



The Council for Global Equality

Advancing an American Foreign Policy
Inclusive of Sexual Orientation and Gender Identity

Opportunities to Hold U.S. Human Rights Policies Accountable

We want to draw your attention to two upcoming opportunities to help hold both your country and the U.S. State Department accountable to the highest standards in human rights behavior and reporting.

The State Department is required by law to report to the U.S. Congress on the human rights landscape in every country. The annual Country Reports on Human Rights Practices, which provide a comprehensive snapshot of human rights in any country, are presented to Congress near the end of February. Parallel reports on International Religious Freedom are presented to Congress a few months later, usually in May or June. To meet those deadlines, the first drafts of these reports are prepared by staff in each U.S. embassy beginning in September every year; they are then sent to Washington for review and editing.

While distinct from each other, these two reports provide important advocacy opportunities for advocates for LGBTI fair treatment and equality.

The country reports on human rights cover internationally recognized individual, civil, political, and worker rights, as set forth in the Universal Declaration of Human Rights. The State Department describes this massive annual project as an effort to “provide an overview of the human rights situation around the world as a means to raise awareness of human rights conditions, in particular as these conditions affect the well-being of women, children, racial and religious minorities, trafficking victims, members of indigenous groups and ethnic communities, persons with disabilities, sexual minorities, refugees, and members of other vulnerable groups.”

The religious freedom reports adopt a broad definition of religious freedom – including the right to change or reject religious beliefs. We urge that you consider providing information to the U.S. embassy in your country on LGBTI-affirming religious institutions or leaders who have been attacked, or otherwise impeded in their efforts to practice their faith, or to support LGBTI parishioners in their ministries. We similarly urge you to report on the ways in which dominant religious laws or institutions have directly and negatively impacted your rights as an LGBTI individual or religious community.

The reports are public documents and can be found on the State Department’s human rights website at: [Annual Human Rights Reports](#) and [Annual Religious Freedom Reports](#).

Background on These Reports

Beginning with the 2009 human rights reports, released in early 2010, U.S. embassies have been required to include a specific section discussing “societal abuses, discrimination, and acts of violence based on sexual orientation and gender identity.” That section of each country report highlights LGBTI-related incidents. The abuses include arbitrary arrests and detentions, police abuse, rape, murder, school bullying, social exclusion, impediments to political participation, discriminatory health practices and extreme trends in employment discrimination.

To date, the annual religious freedom reports have included very little information on the many prohibitions that limit LGBTI communities and LGBTI-affirming ministries from practicing their faith, including the affirmative decisions of religious congregations to marry or bless the relationships of same-sex couples. Nor have they contained information on the use of religiously justified laws to persecute LGBTI individuals or faith institutions. The Council for Global Equality is currently focusing on the collection of such information to inform future religious freedom reports and would appreciate your partnership in submitting those stories to U.S. embassies.

To produce these annual reports, U.S. embassies welcome contact with both government and NGO sources to collect information and document human rights trends. Ideally, the person charged with preparing the first drafts of these reports should reach out to local LGBTI advocates and other human rights groups to seek information on events of the past year and the status of LGBTI rights in the country. However, we encourage you not to wait for embassy personnel to reach out to you—rather, call the embassy to arrange a conversation, or send them information directly on problems related to the rights of LGBTI individuals in your country. It is important to get this information into the right hands as early as possible, so that it can be included in a timely way.

Since most embassies begin drafting the human rights reports and religious freedom reports in September of each year, try to reach out and set up a meeting with the human rights reporting officer before or in that timeframe. You should be able to phone the embassy and ask for “the human rights reporting officer.” More often than not, that person will work in the Political Section of the embassy.

As a frontline human rights defender, if an in-person meeting at the embassy is too dangerous for you or your work, you should be able to speak with the reporting officer on the phone and then email information to support your assessment. Embassy phone numbers are available on the State Department website at: <http://www.usembassy.gov/>. If you have difficulty connecting with the reporting officer, you can email the Council at info@globalequality.org and we can help make that initial contact. Please be clear with all embassy personnel and with the Council about the level of perceived threat to you and/or others and the importance of keeping your communication confidential.

When you are able to meet directly with embassy staff, you may wish to bring with you to the meeting relevant newspaper clippings or media links, LGBTI-focused human rights reports, and a short (one-page) summary of your overall view of LGBTI-related developments over the past year. Did the situation get better for LGBTI individuals over the past year? Did it get worse? Did it stay about the same? Are different members of the community disproportionately affected?

