

“WE DON’T DO A LOT FOR THEM SPECIFICALLY”

The full report on gaps and opportunities for improving diverse SOGIESC inclusion in cash transfer and social protection programs, during the COVID-19 crisis and beyond is available from DFAT’s website and via Edge Effect’s 42 Degrees online resource centre.

The devastating social and economic consequences of the COVID-19 pandemic have led national governments and aid sector organisations to place social protection mechanisms front and centre in their responses. While some of these government and aid sector programs have sought to reach the greatest number of people as quickly as possible, there is also a strong narrative of ensuring that COVID-19 social protection programs reach marginalised groups whose needs are greatest. Australia’s Department of Foreign Affairs and Trade (DFAT) commissioned Edge Effect to explore whether social protection and cash based assistance programs – especially COVID-19 programs – have addressed the needs of people with diverse sexual orientations,

gender identities and expressions, (SOGIESC, aka LGBTQ+ people). The title of the report, a quote from an interview with a donor organisation representative, captures the essence of the findings: “We don’t do a lot for them specifically ...”

WHAT NEEDS EXIST?

Many people with diverse SOGIESC had pressing social protection needs prior to the COVID-19 crisis, borne of multi-layered discrimination and systemic marginalization within families, communities, schools, service providers and societies. There is reliable evidence that the COVID-19 crisis has exacerbated these issues and the needs of people with diverse SOGIESC across the health, economic and social realms (Edge Effect

2020; Outright 2020; UN OCHA 2020). For example, discrimination in education and employment often leads people with diverse SOGIESC to work within informal sectors that have been deeply impacted by COVID-19 movement restrictions. These same conditions often lead to a lack of savings, meaning loss of income has an immediate impact. This may impact ability to pay rent, and force people with diverse SOGIESC back into family homes where they previously experienced discrimination and may be at increased risk of gender based violence. Previous experiences of discrimination may lead people with diverse SOGIESC to delay or avoid treatment at health facilities. Living in crowded areas with poor access to water and sanitation facilities may make following health guidelines near

to impossible. Societal discrimination may also lead to exclusion from informal safety nets – such as those provided by birth families and local communities – that support other people.

SOCIAL PROTECTION AND CASH BASED ASSISTANCE

In addressing the capacity of social protection and cash based assistance programs to address those issues, it is essential to consider how well some governments and the humanitarian and development sectors address broader issues facing people with diverse SOGIESC. Unfortunately, the track record is often poor: in sixty-nine countries aspects of diverse SOGIESC lives remain criminalised, in many others there is



A selection of still frames from a CRM Indonesia video on the impact of COVID-19, full video at <https://bit.ly/3lyJ8lt>

a lack of specific anti-discrimination provisions and enabling laws (e.g. for identity marker changes), and over-policing of other laws. Even when people with diverse SOGIESC are formally included, policy and practice often falls far short. As noted by human rights experts: *“Civil society organizations, which operated under duress before the pandemic, have been frantically working to fill in the gaps left by States ...” (OHCHR 2020a).*

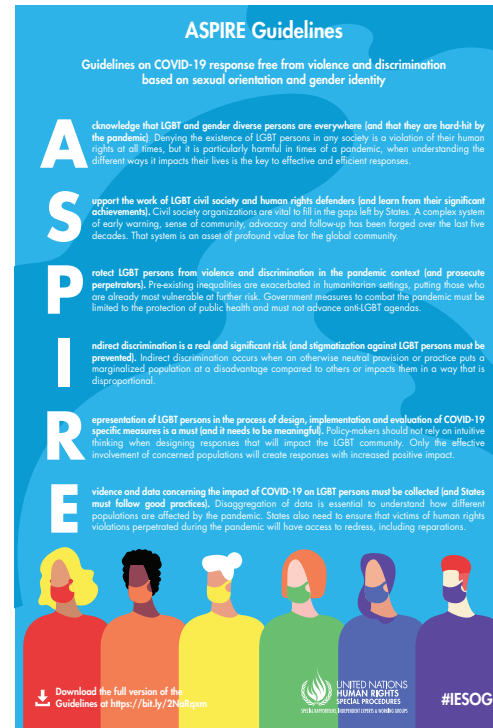
A key gap is inclusive data collection, however this is a challenging issue as some people with diverse SOGIESC may have good reason to avoid identifying themselves to governments or their service providers. To address gaps in state responses, the UN Independent Expert on Sexual Orientation and Gender Identity developed the ASPIRE Guidelines, discussed in the full report.

