Civil Society-EU linkages in int’l LGBT+ rights promotion

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SEXUAL ORIENTATION LAWS IN THE WORLD

From criminalisation of consensual same-sex sexual acts between adults to protection against discrimination based on sexual orientation

Prenatal Protection
Employment Protection
Housing Protection
Legal recognition of families

Legal barriers to the exercise of rights

The data presented in this map is based on data gathered from fling rights organisations, country studies conducted by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) and the United Nations, and is accurate to the best of our knowledge. However, ILGA does not accept any responsibility for any inaccuracies or omissions.

DECEMBER 2020
Introduction

- European governments together with EU institutions emphasize human and LGBTI rights in their internal and external policies (2013 Foreign Affairs Council guidelines etc.)

- Rights promotion is also actively advanced by powerful, large and EU co-financed NGOs such as ILGA (Europe), with access to EU institutions (Commission, Parliament etc.) and contacts to int’l rights activists, as well as by national development & LGBT+ rights NGOs, which can pressure domestic politicians

- EU human rights promotion in external relations & among development partners is often contested on grounds that it challenges sovereignty (esp. aid-withdrawals and/or public condemnation) and goes against prevailing culture (with regards to religion, gender etc.)

- EU Market-primacy & (inconsistent) political conditionality, Global North-South inequalities & post-colonial relations, and the EU’s politicizing normative visibility further contribute to tensions
Rethinking int’l rights promotion

- Rights contestation is not solely based on countries’ conservatism but also need to be viewed within broader democratic setbacks, and the unintended results of the EU’s ambivalent rights promotion policies.
- Civil Society is an important rights promoter, but cannot and should not be the main one (govt’s, especially courts & intergovernmental organizations are most significant)
- Improvements are contingent on domestic factors (such political elites, independent courts, socio-economic and cultural-religious conditions, quality of democracy) interacting with international ones (influence of international organizations, transnational mobilization of activists, access to information, issue-linkages, and conditionalities)

So what is to be done?
- EU ought to strengthen its internal & refugee rights regime
- Similarly, external (trade, aid, associational) policies need to be country-targeted, with less conditional pressure and more incentives
- Intersectional and less narrow policy on rights defenders taking into account other democracy-sustaining stakeholders (esp. women, education, media) > EU Action Plan on Democracy & HR, Int’l Cooperation & Development Commissioner?

For more see my upcoming 2021 book: *The EU’s int’l promotion of LGBTI rights: promises & pitfalls* (Routledge)