexities of intersecting identities, collaborate with local groups, and mitigate potential risks for their involvement in U.S. programs, policies, and public diplomacy activities.

S/GWI has also created an external-facing gender analysis guide for applicants to Notices of Funding Opportunities (NOFOs); gender analyses are suggested and/or required by multiple bureaus throughout the Department.

S/GWI's award provision includes requirements for implementing partners to have a code of conduct for employees that incorporates safeguarding and UN Inter-Agency Standing Committee principles as well as a safe, accessible, and confidential internal reporting mechanism for reporting sexual exploitation and abuse with appropriate safeguards to protect whistleblowers and survivors.

The Bureau of African Affairs

The U.S. Embassy in Cabo Verde has remained in regular contact with the Cabo Verde National Commission for Human Rights and Citizenship (CNDHC) through the final phase of its “LGBTI Citizenship Project.” CNDHC hired consultants to draft legislation to prohibit discrimination on the basis of sexual orientation as well as gender identity, race, color, origin, ethnicity, religion, national origin, age, disability, health, and immigration status. In September, at CNDHC's invitation, Secretary of State for Social Inclusion Lidia Lima addressed members of civil society gathered to provide input to a draft of the legislation. As part of the advocacy effort, CNDHC President Zaida Freitas introduced recommendations from an LGBTI Citizenship Project study on the social and legal circumstances of the LGBTQI+ community, pressed for adoption of LGBTQI+-friendly policies, and explained the need for passage of the draft anti-discrimination legislation with new Cabo Verdean President Jose Maria Neves in late November.

In Nigeria, PEPFAR implementing partners engage in LGBTQI+ advocacy, including through a grant and other funding sources. The grants provide funding to create a training curriculum for law enforcement and legal practitioners on sexuality, gender, and human rights issues. The implementing partner will collaborate with the National Human Rights Commission and LGBTQI+ activists to develop curriculum.

In Mauritius, the U.S. Embassy awarded a grant to a prominent LGBTQI+ organization to establish a public research space promoting the wellbeing and integration of the LGBTQI+ community.

PEPFAR programming in Mozambique includes LGBTQI+ persons in an anti-stigma campaign and dedicates funding to reach LGBTQI+ persons. Activities include national and site level interventions, including efforts to link HIV-positive identified LGBTQI+ persons to HIV treatment services. PEPFAR resources also address structural barriers to service access, including gender-based violence and community stigma. PEPFAR's implementing partners train health professionals to reduce provider-related stigma and discrimination that limits LGBTQI+ persons' access to quality HIV prevention and treatment services.

The Bureau of European and Eurasian Affairs

In Greece, Embassy Athens's Public Affairs Section funded educational workshops for professionals working in the field on both gender-based violence experienced by refugees, and refugee mental health. The topics addressed by the program will include gender-based violence experienced by LGBTQI+ persons. This project helps build Greece's capacity to respond to challenges experienced by its vulnerable populations.

In North Macedonia, Embassy Skopje provided a small grant to an LGBTQI+ organization to host a series of workshops/discussions with the LGBTQI+ community, allies, and state institutions on recognizing and mitigating discrimination.

During the week of August 21 in Slovakia, the 9th edition of the week-long Kosice Pride Festival took place in Kosice, the second largest city in Slovakia, with Embassy support. The festival included a series of artistic and cultural events and human rights discussions, as well as a "Pride Lab" aimed at young LGBTQI+ activists. It culminated with an in-person Pride parade on August 28. Funding of this festival is important in expanding advocacy beyond Bratislava, especially into eastern Slovakia.

The Bureau of East Asian and Pacific Affairs

Collaboration with and support of local NGOs remains one of the primary methods by which EAP posts engage with local activists. Embassy Manila, for example, partnered with local organizations to train and mentor emerging LGBTQI+ leaders, raise awareness of and combat discrimination toward LGBTQI+ populations, and call attention to domestic violence and gender-based violence.

The Bureau of Near Eastern Affairs (NEA)

In Lebanon, the Public Affairs Section (PAS) awarded a grant to promote the integration and participation of LGBTQI+ persons in Lebanon in the democratic process. The program also seeks to provide resources for the LGBTQI+ community to expand understanding of itself as a distinct and powerful community by creating the first gender and sexuality library in Lebanon. The library provides a specialized compendium of knowledge from all over the world in an archive of Arab and Arab-American LGBTQI+ cultural, political, social, and historical content.

The Bureau of South and Central Asian Affairs (SCA)

In August 2021, ECA supported a USG exchange alumnus's project to work with the LGBTQI+ community in Kostanay, a conservative region in northern Kazakhstan. This project provides resiliency and legal resource/human rights training to almost 30 LGBTQI+ community members. The project provides a mix of civil society engagement and talks from human rights organizations, legal resource training, as well as self-defense and other therapeutic trainings to engage participants.

The Bureau of Western Hemisphere Affairs (WHA)

In Chile, through Department funds provided in 2016, Embassy Santiago supported the creation of the first nationwide LGBTQI+ virtual helpline. Due to an increasing number of individuals experiencing depression as a result of the COVID-19 pandemic, the Chilean hotline received a 250 percent increase in LGBTQI+ youth reaching out for help.

In Peru, the INL/Drug Demand Reduction Program partnered with a non-governmental organization to expand treatment of substance use disorders for LGBTQI+ individuals and reduce barriers to healthcare services to people with diverse sexual orientations and gender identities. INL extended the grant through October 2023.

In Jamaica, PEPFAR funded a three-day planning workshop in November and partnered with UNAIDS and an NGO to address HIV-related stigma and discrimination, including in its intersection with LGBTQI+ stigma and discrimination. During the workshop, LGBTQI+ advocacy organizations shared best practices and lessons learned from their advocacy efforts and identified opportunities for collaboration in 2022. Participants discussed the purpose and impact of the UNHRC Universal Periodic Review, pending anti-discrimination legislation, and a potential National Human Rights Institute. Participants also crafted an action plan for the 2022 Enabling Environment and Human Rights agenda.

d. Responses to Human Rights Abuses of LGBTQI+ Persons Abroad

The Bureau of Democracy, Human Rights and Labor

DRL is working with bureaus and embassies to address the increasing systemic violence and oppression faced by members of the LGBTQI+ community worldwide using all available tools. DRL/GP works with emergency assistance program partners to coordinate responses to efforts which target LGBTQI+ persons en masse, and collaborates with partners to adjust programming mechanisms to respond to changing dynamics.

The Office of the Special Envoy for LGBTQI+ Human Rights, DRL/MLGA and DRL/GP work with Embassies and regional bureaus to create programs and policy geared toward reducing stigma and promoting tolerance, acceptance, and social inclusion of LGBTQI+ persons. The Department utilizes interagency, and intergovernmental tools and resources to support locally led efforts to advance the human rights of LGBTQI+ persons and ensure that U.S. support does not inadvertently cause undue harm to those we seek to help.

DRL/GP addresses human rights abuses and violations based on gender identity or expression, and sex characteristics and provides support to transgender, gender non-conforming, non-binary and intersex persons. DRL/GP also seeks to address gender-based violence inclusive of lesbian, bisexual, and queer women; investing in communities of LGBTQI+ persons of color, LGBTQI+ persons with disabilities; and LGBTQI+ persons living in poverty and/or as immigrants or refugees facing different forms of discrimination.

DRL/GP continues to support civil society in its efforts to swiftly respond to human rights backsliding and attacks against LGBTQI+ persons and their universal human rights. DRL/GP further seeks to support civil society in moments of opportunity to advance protective or proactive efforts to uphold these rights.

The Department continues to advocate for increased financial support of the GEF from existing GEF partners and for bringing onboard additional funding partners. DRL is working to ensure the strong coalition of like-minded governments, businesses, and foundations remains dedicated to amplifying local LGBTQI+ voices and movements.

Interagency Report on the Implementation of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons Around the World (2022)

The Bureau of International Narcotics and Law Enforcement Affairs (INL)

INL chaired the Working Group on Violence Reduction and Civilian Security (WG) throughout the year. The National Security Council (NSC) invited INL to lead this WG with the participation of DOD, DOJ, USAID and other State Department bureaus to identify violence trends targeting LGBTQI+ communities and identify ways to reduce levels of violence against these persons. Other State Department bureaus that serve as members of the WG include DRL, IO, S/GWI, IRF, and CSO.

The WG developed a vision statement in June 2021 to clarify its focus on helping U.S. interagency partners foster an information and knowledge-sharing culture that continuously improves the U.S. government's ability to take concrete action in support of reducing violence and improving civilian security for LGBTQI+ and other marginalized persons abroad.

The WG also endorsed three main goals for achieving this vision: (1) leveraging knowledge and data to support action; (2) sharing information that helps address acute challenges likely to increase violence against LGBTQI+ persons and, (3) integrating reduction of violence against LGBTQI+ persons into broader foreign assistance policy and programming related to civilian security.

Through sharing of information and resources and interagency coordination, the WG aims to increase awareness and capacity among its members of the importance of addressing biases against LGBTQI+ persons among law enforcement and other criminal justice and security sector actors in partner nations; eliminating discriminatory practices; investigating, responding to, and preventing bias-motivated crimes, including through outreach to civil society; and advancing these approaches through multilateral fora, bilateral relationships, and other multi-stakeholder LGBTQI+ engagement platforms.

As chair of the WG, INL has committed to several concrete actions that advance working group priorities including the following:

- *Launching a partnership with the Library of Congress to evaluate existing academic research for linkages between bias, discrimination, and violence, including against LGBTQI+ persons:* In September 2021, INL entered into an interagency agreement with the Library of Congress to evaluate existing academic research for linkages between bias, discrimination, and violence, including against LGBTQI+ persons. The goal is to better understand which criminal justice interventions can prevent escalations in violence so that INL and other interagency partners can better target foreign assistance efforts. This working group will form the basis of an interagency advisory committee that will review interim research findings, provide sources and references, and otherwise advise on the direction of the research.

- *Developing a training module and facilitator guides on bias and discrimination:* In September 2021, as part of a broader effort to improve training resources for foreign countries, INL awarded an 18-month cooperative agreement to support the creation of a new bias and discrimination training module and facilitator guides. These new tools will be included in trainings conducted at INL's network of six regional International Law Enforcement Academies and by U.S. state and local partners. State and local partners conduct over 50 trainings for foreign corrections agencies each year, which means the new module would likely reach more than 1,000 students per year in the corrections sector alone.
- *New Online Drug Demand Reduction (DDR) Curriculum:* INL recognizes that many people affected by substance use disorders, including in the LGBTQI+ community, face unique barriers in accessing quality, evidence-based treatment. To promote such access, INL funded the development of a curriculum for drug treatment professionals to work with LGBTQI+ communities affected by substance use disorders.
- *Diversity and Inclusion in Partner Police Forces:* INL is conducting an assessment on diversity and inclusion in Latin American police forces with a particular focus on Colombia, Ecuador, and Peru. The project will produce recommendations to increase diversity, improve investigation of discrimination, and improve capacity to provide police services in immigrant and vulnerable communities, including for LGBTQI+ persons. The project is expected to be completed in Spring 2023.

INL continues to support the Honduran National Police Special Victims Investigations Unit (SVIU). The SVIU investigates crimes perpetrated against members of especially vulnerable populations including the LGBTQI+ community.

The Office to Monitor and Combat Trafficking in Persons

The TIP Office uses its annual TIP Report to highlight how traffickers target LGBTQI+ communities and individuals, detail related governmental efforts (when known), and push for comprehensive and inclusive policies that do not increase the insecurity and trafficking risks among these populations. The TIP Report addresses these issues in a broad manner in the introduction, as well as providing specific analysis and recommendations for individual countries, including the United States. In the 2021 TIP Report, the TIP Office published a letter submitted by a subject matter expert with lived experience of human trafficking in response to its annual Federal Register notice requesting information relevant to countries' progress in addressing human trafficking, which focused on the vulnerability of the LGBTQI+ community to human trafficking.

The Bureau of Population, Refugees and Migration

PRM provided funding to UNHCR for protection and assistance activities, including for LGBTQI+ refugees. PRM is working with DRL and IO to address LGBTQI+ issues in the UN and engage coalitions of like-minded nations to garner support for the protection of LGBTQI+ PoCs.

The Bureau of African Affairs

In Benin, the U.S. Ambassador participated in a DCM-hosted reception in July to elevate the importance the United States places on the defense and protection of human rights - in particular LGBTQI+ inclusion. Invitees included religious leaders, representatives from NGOs, UN agencies, as well as staff from the Ministry of Social Affairs and the Benin Human Rights Commission.

On August 21, the U.S. Embassy in Angola held an informal roundtable discussion between a congressional delegation led by U.S. Representative Karen Bass and members of Angolan civil society which included representatives from Angolan LGBTQI+ organizations.

The Bureau of East Asian and Pacific Affairs

Special Envoy Stern participated in the U.S.-Vietnam Human Rights Dialogue in November 2021 to raise challenges on the promotion of human rights of LGBTQI+ persons in Vietnam, as well as highlight areas of progress and potential cooperation to further advance human rights protections, including on a draft gender affirmation law to ensure legal gender recognition and amendments to the Marriage and Family Law to provide same-sex couples property and inheritance rights.

The Bureau of European and Eurasian Affairs

On November 27, Greece's "It Gets Better" campaign launched a 10-minute recorded interview with Consul General Elizabeth Lee, who talked about her personal journey to State Department leadership positions after coming out in a traditional Korean-American family. Mission Greece promoted the video across its social media platforms, allowing it to reach a vulnerable community with a message of solidarity from one of its leaders.

In the Holy See, Embassy Vatican's Public Affairs section promoted multiple social media messages of support for LGBTQI+ rights, including statements by Secretary Blinken and President Biden, a ShareAmerica article about LGBTQI+ representation in Congress, and a news article highlighting Pope Francis' provision of vaccinations to Italy's transgender community.

On June 15, 2021, Hungary's parliament passed the "child protection" law, introducing heavier sanctions for sexual crimes against minors. The law also banned the "promotion" or "portrayal" of gender different from sex at birth, gender reassignment, and homosexuality to minors in media, advertisements, and education. On the same day, Embassy Budapest published a statement that it was "deeply concerned by anti-LGBTQI+ aspects" of the legislation. Independent media outlets covered the statement widely and several LGBTQI+ contacts thanked Embassy Budapest for the public support.

In Iceland, the Chargé d'Affaires penned an op-ed published in the national daily Frettabladid on November 26 marking 16 Days of Activism against Gender-Based Violence, in which she addressed the importance of protecting the human rights of LGBTQI+ people.

In Estonia, Embassy Tallinn is closely supporting the work of a Fulbright scholar researching social identity as it relates to language and sexual orientation in Estonia.

The Bureau of Near Eastern Affairs

In Kuwait, Embassy officials communicated with the lawyer of a transgender woman in prison for "imitating the opposite sex" and "misusing phone communication." Local and international media widely covered her case as well as her accusations of abuse against prison officials. Post is monitoring her case and her treatment while in confinement.

The Bureau of Western Hemisphere Affairs

The Senate of the Dominican Republic passed a draft Penal Code bill with sanctions for discrimination based on sexual orientation; the bill is pending Chamber of Deputies' approval. The Chamber of Deputies previously approved a draft Penal Code that did not include sexual orientation or gender identity as protected categories under its discrimination clause, and added language that critics alleged would explicitly allow discrimination based on "religious, moral, ethical, and institutional requirements." The bill expired after pushback from civil society and international organizations and the legislature in August formed a Bicameral Commission to discuss the reform of the Penal Code. Embassy Santo Domingo officials continue to engage with Dominican officials on these issues.

Following two separate killings of Guatemalan leaders in the transgender community, Embassy Guatemala City issued statements condemning the murders and urging full investigations. During USAID Administrator Power's visit to Guatemala on June 15-16, Administrator Power met with transgender leaders and highlighted awareness of violence against the community, in collaboration with the Department of State.

e. Building Coalitions of Like-Minded Nations and Engaging International Organizations in the Fight Against LGBTQI+ Discrimination

The Bureau of Democracy, Human Rights, and Labor

During the Summit for Democracy, President Biden committed to uphold the human rights of LGBTQI+ persons. Signed by 28 governments, the Equal Rights Coalition Statement on Democracy and LGBTQI+ Human Rights affirms that democratic renewal is essential to promoting and protecting the human rights of LGBTQI+ persons. Through this statement, the State Department will partner with other government signatories to work together to support and empower the participation of LGBTQI+ persons in the full range of democratic processes, including elections; political campaigns; civil society advocacy and oversight; journalism, and independent reporting; and political leadership.

On the margins of the Summit for Democracy, DRL/GP, in support of the Special Envoy for LGBTQI+ Human Rights, and with the partnership of the National Security Council and USAID, produced an event titled “Advancing Inclusion and Democracy: The Participation of LGBTQI+ Persons,” co-hosted with Cabo Verde and Sweden. The event called attention to the new Global LGBTQI+ Inclusive Democratic and Empowerment (GLIDE) Fund launched through the GEF on behalf of the U.S. and the GEF Partners.

The Bureau of International Organizations

The United States, via IO, has continued to engage partner delegations at the UN and other multilateral organizations to advance the human rights of LGBTQI+ persons, including holding multiple side events. At the June 2021 session of the HRC, the United States led its first-ever side event related to the human rights of transgender individuals, supported by over 20 co-sponsoring countries. Nearly 500 people registered to watch the event. Secretary of State Blinken delivered virtual remarks, calling for support of the transgender community on a policy level, while actress and activist Angelica Ross provided the keynote address reflecting upon her own experiences with violence and discrimination. Delaware State Senator Sarah McBride moderated the event with three transgender activists as panelists: Rikki Nathanson (OutRight Action International), Bianka Rodriguez (COMCAVIS Trans), and Ymania Brown (ILGA World). The event highlighted the structural, legal, and intersectional barriers that transgender women of color face.

At the June 2021 HRC session, the United States also joined three joint statements read during the Interactive Dialogue with the Independent Expert for Sexual Orientation and Gender Identity: 1) Argentina announced the launch of the new Group of Friends of SOGI, 2) Uruguay spoke about gender as a social construct and reinforced the IE's report, and 3) Brazil reinforced the importance of the mandate and continued Council attention to LGBTQI+ issues. The launch of the Group of Friends is a significant development that enjoys strong U.S. support, as this will improve coordination on LGBTQI+ issues at the HRC and is complementary to the similar LGBTI Core Group based in New York, to which the United States is also a member. During the September 2021 HRC session, the United States signed onto two joint statements: supporting diversity of families and the human rights of intersex individuals.

In 2021, the United States joined every statement of the UN LGBTI Core Group and participated in several core group meetings, including Ambassador Thomas-Greenfield delivering a statement at the annual Minister-level meeting on the margins of UNGA high-level week. The United States is also assisting with lobbying efforts for recruiting new members and working with the co-chairs to do so. The Department has engaged partner delegations at the UN and in other multilateral organizations. The United States Mission to the UN worked with the UN Core Group and like-minded partners to plan the Core Group's activities and statements for the International Day Against Homophobia, Transphobia, and Biphobia (IDAHOTB) on May 17. This included a joint statement and a video and social media campaign on transgender visibility.

During the September 2021 session of the UN Human Rights Council (HRC), the U.S. joined two LGBTQI+-specific joint statements supporting initiatives on safety, inclusion, and opportunity for LGBTQI+, gender non-conforming, and non-binary persons. The statement entitled "rights of intersex individuals" was the first U.S.-joined statement specific to intersex rights and highlighting bodily autonomy. The United States also supported a statement on diverse families, advocating for the elimination of policies that created different treatment between families. At the UN General Assembly Third Committee in November, the phrases "sexual orientation and gender identity" and "women in all their diversity", an acknowledgement of non-binary persons, were included for the first time in UN history in a UN resolution that was adopted by consensus.

On March 31, the UN LGBTI Core Group featured Kim Coco, the first trans person elected to statewide office in the United States (the Hawaii State Board of Education) in a video campaign on trans visibility. And the US Mission to the UN in New York was lit up in the colors of the transgender flag. At the UN Commission on the Status of Women (CSW), the United States included the first-ever transgender member of the delegation, naming Dr. Lourdes Hunter of the Trans Women of Color Collective, as a CSW public delegate.

The Office of the U.S. Global AIDS Coordinator and Health Diplomacy

In March through June 2021, S/GAC, through its role on the UNAIDS Program Coordinating Board, also worked closely with UNAIDS and like-minded nations to ensure adoption of the new Global AIDS Strategy in March, with an emphasis on evidence-based, transformative actions to address inequalities in the global HIV response. This new strategy advances the goals of the U.S. bilateral PEPFAR program with a focus on the most vulnerable populations, including men who have sex with men and transgender individuals. The next phase was to work under the leadership of US UN in June to ensure these same principles were well reflected at the UN High Level Meeting on HIV and the resulting political declaration.

On December 10, colleagues from PEPFAR, the Global Fund, UNAIDS and NIH organized a webinar in honor of International Human Rights Day. The webinar featured efforts across the globe in addressing HIV-related stigma and discrimination, including that directed against gay, bisexual and other men who have sex with men. The institutions also indicated their intention to strengthen collaboration in a set of focal countries to bolster efforts to counter HIV-related stigma and discrimination.

The Secretary's Office of Global Women's Issues and The Bureau of International Organization Affairs

The 65th Commission on the Status of Women, led by S/GWI and IO, heralded the most diverse U.S. delegation in history; this allowed a diverse group of voices and perspectives to be represented and address issues such as social, racial, and gender equity and equality.

The Bureau of African Affairs

After police in Uganda arrested 44 LGBTQI+ youth (many of whom identify as transgender women) for violating COVID-19 countermeasures in May, the U.S. Embassy coordinated closely with diplomats from like-minded missions to successfully advocate for non-discriminatory treatment toward the detainees, particularly regarding forced anal examinations. The Embassy and like-minded diplomats attended hearings for those detained. The Embassy continues to press for accountability for those who performed the forced examinations. Charges against the individuals were dropped in September.

Minister of State for Family, Inclusion, and Social Development, Fernando Elisio Freire represented Cabo Verde as co-host of a Summit for Democracy side event on LGBTQI+ inclusion in democracy.

Freire highlighted the decriminalization of homosexuality in Cabo Verde in 2004, the formation of the Cabo Verdean Gay Association, Cabo Verde's first pride parade in 2013, participation of Cabo Verdean singer-songwriter Mayra Andrade in the UN Free & Equal campaign, implementation of measures to promote and protect LGBTQI+ rights embodied in Cabo Verde's 2017-2021 National Plan of Action for Human Rights and Citizenship, and Cabo Verde's joining of the Equal Rights Coalition (ERC) in 2018. Freire underscored the role of Cabo Verde's new National Gender Equality Plan for 2021-2025, in further promoting LGBTQI+ rights. He also called attention to the Cabo Verde National Commission for Human Rights and Citizenship's (CNDHC's) LGBTI Citizenship Project study of the Cabo Verdean LGBTQI+ community and draft anti-discrimination legislation as examples of collaboration between CNDHC, the University of Cabo Verde Center for Gender and Family Research and Training, and the U.S. Embassy.

The Bureau of European and Eurasian Affairs

Our Embassy in Paris met with France's Inter-Ministerial Delegation to Combat Racism, Anti-Semitism, and LGBT Hatred (DILCRAH) to discuss France's "National Action Plan for Equality and Countering Anti-LGBT Hatred and Discrimination 2020-2023," and to advance cooperation between like-minded countries in the fight against LGBTQI+ discrimination.