People with diverse SOGIESC are often invisible in UN and non-government organisation programs. **Previous reports have demonstrated large gaps in inclusion frameworks, planning within humanitarian responses, low-levels of funding, little or no training for staff or adaptation of tools, and limited partnerships with diverse SOGIESC CSOs** (e.g. Edge Effect 2021). Edge Effect’s Diverse SOGIESC Continuum, explored in the full report, provides aid organisations with a means of assessing levels of diverse SOGIESC inclusion across their programs and internal operations. It

encourages a norms-based approach, to focus attention on underlying causes of exclusion of people with diverse SOGIESC in aid programs.

The overwhelming majority of **social protection and cash-based assistance documents reviewed offer little or no substantive guidance on working with people with diverse SOGIESC.** Similarly, most reports on the economic impact of COVID-19 have little or nothing to say on diversity of SOGIESC, even those focusing on gender or social inclusion. **There is little research to support core design decisions, for example on targeting/selection or modality for cash based assistance. Yet these are crucial issues,** with lack of identification documents, family ostracisation, lack of bank accounts or mobile phones leading to indirect discrimination as people struggle to access society-wide schemes. **Nor is there research on how cash based assistance may intersect with gender based violence prevention and other programs** for people with diverse SOGIESC.

Some guidance documents at least mention diversity of SOGIESC, advising ‘engagement’ or noting the existence of households not based on heterosexual relationships. But too often that is where the guidance stops, not addressing how to ‘engage’ or what to do with any resulting insights, nor what it means to ‘consider’ non-normative households.



Download the full version of the ASPIRE Guidelines for including people with diverse SOGIESC in COVID-19 responses from <https://bit.ly/2NaRqxm>

Better policy and practice guidance examples included actionable lists of recommendations, highlighted issues for people with diverse SOGIESC across thematic areas including gender based violence, food security, education and vaccine access, or included guidance on complementary programming to address structural inequalities that limit the effectiveness of cash-only programming.

People with diverse SOGIE said **programs which add financial capability support or training and job-seeking support**

were important. However these should be voluntary, as conditional programs that require cash recipients to work or undertake activities could put them at risk in some societies.

Reviews of funding and programming trackers by Edge Effect and by the Global Philanthropy Project found **little evidence of funding being directed to meet needs of people with diverse SOGIESC.** As well as increasing targeted funding, **donors need to make their commitment to diverse SOGIE inclusion clearer.** One INGO staff member noted: “[W]hen we submit donor proposals around cash and protection ... we end up scrubbing the proposal to be political.” Another said that it does not report SOGIESC data as the donor template does not require it.

The report also addresses **risks in the emerging use of digital systems and algorithms.** These systems have the potential to hide discriminatory norms in black boxes of code, or to allow tracking of people with diverse SOGIESC through databases, or to ‘out’ people through use of biometrics such as facial recognition.

The silver lining is that the COVID-19 crisis provides an opportunity to model diverse SOGIESC inclusion within government and aid sector programs: to build awareness of diverse SOGIESC issues, to establish new partnerships, and to establish new expectations.

Case Study 1 | Bangladesh - in partnership with Bandhu Social Welfare Society

People with diverse SOGIESC live with varying levels of discrimination, violence, harassment and exclusion in Bangladesh. Same-sex sexual relations between men remain criminalised, Bangladesh does not include SOGIESC within anti-discrimination provisions, and there is extensive societal stigma. The only exception is government recognition of hijra (cultural gender non-binary) people, however this recognition has not, in most part, led to practical changes.

