

5 May 2023

President Masatsugu Asakawa

President of the Asian Development Bank (ADB) and the Chairperson of ADB's Board of Directors

Re: for Strong SOGIESC Inclusion in ADB's Safeguard Policy

We, the undersigned, representing organizations working on LGBTQI rights and issues in Asia and the Pacific, welcome the move from the Asian Development Bank to start conversations about SOGIESC inclusion in the ongoing safeguards review, specifically the conduct of regional consultations on SOGIESC last June 6 and 7, 2022.

We write to urge the Asian Development Bank for SOGIESC Inclusion in its revised Safeguards Policy, and forward our recommendations.

Evidence point to continued experiences of exclusion of LGBTQI people and communities in various domains of life, including protection and access to basic rights and services due to sexual orientation, gender identities and expressions, and sex characteristics (SOGIESC) based stigma and discrimination.

These are aligned with findings from various community-led evidence generated by various organizations working in Asia and the Pacific.

- In 2019, [APCOM](#) and our country partner organizations conducted a research which looked into the state of LGBTQI people and communities in [Cambodia](#), [Indonesia](#), [Lao PDR](#) and the [Philippines](#). The four country reports pointed to experiences of exclusion in the areas of health, work, education based on a person's actual or perceived SOGIESC. Exclusion based on SOGIESC can affect the person's overall opportunities in life.
- A 2018 research by the Asia Pacific Transgender Network (APTN) '[Denied Work](#)' which looked into experiences of discrimination of trans people in the workplace revealed that discrimination based on gender identity is experienced when seeking employment.
- In some countries in Asia, consensual same sex acts are still criminalized as indicated in [ILGA World's 2020 Global Legislation Overview Update](#)
- Even in countries where being LGBTQI is not criminalized, there are limited laws which provide recognition and protection.

These disparities have been highlighted with COVID19 because while the pandemic affected the general population, it disproportionately affected vulnerable sectors, including LGBTQI communities, due to SOGIESC-related stigma and discrimination.

Various evidence generated by LGBTQI organizations including research by [ASEAN SOGIE Caucus](#) and [APCOM](#) revealed the disproportionate effects of COVID19 on LGBTQI individuals, communities, and organizations.

In a joint statement issued by [human rights experts on May 14, 2020](#), this disproportionate effect was highlighted as: “In all latitudes, LGBT persons are disproportionately represented in the ranks of the poor, people experiencing homelessness, and those without healthcare, meaning that they may be particularly affected as a result of the pandemic[.]” In relation to the LGBTQI communities, the statement outlined that criminal laws add to the vulnerability of LGBTQI because of police abuse and arbitrary arrest and detention in relation to the restriction of movements.

We would like to forward our calls and recommendations in the ADB Safeguards Policy Review:

- Reflect the ADB’s vision in Strategy 2030 to ‘expand its vision to achieve a prosperous, inclusive, resilient, and sustainable Asia and the Pacific’ and to ‘promote inclusiveness to ensure that economic gains are widely shared’ in the Safeguards and Policy Statement
- Take an intersectional approach in the safeguards policy cognizant of multiple forms of marginalization being experienced by people and communities of diverse SOGIESC, and intersections of SOGIESC with other identities and characteristics including socio economic status, disability, ethnicity, among others.
- Include equality, non-discrimination, and inclusion, regardless of sexual orientation, gender identities, gender expressions, and sex characteristics in the Safeguard Policy Statement Overarching Statement on ADB’s Commitment and Policy Principles.
- Ensure that SOGIESC is reflected as a crosscutting issue in the Safeguards policy.
- Development of a standalone SOGIESC safeguard policy.
- Ensure safe reporting and grievance mechanisms for violations of SOGIESC related safeguards provisions
- Ensure meaningful participation of LGBTQI community and organizations not only during the Safeguards policy review process but in the entire implementation of the policy.
- Institutionalized and sustained partnerships between ADB and organizations working on SOGIESC to ensure continuous conversations and awareness raising.

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