When hate groups targeted Lithuania's most prominent LGBTQI+ politician with hate language and threats in 2021 due to his leadership in pressing for civil partnerships, the Ambassador publicly met with the politician as a gesture of support. The Embassy promoted the meeting in social media, where it received extensive attention, and used it to underscore the U.S. commitment to LGBTQI+ rights. The Ambassador reached out to other like-minded embassies in Vilnius, which then provided similar public support to the targeted politician and local LGBTQI+ groups facing backlash due to his support for civil partnership legislation.

In Portugal, the Chargé d'Affaires launched the Queer Lisbon Film Festival, which featured a panel discussion with acclaimed American LGBTQI+ filmmaker and director Gus Van Sant. In November, to highlight Transgender Day of Remembrance, Post created a social media campaign showcasing the increasing number of LGBTQI+ employees elected to office in the United States, emphasizing the importance of diversity and equality in political representation. To mark World AIDS Day in December, the Chargé d'Affaires participated in a social media campaign along with LGBTQI+ activists, celebrities, and government officials highlighting U.S. support for AIDS relief.

On July 28, Embassy Stockholm signed on to the Common Declaration in Support of Stockholm Pride along with 25 other foreign missions in Sweden. The declaration confirmed Post's strong commitment to promote and protect the human rights of LGBTQI+ persons around the world. The declaration kicked off Embassy Stockholm's messaging campaign in support of Stockholm Pride and WorldPride in Copenhagen and Malmö.

In Croatia, the Chargé d'Affaires hosted a lunch with four human rights activists on September 21, which included a representative from Zagreb Pride. This lunch allowed Post to learn more about challenges faced by LGBTQI+ persons, demonstrate support for Zagreb Pride's activities, and discuss potential opportunities for engagement. During a visit to the coastal city of Split on September 29, the Embassy met with three local LGBTQI+ community organizers, including Split Pride, to discuss challenges and opportunities relating to their activities. This was the Embassy's first official meeting with this group. Contacts noted the biggest challenges were securing funding support for their activities from the EU and limited opportunities for domestic funding. Embassy staff highlighted the potential for applying for small grants through the embassy's public calls for proposals. Over the next year, Post will continue to work with LGBTQI+ community partners to support their efforts to reduce discrimination and increase respect for community members.

Copenhagen, Denmark hosted World Pride as part of Copenhagen 2021, which also included EuroGames and the LGBTQI+ Human Rights Forum. As part of Copenhagen 2021, the Chargé d'Affaires co-hosted a gathering, partnering with the Australian, Canadian, New Zealand, and UK Heads of Mission for key political, diplomatic and NGO attendees engaged in LGBTQI+ issues. Post also contributed to a poster display at the event featuring information on the Global Equality Fund and stories from the Two Spirit Native American community to help raise awareness on the importance of strengthening the LGBTQI+ rights of indigenous persons. The Chargé d'Affaires hosted a representational reception August 19 in honor of U.S. Representatives David Cicilline and Mark Takano who attended Copenhagen 2021 in their capacities as chair and co-chair, respectively, of the Congressional LGBTQI+ Equality Caucus. During his July 2021 visit to the Faroe Islands, the Chargé d'Affaires met with members of the Faroese LGBTQI+ community at a Faroe Pride event.

In Serbia, to mark Belgrade Pride Week, which was celebrated September 12 to 18, Embassy Belgrade participated in a UN-led campaign to highlight international support for LGBTQI+ equality in Serbia. The over-arching message was to express unified support for efforts toward equality, as well as to the eradication of discrimination and marginalization based on sexual orientation and gender identity. The campaign included the slogan, "Ljubav je zakon – Love rules/Love is Law" – highlighting efforts to have the Serbian Parliament adopt draft same-sex union legislation. Embassy Belgrade joined other embassies and international organizations in a joint statement supporting LGBTQI+ equality.

The Bureau of Near Eastern Affairs

In Egypt, the Embassy participates as part of a group of human rights officers from like-minded embassies who collaborate to ensure diplomatic representation at high-level hearings, attend pride month and national coming out day events/observances, and share information on significant developments with potential impact on vulnerable groups including Egypt's LGBTQI+ community.

In Algeria, quarterly LGBTQI+-focused roundtables with like-minded diplomatic missions continue.

In Jordan, the Embassy initiated a quarterly dialogue with other like-minded missions. This partnership established an ongoing dialogue and agreed on principles of engagement and information sharing.

The Bureau of South and Central Asian Affairs

In India, following previous meetings with representatives of the diplomatic missions from Australia, Brazil, Germany, Israel, Spain, France, and the United Kingdom, PAS Mumbai hosted a December U.S. Speaker program in conjunction with the Spanish Consulate that explored expanding the legal rights of the LGBTQI+ community. The program featured Mumbai Consul General Ranz; U.S. Judge Victoria Kolakowski, the first openly transgender trial court judge of general jurisdiction in the United States; Cristóbal Alvear, a Spanish legal scholar and founding member of ExteriorEsDiverso, the LGBTQI+ association of the Spanish Foreign Service; and Vijay Hiremath, a Mumbai-based lawyer. The event reached more than 100 lawyers, activists, NGOs, law enforcement and judicial officers, academics, and representatives of the LGBTQI+ community.

The Bureau of Western Hemisphere Affairs

The U.S. Mission to the Organization of American States (OAS) represents the United States on the OAS LGBTI Core Group, which is comprised of those OAS Member States focused on the promotion of human rights for LGBTQI+ persons in the Western Hemisphere. The United States joined a Declaration to commemorate the November 20 International Day of Transgender Remembrance.

Additional Opportunities and Actions

The Bureau of Consular Affairs

The Department recognizes there is great interest in seeing an expansion of gender marker options for U.S. visa applicants. At this time, only male and female gender options are available for a U.S. visa applicant. Applicants must choose one or the other when preparing their online visa application. The gender reflected in the sex field on any issued visa should match the gender reflected in the sex field on the applicant's foreign passport.

In those instances where a foreign passport does not list a male or female gender/sex field, the applicant must select either male or female for the U.S. visa application, and in such cases the Department generally issues the visa relying on the male or female gender marker chosen by the applicant. The Department knows there is much work left to do and will continue to build on the progress made toward making policies more inclusive.

The Bureau of Conflict and Stabilization Operations

CSO established an interagency working group to increase understanding of the intersection of the LGBTQI+ community with conflict and peacebuilding. The group included members from CSO, DRL, S/GWI, INL, the U.S. Agency for International Development (USAID), and the Racial Equality Working Group (REWG). The goal of the working group was to identify best practices and new ways to integrate this community into peace process work. The working group explored successful country case studies of including LGBTQI+ issues and persons in formal peace processes. As of December 2021, the working group has transformed into a community of practice. As part of leading the LGBTQI+ and Peace Processes Community of Practice, CSO is creating a primer of resources. CSO will include a link to the primer in the Negotiations Support Unit Resource Library.

CSO is continuing to explore ways to address the intersection of LGBTQI+ issues and other marginalized communities in peace processes. CSO's new Negotiation Support Unit hosted an interagency event on Inclusion in Peace Processes on November 17, 2021, which focused on sexual and gender minorities, masculinities, and how to use an intersectional approach to gender-sensitive conflict analysis.

CSO is a member of the interagency Advisory Committee for the LGBTQI+ and Violence Reduction partnership with the Library of Congress. The committee works to evaluate existing academic research for linkages between bias, discrimination and violence, including LGBTQI+ persons. CSO will assist in reviewing interim research findings, provide sources and references, and otherwise advise on the direction of the research.

CSO will offer negotiation support regarding LGBTQI+ issues through the Department's new Negotiations Support Unit, which provides expert technical assistance on peace processes and complex political negotiations. This support may include identifying individuals with appropriate background who can advise individuals on the ground about negotiating responses to acute issues. The NSU will also consult with civil society to develop procedural and substantive good practices and talking/negotiating points for responding to recurring acute issues including arrests during peaceful demonstrations, or apparent movement forward of unfavorable legislation. Ensuring diverse participation and perspectives in exchange programming is one of the principal criteria for evaluating and selecting program proposals from implementing institutional partners.

The Bureau of Democracy, Human Rights, and Labor

The Bureau prepared social media content for Coming Out Day and Spirit Day (LGBTQI+ awareness day, featuring Special Envoy Jessica Stern) which were featured on the Department's flagship platforms. Additional content was produced and shared throughout the Department – often for the first time – for International Pronouns Day, Intersex Awareness Day, Intersex Day of Solidarity, and Ace Week, celebrating persons with asexual-spectrum identities. DRL consistently messaged publicly on high level meetings regarding LGBTQI+ issues, including with the UN Independent Expert on Sexual Orientation and Gender Identity, and legislative changes of international importance, including the first issuance of a U.S. passport with an X gender marking and a decision by the Botswana Court of Appeals upholding that the criminalization of same sex sexual acts is unconstitutional. In addition, the Department hosted numerous public panels with transgender activists, intersex activists, and LGBTQI+ persons from various faith or belief backgrounds.

The Bureau of Educational and Cultural Affairs

ECA's Office of American Spaces provided American Centers, American Corners, and Binational Centers around the world with platforms for person-to-person foreign interactions on topics including LGBTQI+ related issues, directly engaging foreign audiences. Examples include: Montenegro LGBTQI+ film screening; virtual lecture and discussion in New Delhi, India; and an LGBTQI+ themed film screening in Thailand.

ECA's American Film Showcase and American Music Abroad (AMA) work with participating posts worldwide to bring award-winning American documentaries, musicians, songwriters, composers, and performers to audiences, and the 2022 cycle includes film titles with LGBTQI+ narratives and performers who identify as LGBTQI+ and non-binary. ECA's AMA lyrics program uses AMA artists' original song lyrics to prepare online English language learning curricula for English Access Teachers worldwide. Two of the artists selected for this project represent the LGBTQI+ community with relevant themes and lyrics.

ECA's Community Solutions Program (CSP) will support 2022 programs to advance LGBTQI+ issues through fellowships with community-based not-for-profit, public and government offices. and Community Engagement Exchange (CEE) will support programs for emerging civil society leaders.

The Benjamin A. Gilman International Scholarship Program (Gilman Program), which provides funding for American undergraduate students with high financial need to study or intern abroad, updated its application to include non-binary options for selecting gender. During the most recent application cycle, three percent of applicants identified as non-binary. A former Gilman Alumni Ambassador created an LGBTQI+ affinity group for Gilman alumni as a safe place for current and former scholars to share their identities and experiences.

The Critical Language Scholarship (CLS) Program updated its application to include non-binary options for selecting gender for the application for American undergraduate and graduate students to study 15 critical languages. In October 2021, during the most recent application cycle, the CLS team hosted a webinar for applicants, "[CLS Alumni Panel: LGBTQI+ Student Experience](#)" to talk about resources for LGBTQI+ students studying overseas.

ECA's U.S. Speaker Program collaborated with U.S. embassies and consulates around the world to engage foreign audiences with American citizen experts on LGBTQI+ related topics, including in Canada, Estonia, and Israel.

ECA's International Visitor Leadership Program (IVLP), a premier professional exchange program offered worldwide, implemented LGBTQI+ programs in several countries, including a program for LGBTQI+ civil society organizations operating in difficult environments in Europe and Eurasia, a Western Hemisphere Affairs (WHA) program to address human rights issues and challenges, and an LGBTQI+ advocacy program in Mexico.

ECA's U.S. Fulbright Student and Teacher Programs, which fund American citizens to study, conduct research, or teach English abroad, updated their applications to include non-binary options. The program funded LGBTQI+ proposals in India, the United Kingdom, Colombia, South Africa, and Pakistan. Programs included transgender healthcare and evaluating access barriers for transgender persons. ECA's Fulbright Teacher Exchanges and Hubert H. Humphrey Fellowship programs, as well as ECA-funded International Writing Program at the University of Iowa, supported LGBTQI+ programs and participants.

The Bureau of International Narcotics and Law Enforcement

INL provides many resources, including subject matter expertise in criminal justice reform, a roster of U.S.-based partners, programmatic guidance, external training, and opportunities for criminal justice partners to explore with U.S.-based counterparts ways to counter bias, discrimination, and bias-motivated violence and how to address barriers to opportunities and benefits for members of historically underrepresented groups.

The Bureau of International Organization Affairs

IO has identified opportunities to not just highlight LGBTQI+ issues, but also to mainstream them across the multilateral system – not only through our engagements in the UN system, but also in regional fora. The Bureau will continue to coordinate efforts across multiple agencies.

The Office to Monitor and Combat Trafficking Persons

The TIP Office is working to ensure the Department has consistent global coverage inclusive of all such marginalized groups in information gathering among key stakeholders, reporting in the annual TIP Report and beyond, as well as diplomatic engagement on trafficking. Beyond consideration of trafficking and trafficking risks among marginalized communities, the TIP Office seeks to critically examine how institutional racism and discrimination have impacted the delivery of justice and protection services for such communities.

The Secretary's Office of Global Women's Issues

For Transgender Day of Visibility, S/GWI highlighted an Afro-Brazilian transgender woman activist, as well as former ECA participant, on social media and raised the visibility of the multiple forms of discrimination and racial and gender disparities in access to healthcare that transgender women often experience.

For the 16 Days of Action against Gender-Based Violence (GBV), S/GWI produced an official message to all overseas U.S. embassies and consulates which included a social media toolkit and Statement from the Secretary which all included messaging on the increased risks of GBV for LGBTQI+ persons. S/GWI used social media to note the increased risks of GBV for transgender persons, particularly transgender women from marginalized communities.

S/GWI coordinates the annual International Women of Courage Awards (IWOC), and past awardees and nominees have included transgender women and human rights defenders working to advance the human rights of LGBTQI+ persons in their countries who have demonstrated exceptional courage, strength, and leadership.

The Bureau of Near Eastern Affairs

On October 10, diplomats at Post supported the Algeria-specific TenTen Campaign. The TenTen campaign acknowledges October 10 as Algeria's national day for LGBTQI+ rights. The campaign asks LGBTQI+ allies to place lit candles in their windows in a low profile – yet visible – show of solidarity with the community.

Embassy Abu Dhabi's Diversity and Inclusion Committee created ten banner stands that featured prominent LGBTQI+ persons working in the U.S. government. The banners were staged throughout the Embassy for the month of June.

PAS Manama continued to highlight LGBTQI+ related themes under the #CelebratingDiversity hashtag and posted information about advocacy groups in the United States and their histories, such as the Black Gay & Lesbian Leadership Forum.

The Bureau of South and Central Asian Affairs

In Bangladesh, Embassy Dhaka continues to celebrate the conclusion of its Rights for Gender Diverse Populations project. Attendees included clergy, corporate elite, government officials, and diplomats, as organizers sought to motivate influential Bangladeshis to advocate for gender diverse populations. Embassy Dhaka offers participants tools to face discrimination at the individual and societal levels and normalize discussions of queerness, as acceptance of non-trans, non-hijra identities remains low even among Bangladesh's educated youth.

In India, one of six countries in the region that does not criminalize same-sex sexual behavior, Mission India aims to raise awareness about national laws needed to safeguard the human rights of LGBTQI+ communities and the implications of recent judicial rulings on advancing LGBTQI+ rights. Mission India will continue to look to the activists to lead the way, respecting their expertise and lived perspectives to best understand their needs and how the United States can support them.

In India, Mission activities include the following: as a follow up to Mumbai’s “Beyond the Binary” program on Legal Rights of the LGBTQI+ Community, U.S. Consulate General Chennai plans to host a hybrid roundtable to engage lawyers, activists, NGOs, law enforcement and judicial officers, academics and representatives of the LGBTQI+ community and feature prominent judges and lawyers.

In the coming months New Delhi will host three LGBTQI+-related events, including a program on LGBTQI+ tourism in conjunction with the Foreign Commercial Service; a conversation on the inclusion of LGBTQI+ persons in the workforce featuring activists and human resources professionals to share best practices for sensitizing professionals and implementing inclusive HR policies; and Voice for Voiceless #7 to engage with voices from diverse backgrounds to illuminate the experiences of LGBTQI+ community. Voice for the Voiceless runs through June 2022.

Mumbai held two additional Beyond the Binary programs in December and January. As a capstone, the Consulate General plans to work with an industry partner to convene Indian and U.S. companies who have proven successful at creating LGBTQI+-friendly workspaces and HR policies – such as extending same-sex partner benefits – to share best practices with local businesses eager to do the same but uncertain about the way forward.

SPAN, a magazine published by the U.S. Embassy in India offering articles from writers in both countries on education, business, technology, health, culture, social development, arts, and achievements in U.S.-India relations, highlighted in the November/December 2021 edition the importance of the human rights of LGBTQI+ persons through a research-based article that will advocate for the rights of the community by featuring the places that tell the stories of LGBTQI+ heritage in the United States (i.e., the Stonewall Monument, the Butt-Millet Memorial Fountain, the Dr. Franklin Kameny Residence).

U.S. Consulate General Hyderabad is proposing a partnership with the Society for Cyberabad Security Council, a representative body in the IT sector, to organize employability and life-skill training to transgender persons and facilitate access to job opportunities. The Consulate is planning a visit by the Consul General to India’s first transgender help desk set up by the Telangana Police in Cyberabad Police Commissionerate and with support from an IVLP alumna. The helpdesk assists in filing cases related to offences, violence, or discrimination against any transgender person.

The Bureau of Western Hemisphere Affairs

On September 28, 2021, Mission Mexico launched the year-long “New Youth” leadership program to promote public health and youth peer-to-peer mentorship among LGBTQI+ and at-risk populations in Ciudad Juarez. New Youth will produce one binational forum on sexual health; ten discussions on sexual health, human rights, and social inclusion; two seminars on LGBTQI+ social mobilization; and a support network for public health and LGBTQI+ human rights advocates.

The Bureau of East Asian and Pacific Affairs

U.S. embassies and consulates throughout this region have increasingly used social media as a means of engagement, both by creating audio visual content, and by sharing translated resources and continued to hold and plan for country Pride events, such as Pride Weeks and Human Rights Day. Several posts held Pride film festivals, including the Seoul Pride Film Fest. AIT joined the Asia Rainbow Ride in October. Embassy Seoul delivered remarks and marched at the November 6 Daegu Queer Culture Festival, the ROK's first fully in-person Pride event since the beginning of the pandemic.

a. Pride 2021

DRL created social media toolkits for IDAHOTB and Pride Month that were shared with all embassies and consulates. These toolkits had graphics and messages affirming U.S. support for the human rights of LGBTQI+ persons, and were downloaded and used nearly 200 times with a global reach. DRL's top performing Pride tweet had more than 25,000 impressions and shared a quote from President Biden: "We see you, we support you, and we are inspired by your courage to accept nothing less than full equality."

DRL distributed a Pride video message from Secretary of Transportation Pete Buttigieg sharing his personal journey. This was shared by at least ten State Department social media accounts including Embassy Oslo. It was included in a Norwegian daily news roundup and reached nearly one million Norwegian viewers (nearly one-fifth of the country's entire population).

For the first time, the Progress flag was raised at State Department headquarters in Washington, D.C. The historic moment was shared widely on State Department social media and generated positive earned media in outlets including the New York Times, ABC News, LGBTQI Nation, and Foreign Policy.

DRL/GP organized and co-led a virtual event "Celebrating Public-Private Partnership for Pride: A Discussion about the Global Equality Fund" to share best practices, lessons learned, and opportunities for engaging the private sector in support of the human rights of LGBTQI+ persons. Participation extended across the interagency, including representatives from USAID, the Peace Corps, Department of Labor, and multiple bureaus and agencies under the Department of State and Department of Commerce.

During Pride Month 2021, DRL/GP organized and co-led a virtual event “Celebrating Public-Private Partnership for Pride: A Discussion about the Global Equality Fund” to share best practices, lessons learned, and opportunities for engaging the private sector in support of the human rights of LGBTQI+ persons. Participation extended across the interagency, including representatives from USAID, the Peace Corps, Department of Labor, and multiple bureaus and agencies under the Department of State and Department of Commerce. This event dovetailed with the launch of the GEF-supported Civil Society Business Toolkit.

On June 3, 2021, DRL and the Bureau of Conflict and Stabilization Operations, invited Dr. Chloe Schwenke, an openly transgender woman and former political appointee (USAID), to speak at the event “LGBTQI+ Persons and Conflict & Peacebuilding.”

On June 22, 2021, the EU Delegation to the United States led the event “Joining Forces for LGBTI Rights Around the World” as part of the Pride Talks series hosted by the Capital Pride Alliance. The event highlighted EU-US support of LGBTQI+ human rights worldwide and DRL’s senior leadership provided opening remarks.

On June 24, 2021, the United States and like-minded participating States of the Organization for Security and Cooperation in Europe (OSCE) delivered statements in observation of Pride Month, calling out countries with laws and practices that do not respect the inherent human rights and dignity of LGBTQI+ persons and condemning impunity for violence against them, including the dire situation in the Russian Federation’s Republic of Chechnya.

On June 28, 2021, the OAS LGBTI Core Group hosted the event “Ending Violence and Promoting Wellbeing of LGBTQI+ Youth: Challenges and Opportunities”. DRL’s Acting Assistant Secretary Lisa Peterson provided opening remarks followed by a panel discussion.

On June 15, DRL and the Office of International Religious Freedom (J/IRF) co-hosted a virtual panel moderated by Department of State Spokesperson, Ned Price. Faith leaders and activists on the panel emphasized the universality of human dignity, their work to amplify the voices of LGBTQI+ activists, and the importance of fostering inclusion.

S/GWI posted on its social media accounts to reiterate support for LGBTQI+ women and girls, highlighting Department and USG-sponsored Pride events and recognizing the role LGBTQI+ women and gender diverse persons have played in the Stonewall Rebellion and the ongoing fight for LGBTQI+ rights.

Interagency Report on the Implementation of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons Around the World (2022)

IRF stated on its social media accounts that one's beliefs, sexual orientation, gender identity/expression, or sex characteristics should not be criminalized, exploited, or used to undermine respect for human rights. The posts reiterated a commitment to advocate for equal rights and religious freedom for all, including LGBTQI+ persons.

Pride 2021 Highlights from the Bureau of East Asian and Pacific Affairs

Mission Korea posted more than 15 LGBTQI+ focused stories on social media and displayed the Pride Flag on the face of the Chancery in commemoration of Pride Month. The Embassy also gave opening remarks at the November 6 Daegu Queer Culture Festival—the first fully in-person pride event since the start of the pandemic—and marched with like-minded missions in the parade to demonstrate our support of the LGBTQI+ community. The Embassy provided sponsorship and Embassy Pride-branded tote bags to the Seoul Pride Film Fest in November.

Pride 2021 Highlights from the Bureau of European and Eurasian Affairs

In Norway, Embassy Oslo hosted a “TRANS-Atlantic Alliance” webinar with Oslo Pride that featured openly transgender current and former U.S. defense officials giving the audience a behind-the-scenes look at policy development and historical changes leading up to transgender recognition in the U.S. forces.

In June in the Holy See, Embassy Vatican celebrated Pride Month by displaying a rainbow flag in support of LGBTQI+ rights and promoting this event on social media. Post's tweet about the flag had the highest engagement of any social media message in the history of the U.S. Embassy to the Holy See and caused an intense swirl of media coverage. The public reaction was predominantly negative, but no Holy See officials formally objected to the Embassy.

In Poland, from May 17 through June 30, the Chargé d'Affaires and Embassy Warsaw posted on social media and raised LGBTQI+ issues in traditional media. The campaign focused on the human side of the issue and the impact of discriminatory practices and rhetoric on the lives of LGBTQI+ persons, in Poland as well as globally. The CDA spoke about diversity and inclusion in business at the Impact'21 conference in Warsaw. The campaign culminated with the release of a post-produced video entitled “Words Matter”, which featured members of the Polish LGBTQI+ community reading and reacting to homophobic and hate-filled comments posted in response to the Mission's social media campaign for Pride Month. The video concluded with a hopeful message as the activists read supportive comments. The “Words Matter” video reached over 12 million Poles and was widely covered by both Polish and international media. Overall, the social media campaign reached a Pole 35 million times.