Bangladesh has seen more than one million COVID-19 cases, resulting in more than 20,000 deaths (as of late July 2021). Lockdowns have had deep social and economic impact, especially for those working in the informal sector, including many people with diverse SOGIESC. A May 2020 study by Bandhu Social Welfare Society (Bandhu) found a 95% reduction in daily income from BDT295 (USD3.50) to BDT14 (USD0.17), leading 71% to borrow money in order to meet daily expenditures. While a majority had received some food aid, most had also reduced meals or meal sizes and some had been harassed while queuing for assistance. Over the following nine months demand for financial assistance has largely replaced demand for food assistance, accompanied by the need for enhanced work opportunities.

CSOs including Bandhu and Somporker Noya Setu have provided much of the ongoing aid reaching hijra and other people with diverse SOGIESC. Joya Sikder, the founder of Somporker Noya Setu, noted while some food aid has been available,



95% Income Reduction



71% Taking Loans to Survive

that cash was essential for life, and that the very limited pre-pandemic government support programs for hijra had stopped. There are no social welfare programs that target people with diverse sexual orientations or transgender people who are not hijra. Barriers to accessing general social protection and cash based assistance programs include:

- Lack of inclusion in official data.
- Lack of identification documents which precludes opening bank accounts.
- Low levels of mobile phone ownership.

Sikder agreed that financial training for hijra and transgender people would be helpful but solves only part of the problem. Training is also needed for financial sector service providers, along with reform of structural barriers to financial and societal inclusion. While a few NGO programs provide support to hijra, there is often tension as some hijra and transgender people express disappointment in NGO programs that tend to focus only on their sexual health (rather than their whole lives) or that engage with them in tokenistic ways on 'world days'.

Case Study 2 | Fiji - in partnership with Rainbow Pride Foundation (RPF)

Fiji has undertaken law reform supportive of people with diverse SOGIESC, unlike many other Pacific Island nations. While those living in urban areas can live open lives, this is often not the case in rural areas. There are also large gaps in how government programs actively include people with diverse SOGIESC. Until April 2021 Fiji saw few COVID-19 cases, mostly related to overseas returnees. Many people with diverse SOGIESC work in tourism and informal sector industries deeply impacted by COVID-19 border closures. However since April community transmission has increased rapidly.

There is no government social protection or COVID-19 assistance scheme that targets people with diverse SOGIESC, and there are no special measures to ensure that people with diverse SOGIESC have access to supposedly universal schemes. A large development actor with links to Fiji Government programs noted that data used for social protection programs did not provide any specific information about diversity of SOGIESC, limiting the potential for programs to be tailored accordingly. None of the participants in the diverse SOGIESC focus group discussion (FGD) had received funds through the Government of Fiji formal protection schemes. Barriers include low levels of information about schemes or assumptions of non-eligibility. Another barrier is that many of the government schemes target households, indirectly excluding people with diverse SOGIESC who may be alienated from their families, or who live within households of



'chosen family', or who may live in informal housing or on the street. FGD participants also shared that they are often ridiculed, stared at, stigmatised and discriminated in public spaces, at service providers' premises and in government offices because of their SOGIESC. Those who had accessed their superannuation fund, used cash for meeting basic needs, to settle loans taken earlier during the pandemic and to support families (and to reduce tensions between them and other family members).

None of the COVID-19 non-government cash assistance programs operational in Fiji have included an assessment that was inclusive of people with diverse SOGIESC. The most inclusive program – that of Save the Children – introduced a diverse SOGIESC component during implementation that included transgender and other people who undertake sex work. Save the Children heard from queer sex workers that they get victimised by authorities frequently and so are unlikely to seek government assistance. For RPF, community support has become more complicated with the Delta COVID-19 variant, as rules on movement limit options for spending cash, making food deliveries more important for meeting basic needs and supporting mental health.

Case Study 3 | Indonesia - in partnership with CRM Indonesia

Fuelled by a rise of religious conservatism across politics and society, access to human rights and security for people with diverse SOGIESC has significantly deteriorated in Indonesia over the last decade. People with diverse sexual orientations – for example, gay and lesbian Indonesians – face particularly intense family and societal stigma. Traditionally there has been acceptance or toleration of diversity of gender identity for waria people, however even their limited social space has shrunk.

