'LEAVE NO ONE BEHIND': GENDER, SEXUALITY AND THE SUSTAINABLE DEVELOPMENT GOALS

Sexuality, Poverty and Law

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Executive summary

In an unprecedented move to eradicate disease, poverty and hunger, world leaders joined together in 2000 to sign into life the hotly contested but broadly agreed upon Millennium Development Goal (MDG) framework (see Annex 1). In 2015, as the MDGs come to an end, a new generation of world leaders – government officials, donors and civil society organisations – have joined forces to articulate their vision for a future where all people can contribute to, and benefit from, an inclusive development framework. Across the documents and consultations, these leaders have emphasised a central message: 'leave no one behind'.

If the global commitment to eradicate inequality for *all* people is truly unequivocal, as leaders claim it to be, the implementation of these Sustainable Development Goals (SDGs) needs to take into account the voices of those people who, because of their sexual orientation[1] or gender identity and expression[2] (SOGIE)[3], have historically been excluded from the benefits of development policies and programmes. The findings in this report are based on a comprehensive review of empirical literature on sexuality, gender and development, including primary research conducted on the Sexuality, Poverty and Law programme (SPLP). In mapping these findings against the brand new SDG framework, the report highlights the importance of SOGIE-inclusive development in the post-2015 era. It argues that unless deliberate steps are taken by development actors at an international and national level, billions of people will be excluded from the benefits of international development because of their sexual orientation and gender identity.

Background

The highly contested adoption of the SDGs in August 2015 does not explicitly acknowledge the relationship between sexuality, gender identity and development. However, following an enormous collective push by global civil society actors, there is some limited space for development actors to implement policies that do not discriminate against populations on the basis of their sexuality or gender identity. This report forms part of this collective 'push' to provide empirical evidence for development actors to use the language of the SDGs as a tool to address social exclusion of SOGIE groups in development programming.

At a foundational level, the August 2015 outcome document offers some limited scope for addressing exclusion in the language of paragraph 19, under 'The New Agenda'. In this paragraph, the language of non-discrimination is applied to persons of 'other status'. 'Other status' reflects two resolutions passed by the Human Rights Council in 2009. The first resolution states that 'other status' includes sexual orientation and the second resolution extends this to include gender identity.

> We reaffirm the importance of the Universal Declaration of Human Rights, as well as other international instruments relating to human rights and international law. We emphasise the responsibilities of all States, in conformity with the Charter of the

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[1] In this report, sexual orientation refers to 'each person's capacity for profound emotional, affection for and sexual attraction to, and intimate sexual relations with, individuals of a different gender or the same gender or more than one gender' (Yogyakarta Principles, Preamble).

[2] In this report, gender identity and expression refers to 'each person's deeply felt internal and individual experience of gender, which may or may not correspond with sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms' (Yogyakarta Principles, Preamble).

[3] Many different terms are used to refer to gender variant and same-sex desiring individuals. This report recognises the fraught socio-political terrain around the use, in particular, of LGBTI (lesbian, gay, bisexual, transgender, intersex) as an all-encompassing category. Multiple terms, with different local resonance, were used in the academic sources that inform this report. For this reason, and as the report has been written to speak to international policy processes, the author will use the phrase 'sexual orientation or gender identity and expression' (SOGIE) as defined in the Yogyakarta Principles.

United Nations, to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status.
(Paragraph 19, SDG Outcome Document 2015)

While the language in the SDGs has come under significant criticism, the inclusion of 'other status' is hailed as a partial success emerging from enormous work by civil society organisations that have consistently and strategically advocated for the inclusion of SOGIE in the SDGs. This report provides evidence on the impact of excluding populations on the basis of SOGIE to reinforce the importance, and to reveal the opportunity, to ensure that gains in peace and prosperity are experienced by everyone, irrespective of their sexuality and gender identity. In doing so, this report calls on international and national development actors to heed the New Agenda to 'leave no one behind' when moving into this new era of development.

Methodology

The findings are based on a policy and literature review. For the policy review, a range of documents on the MDG and SDG frameworks were reviewed, including the MDG annual reports and Secretary General reports, the Rio+20 outcome documents, the SDG consultations, and the Open Working Group reports. In addition to this grey literature, the review includes an analysis of 65 academic articles.[4] Literature searches were limited to the previous ten years (2005–15). Individual searches on sexuality using specific key terms were matched against terms representing the 17 proposed SDGs.[5] These articles were selected due to their relevance to socioeconomic and/or policy-legal concerns regarding sexual orientation or gender identity and expression. All studies reflected on multiple forms of inequality as they relate to development, such as poverty, health care, housing, social protection and justice. The literature search was limited to English language publications on SOGIE issues from Africa, Asia, Latin America and the Middle East.