Pride 2021 Highlights from the Bureau of Near Eastern Affairs

During June 2021, Mission UAE posted four messages promoting Pride Month on its social media platforms and featured a statement by Secretary Blinken on its website.

Embassy Abu Dhabi coordinated with the British Embassy to raise the Pride flag on June 28 in commemoration of the Stonewall Riots. Both embassies displayed the flag flying over their embassies on their social media accounts. This was the first known and publicized flying of the Pride flag by foreign missions in the UAE.

Pride 2021 Highlights from the Bureau of Western Hemisphere Affairs

U.S. embassies throughout the hemisphere commemorated Pride Month 2021, including social media campaigns in Mexico, Suriname, and Peru; a roundtable with LGBTQI+ civil society leaders in Honduras; and the creation of a podcast series that promotes the visibility of the LGBTQI+ community in northern Colombia.

On May 17, in commemoration of the IDAHOTB, Embassy Bridgetown raised the pride flag in the Embassy courtyard for the first time; it flew throughout Pride month. In June, embassy staff partnered with a Barbados LGBTQI+ organization and jointly delivered remarks to the Mission community during a ceremonial launch of the lights.

Embassy San Salvador officially participated in El Salvador's Pride March for the first time in the Embassy's history, with 30 members of the embassy community joining more than 18,000 people on June 26 with Pride flags, matching shirts with the slogan "Love is Love 2021," and a banner identifying the group as representatives of the Embassy of the United States.

The Organization of American States (OAS) LGBTI Core Group co-hosted an event on June 28 during Pride month called "Ending Violence and Promoting Wellbeing of LGBTIQ Youth."

b. Disaggregation of data based on sexual orientation, gender identity or expression, and sex characteristics (i.e., reporting on human rights as they pertain specifically to lesbian, gay, bisexual, transgender, queer and intersex persons)

The Bureau of Population, Refugees and Migration

PRM will work with partners to explore ways to implement disaggregated, ethical data collection and management on forcibly displaced LGBTQI+ persons, including standardized and ethical data collection for LGBTQI+ individuals processed under the USRAP.

The Secretary's Office of Global Women's Issues

S/GWI advocates for quality data on gender equity and equality, to support women's economic inclusion, leadership, and contribution. Recently, S/GWI funded a research project with the OECD aimed at collecting gender-disaggregated data including data on LGBTQI+ persons on to support evidence-based policy making. Research will support the development and mainstreaming of gender-disaggregated indicators in four areas: gender digital divide, teleworking, taxes and benefits, and parental leave.

The Bureau of African Affairs

In Democratic Republic of the Congo (DRC), the U.S. Embassy expanded categories of data collection in its notice of funding opportunity for a grant promoting children's rights. The grantee will be required to collect demographic data beyond the binary, with the addition of categories for teenage and adult transgender and non-binary participants.

c. Inclusive Public Health and COVID-19 Responses

Office of the U.S. Global AIDS Coordinator and Health Diplomacy

PEPFAR's FY 2021 Quarterly data demonstrates that PEPFAR, through its foreign assistance in 55 countries in the first three quarters of FY 2021 has reached 4,000 transgender people and 74,000 men who have sex with men with Pre-exposure prophylaxis, a critical HIV prevention intervention, and supported life-saving HIV treatment for 7,600 transgender people and 187,000 men who have sex with men.

PEPFAR conducted its annual Country Operational Planning (COP) process in April and May 2021; PEPFAR allocated in COP 21 for implementation in FY 2022 funding to support HIV programming for men who have sex with men; funding for transgender individuals; and funding which will be programmed for multiple key populations (including men who have sex with men and transgender individuals).

The Secretary's Office of Global Women's Issues

S/GWI recommends that COVID-19 responses be gender-sensitive and informed by gender analysis, gender-specific indicators, and sex-disaggregated data where possible to ensure efforts are operating from evidence – not assumption – and mitigate risk of harm. It is critical to apply an intersectional lens in order to best respond to the unique needs of individuals who are multiply marginalized due to their gender, race, age, ethnicity, religion, socio-economic position, sexual orientation, gender identity, gender expression, sex characteristics, or disability status.

The Bureau of African Affairs

Nigeria's PEPFAR program addresses barriers to care and discrimination. Through One Stop Shops, PEPFAR provides HIV and gender-based violence services and advocacy for LGBTQI+ persons. In FY 2021, PEPFAR reached a total of 1,109,306 people through the key populations program, including 428,262 men who have sex with men (MSM) and 4,196 transgender individuals. PEPFAR provides treatment for over 1.6 million Nigerians, of which 222,793 are key populations, 83,354 are MSM, and 2,117 are transgender. Through PEPFAR, the U.S. government has expanded access to health and advocacy services for LGBTQI+ persons. PEPFAR also launched the Patient Education and Empowerment (PEEP) Program. PEEP developed and delivered training on gender and sexual diversity, stigma and discrimination, and sexual and reproductive rights to over 100 representatives from the National Network of People Living with HIV and AIDS in Nigeria and representatives from the LGBTQI+ community.

In Cameroon, PEPFAR programs provided HIV/AIDS prevention, care, and treatment services to 33,218 members of the LGBTQI+ community in FY 2021. The U.S. Embassy leverages PEPFAR funding to provide services to the LGBTQI+ community and hold workshops with law enforcement and media.

Organizations affiliated with the LGBTQI+ community in Togo have difficulty accessing care and support services, especially when members are HIV positive. The U.S. Embassy provides support to the LGBTQI+ community through NGOs that provide health care services to vulnerable communities.

The U.S. Embassy in Liberia hosted a Pride event in October for the Liberian LGBTQI+ community in conjunction with an LGBTQI+ rights NGO. The attendees, activists from several non-governmental organizations, expressed appreciation for the attention from Embassy leadership. They discussed the impact of socioeconomic status on personal safety and community hesitancy around the COVID-19 vaccine.

The Bureau of South and Central Asian Affairs

In India, Consulate Kolkata's Public Affairs Section supported an LGBTQI+ Vaccination Drive. On May 30, local organization SAYAN partnered with the West Bengal Government and Techno India DAMA Healthcare & Medical Centre to provide free COVID-19 vaccines to fifty LGBTQI+ persons in Kolkata. The drive provided vaccines for 2,500 people from the community during Pride Month, and the kick-off event encouraged other private hospitals to announce special vaccination camps for gender minorities. SAYAN, which continues to foster partnerships across South Asia, is a community-driven network that evolved from the PAS Kolkata-funded Rainbow Talks series. Consulate Kolkata also celebrated the inauguration of a transgender health and wellness clinic, and the American Center provides programming on Transgender Health and HIV.

d. Efforts/activities addressing the intersection between LGBTQI+ issues and other marginalized communities

The Bureau of Population, Refugees and Migration

All of PRM's efforts and activities under the PM address the intersection between LGBTQI+ issues and other marginalized communities – refugees, asylum seekers, internally displaced persons (IDPs), stateless persons, and conflict-affected populations.

The Office of the U.S. Global AIDS Coordinator and Health Diplomacy

PEPFAR's Acting Global AIDS Coordinator provided a keynote address on December 5th, affirming PEPFAR's commitment to address HIV among gay, bisexual and other men who have sex with men, to a conference organized focused on the HIV needs of black gay, bisexual and other men who have sex with men in sub-Saharan Africa.

The Secretary's Office of Global Women's Issues

The Department's implementation of EO 14020 and the National Strategy on Gender Equity and Equality, including the development of the Department Action Plan, aims to advance the empowerment of women, girls, and LGBTQI+ persons, in all their diversity, throughout the formation of U.S. foreign policy.

The update of the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally and development of the first-ever U.S. National Action Plan to End GBV are opportunities to ensure the inclusion of LGBTQI+ persons in efforts to prevent and respond to GBV.

S/GWI's Women's Economic Empowerment (WEE) team engages with bilateral and multilateral partners—including G7, G20, OECD, and APEC—to ensure that texts and efforts are gender-sensitive and uplift women in all their diversity. For example, WEE leads USG engagement in the G20 EMPOWER public-private group, which aims to close gender gaps in business leadership and labor force participation. S/GWI works to focus bilateral and multilateral attention on the gender digital divide and skills building for increasingly science and technology driven jobs of the future.

Ongoing implementation of the U.S. Strategy on Women, Peace, and Security, including engagement with bilateral and multilateral partners and women-led civil society organizations, offers S/GWI opportunities to address the impact of conflict on LGBTQI+ women and girls and advance their inclusion in conflict mitigation, peacebuilding, and governance efforts.

The Bureau of African Affairs

The U.S. Embassy in Equatorial Guinea promotes acceptance of and support for the LGBTQI+ community. In June 2021, the Embassy flew the Pride flag underneath the U.S. flag on the Embassy compound. The Embassy also celebrated Pride Month with a series of social media posts, including stories and photos that highlighted cross-cutting issues on Flag Day, World Refugee Day, #WomanWednesday, and Immigrant Heritage Month.

Also in Equatorial Guinea, in August, women civil society leaders presented visiting Rear Admiral Nancy Lacore of U.S. Naval Forces Europe and Africa a local civil society report on obstacles faced by women in Equatorial Guinea. The report highlighted the many challenges faced by LGBTQI+ women. The U.S. Embassy will use the report's results to guide its monitoring of human rights abuses against LGBTQI+ persons.

The Bureau of South and Central Asian Affairs

In India, PAS Kolkata's Rainbow Dialogues Grant recently launched with the objective of strengthening LGBTQI+ networks, building new alliances, and providing tools to connect and find acceptance within the larger community. The program will be implemented through a series of perception-mapping surveys, dialogues, and workshops to raise awareness about national laws that safeguard the rights and choices of LGBTQI+ communities and build a strong public campaign advocating for educational opportunities and access to public spaces and employment. The grantee will measure the short-, medium-, and long-term success through pre- and post- surveys, data analysis, new partnerships and alliances, visibility in work environments, and focused recommendation for pro-inclusion policy and practice.

Another Consulate Kolkata grant will bring together local organizations and the U.S.-based nonprofit StoryCenter to support 15-20 LGBTQI+ leaders in diverse fields in representing their stories as short digital videos and podcasts, using Kolkata American Center resources, storytelling, and participatory media to amplify their voices. Multiple screenings and selective use of the stories will ensure that community members are “seen, accepted, and supported,” connecting them to a broader audience of more than 5,000 students, educators, law enforcement officers, medical workers, multinational companies, and related professional sectors. The grantee will monitor progress and determine overall success and impact of the project through a combination of quantitative and qualitative documentation, including social media metrics and data through YouTube, Apple, and Spotify platforms.

Potential Barriers to Implementation

Unintended negative consequences of U.S. advocacy and engagement could include stigmatization and harm. Initiatives should be vetted with local counterparts to ensure they do no harm and adequately address safety, security, confidentiality, and privacy.

The Bureau of International Organization Affairs

The biggest challenge the Department faces multilaterally is the continued counter-pressure of states that oppose the human rights of LGBTQI+ persons. The United States will continue to work with like-minded partners as well as those who differ in policy to expand the work on this topic across the multilateral system and find areas of opportunity.

The Bureau of Population, Refugees and Migration

Many LGBTQI+ PoCs are subject to discrimination and harm while they are in transit and once they arrive in countries of asylum. As a result, many attempt to hide their sexual orientation or gender identities in an effort to avoid abuse, making it difficult to identify them or provide access to asylum procedures and humanitarian services, and difficult to gather reliable data on their protection needs.

Many of the countries in which PRM partners operate do not grant refugee status to LGBTQI+ asylum seekers.

Actors that assist LGBTQI+ displaced and stateless persons tend to work in silos of either human rights advocacy or humanitarian and refugee assistance. Government authorities often operate in similar silos. The number of organizations globally that currently have integrated expertise and capacity in both is limited, and this adversely impacts LGBTQI+ persons. Additionally, local LGBTQI+-led and -serving organizations may face obstacles to receiving donor funding in countries in which they are not permitted to register and operate legally, or where they are too small-scale to win government contracts.

As detailed above, PRM is taking a number of actions to overcome these barriers, including but not limited to enhanced training for staff and partners; engagement of the public, civil society, international organizations and like-minded nations; and development of specific funding, referral, and sponsorship mechanisms.

The Office of the U.S. Global AIDS Coordinator and Health Diplomacy

COVID-19 has posed challenges to PEPFAR's HIV programming, including its key populations programming. Lockdowns or other restrictions can create challenges with accessing transportation and services; there are numerous anecdotal reports of brutal law enforcement of curfews as well as violence and harassment; economic disruptions can be felt most acutely by already vulnerable and marginalized populations. PEPFAR programs have responded with adaptations such as virtual communication and engagement approaches with beneficiaries, in addition to efforts at facilitating provision of key commodities (e.g. home delivery of medication; provision of extra supplies such as condoms).

The Secretary's Office of Global Women's Issues

Public opinion, resistance from foreign governments, internal political will, cultural, historical, and religious teachings or mores, and resulting legal and structural barriers limit efforts to advance the human rights and status of women and girls in general and are often amplified as barriers in addressing women, girls, and gender diverse persons from historically underrepresented groups, including the LGBTQI+ community.

The politicization of gender equity and equality themes in the United States and around the world create inconsistency in the Department's directives and work. In addition, uneven appreciation of gender as a policy goal among foreign partners can mean that the Department's own metrics for success vary widely in different contexts. This has resulted in extreme policy shifts over the last two decades and inconsistent gender equality messaging and priorities externally and within the Department which has directly impacted work to advance the status and human rights of LGBTQI+ women, girls, and gender diverse persons.

During the COVID-19 pandemic, rates of GBV against women, girls, and LGBTQI+ persons have increased due to increased economic insecurity, lockdowns, and mobility restrictions. These same restrictions have increased barriers for GBV survivors seeking services and accountability. The pandemic highlighted the significant investments needed to ensure the safety, rights, and leadership of women, girls, and LGBTQI+ persons, in all their diversity, around the world. It has also underscored the importance of ensuring that these investments are equitable.

The Bureau of African Affairs

A major barrier to advancing rights protection in many sub-Saharan African countries is the perception of LGBTQI+ identity or behaviors as “Western,” “imported,” “un-African,” or against cultural or religious values.

The U.S. Embassy in Tanzania, informed by the “do no harm” principle, limits public actions, programs, and initiatives to advance the human rights of LGBTQI+ persons. Tanzanian law criminalizes consensual same-sex relations. Those arrested and charged for consensual same-sex sexual conduct have been subject to forced anal examinations and can be sentenced to up to thirty years in prison. The law does not prohibit discrimination based on sexual orientation and gender identity. LGBTQI+ persons remain afraid to report violence and other crimes due to fear of harassment or arrest by the Tanzania Police Force. However, in comparison to the crackdown on the LGBTQI+ community under former President Magufuli, LGBTQI+ organizations report a subtle but meaningful shift under President Samia Suluhu Hassan’s administration, noting an absence of targeting and organizational deregistration. Some within the LGBTQI+ community have reported an uptick in social media harassment, however, which has led to the outing and subsequent harassment of several LGBTQI+ persons.

In DRC, the U.S. Embassy’s promotion of Pride Month in June received strong praise and support internally and across partner embassies, but Congolese social media was largely critical. Ambassador Hammer’s June tweet about the U.S. government’s commitment to continuing “to promote and protect the human rights of LGBTQI+ persons all year round” drew negative comments on social media from the general public.

The Bureau of Near Eastern Affairs

Due to Yemen’s conflict, the sensitivities regarding LGBTQI+ issues in Yemeni society, and the Yemen Affair Unit’s (YAU) location in Riyadh, post has not directly engaged with the LGBTQI+ community in recent months. Post has engaged with the Republic of Yemen Government (ROYG) and UN Special Envoy for Yemen on the status of the human rights of the LGBTQI+ community.

The Bureau of South and Central Asian Affairs

Conservative social attitudes, sometimes accompanied by physical violence against activists and allies, continue to hinder reform efforts across the region. Social and religious stigmas drive societal intolerance and the lack of legal protections from discrimination in education, employment, healthcare, and access to justice hinder LGBTQI+ communities across the region. Consequently, many people live in perpetual fear, adopting onerous physical and virtual safeguards. In most countries, the lesbian, transgender, and intersex members of the LGBTQI+ community are the least visible and most difficult to reach.

In Bangladesh, the Embassy has consistent, substantive engagement with local LGBTQI+ organizations in Dhaka, but COVID-19 pandemic and security restrictions have weakened its connection with LGBTQI+ persons in other cities in Bangladesh. The Embassy continues to look for opportunities to coordinate with likeminded diplomatic missions to advance the human rights of LGBTQI+ persons, including with Australia, Canada, Germany, the Netherlands, Switzerland, and the United Kingdom. COVID-19 pandemic restrictions permitting, American Spaces will continue to serve as safe spaces and incubators for organizers.

In Maldives, since issuance of the February 4, 2021, Presidential Memorandum, the situation of LGBTQI+ Persons in Maldives has remained relatively unchanged, with continued sensitivities surrounding the issue. Religiously inspired laws are strict, with the penal code imposing severe penalties for same-sex conduct. The country has no organizations focused on LGBTQI+ rights, with the only outlet being social media. Post has seen some social media postings by citizens that promote LGBTQI+ expression, though these postings are rare and face strict social criticism. Post has continued to prioritize addressing the use of threatening rhetoric by religious freedom and faith-based NGOs and fundamentalist scholars to target human rights defenders, civil society activists, and those who oppose strict interpretations of Islam.

Bureau of Western Hemisphere Affairs

While many countries throughout the Western Hemisphere have made great strides in protecting LGBTQI+ persons' human rights, incidents of discrimination and inadequate legal protections have forestalled full support for inclusion and equality for LGBTQI+ persons. Difficulty in accessing judicial systems and a lack of willingness to charge assailants of LGBTQI+ victims with hate crimes often deters victims from reporting crimes.

Inconsistent tracking of national intersectional data, specifically race and sexual orientation, inhibits full analysis of challenges and opportunities for collaboration across advocacy groups.

The Bureau of East Asian and Pacific Affairs

The COVID-19 pandemic continues to have a disproportionate impact on LGBTQI+ communities in the EAP region. Although posts have shut down HIV/AIDS clinics, missions continue to support these communities through public messaging. Embassy Rangoon continued President's Emergency Plan for AIDS Relief (PEPFAR) efforts, and Embassy Manila reported USAID conducted capacity building for nearly 100 local health providers to strengthen local transgender and women-friendly HIV services.

EAP posts identified pervasive discrimination against LGBTQI+ persons as a consistent theme throughout the region, prompting increasing calls for anti-discrimination legislation. These efforts have been complicated in the ROK with recent strong opposition to anti-discrimination protections based on sexual orientation and gender identity from conservative Protestant groups and the continued mistreatment of LGBTQI+ persons in schools and in the military. Embassy Rangoon faces similar challenges due to the regime's targeting of pro-democracy and human rights activists affecting the Embassy's LGBTQI+ rights programming and events.

Development Finance Corporation



Executive Summary

The U.S. International Development Finance Corporation (DFC) is America's development bank. The corporation has a stated mission of working within lower income and middle income countries abroad and partnering with the private sector to finance solutions to many of the hardest development challenges in the world today. Its investments are contingent upon its partners adhering to high standards of environmental, social, labor, and human rights - including LGBTQI+ human rights. DFC already stresses the importance of non-discrimination – including on the basis of gender and sex – for all its partnerships and ensures that its partners continue to meet their social responsibilities well after financial disbursement through its monitoring process.

DFC sees further opportunity for advancing LGBTQI+ rights abroad and has created an internal working group to evaluate options. In its legal templates, DFC requires its supported projects to adhere to the IFC Performance Standards, which prohibit employment decisions on the basis of personal characteristics unrelated to inherent job requirements (including gender and sexual orientation). In the short term, DFC is reviewing its legal templates in light of the Presidential Memorandum and exploring other potential means to encourage its clients to include similar non-discriminatory language in their policies. Additionally, DFC will use its internal working group to identify additional avenues for centering LGBTQI+ rights in the agency's development goals, while also partnering with its sister development agencies to jointly identify avenues of cooperation for advancing LGBTQI+ rights around the world.

Finally, the DFC is committing to convening aligned investors and forming/joining a community of practice around LGBTQI+ investing. Through such a community with other development finance institutions (DFIs), private sector entities with recent experience centering an LGBTQI+ lens for investing, and other interested parties, the DFC intends to assist in identifying consensus best practices for using DFI toolsets to encourage LGBTQI+ economic rights abroad, and to using these best practices to identify solutions that are consistent with the DFC's mission.

Rescinding Inconsistent Policies

DFC consulted with its Office of the General Counsel (OGC) and its Office of Development Policy (ODP) to identify if there were any directives, orders, regulations, policies, or guidance issued between the January 20, 2017 and January 20, 2021 that were inconsistent with the memorandum. DFC has not identified any such issued directives or guidance that meet this criterion which require rescinding.

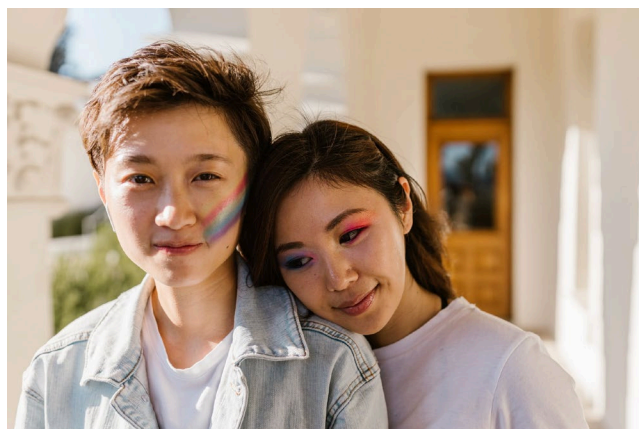
Actions, Programs, and Initiatives

In consultation with National Security Council staff, the DFC committed to convening aligned investors and forming/joining a community of practice around LGBTQI+ investing.

- Internally, the DFC's 2X Gender Equity team has had several discussions regarding potential support for projects that support LGBTQI+ rights as part of its efforts to take an intersectional lens to its investing activities. This may be an opportunity to pilot such an efforts.
- Other development banks such as the International Finance Corporation (IFC) and the CDC Group, the United Kingdom's development finance institution, are preparing to publish their own joint analysis on how DFIs can utilize their tools to advance the economic rights of LGBTQI+ persons around the world. These two institutions, for example, could be critical allies to developing a partnership built around shared, consensus best practices among DFIs.
- Over the course of the next year, DFC will work alongside other DFIs and investment partners to identify solutions to persistent hurdles toward advancing LGBTQI+ economic rights in a way that is consistent with the agency's mandate to promote human rights abroad through the private sector.

DFC established a working group comprised of legal, legal, economic, and social specialists to identify opportunities to enhance or expand upon LGBTQI+ protections abroad.

- The working group discussed and identified several potential avenues for using the tools at DFC's disposal to enhance LGBTQI+ rights abroad. After internal deliberation, the group found that the most immediate potential impact might be achieved through amendments to its legal templates.
- DFC is continuing the process of identifying potential opportunities to expand its LGBTQI+ protections abroad, including to clients and ultimate beneficiaries of DFC financing.



Additional Opportunities and Actions

Staff within the DFC are keen to meet with potential private sector partners who have recent and applicable experience investing in emerging markets using an LGBTQI+ investing lens. The intent is to leverage such partnerships to learn from their experiences and to increasingly deepen the DFC's community of practice around LGBTQI+ investing.