You also should highlight important trends. For example, you might note whether police harassment or arrests have increased in certain cities or regions, or whether violence has been disproportionately

directed at one group within the larger lesbian, gay, bisexual or transgender community. Finally, note any specific cases (of detention, arrest, murder, or other abuse) that you believe the report should reference specifically by name and detail.

One important point to consider is whether it will be helpful or harmful to have the U.S. embassy cite specific cases or incidents in the annual report. In many instances, it may be useful to have the report refer to a specific case of arrest or violence, thereby putting your government and the larger world on notice that the U.S. government is following the case and considers it to be a bilateral human rights concern. At other times, however, such U.S. attention could be harmful to the individual in question, perhaps in extreme cases even prompting local authorities to increase the sentence or the severity of the person's detention. You and other local LGBTI advocates will be in the best position to decide whether a specific mention by the U.S. government in a public document—one that your government's officials will read, or that may be noted in the local press—will be helpful or harmful. The human rights officer with whom you speak should be sensitive to this point and should respond to any request you make to emphasize or to withhold names and details about a specific case or incident.

Final human rights reports generally are released in Washington in March or April. Religious freedom reports are released in May or June. If there are any last-minute updates or incidents to report, please be sure to provide them to your local Embassy contact; if they fall outside of editing deadlines, they nonetheless can be used in the following year.

An important question to consider is how you and your organization might use the State Department reports, once released, to lend additional momentum to your own local advocacy agenda. Some LGBTI human rights advocates have used the release of the reports as an opportunity to meet with their own governments and open a new dialogue on LGBTI issues. Knowing that the U.S. embassy is following your work can create new allies—or at least new advocacy opportunities—in government. In some countries, foreign ministry officials have become unlikely allies on LGBTI issues because they recognize the reputational and foreign policy implications of their domestic LGBTI practices. UN human rights experts also read the reports and may be interested in additional meetings with you to discuss the reports and opportunities to support your work. Don't be afraid to use the release of the reports as an opportunity to initiate a dialogue with local representatives of the United Nations or with any other domestic or international human rights advocates who may be working in your country.

The release of the reports also could have negative implications for you or your work. By elevating domestic LGBTI issues to the level of a foreign policy concern with the United States, your government could come to see you as a threat to its own legitimacy, development funding or foreign policy priorities. You should prepare for the good and for the bad, as only you will be able to identify both the possibilities and the risks. If you do believe that you will be at risk of heightened abuse by local authorities because of the human rights reports, you should maintain close contact with the U.S. embassy at the time of the release. The U.S. embassy has additional diplomatic tools that it can use to respond to human rights threats, and embassy officials are more likely to deploy those tools if you are targeted because of your association with the embassy.

Tips for Human Rights Reporting:

- Timing is important: Make contact with the U.S. embassy across the year, but no later than in August or September, when officials are starting to write the annual human rights reports.
- Bring copies of or links to newspaper articles, reports or other “evidence” to make it easier for the embassy to cite the cases you raise.
- Read the prior year’s reports for your country and think about how they could be improved before you connect with the human rights officer.
- Think carefully and prepare a short summary of how you think the embassy should characterize “LGBTI trends” over the past year.
- Reflect on whether the names or other relevant details of particular cases should remain confidential to protect those who have been targeted or those who have collected the information. Be very clear with all embassy personnel about the risks involved and any need to keep information confidential.
- Prepare for the release of the report: How will you use it? Can you get press coverage?
- Prepare for any backlash and maintain contact with the embassy around the release of the report in March or April.

Tips for Religious Freedom Reporting:

- Submit any religious freedom information at the same time you submit general human rights background (see above).
- Identify instances in which LGBTI-affirming religious institutions or LGBTI congregations have been targeted, discriminated against or limited in their ability to practice their faith. Have churches, synagogues, mosques or temples been targeted for vandalism or worse? Have worship services been disrupted or worshipers attacked? Have building permits, operational licenses, tax certificates or other necessary regulatory documents been denied on account of your LGBTI-affirming religious beliefs?
- Have existing religious laws been used to target you or your faith community? Please be very explicit in explaining the laws and the ways in which they are used to limit your human rights and religious liberties.