An April 2020 survey identified that 62% faced running out of food, not paying rent or water or electricity bills, failure of their small businesses, and not being able to maintain hormone and other health treatments. 88% of this group experienced mental health impacts including stress from living in unsafe places, loss of income, loneliness and difficulties accessing psychological support itself. There are also strong community networks amongst people with diverse SOGIESC. Indonesian diverse SOGIESC CSOs have played a critical role in undertaking community assessments, advocacy for support and distribution of cash and direct aid, mitigating the worst social and economic impacts of COVID-19.

While people with diverse SOGIE are included in the government social protection architecture, the official

characterisation of “impaired social functioning, discrimination, marginalisation, and sexual deviant behaviours” is criticised as an agenda as much about reforming them as people, as it is about providing support. Some waria communities and organisations have established relationships with the Indonesian social welfare office and shared local data. However a lack of integrated data at central levels hampers efforts to target people with diverse SOGIESC or include them within national programs. Less than 30% of transgender people reported receiving government support during COVID-19, respondents attributing this to societal stigma and not having a KTP (National Identity Card) or NIK (National Identity Number).

A diverse SOGIESC CSO providing support during COVID emphasised the need to make the process of accessing cash as simple and safe as possible, as societal stigma means people with diverse SOGIESC try not to put themselves in physical places – such as queues or offices – where they may face harassment. Community members expressed support for complementary programs involving work opportunities, but cautioned against mandatory cash-for-work or other conditional assistance programs, as they could force people with diverse SOGIESC into situations where they may be subject to harassment by other community members or officials.

Edge Effect (2020) Briefing Note: Impact of COVID-19 on LGBTIQ+ people.
 Edge Effect (2021) The Only Way Is Up.
 Global Philanthropy Project (2021) Where Are the Global COVID-19 Resources for LGBTI Communities?
 Outright International (2020) Vulnerability Amplified: The Impact of the COVID-19 Pandemic on LGBTIQ People.

Five Steps That Would Improve Diverse SOGIESC Inclusion ...

In social protection programs generally:

- **Governments adopt the ASPIRE Guidelines and governments providing bilateral support to the programs of other governments encourage this.**
- **Non-government actors adopt a norms-based approach and a benchmarking process such as Edge Effect’s Diverse SOGIESC Continuum.**
- **Donors require diverse SOGIESC inclusion from implementing partners and fund those partners to undertake staff training, tools adaptation and other steps to transform themselves into organisations capable of addressing diverse SOGIESC rights, needs and strengths.**
- **Support further research on diverse SOGIESC inclusion in aid programs, including ongoing impact of COVID-19 and intersections with other aid programs such as livelihoods and countering gender based violence programs.**
- **Partner with and consistently support diverse SOGIESC CSOs for all these steps.**

In cash based assistance programs for COVID-19 and beyond:

- **Understand how indirect discrimination makes cash based assistance inaccessible or unsafe for many people with diverse SOGIESC, and how it manifests in assumptions about who is represented in data, who has identification documents or access to delivery mechanisms.**
- **Learn how the design of assessments, targeting, registration, delivery and other aspects of cash based assistance – and the addition of voluntary complementary programs including financial capability – can increase accessibility, safety and relevance.**
- **Support diverse SOGIESC CSOs as they continue to fill gaps left by government and non-government cash assistance programs and in their role as trusted intermediaries with community members.**
- **Include complementary programming such as financial capability and livelihoods support for people with diverse SOGIESC, alongside training and support for service providers to improve diverse SOGIESC inclusion.**
- **Engage diverse SOGIESC CSOs and technical specialists to ensure innovations in cash assistance – such as digital systems – are safe, relevant and effective.**

UN OCHA (2020) Global Humanitarian Response Plan COVID-19
 UN OHCHR (2020a) Statement by human rights experts on the International Day against Homophobia, Transphobia and Biphobia.
 UN OHCHR (2020b) ASPIRE Guidelines on COVID-19 response and recovery free from violence and discrimination based on sexual orientation and gender identity