Potential Barriers to Implementation

DFC currently operates in countries that are considered priority countries and regions for investment by the Administration and Congress for a variety of strategic and developmental reasons. DFC may find it difficult to implement its policies and achieve other aspects of its mission within these priority countries should the governments and other available counterparties be antagonistic to the agency's clear stance on LGBTQI+ rights. DFC currently operates in countries that are considered priority countries and regions for investment by the Administration and Congress for a variety of strategic and developmental reasons. DFC may find it difficult to implement its policies and achieve other aspects of its mission within these priority countries should the governments and other available counterparties be antagonistic to the agency's clear stance on LGBTQI+ rights.

Department of Homeland Security



Executive Summary

The following serves as the DHS One-Year Report on Implementation of the Presidential Memorandum on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World, issued February 4, 2021. The policies and initiatives detailed in this report are also part of DHS's efforts to implement related Executive Orders.³

DHS highlighted the review of U.S. Citizenship and Immigration Services' (USCIS) policy on the recognition of same-sex marriages that are not formally recognized in the couples' home country. USCIS has since concluded its review and in February 2022 issued revised guidance on the topic (*See Section 2 below*).

DHS also previously highlighted numerous training initiatives centered on the rights and protection of LGBTQI+ persons, as well as reviews of related policies and other actions. USCIS has updated trainings for refugee officers that incorporate new theoretical and practical instruction on cases involving LGBTQI+ claims. USCIS also conducted new trainings for refugee officers that focused on utilizing trauma-informed interviewing theory with vulnerable populations such as LGBTQI+ persons. Additionally, U.S. Immigration and Customs Enforcement (ICE), in consultation with the Office for Civil Rights and Civil Liberties (CRCL), continues to consider updates to its Transgender Care Memorandum to better align with forthcoming policies related to the custody, supervision, and alternatives to detention for non-citizens, including the transgender population. ICE is also considering modifications to the Risk Classification Assessment (RCA) tool to align with any new or revised policies and to better evaluate how to identify vulnerable populations, including individuals who identify as LGBTQI+ earlier in the immigration enforcement process (*See Section 3*).

In August 2021, USCIS updated the the Assisted Reproductive Technology (ART) policy to address eligibility for immigration benefits, including family petitions and transmission of U.S. citizenship and naturalization for children born abroad through ART. The updated policy also reflects additional considerations for members of the LGBTQI+ community, including that USCIS will consider a child to be the child of a U.S. citizen parent who is married to the child's genetic or legal gestational parent at the time of the child's birth (even if no genetic or gestational relationship exists with the U.S. citizen parent), if the relevant jurisdiction recognizes both parents as the legal parents (*See Section 4*).

In addition to these efforts, DHS continues to review and update policies, guidance, and training, and to advance the rulemaking and form updates.

Rescinding Inconsistent Policies

Definition of “Spouse” for Immigration Purposes in the U.S. Refugee Admissions Program

USCIS examined whether it is legally permissible to make an exception to the general rule established by the Board of Immigration Appeals that a marriage is valid for immigration purposes only if the marriage was valid under the law of the jurisdiction in which it was performed, in order to recognize informal same-sex, interfaith, and refugee camp marriages for purposes of derivative refugee status. In February 2022, USCIS (RAIO) issued revised guidance on the topic recognizing that a spousal relationship may exist for the purpose of obtaining derivative refugee or asylee status, in certain circumstances, if there is evidence of an informal marriage. As noted below, USCIS is also conducting a holistic review of options for USCIS-wide recognition of same-sex marriage (see Section 4 below).



Actions, Programs, and Initiatives

Training for USCIS Refugee and Asylum Officers (Existing and Scheduled Practices)

Consistent with the requirement in Section 2 of the PM, USCIS “ensure[d] appropriate training is in place so that... [USCIS officers] can effectively identify and respond to the particular needs of LGBTQI+ refugees and asylum seekers...” The following represent existing and planned trainings in furtherance of Section 2, including future training opportunities.

During the fourth quarter of Fiscal Year 2021 (FY21), all refugee officers responsible for adjudicating cases received updated trainings that included theoretical and practical instruction on cases involving LGBTQI+ claims. These trainings included both updated core content and newly developed materials related to the adjudication of LGBTQI+ claims.

USCIS is developing an annual training on Survivors and Trauma, which will be required for all officers within the RAIO Directorate and is slated to launch by April 2022. The training will be interactive and intended to allow officers and supervisors to apply practical skills relating to survivors and victims of trauma to ensure the use of best practices when interacting with these vulnerable populations, including people vulnerable to persecution due to their gender identity and sexual orientation.

In accordance with the Consolidated Appropriations Act 2021 (Pub. L. No. 116-260), a nationwide Sexual Gender-Based and Domestic Violence training was mandated for completion by April 27, 2021 for all USCIS staff performing asylum officer duties or reviewing asylum officer decisions. This training included a presentation on the challenges and best practices for eliciting testimony from survivors of domestic, gender-based, and sexual violence, as well as specific considerations for interviewing vulnerable LGBTQI+ applicants and assessing their asylum claims.

During Q2 and Q3 of FY21, a pilot of the RAIO Foundations basic training program for new RAIO officers was launched and completed with enhanced coverage of topics related to the LGBTQI+ population. The virtual component of the RAIO Foundations training included a four-day sensitive claim unit, including 4.5 hours of required readings, lectures, and practical exercises that specifically addressed interview considerations related to LGBTQI+ applicants. The unit also included an interactive small group cohort discussion and recap of sensitive interviewing techniques. All new RAIO officers also completed a two-hour interactive presentation, including: (1) a review of practical skills relating to eliciting sensitive claims; (2) coverage of skills related to interviewing LGBTQI+ applicants; and (3) a 3.5-hour simulated interview of a gay asylum applicant who had been subjected to severe past harm on account of his sexual orientation, to model best practices in interviewing LGBTQI+ applicants.

In Q4 of FY21, USCIS conducted a training specifically for refugee officers that introduced the officers to trauma-informed interviewing theory, with an emphasis on interviewing vulnerable populations, such as LGBTQI+ persons. The training focused on understanding trauma-informed interviewing, guided practices to recognize and develop trauma-informed interviewing skills, and the use of reflection prompts to encourage officers to share any questions, concerns, or past experiences, as well as providing officers with information related to vicarious trauma, resources available to them, and an opportunity to further build community among the officers in preparation for travel and refugee processing.

Particular Social Group Rulemaking (Proposed Action)

Section 4(c) of Executive Order 14010, *Creating a Comprehensive Regional Framework To Address the Causes of Migration, To Manage Migration Throughout North and Central America, and To Provide Safe and Orderly Processing of Asylum Seekers at the United States Border*, instructed DHS and the Department of Justice (DOJ) to promulgate a joint regulation within 270 days (by Oct. 30, 2021) addressing the “particular social group” ground of asylum eligibility. While neither the Immigration and Nationality Act nor current regulations define what constitutes a particular social group, the Board of Immigration Appeals and the courts have generally recognized sexual orientation and gender identity as satisfying the “particular social group” criteria and, therefore, constituting a protected ground under the refugee definition.

USCIS continues to work with DOJ and others to issue a proposed rulemaking to clarify and bring uniformity to the interpretation of “particular social group” across adjudicatory bodies of asylum claims, including USCIS and the Executive Office for Immigration Review.

Parole of Same-Sex Partners for Purposes of Family Reunification (Existing and Ongoing)

The Secretary’s Memorandum on Interim Guidance for Parole of Noncitizens for Purposes of Reunification Consistent with Executive Order 14011, Establishment of Interagency Task Force on the Reunification of Families, which serves as the directive on parole of separated parents and children impacted by prior Zero-Tolerance and related policies applies to traditional and non-traditional families alike.

Additional family members who are members of the immediate household of a separated parent or legal guardian or separated children those who may now be eligible for consideration for parole for reunification purposes. Eligible individuals may include same-sex partners of parents/legal guardians. Note, these requests for parole are adjudicated on a case-by-case basis in line with existing procedures.

ICE Transgender Care Memo and Other Policies

ICE operations are consistent with the PM. ICE is exploring possible updates to the 2015 memo titled Further Guidance Regarding the Care of Transgender Detainees (Transgender Care Memorandum), which builds upon the ICE policy issued in 2014, 11062.2; Sexual Abuse and Assault Prevention and Intervention (SAAPI), to better align with future new policies related to custody, supervision, and alternatives to detention for non-citizens, including the transgender population.

Gender Identification and Care of Those in Custody

As needed, ICE will evaluate available LGBTQI+-related training and resources and create aids to help ICE Enforcement and Removal Operations (ERO) officers appropriately and respectfully communicate with and care for LGBTQI+ populations in custody.

Engagement with LGBTQI+ Stakeholders

ICE ERO posts statistics biweekly on the public [ice.gov](https://www.ice.dhs.gov) webpage, detailing the number of self-identified transgender individuals in ICE custody and their location. ICE continues to explore opportunities for other stakeholder engagements, including listening sessions.

Additional Opportunities and Actions

Use of Parole for Same-Sex Partners of Refugees or Asylees

On occasion, USCIS receives a Form I-131, *Application for Travel Document*, request filed by a refugee or asylee in the United States requesting parole for their same-sex partner for whom they could not file a Form I-730 petition because they were not permitted to marry where they resided before the refugee's or asylee's flight or in the country of first asylum. USCIS guidance on processing such parole requests states that officers have discretion when determining who constitutes a family member. For example, while family members are usually related by marriage, birth, or adoption, the officer may consider a same-sex partner or the child or children of a same-sex partner to be family members, particularly if the beneficiary is from a country where same-sex marriage is not legal. In such circumstances, USCIS adjudicators may consider the same-sex partners to be family members for purposes of analyzing their requests for parole. USCIS is continuing to explore, in consultation with the Department of State (DOS), the development of parole policy that would enable qualified individuals in committed relationships to remain together or be reunited with a partner eligible for refugee status.

Information Collection, Identity Documents, and Guidance for Non-binary and Transgender Individuals

Components across DHS are reviewing forms to pursue more inclusive sex and gender markers that accommodate non-binary and transgender individuals. This will improve DHS's ability to verify identity, as well as to expand access to accurate identity documents, thereby reducing the risk of future harm to or harassment of LGBTQI+ persons.

Additionally, DHS is reviewing policy guidance, training materials, and website content to ensure they provide accurate guidance and consistently use respectful terminology, including in policies regarding the issuance and reissuance of identity documents to accurately reflect a beneficiary's sex and gender markers.

In addition to internal working groups focused on information collection, identity documents, and guidance for non-binary and transgender individuals, DHS is engaging with interagency partners to ensure a consistent whole-of-government approach.

Same-Sex Marriages

To address legal issues with recognition of same-sex marriage and in furtherance of Section 4(j) of EO 14013, *Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration*, USCIS is continuing to conduct a holistic review of options to identify legally permissible and USCIS-wide options for recognition of interfaith, same-sex, and informal/camp marriages for purposes of derivative refugee and asylee status, as well as expansion to other immigration benefits.

U.S. Citizenship for Children of Same-Sex Couples Born Abroad through Assisted Reproductive Technology (ART)

In August 2021, USCIS updated its policy governing immigration benefits and transmission of U.S. citizenship and naturalization for children born abroad through ART. USCIS will consider a child to be the child of a U.S. citizen parent who is married to the child's genetic or legal gestational parent at the time of the child's birth (even if no genetic or gestational relationship exists with the U.S. citizen parent), if the relevant jurisdiction recognizes both parents as the legal parents. USCIS is working closely with DOS, which recently updated its policy guidance for cases arising under INA 301, which covers transmission of citizenship to children born abroad in wedlock. DOS and USCIS are launching a joint working group to discuss further policy solutions in this area. Given same-sex couples' frequent use of ART to conceive a child, they have been adversely and disproportionately impacted by existing ART policies.

ICE Sexual Assault and Abuse Prevention and Intervention Program Review

DHS components have implemented comprehensive protections against sexual abuse and assault under the Prison Rape Elimination Act of 2003 (PREA). In March 2014, DHS issued a final rule, *Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities* (DHS PREA Standards), implementing PREA as it applies to DHS confinement facilities. Since 2014, ICE has been implementing the requirements in the DHS PREA Standards.

CRCL is conducting a periodic review of ICE's Sexual Abuse and Assault Prevention and Intervention (SAAPI) Program. Following the conclusion of its review into ICE's SAAPI Program CRCL will issue recommendations for improvements to the program. Such recommendations will aim to enhance safeguards for LGBTQI+ individuals detained by ICE and will help ensure that those individuals' treatment in ICE custody meets the requirements of the DHS PREA Standards and ICE detention standards.

Segregation Periodic Review

CRCL is conducting a periodic review of ICE’s implementation of the Segregation Directive 2013, which specifies ICE staff responsibilities for placement, review, and notification about segregation of all detainees, including detainees with “special vulnerabilities.” This review evaluates how ICE HQ and ICE field offices have implemented the requirements of the Segregation Directive and related policies and procedures and ICE’s oversight of facility level requirements, including those from the ICE national detention standards. This review aims to determine what steps ICE should take to improve its oversight of the use of segregation, including the segregation placements of LGBTQI+ detainees.

Potential Barriers to Implementation

Compliance with the Paperwork Reduction Act and regulatory processes for regulation and form changes, as well as system-related development work, delays DHS’s ability to swiftly implement some of the policies and procedures outlined above. However, DHS is working to streamline efforts and prioritize work where possible to move these objectives from ideas to implementation.

Department of Commerce



Executive Summary

The International Trade Administration (ITA), an agency of the Department of Commerce (DOC), plays a leading role on issues related to trade and businesses abroad. ITA has taken several steps to fulfill the objectives of the PM. ITA has focused on actions that will create structural capabilities to better engage the LGBTQI+ community both inside and outside the organization. The focus of this improved engagement is making relevant information accessible for the community and reaching out to connect them to it. In the last year, ITA launched the Global Diversity Export Initiative to improve access to its services by underserved communities, including LGBTQI+. Additionally, the successful establishment of a strategic partnership in September 2021 with the National Gay and Lesbian Chamber of Commerce provides an important channel for conducting that outreach.

Rescinding Inconsistent Policies

The Department of Commerce has reviewed all policies and has concluded that none are inconsistent with the Memorandum and need to be rescinded.

Actions, Programs, and Initiatives

a. Combatting Criminalization, b. Protecting Vulnerable LGBTQI+ Refugees, c. Foreign Assistance to Protect Human Rights and Advance Non-Discrimination and d. Responses to Human Rights Abuses of LGBTQI+ Persons Abroad

The Department of Commerce does not have any meaningful contribution to these three focus areas. The Department is reviewing all of its tools with the goal of providing meaningful contributions in these areas in the future.

e. Building Coalitions of Like-Minded Nations and Engaging International Organizations in the Fight Against LGBTQI+ Discrimination.

The Department of Commerce (DOC), International Trade Administration (ITA), plays a leading role on issues related to trade and businesses abroad. ITA has taken several steps to fulfill the objectives of the PM. ITA has focused on actions that will create structural capabilities to better engage the LGBTQI+ community both inside and outside the bureau. The focus of this improved engagement is making relevant information accessible for the community and reaching out to connect them to it. The following highlights reflect the structural actions undertaken to better engage the LGBTQI+ community and outside the bureau:

Interagency Report on the Implementation of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons Around the World (2022)

ITA is supporting the LGBTQI+ community within its Foreign Service Officer corps through participation in the State Department's interagency Same Sex Spouse Accreditation Working Group. This group is working to collect and share with the LGBTQI+ Officer corps the best available information about host country laws and attitudes toward the LGBTQI+ community, with the goal of informing those Officers' decisions about choosing country assignments.



Activists at a Gay-Straight Alliance march in Calgary, Canada (March 29, 2019)

The U.S. Commercial Service, the trade promotion arm of Commerce's International Trade Administration, launched the Global Diversity Export Initiative. The Global Diversity Export Initiative (GDEI) is committed to helping underserved communities in the United States, including African-American, Asian-American, Hispanic-American, Native American, veteran and service-disabled veteran, women, LGBTQI+ businesses, among others, increase their exports. LGBTQI+ businesses, as well as other underserved communities, face challenges that include a lack of awareness about export opportunities and risk-reduction strategies, an inability to access financing, difficulty identifying and vetting legitimate international buyers, and a lack of a service-provider network to facilitate export transactions.

The U.S. Commercial Service maintains the expertise, nationwide presence, and global network to help underserved businesses overcome their export challenges. The GDEI taps into new and existing U.S. Commercial Service and International Trade Administration resources to help small- and medium-sized enterprises in underserved communities compete and win in global markets by: providing access to resources, such as export training, trade finance, and website globalization review, to help SMEs export faster and more profitably; leveraging public-private partnerships to amplify export solutions and identify new clients to serve; and creating customized export solutions, such as Business to Business (B2B) matchmaking and advocacy, to cultivate access to global markets. LGBTQI+ business owners can get started and connect with ITA at [Global Diversity Export Initiative \(trade.gov\)](https://www.trade.gov/global-diversity-export-initiative).

Additionally, the U.S. Commercial Service formalized a strategic partnership with the National Gay and Lesbian Chamber of Commerce (NGLCC) in September 2021. The NGLCC is a critical partner to facilitate outreach to the community, as they represent approximately 16,000 LGBTQI+-owned businesses and over 320 corporate partners. The organization also has a global presence, with 53 U.S. affiliate chambers and 18 internationally spanning over 30 countries. NGLCC Global is dedicated to advancing the economic empowerment of LGBTQI+ persons everywhere. Economic empowerment means when an individual or community has an equality of opportunity to participate in, contribute to, and benefit from the formal economy. Throughout the network, NGLCC Global promotes LGBTQI+ economic empowerment for individuals in the labor market, for LGBTQI+ workers in the formal sector, and for LGBTQI+ business owners and entrepreneurs. NGLCC Global thus works with the private sector and public sector to develop ways to understand and foster inclusive economic growth for LGBTI people. Through upcoming business development events and activities, NGLCC members will get support with expanding their business growth through exports and the programs and resources offered by the U.S. Commercial Service.

Additional Opportunities and Actions

In the previous update, the Department of Commerce, Bureau of the Census reported that its Population Division is engaged abroad on a fully reimbursable basis, with most funding for this work comes from USAID. Through this arrangement, the Population Division staff would typically travel to a host country and trains international counterparts in all aspects of census and survey taking. As the Census collects data on the LGBTQI+ population, Census previously committed to exploring the feasibility of incorporating into this training a module that focuses on best practices and methods for collecting sexual orientation and gender identity data.

As of December 2021, this effort is currently on hold. COVID-19 has impacted the Census Bureau's ability to work with partner countries and other stakeholders toward this end. Presently, our counterpart agencies' Census Bureau plans have been stymied by budget reallocation, office closures, and other pandemic-related adjustments.

In the previous update, the Department of Commerce, through the Bureau of the Census, committed to exploring how the bureau can support the UN's 2019 Report on Inclusive Data Collection. As of December 2021, the U.S. Census Bureau collects data for the National Crime Victimization Survey (NCVS) on a reimbursable basis for the Bureau of Justice Statistics (BJS).

Since 1972, the NCVS has provided national data on personal and household victimization, both reported and not reported to police. The potential universe for the NCVS national sample is all persons age 12 or older in U.S. households and persons 12 or older living in non-institutional group quarters (except crews of vessels, military in barracks, and those at domestic violence shelters or living quarters for victims of natural disasters).

In July 2016, new socio-demographic questions, including sexual orientation and gender identity, were added to the NCVS to allow researchers and policy makers to better understand the relationships between these variables and experiences with criminal victimization. Over time there have been changes to the universe of NCVS respondents who receive the sexual orientation and gender identity questions. Beginning in 2022, the sexual orientation and gender identity questions will be administered to all persons age 16 or older in NCVS sampled households at every other interview. This will allow researchers to measure changes in these demographic characteristics over time.

The BJS, who is responsible for the publication of NCVS results, is planning a report for early 2022 that will present victimization and population estimates by sexual orientation and gender identity status. More information on the NCVS can be found at [National Crime Victimization Survey \(NCVS\) | Bureau of Justice Statistics \(ojp.gov\)](https://www.ojp.gov/ncjvictimsandoffenders). These efforts support UN's 2019 Report on Inclusive Data Collection.

Efforts/activities addressing the intersection between LGBTQI+ issues and other marginalized communities

In FY 22, the Department of Commerce, ITA, will host at least two external events (e.g., seminars, workshops, training sessions) educating LGBTQI+-owned businesses and exporters about ITA resources.

The ITA/Global Markets (GM) is beginning to formulate a process to enhance the review of requests from U.S. companies for advocacy in cases in which the goods or services in question have the potential to adversely impact recipient country populations. The connection of this effort to the Equity EO's objectives in the national security and foreign policy arena is based on the idea that adverse local social impacts are more likely to have disproportionate effects on marginalized segments of a populace. Commerce is positioning itself to ensure that its trade promotion efforts do not have unintended consequences.

The process enhancements under development are intended to supplement existing due diligence, which considers restrictions under U.S. export regulations, by adding two new risk assessments, which are proposed to be applied only in cases where the nature of the good or service and the intended foreign recipient so warrant. The first assessment entails vetting if the product or services to be promoted will go to a foreign government's security services. The second assessment, which would only be performed in cases where the first condition is met, will consider if the product or service for which advocacy is sought would allow the recipient security services to engage in surveillance activities against its citizens at home or abroad. If successful, the combination of responses will inform ITA/GM's approach to advocacy in the subject case, thus building an equity sensitivity in the agency's decisions.

Potential Barriers to Implementation

The Department of Commerce, ITA, may need to create new tools to identify the LGBTQI+ business community. Based upon a review of all currently utilized data sources, ITA does not currently have the ability to determine which companies would fall under this designation. ITA will need to partner with existing institutions to help with the identification process.

Department of Defense



Executive Summary

This report covers Department of Defense (DoD) actions to implement the requirements of the February 4, 2021, Presidential Memorandum (PM), “Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World,” for the one-year reporting period. These actions include any steps taken, as appropriate and consistent with applicable law, also includes progress on implementation of the PM and DoD-recommended additional opportunities and actions to advance the human rights of LGBTQI+ persons both within the DoD and around the world. The report is broken out by DoD reporting component.



In early 2021, the DoD centered its efforts on rescinding and revising policies inconsistent with the PM. Additionally Secretary of Defense Austin and other senior leaders have repeatedly reiterated their commitment to LGTBQI+ persons both in the Department and around the world, affirming that “transgender rights are human rights, and that America is safer – and better – when every qualified citizen can serve with pride and dignity.” Over the last year, the Department has made strides towards diversity, equity, inclusion, and accessibility; as well as gender equity and equality; both at home and in engagements with partner nations.

Throughout this reporting period, and leading into 2022, DoD components are now proactively focusing on incorporating LGBTQI+ human rights issues into DoD security cooperation activities and humanitarian assistance, as well as continuing to work toward institutionalizing LGBTQI+ issues to ensure an inclusive climate within the Joint Force. These actions and those described below will better enable DoD to encourage respect for the human rights of LGBTQI+ persons in line with goals of the Presidential Memorandum.

Given the time required for new policies to undergo the formal coordination process, DoD anticipates reporting substantial additional progress from DoD Components in 2022.

Rescinding Inconsistent Policies

The Department of the Air Force (DAF) leverages its Service Central Coordination Cell (SCCC), a standing DAF Working Group focused on facilitating transgender service, to expedite the development of new DAF policy regarding service by transgender individuals. This working group applied information from serving transgender members and subject matter experts from medical, legal, and personnel to ensure DAF policies complied with the intent of the Presidential EOs and DoD policies. The DAF Policy Memorandum, DAFPM 2021-36-01, “Accessions and In-Service Transition for Persons Identifying as Transgender” was published on 30 Apr 2021.