Findings

The literature review revealed social exclusion of populations on the basis of SOGIE in seven development priority areas: (1) poverty; (2) health; (3) education; (4) gender equality and women's empowerment; (5) economic growth and opportunity; (6) safe, resilient and sustainable cities and human settlements; and (7) justice and accountability. This report outlines these findings and shows their relevance to the post-2015 era by linking them to the SDGs and targets. It does so with a view to promoting the implementation of SOGIE-inclusive development. The findings do not seek to represent a comprehensive or cross-cutting analysis of the relationship between SOGIE and development. Instead, the findings from this review constitute an empirical foundation to demonstrate the relationship between sexuality, gender and the SDGs. The findings are outlined in this report to support international and national development actors in addressing social exclusion through development programmes and policies, and to give meaning to the term 'leave no one behind'.[6] This report recognises that the SDGs are aspirational and not legally binding. However, it includes a series of text boxes to suggest how the final language SDG

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[4] 50 were sourced through the *Web of Knowledge* search engine; 15 articles were sourced through the Sexuality, Poverty and Law programme (SPLP).

[5] The following terms were entered into database searches: Sexuality* "Poverty" OR "Hunger" OR "Nutrition" OR "Health" OR "Wellbeing" OR "Education" OR "Equality" OR "Empowerment" OR "Water" OR "Sanitation" OR "Energy" OR "Economic Growth" OR "Employment" OR "Industrialization" OR "Inequality" OR "Settlement" OR "Housing" OR "Consumption" OR "Production" OR "Climate Change" OR "Marine Conservation" OR "Ecosystem" OR "Inclusive Society" OR "Justice" OR "Partnership" AND "Sexuality" OR "Sexual Orientation" OR "Gender Identity" OR "Sexual Orientation and Gender Identity" OR "LGBT".

[6] The findings reflect terms used by the authors (variously queer, LGBT, LGBTI, SOGIE) in order to maintain the integrity of the study.

framework can be used by development actors to promote SOGIE-inclusive development in the post-2015 era.

Conclusion and recommendations

To work towards inclusive development that addresses social exclusion, development actors need to shape and implement development policies that ensure: (i) that all people irrespective of their sexuality and gender identity are actively protected against social, economic and political forms of discrimination; and (ii) that health, education, and social protection resources that contribute towards individual wellbeing and overall socioeconomic development are made available to all those in need, leaving no one behind.

While the implementation of inclusive national and international development policies is complex, the post-2015 era presents an opportunity for learning how past frameworks have excluded marginalised groups, deepening rather than alleviating poverty. As such, the SDGs can and should be used to build a world that prioritises inclusive development; a world where the commitment to 'leave no one behind' translates into practical actions to 'do development' better. This includes visionary and collaborative work across international, national and local development actors that (i) translates the principle of 'leave no one behind' into the practice of inclusive development at a national level, and (ii) ensures that those creating and implementing development programmes are held accountable at a local level, to increase transparency and accountability and to address the deepening of poverty among those already marginalised on the basis of their gender and sexuality. Generating inclusive strategies to address inequality for all population groups, including people who identify as queer, gay, lesbian, bisexual and transgender, is not only about taking human rights seriously, but very much about recognising that this has positive social and economic outcomes for countries that take poverty alleviation seriously *for everyone*.

To promote inclusive development, international development actors can:

- Consult with local LGBTI groups in countries of operation. Listen to and work according to their needs and strategies.
- Generate two-way processes of capacity building so local knowledge can bolster international action, and so that international knowledge can support local action using the SDG framework to lobby for change.
- Lobby for greater SOGIE inclusion in international development frameworks, using SDG commitments as a primary justification. In doing so, emphasise that SOGIE rights are not 'special rights': all human beings are entitled to be treated equally without discrimination.
- Establish programmes and projects that explicitly integrate SOGIE issues across all spheres of development. The 'leave no one behind' discourse and SDG framework can offer primary justification.
- Highlight success stories where SOGIE individuals and groups have been integrated into programmes with an SDG justification.
- Sensitise delivery partners and staff to 'leave no one behind' principles and how they should apply to LGBTI and other marginalised groups.
- Consider SOGIE policy when choosing delivery partners. Integrate this awareness into procurement processes.

To promote inclusive development, national development actors can:

- Lobby national governments to include disaggregated data where appropriate and safe to do so.
- Integrate SOGIE-specific indicators where appropriate and safe to do so in national development programmes, using a 'leave no one behind' justification.
- Create and utilise cross-cutting indicators to track the integration of various marginalised groups, including SOGIE, across all/multiple thematic areas.