- DAF policies, as well as consistent communications from DAF leadership, clearly support transgender service members who continue to meet the appropriate military standards, ensuring they can serve openly and free from discrimination. Of note, DAF leadership emphasized this message during a DAF-wide stand down to address extremism, and diversity and inclusion earlier this year. In addition, the DAF routinely solicits transgender member inputs to continually assess effectiveness of these policies.

A Department of the Air Force Guidance Memorandum (DAFGM) is being issued for DAF Instruction (DAFI) 36-2710, *Equal Opportunity Program*, to align with DoD Instruction (DoDI) 1300.28, “In Service Transition for Transgender Service Members,” and DAF Policy Memorandum (DAFPM) 2021-36-01, *Accessions and In-Service Transition for Persons Identifying as Transgender*. This policy update reaffirms that all Airmen and Guardians (military and civilian) will be treated with dignity and respect and afforded equal opportunity in an environment free from unlawful discrimination, harassment, or sexual harassment, including protection from discrimination on the basis of gender identity (including individuals identifying as transgender). Additionally, the protected categories for the basis of unlawful discrimination against military members is updated to include gender identity in accordance with DoDI 1350.02, “DoD Military Equal Opportunity Program.” This DAFGM is currently in coordination and is expected to be published by 29 April 2022.

Actions, Programs, and Initiatives

The Office of the Under Secretary of Defense for Personnel and Readiness (OUSD P&R): On October 1, 2021, the DoD published the 2021 Transgender Handbook, “Transgender Service in the U.S. Military, An Implementation Handbook.” It is an administrative update to the 2016 Handbook and is intended as a practical day-to-day guide to assist commanders and transgender Service members in gender transition. It also outlines commanders’ duties and responsibilities, as well as provides Service members with an update of DoD policy to allow the open service of transgender Service members.

The Department of the Air Force (DAF) revised publications governing electronic mail communications to explicitly authorize the inclusion of pronouns in signature blocks. This establishment fosters an inclusive environment for LGBTQI+ Total Force Airmen and Guardians and promotes advocacy with those who receive communiques.

- DAF hosts a monthly “Inclusion Talks” webinar series that broadly covers DEIA topics and includes representation of LGBTQI+ personnel and viewpoints. This is a promising practice to further promote inclusion of LGBTQI+ service members into service culture, which partner nations might use as a model to advance integration and inclusion of LGBTQ+ personnel into their own militaries.
- DAF utilized its Service Central Coordination Cell (SCCC), a standing DAF Working Group focused on facilitating transgender service to expedite the development of new DAF policy regarding service by transgender individuals. This working group utilized information from serving transgender members and subject matter experts from medical, legal, and personnel to ensure DAF policy complied with the intent of the Presidential EOs and resulting DoD policies. The DAF Policy Memorandum, DAFPM 2021-36-01, “Accessions and In-Service Transition for Persons Identifying as Transgender” was published on 30 Apr 2021.
- The new DAF policy, as well as ongoing communications from DAF leadership clearly promote that transgender service members who continue to meet the appropriate military standards are able to serve openly and free from discrimination. This messaging was emphasized during a DAF-wide stand down to address extremism, and diversity and inclusion.

In March 2021, the DAF established a new LGBTQ Initiative Team incorporated within the larger DAF Barrier Analysis Working Group to specifically identify issues and develop solution sets for the Total Force. This team is championed at the SES/GO level and provides regular updates to DAF leadership on their four Lines of Effort (Education and Awareness, Transgender Policies, Medical Policies, and Data and Research). Ongoing initiatives include a review of basing policies to determine impact to Total Force Airmen and Guardians and their family members who identify as LGBTQI+ and a review of healthcare related policies with disparate impact or barriers for LGBTQI+ families.

a. Combatting Criminalization

Prior to key leader engagements (KLE) with international partners, the Deputy Under Secretary of the Navy (DUSN) has reviewed the partners’ current national laws and policies to ascertain whether they criminalize LGBTQI+ persons.

U.S. Special Operations Command (USSOCOM) began planning for the establishment of a LGBTQI+ Initiative Team Barrier Analysis Working Group to remove any barriers in policy or culture that may impact members of the LGBTQI+ community.

Identified additional personnel to receive training and accreditation in Sexual Harassment/Assault Response and Equal Opportunity programs, ensuring readiness to support LGBTQI+ rights protection training and initiatives. Since the last report, the Department has begun to implement the recommendations of the Independent Review Commission (IRC) on Sexual Assault in the Military. Beyond critical changes to the way that the military prevents and addresses gender-based violence, the report highlighted the particular impact of this issue on LGBTQI+ service members, and recommended expanded and revised training to provide culturally competent care to service members from communities of color, the LGBTQI+ community, religious minorities, and more. As a result, DoD components have looked to expand trained personnel and support both the IRC recommendations, as well as other internal DEIA efforts led by OSD P&R.

b. Protecting Vulnerable LGBTQI+ Refugees

The Department recognizes the unique impact of conflict and crisis on the LGBTQI+ population, and is looking to advance the protection of LGBTQI+ refugees through its humanitarian assistance and disaster response efforts. As part of this effort, relevant DoD components are looking to incorporate those considerations into their own refugee response operations and efforts with partner nations.

For example, the DUSN has ensured that all senior Department of Navy (DON) officials are aware of regional refugee situations prior to engagement, with a particular emphasis on vulnerable populations, and worked with OUSD(P) to identify opportunities to message partners, both historical and emerging, of the challenges facing those refugees.

c. Foreign Assistance to Protect Human Rights and Advance Non-Discrimination

In coordination with the U.S. Navy and U.S. Marine Corps, the DUSN has worked with OUSD(P) to prioritize resources and foreign assistance programs to advance DoD objectives while ensuring the protection of human rights and non-discrimination is a variable used to make determinations on resource expenditures.

d. Responses to Human Rights Abuses of LGBTQI+ Persons Abroad

USSOCOM continued utilization of Joint Combined Engagement Teams (JCET) to work alongside foreign military partners. As required by Title 10, U.S. Code, Section 362, before JCET engagements, partner force personnel are screened for credible information on whether they committed or were implicated in gross violation of human rights.

e. Building Coalitions of Like-Minded Nations and Engaging International Organizations in the Fight Against LGBTQI+ Discrimination

U.S. European Command (USEUCOM) will seek future security cooperation program opportunities consistent with the PM, will evaluate USEUCOM's Theater Security Cooperation Programs, and will identify opportunities for the promotion of LGBTQI+ engagements with allies and partners to advance the human rights of LGBTQI+ persons.

Additional Opportunities and Actions

The DON established an informal LGBTQ+ advisory group to advise on areas where changes can be made to improve Diversity, Equity, and Inclusion (DE&I). The advisory board currently consists of approximately 10 members with diversity of rank (officer and enlisted) and warfare specialty, and will meet on a quarterly basis. The group reached early consensus regarding the importance of improving LGBTQI+ healthcare policy and the effectiveness of the Command Managed Equal Opportunity process.

Department of Justice



Executive Summary

The International Criminal Investigative Training Assistance Program (ICITAP) delivered webinars worldwide to promote racial justice, inclusion, and police reform. In September, ICITAP-trained Ukrainian police officers ensured the peaceful assembly of thousands of participants at the annual Equality March in Kyiv, Ukraine. During FY21, in the Dominican Republic, ICITAP delivered training and mentoring to the Dominican National Police Directorate for Attention to Women and Domestic Violence to strengthen police relations with the LGBTQI+ community.



Activists at an LGBTQI+ Pride Parade in Geneva

Since the issuance of the Presidential Memorandum, OPDAT has worked with INL to add elements of the Presidential Memorandum into Resident Legal Advisor programs. To date, we have signed Interagency Agreements for RLA programs in Albania, Croatia, Kosovo, and North Macedonia that promote the human rights of LGBTQI+ persons. At the same time, OPDAT RLAs in Asia and the Pacific, Europe, and the Western Hemisphere built capacity in host countries to address gender-based violence and other crimes against vulnerable populations, including LGBTQI+ persons. OPDAT also helped foreign counterparts investigate and prosecute hate crimes, coordinated with NGOs and LGBTQI+ activists, and partnered with foreign judiciaries to bolster judicial independence and protect the rights of LGBTQI+ persons.

Actions, Programs, and Initiatives

ICITAP

With funding from the State Department and USAID, ICITAP delivers training, mentoring, and technical assistance to law enforcement organizations, correctional institutions, and forensic agencies in 61 countries that ensure that human rights and dignity are key elements of their organizational culture and standard operating procedures. During FY21, ICITAP delivered six webinars to a total of 1,500 participants featuring domestic executive law enforcement leaders, who shared their insights and guidance to interagency partners and international counterparts on racial justice, inclusion, and police reform.

Europe

In September, ICITAP-trained Patrol Police Department Officers ensured the peaceful assembly of participants of the annual Equality March in Kyiv, Ukraine. Approximately 7,000 people attended the parade meant to bring awareness to the rights of the LGBTQI+ community in Ukraine. Near the parade, some anti-LGBTQI+ rights activists had gathered, but no violence occurred. This contrasts with the 2015 event, where police and participants were injured after an attack by counter demonstrators and with the 2018 event where nearly sixty counter protesters were arrested.

Western Hemisphere

In the Dominican Republic, ICITAP manages a police professionalization mission, which includes planning, administration and finance, strategic communications, human resources development, and police community relations with a special focus on vulnerable and marginalized populations including LGBTQI+ persons. In FY21, ICITAP delivered training and mentoring to the Dominican National Police Directorate for Attention to Women and Domestic Violence to strengthen police relations with the LGBTQI+ community. In August, in the Dominican Republic, ICITAP initiated phase one of the police culture training offered to 88 cadets. The program focused on the importance of developing a positive relationship with the community and on strong familial relationships essential for preventing domestic violence. The sessions are designed to provide police officers with the necessary skills and knowledge to shape positive attitudes and eliminate barriers to building trust, respect, and legitimacy. The USAID - ICITAP program in the Dominican Republic has provided technical assistance and guidance to the Dominican National Police, implementing a Police Culture Model to provide police services centered on respect for human rights.

The Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT):

OPDAT promotes the rule of law and regard for human rights by reforming foreign justice systems and supporting professional and accountable institutions in line with international norms and standards. With funding from the State Department, OPDAT deploys experienced prosecutors to U.S. embassies around the world to serve as long-term Resident Legal Advisors (RLAs), short-term Intermittent Legal Advisors (ILAs), and International Computer Hacking and Intellectual Property Advisors (ICHIPs) who conduct bilateral and regional capacity building programs. Prior to the issuance of the Presidential Memorandum, OPDAT programs did not include projects specifically aimed at protecting LGBTQI+ rights. Since February 2021, however, OPDAT and INL have worked together to add elements of the Presidential Memorandum into RLA programs.

To date, we have signed Interagency Agreements (IAAs) for RLA programs in Albania, Croatia, Kosovo, and North Macedonia that promote LGBTQI+ rights. Under these IAAs, RLAs raise awareness of LGBTQI+ human rights, promote diversity in the justice system, help counterparts handle cases including LGBTQI+ persons, enhance the quality of services to victims of these crimes, and promote protection for the rights of victims and parties during the criminal justice process.

Europe

In Albania, OPDAT worked closely with prosecutors, judicial officers, and victim coordinators to assist the victims of crime. Albania has legislation outlining the rights of the victims of crime (Article 58 of the Criminal Procedure Code) and criminally punishes public officials if found in violation of a citizen's equality, including inequality on gender, sexual orientation, and gender identity (Article 253 of the Criminal Code). Also, a law entitled "On Protection from Discriminations" regulates the implementation of the principle of equality and non-discrimination in relation to gender, gender identity, sexual orientation, and sexual characteristics, through the Institution of the Commissioner on Protection from Discrimination. In December, in Kosovo, OPDAT RLAs assisted host country counterparts on the National Strategy Against Domestic Violence and Violence against Women, which is designed to protect vulnerable populations. OPDAT participated in the Ministry of Justice's working group on the strategy and proposed a joint calendar of activities by international organizations and local stakeholders. OPDAT also partnered with the Embassy's Public Diplomacy Section and Diversity and Inclusion Council to develop short videos to raise awareness of human rights and the need to combat gender-based violence. In Serbia, OPDAT supported Serbia's obligations under Chapter 23 of the EU accession framework, which includes LGBTQI+ protection.

Western Hemisphere

In El Salvador, OPDAT partnered with the National Division for the Protection of Women, Children, Adolescents, LGBTI and Other Vulnerable Groups within the Office of the Attorney General to build capacity to investigate and prosecute crimes against those within the National Division's jurisdiction. OPDAT also held regular working group meetings with prosecutors, police, psychologists, judges, and forensic experts to develop protocols to present these cases in court and to assist victims. In August, in coordination with the U.S. Embassy in Peru, OPDAT hosted a virtual program for approximately 40 Peruvian prosecutors on best practices in the investigation and prosecution of hate crimes. Other experts from DOJ, such as an Assistant U.S. Attorney and an FBI Special Agent discussed best practices, presented a case study, and answered questions, such as on charging decisions.

The U.S. Embassy requested assistance from OPDAT after the Inter-American Court of Human Rights expressed criticism of how a recent Peruvian criminal case against a member of the LGBTQI+ community was handled. During 2021, OPDAT's Judicial Studies Institute (JSI), based in Puerto Rico, formed a working group on judicial independence consisting of judges from throughout Latin America who had graduated from JSI. In a series of essays, the working group addressed how judicial independence is protected in their respective countries and identified current challenges thereto. In the summer of 2021, JSI compiled the essays in a digital publication entitled *Judicial Independence in Latin America: Challenges and Realities* and distributed the publication to serve as a comparative law analysis and to help protect the independence of judiciaries throughout the hemisphere. Among other things, the publication emphasizes the primacy of protecting the rule of law and the rights of all communities, including LGBTQI+ persons.

Additional Opportunities and Actions

OPDAT programs on gender-based violence in Asia and the Pacific could be expanded to include LGBTQI+ populations in countries where our programs are broad enough to allow such work.

In Albania, OPDAT plans to train victim coordinators on LGBTQI+ rights, inviting prominent representatives from the LGBTQI+ community as well as representatives from the Institution of the Commissioner on Protection from Discrimination. The Albanian law "On Protection from Discriminations" does not specifically include LGBTQI+ persons. OPDAT could therefore advocate for a legislative change and offer trainings and visits to prosecution offices from LGBTQI+ NGOs and the Commissioner on Protection from Discrimination to increase prosecutorial awareness and capacity to protect members of the LGBTQI+ community. OPDAT could also partner with Albania's General Prosecution Office to deliver mandatory training of prosecutors, judicial officers, and victim coordinators on issues concerning equality and non-discrimination.

In Latvia, OPDAT has an RLA program that engages with counterparts in the three Baltic states of Estonia, Latvia, and Lithuania. OPDAT could provide training for police officers, prosecutors, and judges throughout the Baltics on how to handle homophobic and transphobic hate crimes. The training could include improved procedures for recognizing bias/motivations, as well as confidence-building measures between the police, prosecutors, and the LGBTQI+ community.

Additionally, OPDAT could help with criminal law amendments in the Baltics. In Estonia, assistance could be provided to amend the Estonian Penal Code to include gender identity to the list of enumerated grounds in Articles 58 (aggravating circumstances), 151 (hate crimes), and 152 (violation of equality). In Latvia, OPDAT could provide assistance aimed at amending the Latvian Criminal Law to include sexual orientation and gender identity as enumerated grounds, particularly with respect to Article 48 (aggravating circumstances) and Article 150 (hate crimes). In Lithuania, assistance could be provided to amend the Lithuanian Criminal Code to include gender identity on the list of enumerated grounds in Articles 60 (aggravating circumstances), 169 (criminal discrimination), and 170 (hate crimes).

In North Macedonia, the majority of reported hate crimes involve racism or xenophobia; LGBTQI+ crimes are generally underreported. OPDAT could work with the Ministry of Interior and with NGOs to identify gaps in the reporting and investigation of hate crimes against members of the LGBTQI+ community.

In Serbia, OPDAT has a project on plea and charging guidelines, which is on hold due to the pandemic. Once regular programming resumes, OPDAT could advocate for increased sentences for hate and discrimination offenses aimed at LGBTQI+ persons.

In El Salvador, OPDAT will begin including civil society members in its regular working group meetings with prosecutors, police, psychologists, judges, and forensic experts to protect the rights of women, children, adolescents, LGBTQI+, and other vulnerable groups. At the same time, OPDAT could help strengthen hate crimes legislation and could then build the capacity of justice counterparts to prosecute hate crimes under reformed legislation.

Potential Barriers to Implementation

ICITAP and OPDAT programs are funded through interagency agreements (IAAs) with the State Department. IAAs determine not only the funding amounts, but also the parameters of ICITAP and OPDAT programs. New IAAs would need to be negotiated between the State Department and the Justice Department to include elements of the Presidential Memorandum into ICITAP and OPDAT programs.

As noted above, OPDAT and INL have been working closely together since the issuance of the Presidential Memorandum to start incorporating protection of LGBTQI+ rights and violence prevention in IAAs for Resident Legal Advisor programs. With the support of relevant U.S. embassies, we plan to increase the number of programs to help host country justice systems investigate, prosecute, and adjudicate crimes against LGBTQI+ persons and enhance the quality of services to victims of these crimes.

Department of Labor



Executive Summary

Bureau of International Labor Affairs (ILAB) safeguards dignity at work, both at home and abroad – by strengthening global labor standards, enforcing labor commitments among trading partners, promoting racial and gender equity, and combating international child labor, forced labor, and human trafficking. ILAB is working internationally to combat discrimination on the basis of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI+) status by promoting respect for the fundamental principles and rights at work (including non-discrimination in employment); working to improve working conditions and access to quality employment; reducing vulnerability to violence and

Since the issuance of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons around the World, ILAB has created mechanisms to coordinate implementation of Administration mandates, including on LGBTQI+ rights; increased staff capacity on LGBTQI+ rights in the labor and employment sphere through trainings and engagement with international organizations and civil society; strengthened coordination with civil society organizations and international organizations to identify gaps in efforts



Activist at a Trans Rights Protest in London, Soho

and opportunities for ILAB to advance the labor rights of LGBTQI+ persons; initiated a process to assess and address any policy or regulatory gaps in nondiscrimination protections for ILAB grant beneficiaries; and promoted the labor rights and employment of LGBTQI+ persons through engagement in the International Labor Organization (ILO) and the OECD.

Actions, Programs, and Initiatives

a. Combatting Criminalization

ILAB funds research and releases reports that analyze the consistency of trade partner countries' laws and practices with internationally recognized labor rights. ILAB will identify opportunities to research and report on labor rights abuses and violations against LGBTQI+ persons to inform policy advocacy and technical assistance efforts.

For example, ILAB reporting includes a discussion of the incidence of child and forced labor issues among LGBTQI+ persons. The reporting makes recommendations to governments on addressing child and forced labor, including measures to eliminate barriers to education and training essential to successful participation in the labor market.

b. Protecting Vulnerable LGBTQI+ Refugees and Asylum Seekers

N/A

c. Foreign Assistance to Protect Human Rights and Advance Non-Discrimination

ILAB formed a bureau-wide working group with representation from staff who lead the bureau's efforts to implement the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons around the World; the Executive Order on Advancing Racial Equity and Supporting Underserved Communities through the Federal Government; and the Executive Order on Establishment of the White House Gender Policy Council. This group is coordinating efforts across ILAB to work toward the elimination of discrimination and other labor rights violations that particularly affect certain groups, including LGBTQI+ persons, through ILAB's technical assistance; research and reporting; protection of labor rights in trade; and policy engagement, including multilateral and bilateral engagement. The group identifies training opportunities for ILAB staff to improve capacity to address the barriers affecting these populations, including LGBTQI+ persons.

ILAB convened an information session with a representative of the ILO to increase ILAB staff capacity on mainstreaming LGBTQI+ issues into labor rights programming. Specifically, this training provided an overview of challenges facing LGBTQI+ persons, and particularly transgender and gender diverse individuals of color, in the labor and employment sphere; inclusive LGBTQI+ terminology and language; and strategies to integrate LGBTQI+ rights, and particularly transgender and gender diverse individuals of color, into efforts to promote the fundamental principles and rights at work, which are: freedom of association, collective bargaining, elimination of discrimination in employment, elimination of forced labor, and the abolition of child labor.

ILAB convened an information session with international trade unions, federations, and confederations on advancing the labor rights of LGBTQI+ persons through trade unions, which increased awareness of the many challenges LGBTQI+ persons face in the world of work; shared how trade unions can help support the rights of LGBTQI+ persons in the world of work; and identified how the U.S. government can advance the labor and employment rights of LGBTQI+ persons through trade unions.

ILAB initiated a process to identify any gaps that might exist in beneficiary protections from discrimination and develop, if needed, an ILAB beneficiary nondiscrimination policy. This process will include the following steps: a meeting among relevant DOL legal and policy staff to discuss existing nondiscrimination protections for ILAB grant beneficiaries; a meeting with USAID programming and legal offices to discuss USAID's beneficiary policies and implementation; and the development of a possible ILAB beneficiary nondiscrimination policy, if the need is identified.

d. Building Coalitions of Like-Minded Nations and Engaging International Organizations in the Fight Against LGBTQI+ Discrimination

In the context of the ILO, ILAB engages on LGBTQI+ rights through our representational role. The most recent ILO Governing Body discussed the program and budget proposal for 2022-2023 which includes a policy outcome on “gender equality and equal opportunities and treatment for all in the world of work,” and a specific reference to LGBTQI+ persons. The program and budget proposal identifies the ILO's priorities in the coming two years and calls for measures to address discrimination and challenges to equal opportunities for persons in situations of vulnerability, including LGBTQI+ persons.

During the recent International Labor Conference (ILC) general discussion on inequalities, although the U.S. Delegation advocacy of specific inclusion of LGBTQI+ persons among those in situations of vulnerability met with intransigent opposition from some countries, the U.S. Delegation ultimately supported adoption of a general reference to persons in situations of vulnerability that could implicitly cover LGBTQI+ persons. The U.S. Delegation also made a strong statement for the record expressing our regret that the conclusions did not explicitly include this group. In addition, as the U.S. government representative in the ILO's Alliance 8.7, ILAB actively seeks to address LGBTQI+ issues in this global initiative against forced labor, modern slavery, human trafficking, and child labor under SDG Target 8.7. ILAB raised the issue of LGBTQI+ for discussion in Q4 and it has been accepted as an agenda item for the upcoming Alliance 8.7 meeting in Q1 2022.

In the context of the OECD, ILAB worked with the U.S. Mission to the OECD and the OECD Secretariat to craft terms of reference for a study of the economic costs of discrimination against LGBTQI+ persons, and the benefits of their full inclusion in the world of work. This work is being funded by a voluntary contribution of €150K from the U.S. Mission. It will set the stage for building support among an increasing sphere of member countries for future work on LGBTQI+ issues in the OECD, including through regular budget funding and future voluntary contributions.

ILAB's Associate Deputy Undersecretary spoke during a break-out session of the annual Out and Equal Summit to discuss the Bureau's efforts to advance LGBTQI+ rights through technical assistance, bilateral and multilateral engagement, and research and reporting, and learn from others' efforts. This session included a representative from the Brazilian government's labor prosecution office and a representative from a French NGO, L'Autre Cerle, which promotes LGBTQI+ inclusion in the workplace.

In celebration of Pride month, the Department of Labor tweeted about the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons around the World and highlighted ILAB's annual Findings on the Worst Forms of Child Labor report, which includes data, where available, on LGBTQI+ youth affected by child labor. ILAB circulated a survey to grantees of ILAB's Office of Child Labor, Forced Labor and Human Trafficking to request responses to questions on challenges, effective strategies, and lessons learned in supporting the rights LGBTQI+ persons. The responses will inform ILAB's efforts to improve knowledge and capacity to advance the rights of LGBTQI+ persons around the world.

Additional Opportunities and Actions

ILAB will engage with foreign governments to help ensure that laws, regulations, and practices are in place to protect workers from discrimination in the workplace based on LGBTQI+ status; protect workers from workplace violence or harassment due to LGBTQI+ status; and ensure workers have equal access to justice when faced with discrimination in the workplace, particularly transgender individuals and LGBTQI+ persons of marginalized groups.

ILAB-funded technical assistance projects will build the capacity of foreign governments, businesses, and civil society actors to enhance workforce participation among LGBTQI+ persons and protect the fundamental principles and rights at work for LGBTQI+ persons. These efforts will include measures that strengthen laws, regulations, policies, and practices to eliminate discrimination in employment on the basis of LGBTQI+ status and provide other labor rights protections. The projects will also seek to enhance access to work-based learning opportunities and promote good working conditions and other labor rights, including in microenterprises and small businesses.

ILAB will identify opportunities to promote the labor rights and quality employment of LGBTQI+ persons in collaboration with other U.S. government agencies, particularly embassies and missions abroad, and will build on the expertise developed by these agencies in promoting LGBTQI+ rights.

ILAB will promote the labor rights of LGBTQI+ persons through engagement in multilateral fora, including the ILO, the Asia Pacific Economic Cooperation (APEC), the G7 and G20 labor and employment tracks, the Organization for Economic Cooperation and Development (OECD), and the Organization of American States (OAS), among others, drawing on the expertise of DOL's domestic agencies.

ILAB will engage and consult with key stakeholders, including like-minded governments, donor organizations, civil society, the private sector, trade unions, and employer organizations on promoting the labor rights and addressing discrimination in employment. ILAB will seek the support of these stakeholders to develop, monitor, and evaluate technical assistance programming; monitor and enforce labor provisions of trade agreements; advocate for improved legal, regulatory, and policy frameworks and practices; and identify effective strategies to increase employment opportunities for LGBTQI+ persons.

ILAB will work in conjunction with the interagency to identify opportunities for engagement with our counterparts around the world, prioritizing those where LGBTQI+ persons face especially pervasive barriers in the labor and employment setting. ILAB will prioritize those countries where transgender and intersex persons confront particularly pernicious labor rights violations and high barriers to employment.

ILAB will explore funding research that contributes to understanding the challenges that LGBTQI+ workers face abroad, including the most vulnerable LGBTQI+ workers such as transgender people of color. In the area of data collection, ILAB will encourage and seek to learn from international experience and expertise on collecting labor market data on LGBTQI+ persons, and explore how to support improved data collection in target countries.

Potential Barriers to Implementation

Because data on LGBTQI+ status is often scarce, particularly in developing countries, ILAB may experience barriers to fully understanding the challenges that LGBTQI+ persons face while attempting to exercise their labor rights and access quality employment. ILAB identified improving data collection as one of its goals under this Presidential Memorandum.

Security concerns and disparaging treatment of LGBTQI+ persons in society often contribute to this population's invisibility, which hinders understanding the needs of and providing services to LGBTQI+ persons. ILAB will seek to build on effective practices in protecting the security and safety of LGBTQI+ persons.

Department of Health and Human Services



Executive Summary

The staff and leadership of the Department of Health and Human Services (HHS) reaffirm its support for U.S. government efforts to advance the human rights of LGBTQI+ persons around the world, and are building on existing efforts to demonstrate global leadership on these issues, as well as to support the identification and implementation of best practices in programming around the world.

Working in coordination with the State Department, HHS withdrew co-sponsorship and signature from the “Geneva Consensus Declaration,” noting that, “aspects of the document are not consistent with our current Administration’s policies, including those relating to women’s health, LGBTQI+ equality, and gender equality.” HHS has also taken proactive measures to support nondiscrimination in foreign assistance funding through the development of an equity appendix for the annual update to the Notice of Funding Award (NOFO) guidance.

HHS has continued ongoing research and programs, and initiated new ones, designed to support the health and rights of LGBTQI+ persons around the world. Examples include:

- Research focused on testing interventions to support LGBTQI+ persons in Brazil, Peru, and Nigeria through the National Institutes of Health (NIH);
- Providing technical support to key populations-led organizations in Guatemala, Haiti, Zambia, Nigeria and Tanzania, as well as training to increase healthcare workers’ competency in providing quality services to LGBTQI+ persons through the Centers for Disease Control and Prevention (CDC);
- Supporting the inauguration of the Transgender Health and Wellness Centre, the first of its kind in India, through the Health Resources and Services Administration (HRSA);
- Working with the WHO to support in-country registration and availability of ARV drugs through the Food and Drug Administration (FDA); and
- Providing toolkits and resources for LGBTQI+ refugees and their allies, as well as intensive case management for refugees who are vulnerable to discrimination, through the Administration for Children and Families Office of Refugee Resettlement (ACF/ORR).

HHS, through FDA, CDC, NIH, and the Office of Global Affairs (OGA), works to exchange expertise with health counterparts around the world. One opportunity for those exchanges is to leverage and adapt the array of resources designed to support the health needs of LGBTQI+ persons living in the U.S., many of which are available online. In the multilateral space, HHS/OGA is working to convene like-minded countries and engaging the World Health Organization and its regional offices in support of LGBTQI+ rights.

Rescinding Inconsistent Policies

Office of Global Affairs (OGA): On January 28, 2021, President Biden signed a Presidential [Memorandum on Protecting Women’s Health at Home and Abroad](#) that directs the relevant heads of agencies to “withdraw co-sponsorship and signature from the Geneva Consensus Declaration (Declaration) and notify other co-sponsors and signatories to the Declaration and other appropriate parties of the United States’ withdrawal.” On February 5th, the State Department notified signatories to the GCD that the United States had withdrawn co-sponsorship and signature from the Declaration. The notification stated, in part, that, “aspects of the document are not consistent with our current Administration’s policies, including those relating to women’s health, LGBTQI equality, and gender equality”.

Actions, Programs, and Initiatives

b. Protecting Vulnerable LGBTQI+ Refugees

Administration for Children and Families (ACF)/Office of Refugee Resettlement (ORR): ACF provides services and tools to better support LGBTQI+ refugees and asylees, including:

- *Intensive Case Management*: Certain LGBTQI+ persons who arrive to the U.S. as refugees or asylees may find themselves struggling to find their place in a new society while feeling isolated from their compatriots. Those individuals are especially vulnerable to discrimination as well as to psychosocial and economic barriers to self-sufficiency and integration. [ORR’s Preferred Communities program](#), which provides intensive case management to especially vulnerable refugees, continues to recognize the potential vulnerability of the LGBTQI+ refugee community. LGBTQI+ refugees, regardless of how they identify, are explicitly provided as a potential vulnerable population within program guidelines. Service providers may implement LGBTQI+-focused service initiatives and must train staff on serving this population.

- *Technical Assistance:* ORR’s Refugee Technical Assistance Program, administered by [Switchboard](#), a project of the International Rescue Committee, has provided several toolkits, guides, and resources for working with LGBTQI+ refugees and their allies to ORR’s refugee-serving grantees. ORR will assess the need for additional technical assistance and training related to serving LGBTQI+ refugees as it develops priorities for equity-building activities for the next technical assistance project period.

Foreign Assistance to Protect Human Rights and Advance Non-Discrimination

National Institutes of Health (NIH)

The National Institutes of Health (NIH) mission is focused on health for all and NIH’s efforts to include vulnerable and underserved U.S. populations in research efforts also focus on improving health outcomes to reduce and ultimately eliminate health disparities, including for LGBTQI+ persons. Through the NIH extramural research portfolio, NIH Institutes and Centers competitively fund research grants to organizations in the U.S. and around the world. Some examples of relevant NIH investments are highlighted below, and a list of active grants funded by NIH is available in [NIH RePORT](#) (search by the spending category Sexual and Gender Minorities (SGM/LGBT)):

- Fogarty International Center (FIC): Under an FIC Emerging Global Leader Award, [researchers are testing a mobile phone short message service intervention to increase retention in HIV care among HIV-positive men.](#)
- National Institute of Mental Health (NIMH): [The RISE Study \(Resist, Intervene, Support, EmpowerTM\): Feasibility/Acceptability of MHealth Intervention](#) began in September 2020 and is adapting and testing a novel, scalable and cost-efficient mHealth intervention to improve violence reporting, identification of mental health needs and referral to care among transgender women in Brazil.
- NIH/Eunice Kennedy Shriver National Institute of Child Health and Human Development (NICHD): [The Prevention and Treatment through a Comprehensive Care Continuum for HIV-affected Adolescents in Resource Constrained Settings](#) (PATC³H) began in 2018 and conducts clinical research and evaluation of combination interventions aimed at the individual, family, community, structural and education, and health systems levels, to improve health outcomes among adolescents, including LGBTQI+ youth, who are at risk for and youth living with HIV in international resource-poor settings.

- National Cancer Institute (NCI): Cancer health disparities remain a critical priority in the United States and abroad. Among populations experiencing cancer health disparities globally are sexual and gender minority (SGM) communities. The Center for Global Health (CGH) at the National Cancer Institute (NCI), and the NIH Sexual & Gender Minority Research Office (SGMRO) co-authored a forward for a forthcoming book highlighting opportunities for progress controlling cancer in LGBTQI+ populations, including developing technologies to improve health outcomes, healthcare services, and health research through more effective data collection.

Centers for Disease Control and Prevention (CDC)

CDC's Division of Global HIV & TB remains a leading implementer of global programming to support LGBTQI+ persons and other key populations (KP) around the world. Throughout fiscal year 2021 and into 2022, CDC continued expansion of best practices and created new opportunities to reduce stigma and discrimination toward KP beneficiaries in U.S. President's Emergency Plan for AIDS Relief's (PEPFAR) countries. This work included the expansion of training focused on HIV service providers to ensure client-centered services for KPs. CDC developed new materials that focused on serving transgender and non-binary persons. CDC also stood with other agencies in affirming the US government stance on ZERO tolerance for harmful practices, including what is often termed "gay conversion therapy". Further, CDC developed new materials for partner trainings in support of this stance. Lastly, through the PEPFAR Key Population Investment Fund (KPIF), CDC increased access to HIV prevention and treatment services, and supported capacity building and seed financing to KP-led organizations. Building on years of relationship and support, in 2022, the agency will initiate a key population listening series ensuring a continued connection to the KP community.

CDC, through PEPFAR [Key Population Investment Fund](#) (KPIF) is providing technical assistance to support key population (KP)-led organizations to deliver KP specific services using strengthened organizational capacity and increased resiliency. The program assists these organizations by strengthening capacity in Social Enterprise programs and Structural Interventions for KPs such as microfinance programs, gender-based violence prevention, economic and educational interventions. There are currently 14 local organizations being funded across Guatemala, Haiti, Zambia, Nigeria and Tanzania. Two additional countries, Kenya and the Dominican Republic, are in the planning phase.

CDC implements Healthcare Worker (HCW) Training on Client-Centered Services for KPs that was developed to improve service provision among clinicians and other clinical workers supported by PEPFAR.

This in-person or virtual training addresses these barriers by educating HCWs about the unique context of KPs and increases HCWs' competency at providing comprehensive, non-stigmatizing services, thereby improving access to services for those with the greatest need. Since the COVID-19 pandemic began, approximately 400 HCWs have participated in virtual trainings. At each training, participants are given a pre and post-test. These tests, which indicate attitude, knowledge, and skills toward providing care to KPs, have shown consistent competency growth among participants.

CDC's programs also adopt and implement best practices across PEPFAR countries to reduce stigma and discrimination against KP beneficiaries. Examples include:

- Supporting KP peer workers to conduct outreach in KP “hotspots” that bring HIV services—prevention education, HIV testing—to the KPs in a convenient location where they congregate;
- Working directly with Ministry of Health HIV providers to provide HIV test confirmation, immediate HIV treatment initiation and refills in community locations to reduce the need for KPs to access public health facilities for initial visits and follow-up visits;
- Developing KP “champions” among public facility providers who are more welcoming to KP clients brought to clinic facilities by KP outreach workers for HIV services; and
- Provider training on “[Undetectable=Untransmittable](#)” to reduce the stigma against HIV-positive key population clients on HIV treatment.

Health Resources and Services Administration (HRSA)

HHS/HRSA supports PEPFAR to deliver on its goal of an AIDS-free generation, including efforts to support the needs of LGBTQI+ persons. The following highlights HRSA efforts in three countries:

- In Côte D'Ivoire, HRSA is building trust and ensuring patients' confidentiality by working with Civil Society Organizations to assure LGBTQI+ clients that personal data will remain confidential, and that information they disclose will only be used to ensure that their health needs are appropriately addressed. Through “Drop in Centers”, HRSA is building and engaging in a trusting relationship by supporting an environment where these groups can feel comfortable speaking openly about their behavior without fear of being judged or reported to police, which has been a common practice in the past. The effort strives to creating a welcoming, culturally competent, and responsive place where transgender-specific services – both clinical and direct services – can be obtained without being stigmatized or discriminated throughout facilities in Cote D'Ivoire.

- In India, HRSA supported the Inauguration of the [Transgender Health & Wellness Centre](#) and Help Desk. The ‘Transgender Health and Wellness Centre’, the first ever TG health clinic in India, was inaugurated and launched in Imphal, Manipur (NE state in India) on March 25, 2021. The Centre will provide ‘holistic healthcare’ to the transgender community for improving accessibility to HIV and related services as well as psychosocial development and economic empowerment.
- In the Philippines, HRSA is developing activities with USG partners and the Ministry of Health to include two focus activities; stigma elimination coaching and the implementation of a Medical Case Management approach to guide the roll out of a National Quality Initiative (QI) Plan. The efforts include recognizing and eliminating stigmatizing beliefs and behaviors which contribute to limitations in treatment continuity. Though these activities are focused on all populations, the LGBTQI+ population is an essential component of this national roll out. Anticipated outcomes are: building safer spaces in the clinic flow, sharing of best practices for sexual health history taking, enhancements in therapeutic communication within the patient/provider relationship, and supporting patient representation on QI committees to inform organizational assessments and feedback.

Food and Drug Administration (FDA)

FDA plays an integral role in supporting the goal of an AIDS-free generation by ensuring safe and effective antiretroviral (ARV) drugs are available for procurement through PEPFAR so these drugs can get to countries with high rates of HIV infection in a timely manner. FDA’s role in PEPFAR and the FDA/WHO pilot program impacts all HIV patients and does not specifically focus on the LGBTQI+ community. Since 2004, FDA has given an expedited review status for PEPFAR ARV drugs, while ensuring this class of products meets the same standards as similar products marketed for use in the United States. In December 2018, FDA and the World Health Organization (WHO) initiated an ongoing Collaborative Registration Procedure-lite (CRP-lite) pilot program to share unredacted or minimally redacted FDA review materials of HIV drug products with the WHO drug regulatory division (known as the Prequalification of Medicines Program). The objectives of the pilot are to reduce WHO’s review time and share cleared dossiers with CRP-participating countries (including PEPFAR-partner countries) to support in-country registration and drug availability for patients who need them most.

Building Coalitions of Like-Minded Nations and Engaging International Organizations in the Fight Against LGBTQI+ Discrimination

Office of Global Affairs (OGA)

OGA is working to convene like-minded countries and engaging WHO and its regional offices to advance LGBTQI+ persons' health and rights around the world. The United States opposes the inclusion of anti-LGBTQI+ language in multilateral fora, and supports language consistent with the goal of upholding the human rights of all persons. OGA is also actively engaging with civil society members and other relevant stakeholders.

HHS, through the Food and Drug Administration (FDA), the Centers for Disease Control and Prevention (CDC), the National Institutes of Health (NIH), and the Office of Global Affairs (OGA), works to share U.S. expertise with health counterparts around the world. We have included examples of domestic efforts to advance the rights of LGBTQI+ persons in the U.S., many of which might be relevant/applicable globally.

Additional Opportunities and Actions

Centers for Disease Control and Prevention (CDC)

In 2021, CDC joined the Global Partnership for Action to Eliminate all Forms of HIV-Related Stigma and Discrimination as a technical partner. CDC collaborated with other US government interagency colleagues and the Office of the Global AIDS Coordinator to revise the PEPFAR Country Operational Plan (COP) 2022 guidance. CDC, in conjunction with interagency colleagues, developed a multi-prong PEPFAR proposal to advance the health and human rights of key populations globally through partners. The incentive-based proposal focuses on three aspects: a) Improving strategic information for KP, b) Accelerating PrEP funding for scale up, and c) Interventions to reduce structural barriers to care for KP. In 2022, CDC will launch a Key Population specific listening series.

National Institutes of Health (NIH)

The NIH [Sexual and Gender Minority Research Office \(SGMRO\)](#) coordinates SGM-related health research across the agency. The Sexual & Gender Minority Research Coordinating Committee (SGM RCC), coordinated by the SGMRO, provides a trans-NIH forum for discussing the diverse health research issues of SGM communities and serves as a catalyst for developing additional research and research training initiatives in these areas across the agency. The committee interfaces with other federal agencies on SGM-related issues.

Both domestic and international research-related issues are considered by the RCC. In addition, the SGMRO publishes a [Portfolio Analysis](#) and [Annual Report](#) each year, highlighting both the SGM funding portfolio and additional related activities at NIH, both domestic and international. The SGMRO spearheaded development of the [NIH FY 2021-2025 Strategic Plan to Advance Research on the Health of Sexual and Gender Minorities](#). Implementation and tracking of this agency-wide plan is being led by the SGMRO. NIH is working to provide information on how U.S. government public health and other foreign assistance programs, including civil society and emergency assistance programs, can address the needs of LGBTQI+ persons given the pandemic as well as ongoing U.S. investments to combat HIV/AIDS. One key effort involved advocating for the collection of sexual orientation and gender identity (SOGI) data in COVID-19 related projects (via the RADx-UP Initiative).

NIH/ National Heart, Lung, and Blood Institute (NHLBI)

NIH is funding research to better understand the impact of COVID-19 on LGBTQI+ persons. For example, NIH's [Multicenter AIDS Cohort Study \(MACS\) / Women's Interagency HIV Study \(WIHS\) Combined Cohort Study \(CCS\)](#) aims to understand and reduce the impact of chronic health conditions – including heart, lung, blood and sleep disorders – that affect people living with HIV. The MACS/WIHS CCS includes more than 2,000 gay and bisexual men. During the pandemic, the study has been adapted to ascertain COVID-19 incidence, clinical manifestations, and treatment outcomes, as well as the pandemic's impacts on mental health, substance use, and other psychosocial factors. Inclusion and assessment of LGBTQI+ persons (through voluntary self-identification) is also being incorporated into NIH's RECOVER initiative focused on post-acute sequelae of SARS-CoV-2, including long COVID.

Specific Support for Transgender and Intersex Persons

The NIH is working to provide information on actions being taken to advance the human rights of transgender and intersex persons. Each year, the SGMRO publishes two reports highlighting SGM-related research and related activities at NIH. The SGM portfolio analysis provides a review of the NIH SGM grants portfolio, and examines funded research at a subpopulation level, including for both transgender and intersex populations. The portfolio analyses highlight research being conducted and promotes visibility and awareness of SGM-related research. [The portfolio analysis for FY 2019](#) revealed research among transgender populations taking place in Brazil, Thailand, and Uganda. Research portfolio snapshots were released in the fall of 2021 highlighting the specific [intersex](#) and [transgender](#)-related portfolios at NIH. The SGMRO Annual Report highlights additional research-related activities beyond grant funding and demonstrate NIH's commitment to SGM-related health research. The [FY 2020 Annual Report](#) highlights several initiatives that are specific to transgender and intersex populations.

Office of the Assistant Secretary for Health (OASH)

Since 2010, HHS has had an LGBTQI+ Coordinating Committee that is comprised of staff and senior representatives from multiple divisions. The Committee was created to coordinate LGBTQI+ related policies across the department and recommend future actions that HHS can take to improve the health and well-being of LGBTQI+ persons. HHS is moving to formally re-establish the Committee to set and achieve policy objectives and issue annual reports on HHS LGBTQI+-related accomplishments and future commitments, with particular attention to the equity frameworks outlined in EO 13988 and EO 13985 and related Administration actions. The Committee plans to support community conversations and action on data collection, nondiscrimination, and targeting programming to inform efforts to advance equity. The last systemic review of the [Quality Family Planning](#) program acknowledged a paucity of evidence on provision of quality family planning services to LGBTQI+ clients. As the Quality Family planning work is updated, a research focus not only for family planning but more broadly in health care services with nationally recognized standards are defining quality care will be a focus area.

Millennium Challenge Corporation



Executive Summary

MCC continues to clearly communicate MCC's expectation that partner, and prospective partner countries demonstrate ongoing commitment to MCC's statutorily mandated eligibility criteria, which include upholding the human rights of LGBTQI+ persons. This is a key line of effort for MCC and integrates with broader U.S. Government strategic messaging and engagement in countries where MCC either operates or in countries interested in accessing MCC's significant grant resources. This is often referred to as the "MCC Effect," whereby countries adopt reforms in an effort to become or remain eligible for an MCC program.

MCC is also participating in the USAID-led working group on integrating LGBTQI+ human rights into foreign assistance. MCC will continue to contribute to the relevant lines of effort accompanying the multi-year goals established by the action plan developed by USAID for that working group.

MCC continues to advance the human rights of LGBTQI+ persons in its programs. At its December 2021 meeting, the MCC Board of Directors selected two countries as newly eligible to develop compact programs with MCC. During program development, MCC analyzes impacts of proposed project interventions on vulnerable populations, including LGBTQI+ persons; this work will commence in January 2022.

During program implementation, MCC supports training on social inclusion and gender equality for the partner country staff implementing MCC programs. The hiring practices and all standard bidding documents of Millennium Challenge Account entities (MCAs) implementing MCC-funded programs include specific prohibitions on discriminatory employment decisions on the basis of sexual orientation and gender identity, among other bases.

MCC has identified inclusion as one of its strategic priorities moving forward. As the agency continues to work on its renewed approach in this area, begun in 2021, including through its Inclusion and Diversity Council and other forums, there may be further opportunities to strengthen work relevant to the rights of LGBTQI+ persons.

Rescinding Inconsistent Policies

MCC does not have any directives, orders, regulations, policies, or guidance inconsistent with the PM.

Actions, Programs, and Initiatives

See executive summary.

Additional Opportunities and Actions

MCC will continue to implement its country selection model to identify and partner with the best-governed of the world's poorest countries, with continued emphasis on the protection of human rights, particularly those involving the rights of LGBTQI+ persons. MCC also will continue to partner with the U.S. Department of State, in particular through U.S. embassies in MCC partner countries, to clearly communicate MCC's expectation that partner countries demonstrate ongoing commitment to MCC's eligibility requirements, which include upholding the human rights of LGBTQI+ persons.

MCC has also identified inclusion as one of its strategic priorities moving forward. As the agency works on its renewed approach in this area, including through its Inclusion and Diversity Council and other forums, there may be further opportunities to strengthen work relevant to the rights of LGBTQI+ persons.

Finally, MCC is also participating in the USAID-led working group on integrating LGBTQI+ human rights into foreign assistance. MCC will contribute to the relevant lines of effort accompanying the multi-year goals established by the action plan developed by USAID for that working group.

Potential Barriers to Implementation

MCC does not foresee any issues hindering its ability to implement these programs and initiatives.

Peace Corps



Peace Corps

Executive Summary

The Peace Corps is working to advance the Presidential Memorandum by actively supporting its lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) Peace Corps staff and Volunteers and ensuring the agency's employees are trained and equipped with resources to foster an inclusive and supportive agency culture and environment for trainees, Volunteers, staff members, and the host communities and partners it serves around the globe. The Peace Corps aims to reflect the rich diversity of America through both its Volunteers and staff, inclusive of the LGBTQI+ community. The agency recognizes and welcomes the unique perspective and experiences that members of the LGBTQI+ community bring in actualizing the three goals of the Peace Corps mission - to help the peoples of interested countries and areas in meeting their needs for trained men and women, to help promote a better understanding of the American people on the part of the peoples served, and to help promote a better understanding of other peoples on the part of the American people.

During this reporting period, Peace Corps has helped advance this Presidential Memorandum in the following ways.

Actively and inclusively recruiting and selecting Volunteers from the LGBTQI+ community.

Conducted 20 LGBTQI+ specific Volunteer recruiting events with approximately 300 participants and resulting in 104 new candidates for Peace Corps Service (April – October 2021). Hosted panel discussion on “Translating Transgender Identity Abroad” to specifically recruit Transgender applicants (June 17, 2021). Conducted Volunteer, Recruitment and Selection staff trainings on inclusive language and communication strategies to support transgender, gender fluid, and non-binary candidates throughout the application process (May – July, 2021). Initiated technology changes to incorporate pronouns and non-binary gender options into all stages of the recruitment pipeline and standard contact information collected by Recruitment staff. (May – July, 2021)

Developing and providing intercultural competence, diversity, equity, inclusion, and accessibility (inclusive of LGBTQI+ topics) Volunteer and staff support and training packages, resources, and consults.

Conducted a mandatory virtual Unconscious/Implicit Bias Training for all agency staff, during which LGBTQI+ bias and discrimination was addressed (April-June 2021). Conducted LGBTQI+ support and non-discrimination webinar for 21 Europe, Mediterranean, and Asia region posts, covering best practices for supporting Transgender Volunteers and same-sex couple Volunteers during service (June 29, 2021). Conducted a LGBTQI+ support and non-discrimination webinar for 17 Inter-America and Pacific Region posts (August 2021).

Interagency Report on the Implementation of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons Around the World (2022)

Piloted a global Ethical Story Telling Workshop for agency staff, during which LGBTQI+ host community considerations and discrimination were addressed (November 2021). Conducted an LGBTQI+ support and non-discrimination webinar for 24 Africa Region posts (December 2021). Engaging and collaborating with host country LGBTQI+ civil society groups where feasible. At least 7 Peace Corps posts (Dominican Republic, Mexico, Namibia, Nepal, North Macedonia, Panama, and Peru) conducted Pride month celebration activities with LGBTQI+ host country partners and organizations (June 2021). Peace Corps Tonga and Peace Corps Cambodia hosted host-country transgender LGBTQI+ activists who led educational workshops for their teams (October and November 2021, respectively).

Preparing for the implementation of small-scale, President's Emergency Plan for AIDS Relief-funded (PEPFAR) and other health related Volunteer led projects targeting LGBTQI+ communities across select posts.

Updated language in global Menstrual Hygiene Day newsletter and guidance to be more inclusive of the transgender communities the agency's Volunteers serve– using “women, girls, and others who menstruate (May 28, 2021). Advised Peace Corps Panama on integrating LGBTQI+ inclusive activities in its new health project framework (June-July, 2021). Assigned a virtual Volunteer to support a Ukrainian LGBTQI+ organization and assist them with the development of a survey to gather information about health seeking behavior for the Key Population of MSM, including importance of/education of PrEP and ART adherence before and after COVID-19 (May – July, 2021). Peace Corps Ukraine's PEPFAR program managers provided regular technical assistance and training to host country service providers for Key Populations affected by HIV, including MSM and the LGBTQI+ community (July – December, 2021). Conducted a global World AIDS Day virtual webinar, entitled “Ending the HIV Epidemic: Equitable Access, Everyone's Voice” which explored how the agency can more effectively and appropriately support Key Populations, including MSM and the LGBTQI+ community in its global work. (December 1, 2021)

Conducting a global Emerging Equity Practices Survey that asked posts to report how they are removing and mitigating barriers for the LGBTQI+ community.

Approximately 60% of Peace Corps posts reported implementing LGBTQI+ specific equity practices to remove barriers within their operations (May 2021).

Developing Peace Corps 2022-2026 Strategic Plan, including an Advancing Equity strategic objective that has an intentional focus on strengthening inclusive and equitable support systems for the agency's LGBTQI+ community and partners (August 2021 – present)

Implementing global LGBTQI-related educational events and advocacy initiatives for the Peace Corps' LGBTQI+ staff members via the work of Spectrum, the Peace Corps' LGBTQI+ employee resource group.

Hosted 7 global virtual Pride Month educational and awareness raising events in for agency staff that explored intersectionality within the LGBTQI+ community and discussed strategies for promoting LGBTQI+ human rights and advancing non-discrimination in the agency's work (June 2021). Advanced the drafting of an agency gender transition policy (July 2021-present). Conducted a global webinar entitled "Queer Acceptance in La Familia," exploring how the agency can support LGBTQI+ youth in the Inter-America and Pacific Region (October 14, 2021). Conducted 2 two vigil webinars and sent a global message to agency employees recognizing Transgender Day of Remembrance that offered tips and resources on providing effective and appropriate support to the transgender and non-binary communities in Peace Corps' global work (November 19, 2021)

Rescinding Inconsistent Policies

Following the revocation of EO 13950, Peace Corps took the following action during this reporting period to rescind inconsistent policies related to advancing the human rights of LGBTQI+ persons around the globe. The Acting Director issued a revocation order and ExecSec sent it to the office heads and/or acting office heads on Monday, March 22, 2021. In addition, the Acting Director sent an email to Peace Corps Inspector General on March 22, 2021 to cease actions taken to implement EO 13950. And finally, the Acting Director signed the Delegation of Authority cancellation document on Monday, March 22, 2021. At this time, the agency has fully reengaged its diversity, equity and inclusion training, resource development, and support, inclusive of LGBTQI+ specific topics.

Actions, Programs, and Initiatives

LGBTQI+ Volunteer Recruiting and Selection

During this reporting period, the Peace Corps engaged in a variety of recruitment activities targeting the LGBTQI+ community. Since February 4, 2021, when the Presidential Memorandum was signed, Recruiters across the country have held 20 events highlighting the LGBTQI+ experience in Peace Corps, with approximately 300 total participants and generating 104 new candidates for Peace Corps service. Included among these events were a "Diversity Event: Black and LGBTQI+ - Intersectional Stories from Abroad" hosted on February 17, 2021, which focused on an intersectional approach to recruit two underserved communities, and a "Panel Discussion: Translating Transgender Identity Abroad" event hosted on June 17, 2021, which specifically focused on outreach to transgender persons.

Each Recruiter is working to achieve a goal of incorporating a minimum of 8 diversity outreach events through the end of FY22, including activities that provide outreach and support specifically to the LGBTQI+ community. On the agency's public-facing "Connect with a Recruiter" platform, a pronouns category has been incorporated as part of standard contact information for our Recruitment staff. The agency has also recently initiated new technology changes to incorporate pronouns and non-binary gender options into all stages of the recruitment pipeline (from interest to application).

During this reporting period, the Office of Public Affairs has supported recruitment activities focusing on LGBTQI+ community nationally, at the local level, and executed a national marketing email promoting these events that was sent out to 80,000 leads & contacts nationwide. Screen shot of the email promotion that went out nationally. The events were also promoted on our flagship recruitment social media accounts @GoPeaceCorps and @PeaceCorps.

During this reporting period, the Placement Office held two events to support engagement with LGBTQI+ persons, including one on inclusive language and another on communication strategies to support transgender, gender fluid, and non-binary candidates. Placement Officers engage in ongoing conversations with the Country Desk Unit and post staff to ensure that language related to LGBTQI+ identities and support in the position descriptions (JSRs) is inclusive and informative regarding service as an LGBTQI+ volunteer in country. In addition, Placement Officers are trained to provide post-specific information regarding Intercultural Competency, Diversity, Equity and Inclusion (ICDEI), including resources for LGBTQI+ identifying individuals, to all applicants to set expectations of service. That metric was added to Placement Officer performance plans in 2021 for increased accountability. This year, the Placement Office also updated the LGBTQI+ email resource that is designed to provide additional information about in-country realities and support for LGBTQI+ identifying individuals.

Intercultural Competence, Diversity, Equity, and Inclusion (ICDEI) Training and Resources Supporting the LGBTQI+ Community

During this reporting period, the Peace Corps Office of Overseas Programming and Training Support continued to support its 60+ overseas posts and agency staff via consult calls, trainings, and resource development that address the following: foundational ICDEI workshops; culturally sensitive training on the topics of gender identity and sexual orientation; testimonials and panels from LGBTQI+ Returned Peace Corps Volunteers; LGBTQI+ Peace Corps Volunteer and staff support role-plays and scenarios; and action planning to prepare the post for placement of same-sex couples. Approximately 80 percent of posts have completed this ICDEI (soon to be ICDEIA) Foundations workshop. Staff travel for training has halted due to the pandemic. Once travel resumes, Peace Corps will need two years to complete training for the remaining active posts.

Specific training events conducted and resources launched during this reporting period include but are not limited to: Peace Corps' Office of Staff Learning and Development conducted a mandatory virtual Unconscious/Implicit Bias Training for all agency staff, during which LGBTQI+ bias and discrimination was addressed; in June 2021 Peace Corps' Europe, Mediterranean, and Asia Region hosted (with the support of the Office of Overseas Programming and Training Support) hosted a LGBTQI+ support and non-discrimination webinar for 21 posts, during which Peace Corps North Macedonia presented on best practices for supporting Transgender Volunteers and Peace Corps Thailand presented on best practices for placing and supporting same-sex couple Volunteers; in August 2021 the Inter-America and Pacific Region, in partnership with OPATS, conducted a LGBTQI+ support and non-discrimination webinar for 17 posts, during which staff participants learned about and practiced having effective and culturally appropriate conversations about LGBTQI+ community inclusion and support with Peace Corps Volunteers, host country partners, and host families; in November 2021 OPATS piloted an Ethical Story Telling Workshop that trained global staff participants on the importance of cultural humility, respect, and a do no harm approach when communicating the stories of the agency's work with underserved communities around the world, during which LGBTQI+ host community support considerations were addressed; and in December 2021 Peace Corps' Africa Region, in partnership with OPATS, hosted a LGBTQI+ support and non-discrimination webinar for 24 posts, during which Peace Corps Benin staff presented on best practices for LGBTQI+ Volunteer and host country partner support.

Engagement of local LGBTQI+ civil society groups

During this reporting period, Peace Corps posts have continued to engage and network with local LGBTQI+ nongovernmental organizations and activists, who are invited to address post staff and present on the host country LGBTQI+ climate in a variety of virtual forums in countries where this is legally feasible. These interactions have facilitated invaluable relationship building among Peace Corps staff and host country LGBTQI+ leaders. In addition, many posts have invited these host country LGBTQI+ leaders to participate in other staff and Volunteer trainings and events and have utilized them as resources for developing sites for LGBTQI+ Volunteers (including same-sex couple Volunteers) and understanding how Volunteers can effectively and appropriately address topics related to LGBTQI+ rights during their service. For example:

- The Peace Corps Namibia team invites prominent LGBTQI+ activists from Out Reach Namibia to hold Q&A sessions at post that explore the host country context and educate staff and Volunteers on the presence and visibility of members of the LGBTQI+ community and how they occupy meaningful positions in various spaces of the community, and how they are part of the interconnected web of society.
- The Peace Corps Dominican Republic team maintains a working relationship with the local UNDP project “Ser LGBTQI en el Caribe”, and one of their Technical Assistants served as the counterpart for their Diversity and Inclusion Peace Corps Volunteer Leader program.
- The Peace Corps Tonga team celebrated National Coming Out Day by hosting a discussion and training session with Tongan and international LGBTQI+ activist Joey Siosaia Joleen Mataele, the executive director and co-founder of the Tonga Leitis’ Association, which advocates for the LGBTQI+ rights in Tonga. During the session, the team explored the LGBTQI+ context in Tonga, SOGIE language and terminology, and discussed the importance of building intercultural support strategies to be effective and culturally appropriate allies to the LGBTQI+ community.
- The Peace Corps Cambodia team hosted two staff development sessions on the lived experience of the transgender communities in Cambodia and the United States. In one session, a Cambodian transgender activist and their partner facilitated a training and storytelling session about the transgender community in Cambodia, and the following week a transgender U.S. American Peace Corps staff member trained the team on transgender issues from a US perspective. During the sessions Peace Corps Cambodian staff members explored the similarities and differences between the transgender experience in the U.S. and Cambodia and discussed how this knowledge can help staff prepare for the return of Volunteers and future effective and culturally appropriate support of the transgender community in Cambodia.

Post level Pride and International Day against Homophobia, Transphobia and Biphobia (IDAHOTB) events and activities were documented in the Dominican Republic, Mexico, Namibia, Nepal, North Macedonia, Panama, and Peru, and included: virtual engagement with host country LGBTQI+ organizations and civil society; hosting virtual panels with LGBTQI+ Returned Peace Corps Volunteers; marching in local Pride parades; collaborative events and trainings with the U.S. Embassy; social media posts promoting LGBTQI+ human rights and non-discrimination; and educational sessions and panels exploring culturally appropriate strategies for promoting LGBTQI+ human rights and advancing non-discrimination in the agency’s work (May-June 2021).

Office of Global Health and HIV Activities

Programmatically, the Peace Corps is one of the interagency implementers of the U.S. Government Global HIV Program: President’s Emergency Plan for AIDS Relief (PEPFAR). Peace Corps’ HIV programs reach the most affected populations including transgender individuals, men who have sex with men (MSM), and the LGBTQI+ population. Where programmatically feasible, Peace Corps HIV programs directly support these reach key populations and in other instances the inclusion of those key populations is generalized within the HIV programming effort. During this reporting period OGHH facilitated the following activities:

Updated language in the global Menstrual Hygiene Day newsletter and guidance to be more inclusive of the transgender communities the agency’s Volunteers serve (May 28, 2021) – using “women, girls, and others who menstruate;” advised Peace Corps Panama on possibilities for integrating LGBTQI+ inclusive activities in its new health project framework.

Building on previous efforts of PEPFAR funded HIV prevention and community mobilization (prior to the suspension of Volunteer operations), Peace Corps Ukraine leveraged Peace Corps Virtual Service Pilot to virtually assign a Volunteer to support a Ukrainian LGBTQI+ organization assist them with the development of a survey to gather information about health seeking behavior for the Key Population of MSM, including importance of/education of PrEP and ART adherence (before and after COVID-19).

Peace Corps Namibia reported supporting and engaging with USAID in the role of the USAID-supported Key Populations-Strengthening Technical Assistance and Response for Sustainable HIV Prevention and Treatment (KP-STAR) project which aims to increase access to HIV services for Key Populations (KPs)—men who have sex with men (MSM), Female sex workers (FSW) and transgender (TG) individuals in line with the National Strategic Framework for HIV and AIDS Response in Namibia. The goal of the project is to strengthen HIV prevention for key populations and other HIV KP programs while scaling-up innovative, evidence-based approaches to reduce the incidence and mitigate the impact of HIV. The project implementation started in April 2020 and operates in 10 districts within 9 regions that have the highest prevalence of HIV and the largest numbers of key population members in Namibia.

From July-December 2021, Peace Corps Ukraine’s PEPFAR program managers have continued active engagement in bi-weekly training sessions for social workers and psychologists on case management best practices and HIV-testing and treatment demand for Key Populations affected by HIV, including MSM and the LGBTQI+ community, as well as psycho-social aspects such as recognizing and preventing compassion fatigue and emotional burn for social work professionals supporting these populations.

As part of these efforts, one PEPFAR Program Manager provided approximately 200 crisis psychological consultations to Key Populations affected by HIV identified by local project partners.

On December 1, 2021, the Office of Global Health and HIV hosted a global World AIDS Day virtual webinar entitled “Ending the HIV Epidemic: Equitable Access, Everyone’s Voice,” which featured global HIV/AIDS experts, included discussion surrounding how the epidemic has impacted the LGBTQI+ community, and how Peace Corps HIV programs can more effectively and appropriately reach key populations, such as MSM and the LGBTQI+ communities in the host countries it serves. The webinar was followed by a global agency message with HIV programming resources, inclusive of the LGTQI+ community.

Emerging Equity Practices Survey and the Advancing Equity Strategic Objective in Peace Corps’ 2022-2026 Strategic Plan

During this reporting period the Peace Corps conducted a global Emerging Equity Practices Survey as part of its Integrated Planning and Budgeting System and as a means of addressing Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. The survey asked the Peace Corps’ 60 global posts to identify the proactive steps and emerging practices posts are utilizing to foster more equitable organizational cultures that work to mitigate the burdens and remove the barriers uniquely faced by historically underrepresented groups (including the LGBTQI+ community) within the agency’s staff, PCT/Vs, and host country partners. Peace Corps posts reported the following LGBTQI+ specific equity practices being integrated into post operations: Safe Space trainings and signage; creation of gender neutral bathrooms; hosting local LGBTQI+ human rights organizations and activist panels to inform in country strategy; provision of inclusive LGBTQI+ sexual health resources for Volunteers; use of pronouns and gender neutral and non-binary language in communication and training materials; engaging host country LGBTQI+ organizations during safety and security assessment to help inform the identification of future Volunteer sites; including LGBTQI+ lens and scenarios in training and programming materials; and proactively preparing for the placement of LGBTQI+ Volunteers, including same-sex couple Volunteers, via host-family and counterpart support and non-discrimination training. Approximately 60% of Peace Corps posts reported implementing LGBTQI+ specific equity practices within their operations. Peace Corps aims to significantly increase this percentage via its new strategic plan, in which all Peace Corps posts will be asked to consider and implement equity practices that will remove barriers for the LGBTQI+ community.

Building upon the global Emerging Equity Practices Survey conducted earlier this year, during August 2021 – present, the Peace Corps has worked to ensure that equity, including equity for the agency’s LGBTQI+ community and stakeholders, is a core element of the new 2022-2026 strategic plan, which is currently undergoing final revisions. In the Advancing Equity strategic objective of the plan, Peace Corps aims to build a Volunteer corps and workforce that reflect U.S. and host country diversity and create inclusive and equitable systems and programs, inclusive of the LGBTQI+ community. Within the strategic objective, three specific performance goals (diversify the Volunteer corps; diversify staff; and integrate equity into core business practices) will work to help ensure that the agency’s operations align with both the Presidential Memorandum (PM) on Advancing the Human Rights of LGBTQI+ Persons and Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. The strategic plan’s framework, resources, and accountability mechanism will support and encourage Peace Corps and its 60 global posts to identify and implement proactive operational equity adjustments to foster more equitable organizational cultures that work to mitigate the burdens and remove the barriers uniquely faced by historically underrepresented groups, including the LGBTQI+ community, within the agency’s staff, PCT/Vs, and host country partners.

Spectrum (The Peace Corps’ Sexual Orientation and Gender Identity Minority Employee Resource Group) Programming and Pride Celebrations

During this reporting period, the Peace Corps Globally recognized Transgender Day of Visibility via a global message to agency employees from Chief of Staff and Spectrum that highlighted the following best practices which the agency has implemented: designated space on business cards for pronouns; official guidance encouraging the inclusion of pronouns in email signatures; the designation of five single-stall gender-neutral and accessible restrooms within the agency’s headquarters office; signage indicating users can access all gender-segregated HQ facilities that corresponds with their gender identity; reminding employees that “Gender identity and expression” have been included in the agency’s EEO Policy Statement since 2012; highlighting healthcare coverage options are inclusive of transgender/ GNB employees and dependents; and adding policy manual references to gender identity and sexual orientation.

During Pride Month 2021, the Peace Corps and Spectrum (in partnership with other employee resource groups) hosted 7 virtual educational and awareness raising events for its global agency community that explored intersectionality within the LGBTQI+ community and discussed strategies for promoting LGBTQI+ human rights and advancing non-discrimination in the agency’s work.

Spectrum advanced the drafting and creation of an agency gender transition policy to support transgender and non-binary Peace Corps staff, with a goal of submitting a finalized draft policy proposal to senior leadership and the Agency Equity Council in early 2022 (August 2021 – present).

On October 14, 2021, Spectrum hosted a global webinar entitled “Queer Acceptance in La Familia,” (in partnership with Peace Corps Hispanic and Latinx ERG) featuring Dr. Ernesto Javier Martinez, which explored the importance of familial support for the queer community in the Latinx household, intergenerational healing and transformation within Latin American culture, and resources and tips on how to act as effective and appropriate allies for queer youth in Peace Corps work.

On November 19, 2021 globally recognized Transgender Day of Remembrance via two vigil webinars and a global message to agency employees from Spectrum that aimed to increase knowledge and awareness to acts of violence against transgender and non-binary individuals and shared tips and resources on how to act as allies for the transgender and non-binary community in an effective and culturally appropriate way throughout Peace Corps’ global work.

Additional Opportunities and Actions

The Peace Corps plans to continue exploring and moving forward the following additional opportunities and actions to advance the human rights of LGBTQI+ persons around the world, as specified in the PM, through the end of FY22:

- Finalizing a Gender Transition Policy for Peace Corps staff and developing transition assistance resources, to complement agency EEO policy on this front (collaboration between Spectrum, HR, OCRD, and Agency Equity Council).
- Adding additional questions/sections to the Peace Corps application to provide the agency with more data that could be used to track, support, and mitigate/remove potential issues or barriers for LGBTQI+ persons or couples in regards to the Peace Corps application process. Legal implications will need to be investigated on this front alongside consultations with OMB.
- Continuing and increasing participation and representation at LGBTQI+ related conferences and recruiting events, like NCORE, Creating Change, and the Midwest Bisexual Lesbian Gay Transgender Asexual College Conference (MBLGTACC), for example.

- Holistically mainstreaming the use of inclusive and gender neutral/non-binary language and pronouns in applications, surveys, forms, information management systems, CRMs (VIDA, DOVE, PCMedics), etc.
- Conducting focus group discussions with post staff on opportunities for furthering integrating LGBTQI+ specific lenses and activities into programming and Volunteer activities (e.g. inclusive teaching approaches; inclusive health promotion activities; youth development seminars)
- Continuing to encourage posts to invite local LGBTQI+ organizations to address staff and Volunteers during pre-service training sessions and present on the LGBTQI+ host country context and tips for effectively and appropriately navigating this topic and identity during service. There is a need to improve tracking and documentation of these collaborations.
- Developing further guidance on stigma and discrimination as it relates to HIV programming that is inclusive of MSM Key Populations. Peace Corps actively participates in and contributes to PEPFAR's stigma and discrimination efforts and will be participating in the newly formed DEIA group within PEPFAR on this front in 2022.
- Improve overall tracking and reporting mechanism for LGBTQI+ specific support and interactions from the application process to the work in host countries, so the agency can more comprehensively respond to these types of reports. The agency aims to develop and inter-office working group on this front in 2022.
- Adjusting language in the Peace Corps Act, which currently calls on "men and women of the United States qualified for service abroad", to use "individuals" rather than "men and women," which would be more inclusive of the Transgender or no binary individuals. This effort is in progress and being led by the Peace Corps Congressional Relations team.

Potential Barriers to Implementation

In March 2020, the Peace Corps temporarily suspended Volunteer operations and evacuated all posts due to the COVID-19 global pandemic. Though Peace Corps is actively preparing for the return of its Volunteers to the field through a comprehensive process for evaluating each post based on medical, security, programmatic, administrative, and logistical criteria that will allow the agency to determine when conditions are once again conducive to service, the temporary suspension of Volunteer operations has limited the agency's ability to move forward these programs and initiatives in field.

Despite the challenges of this unprecedented suspension of Volunteer operations, Peace Corps has continued to internally strengthen support and resources for its LGBTQI+ staff, future Volunteers, and host country partners through the activities mentioned earlier in this report, all of which will position the agency to effectively and appropriately support the implementation of this PM as soon as Volunteer operations resume.

The Peace Corps' work in developing countries is based on a host country's invitation and specific technical assistance requests and the agency's credibility in host countries and thus its ability to perform its mission is contingent on not becoming identified with controversial or political issues of local interest or local political issues or movements. Because Volunteers often serve in rural, conservative areas of developing nations, the Peace Corps encourages its Volunteers to respect the cultural and political norms of the communities they serve, as LGBTQI+ activism that is conducted in a culturally inappropriate manner on the part of Peace Corps Volunteers could pose serious safety and security risks in certain areas.

Further, Peace Corps Volunteers swear to abide by the laws of the country in which they serve and do not have diplomatic immunity. Peace Corps Volunteers have successfully developed culturally appropriate secondary projects aimed at empowering and educating LGBTQI+ persons in their host communities and other Volunteers have engaged the community via small-scale, PEPFAR-funded projects and activities targeting LGBTQI+ populations. The Peace Corps will continue to support and advise these Volunteers to conduct these activities in a safe, productive, and culturally sensitive and appropriate manner. Key to the development of these culturally appropriate approaches is the Peace Corps' continued and intentional engagement of and collaboration with the LGBTQI+ civil societies of the host countries it serves.

Documenting all of the LGBTQI+ related training and programming activities conducted by Peace Corps offices and posts worldwide into a comprehensive report continues to be a challenge because offices and posts document and report these activities in a variety of ways. Peace Corps offices and posts are working to address this challenge together, with a goal of establishing a collaborative inter-office/post documentation and reporting structure that captures the full breadth of the Peace Corps' work related to this Presidential Memorandum, which will, in turn, strengthen the agency's ability to further its role in ensuring that U.S. diplomacy and foreign assistance promote and protect the human rights of LGBTQI+ persons around the globe.

The Peace Corps will continue to work to proactively prevent and combat discrimination on the basis of gender identity and sexual orientation in culturally appropriate manners around the globe. In order to achieve our mission of world peace and friendship we will center our values and prioritize equity and inclusion in our domestic and overseas policies and programming.

Department of Treasury



Executive Summary

Treasury is committed to using its tools to advance the human rights of LGBTQI+ persons around the world. Chief among those tools is Treasury's engagement at the multilateral development banks (MDBs) and Treasury's ability to provide leadership and strategic support for those institutions to advance human rights, and Treasury is working to implement safeguard policies to promote inclusion and protection of LGBTQI+ persons through MDB program funding. Treasury will continue to utilize our tools, voice, and convening power to support the Administration's overall goal of advancing the human rights of LGBTQI+ persons around the globe.

Rescinding Inconsistent Policies

Treasury's Office of International Affairs is not aware of any directives, orders, regulations, policies, or guidance at Treasury inconsistent with the Presidential Memorandum (PM) on Advancing the Human Rights of LGBTQI+ Persons memorandum.

Actions, Programs, and Initiatives

Treasury's Office of International Affairs leads U.S. engagement at the multilateral development banks (MDBs) and helps shape policies, strategies, and guidance through our oversight role as shareholders. Our approach to implementing the Presidential Memorandum (PM) on Advancing the Human Rights of LGBTQI+ Persons focuses on the MDBs in three areas – strengthening social and environmental safeguards and their implementation, increasing opportunities for proactive inclusions and using our voice to shape dialogue.

Safeguard policies are social and environmental frameworks that include requirements that MDB public and private sector borrowers must apply in developing and implementing projects that receive MDB funding. These safeguard policies are currently under review at the African Development Bank and the Asian Development Bank. Treasury is leading U.S. engagement in providing input during the review process. In coordination with interagency partners, we are considering how to win shareholder support to promote strengthening safeguard protections for LGBTQI+ persons. Each review is a multi-year process involving MDB management and staff, MDB shareholders, civil society organizations, and other stakeholders. Treasury is also considering how to foster stronger MDB implementation of their safeguard policies' protections for LGBTQI+ persons.

Strengthening the inclusion of LGBTQI+ persons in MDB projects represents an opportunity to build on and complement the protections from safeguard policies. A proactive inclusion agenda at the MDBs could include data disaggregation for LGBTQI+ persons; improving collaborations with civil society organizations that focus on LGBTQI+ persons; and policies, strategies, and tools that facilitate inclusion during project development and implementation. These measures would benefit from additional funding, and Treasury is identifying opportunities at the MDBs to strengthen inclusion with and without new contributions.

The U.S. has been a leading voice at the MDBs, and Treasury regularly engages other MDB shareholders to advance policy priorities directly and through the offices of the U.S. Executive Directors at each MDB. Treasury is using our voice to help shape the dialogue around advancing the human rights of LGBTQI+ persons. This includes convening like-minded shareholders to discuss and build common objectives, speaking on the importance of LGBTQI+ human rights in relevant forums, and raising the issue during deliberations on policy, strategy, and approval of MDB funding.

Additional Opportunities and Actions

Nothing to report.

Potential Barriers to Implementation

As the MDBs are multilateral institutions, the U.S. cannot advance policy objectives without the support of other shareholders. Treasury regularly aims to build coalitions around our goals and soften opposition, but we lack the shareholding power to impose standards unilaterally.

This work could be further advanced through targeted funding contributions to MDB trust funds to support specific activities, particularly on increasing opportunities for proactive inclusion. Such funding could target new initiatives that seek to deepen the inclusion of LGBTQI+ persons in MDB projects.

Export-Import Bank of the United States



Executive Summary

The Export-Import Bank of the United States (EXIM) is the nation's official export credit agency with the mission of supporting American jobs by facilitating U.S. exports.

To advance American competitiveness and assist U.S. businesses as they compete for global sales, EXIM offers financing including export credit insurance, working capital guarantees, loan guarantees, and direct loans. As an independent federal agency, EXIM contributes to U.S. economic growth and keeps America strong by supporting tens of thousands of jobs in exporting businesses and their supply chains across the United States.

EXIM embraces the strength that diversity brings to our organization. EXIM has taken several steps to make diversity, equity, inclusion and accessibility seriously from the leadership level down through the organization. EXIM has convened several teams headed by Senior Level executives to integrate these values into the working structures of the agency. This includes identifying potential barriers, increased engagement and communication with employees on LGBTQI+ issues and outreach to the community.

Rescinding Inconsistent Policies

EXIM performed a review of current policies in accordance with the PM. EXIM does not have any policies that are inconsistent with this memorandum and thus, have not identified any to rescind.

Actions, Programs, and Initiatives

EXIM's Minority and Women Owned Business Outreach Division hosted a webinar with the National Gay and Lesbian Chamber of Commerce (NGLCC) during Pride Month. EXIM had 382 people registered for the event, 35% logged on and were engaged. EXIM received 57 one-on-one consultations requests following the event. EXIM and NGLCC have agreed to host several events in the next year to continue to engage with the LGBTQI+ community.

EXIM's Equity Team submitted and approved a proposal for the establishment of LGBTQI+ and wider affinity groups. EXIM created working groups to determine the program structure. The working group has been advised to thoroughly research and seek advice from other federal agencies that have established affinity groups. EXIM expect the initial working group efforts to take 8-12 weeks.

Internally, EXIM hosted a virtual LGBTQI+ event during Pride Month that featured two (2) employees who shared their life stories. The event had over 180+ staff members in attendance, EXIM received positive feedback from the event, and staff requested for more event like this one to be held in 2022.

EXIM launched a four-part leadership training series focused on diversity, inclusion, and unconscious bias. This session will be deployed to all employees in 2022.

EXIM convened a team to establish protocol for transitioning employees/contractors and will work on having a set policy in the future.

EXIM performed benchmarking with other small agencies regarding LGBTQI+ policies, procedures, and programs.

Additional Opportunities and Actions

EXIM has created an internal taskforce to assess any impacts, both positive and negative, that EXIM programs and projects financed by EXIM may have on LGBTQI+ communities around the world. The working group is working to find opportunities to create better inclusiveness for transgender and intersex persons across EXIM programs. Representatives from each major program office are included on the taskforce anticipated findings will be reported by the second quarter of 2022.

Potential Barriers to Implementation

EXIM's statutory requirements could be a barrier to implementing new policies and programs specifically targeted to businesses owned by LGBTQI+ persons.

EXIM's Board is unlikely to approve significant policy and program changes prior to the appointment of a Senate-confirmed head of agency.

United States Agency for International Development



Executive Summary

As a part of its mission to promote and demonstrate democratic values abroad, and advance a free, peaceful, and prosperous world, USAID is committed to advancing the human rights of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons and meaningfully including them in development programming.

For USAID, implementation of the [February 2021 Presidential Memorandum \(PM\) on Advancing the Human Rights of LGBTQI+ Persons Around the World](#) is a priority.

To support this effort, USAID has appointed a new Senior LGBTQI+ Coordinator, Jay Gilliam (he/his/him). In parallel, the agency has publicly recognized and amplified major international moments ranging from Pride Month to the Transgender Day of Remembrance. Globally, USAID Missions from Asia to the Caribbean have worked alongside local communities and stakeholders to advance the human rights, dignity, visibility, and economic livelihoods of LGBTQI+ persons through innovative programming.

USAID is currently revising and strengthening its core LGBTQI+ policy blueprint. Similarly, USAID is also pursuing a new public-private partnership to bolster its programmatic footprint. The Agency is also working to expand its research and innovation footprint through rigorous analysis and the sharing of best practices with experts, activists, and other bilateral development agencies.

Rescinding Inconsistent Policies

From 2017-2021, there were changes to USAID's LGBTQI+ portfolio that were inconsistent with the 2021 Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons. In 2017 the LGBTQI+ program budget and Operational Plan LGBTQI+ Key Issue were eliminated. USAID's LGBTQI+ program staff decreased significantly, USAID stopped supporting some LGBTQI+ programs, and USAID could not adequately track LGBTQI+ funding and programs. Also, the development and facilitation of several trainings that included LGBTQI+ content were "paused" as a result of Executive Order 13950. Finally, from 2017-2021, USAID updates to several policies resulted in the removal or reduction of LGBTQI+ considerations.

Since the release of the PM, USAID's LGBTQI+ portfolio has increased its engagement with Missions and technical/regional bureaus to identify opportunities to increase protections for LGBTQI+ people. Since the rescinding of EO 13950, USAID has recommenced developing and facilitating trainings that were previously "paused." The LGBTQI+ Key Issue was reinstated, and additional program staff have joined the portfolio. This includes the appointment of a Senior LGBTQI+ Coordinator. Additionally, USAID is currently revising several policies and is ensuring that they are inclusive of LGBTQI+ considerations.

In an effort to recognize gender non-binary and gender non-conforming persons, USAID changed its internal Style Guide to include a singular "their" pronoun, which was previously not included. The newly added language in the Style Guide is:

(Use "their" as the generic third-person singular pronoun, as the pronoun when an individual so identifies, or when gender is unknown or irrelevant to the context.)

Actions, Programs, and Initiatives

USAID developed and released a variety of public materials relevant to the PM:

- A [two-page description](#) of USAID's LGBTQI+ programming and a [fact sheet](#) on eight ways USAID supports LGBTQI+ persons around the world.
- A [press release](#) for Pride Month on June 1 that commemorated the Stonewall Uprising and the work of Sylvia Rivera, as well as pointed out the need for more progress on LGBTQI+ rights and inclusion around the world.
- A [Medium Article](#) in August outlined five case studies of USAID promoting LGBTQI+ inclusion globally, including through projects and partnerships in Bangladesh, South Africa, Kosovo, Guatemala, and in the Middle East and North Africa
- A [press release](#) for Transgender Day of Remembrance on November 20 honored the many transgender persons whose lives have been taken in anti-transgender acts of violence and restated USAID's commitment to address this reality.
- A [commitment](#) from USAID Administrator Samantha Power to inclusive development that encompasses LGBTQI+ persons.
- A [Medium article](#), introducing USAID's new Senior LGBTQI+ Coordinator, Jay Gilliam.

a. Combatting Criminalization

USAID continues to manage the Multi-Donor LGBTI Global Human Rights Initiative (GHRI) to support local efforts to protect LGBTQI+ persons from violence, discrimination, stigma, and criminalization. Now entering its third year, this five-year public-private partnership leverages the financial and technical contributions of the Swedish International Development Cooperation Agency (Sida), Global Affairs Canada, the Astraea Lesbian Foundation for Justice, the Williams Institute, Franklin & Marshall College, and Equality Without Borders.

USAID's Office of HIV/AIDS, through the Key Population Investment Fund and other funding mechanisms, has supported national-and regional-level advocacy efforts in over 35 countries to address discriminatory and punitive laws and policies that affect the rights of LGBTQI+ persons, including criminalization of same-sex relations and gender identity and expression.

b. Protecting Vulnerable LGBTQI+ Refugees

USAID/Bangladesh helped Rohingya and host community LGBTQI+ members access mental health counseling and health assistance to overcome challenges associated with the COVID-19 pandemic.

c. Foreign Assistance to Protect Human Rights and Advance Non-Discrimination

USAID convenes the LGBTQI+ Rights in Foreign Assistance Interagency Working Group, as mandated by the National Security Council, in compliance with the PM. Representatives from 13 Agencies involved in foreign assistance across the U.S. government have attended the monthly Interagency Working Group meetings. The Goals of the Working Group include: to build consensus across the interagency on respecting LGBTQI+ rights in foreign assistance; to strengthen resources (funds, programs, personnel, trainings, exchanges) that support LGBTQI+ persons; and to meaningfully integrate LGBTQI+ considerations into foreign assistance programming, training, strategies, and policies. The Working Group met seven times over the past year, sharing information, promising practices, and resources regarding data collection, funding, training and capacity building, and other topics of interest.

On June 24, 2021, USAID publicly released guidance for sectoral programming: "[Integrating LGBTQI+ Considerations Into Education Programming](#)." The guidance highlights the most recent research and promising practices on effective strategies for including LGBTQI+ persons in basic and higher education programs. The guidance also highlights USAID's approach to consulting LGBTQI+ civil society organizations (CSOs) in the design and implementation of programs. USAID will continue to disseminate the guidance and its findings among education sector implementing partners.

On August 21, 2021, USAID publicly released guidance for sectoral programming “[Integrating LGBTQI+ Considerations in Resilience and Food Security Programming Sectors](#).” The guidance highlights research on promising practices for LGBTQI+ persons in food security, resilience, nutrition, water security, sanitation, and hygiene programs, and specifically discusses challenges transgender people face in the areas of water security, sanitation, and hygiene.

USAID organized a MarketLinks [Webinar](#) exploring economic empowerment and LGBTQI+ inclusion programs. Due to discrimination, stigma, and criminalization, LGBTQI+ persons experience numerous barriers to sustainable livelihoods. This webinar showcased five initiatives from civil society and international organizations to provide new economic development opportunities for marginalized LGBTQI+ communities.

New LGBTQI+ International Financial Institutions Safeguards Working Group

In collaboration with the Department of Treasury, USAID has launched and currently chairs the first-ever LGBTQI+ Safeguards Working Group with the aim of developing recommendations to revise the safeguards policy of multilateral development banks under review and improve implementation of safeguards requirements with respect to LGBTQI+ protection.

USAID Missions and country offices are currently supporting a variety of programs to advance nondiscrimination and protect the human rights of LGBTQI+ persons. While not a full or exhaustive list of USAID’s efforts, the below programmatic examples are indicative of work happening at USAID Missions:

Africa

- USAID/Cameroon helped build organizational capacity and resilience among a consortium of LGBTQI+ associations.
- USAID/Southern Africa supports the strengthening of local governance structures to improve community response to gender-based violence. A USAID-backed network facilitated a range of education and awareness programs with community members, families, and religious structures to raise awareness about the rights of LGBTQI+ persons and reduce victimization, attacks, and hate crimes against LGBTQI+ persons.

Asia

- USAID/Bangladesh supports legal professionals who are working to help LGBTQI+ community members to better understand their rights as defined by international and Bangladeshi human rights legislation.
- USAID/India works to support novel models of HIV prevention and care, including addressing the health needs of the transgender community.
- USAID/Indonesia has been praised by LGBTQI+ activists for supporting legal aid organizations across the country.
- USAID/Laos provides HIV prevention and care services for key populations, including men who have sex with men and transgender women in selected provinces. The rule of law program continues to provide legal aid services and increase public access to justice for all citizens, including members of LGBTQI+ communities.
- USAID's Regional Development Mission for Asia in Thailand supports the Royal Thai Government in its effort to end HIV/AIDS in Thailand by 2030. A PEPFAR-funded, USAID project employed innovative and creative strategies to reach the top two groups for new HIV infections: men who have sex with men and transgender people.

Europe & Eurasia

- USAID/Bosnia and Herzegovina has set aside funds for grants to local partners to develop awareness campaigns on the human rights issues of the LGBTQI+ community.
- USAID/Georgia provided legal and other needed services to the members of LGBTQI+ community, who were victims of hate crimes, violence or discrimination because of their sexual orientation and gender identity expression.

Latin America & Caribbean

- USAID/Dominican Republic supported the USAID Project "Being LGBTI in the Caribbean," launching the results of the first ever national LGBTQI+ survey in the Dominican Republic, and reviewing the lived realities of intersex people in the region.
- USAID/Ecuador plans to start a program that supports safe workplaces for LGBTQI+ persons.

e. Building Coalitions of Like-Minded Nations and Engaging International Organizations in the Fight Against LGBTQI+ Discrimination

USAID Administrator Samantha Power signed a Memorandum of Understanding with the Dutch Minister of Foreign Affairs, Sigrid Kaag, to increase coordination on LGBTQI+ programming to advance the rights of LGBTQI+ persons around the world. The agreement helps ensure initiatives supported by the Dutch Foreign Ministry and USAID are complementary, non-duplicative, and further both countries' foreign policy objectives to create a world more inclusive of LGBTQI+ persons.



Additional Opportunities and Actions

Revising and Updating the USAID LGBT Vision for Action

Created in June 2014, the USAID [LGBT Vision for Action](#) is currently being revised and will be released as a USAID Policy. A Policy Implementation Assessment is currently being conducted for the LGBT Vision, and the lessons learned from this process will feed into the revisions of the Vision for Action.

Public guidance on integration best practices.

USAID intends to release two additional guidance documents on best practices for integrating LGBTQI+ considerations into development and humanitarian assistance work.

Increasing accessibility

USAID's Senior LGBTQI+ Coordinator Jay Gilliam has [committed](#) to ensuring USAID's programs and work are more accessible to LGBTQI+ persons, accelerating and revitalizing integration efforts across development sector programs and policies, increasing visibility and leadership, and transforming recommendations from USAID research and reports into action.

Promoting access to essential health services toward HIV epidemic control for LGBTQI+ populations

Globally, via PEPFAR funding, USAID supports access to HIV prevention and treatment services in over 40 countries. In 2021 alone, USAID-supported programs - working in partnership with LGBTQI+ community organizations, mainstream public health institutions, and Ministries of Health - reached over 669,000 LGBTQI+ community members with health services; initiated over 54,000 on pre-exposure prophylaxis (PrEP); and retained over 98,000 LGBTQI+ persons on life-saving ARV treatment. Beyond HIV, these programs address structural barriers to accessing health services, mitigating stigma, discriminations and violence within health facilities, families, communities, other social services, law enforcement, and societies in general.

Efforts/activities addressing the intersection between LGBTQI+ issues and other marginalized communities

The event included keynote remarks from Karine Jean-Pierre, White House Principal Deputy Press Secretary; Adam Phillips, USAID Director of the Center for Faith-Based and Neighborhood Partnerships; as well as global faith leaders from around the world. USAID is developing a new training on “Nondiscrimination and Inclusive Development for Implementing Partners.” Participants will learn USAID policies, principles, and concepts related to nondiscrimination and inclusive development and develop a commitment to using an inclusive development approach in programs.

Potential Barriers to Implementation

The LGBTQI+ budget is one of the smallest in the agency. Its size is far less than demand from Missions.

United States Trade Representative



Executive Summary

The Office of the United States Trade Representative is an agency located in the Executive Office of the President that is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and overseeing trade negotiations with other countries in bilateral, plurilateral, and multilateral discussions and institutions. The agency is committed to working with like-minded partners to advance gender and human rights in worker-centered, inclusive trade policy.

With targeted mission, the Office of the U.S. Trade Representative applies an intersectional approach in applying the principles of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons to trade policy. USTR actions include initiating an equitable trade data investigation, embedding equity, diversity, and inclusion principles in the re-chartering of USTR's advisory committees, and consistent public, high-level messaging regarding the rights and protections of LGBTQI+ persons.

Rescinding Inconsistent Policies

USTR does not have any policies, actions, directives, or regulations to rescind.

Actions, Programs, and Initiatives

Inclusive Trade Data

In October 2021, Ambassador Tai requested that the U.S. International Trade Commission (ITC) begin an unprecedented, two-part investigation of the distributional effects of goods and services trade and trade policy on U.S. workers by skill, wage and salary level, gender, race/ethnicity, age, and income level, especially as they affect under-represented and under-served communities. The ITC's independent investigation will include a national series of roundtables, a symposium, and literature review to inform a comprehensive report on equity and trade. USTR will amplify the ITC's related events and invitations with domestic underserved and marginalized communities, academia, and experts, including LGBTQI+ advocates, to ensure a robust product.

Advisory Committees

In October 2021, USTR publicly noticed the re-chartering of and requested applications for the Trade and Environment Policy Advisory Committee (TEPAC). For the first time, USTR’s charter specifically referenced diversity, equity, inclusion, and accessibility (DEIA) in soliciting candidate’s applications. In addition, USTR underscored the request to advisory committee members to provide “advice and recommendations on trade policies that eliminate social and economic structural barriers to equality and economic opportunity, and to better understand the projected impact of proposed trade policies on communities of color and underserved communities.” TEPAC applications are accepted on a rolling basis, and USTR will include similar DEIA principles and inclusive trade policy guidance in future advisory committee re-chartering processes.

Gender and Human Rights Trade Policy

As previously noted, it is not always constructive or possible to highlight LGBTQI+ rights in international fora; however, USTR explores opportunities to advance broader gender policy, human rights, and trade with like-minded trading partners. In addition to robust, thoughtful contributions to the United States’ inaugural National Strategy on Gender Equity and Equality, USTR recently announced the United States’ intention to join the Joint Declaration on the Advancement of Gender Equality and Women’s Economic Empowerment Within Trade for the 12th WTO Ministerial Conference.

Additional Opportunities and Actions

Public Engagement

USTR recognizes the importance of considering the intersection of individuals who may identify with the LGBTQI+ as well as other marginalized and underserved communities in identifying how U.S. trade policy could better create opportunities for economic security and livable wage jobs in the United States. As USTR considers new trade opportunities, human, labor, and gender rights will be an integral part of the work to improve the protections of marginalized communities with our trading partners. Inclusive, worker-centered trade policy relies on informed, trusted relationship with expanded stakeholders and an open-policy for dialogue, suggestions, and feedback.

Potential Barriers to Implementation

Budget/Staff

USTR is a small agency that does not have bureaus, offices, and staff solely dedicated to implementing the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons; however, an intersectional approach toward equitable, inclusive, worker-centered trade is central to USTR's work and the Memorandum's principles.

