The Human Rights Campaign, America’s largest lesbian, gay, bisexual, and transgender (LGBT) civil rights organization, is pleased to submit the following comments in response to the World Bank’s second draft Environmental and Social Framework (ESF), also known as “safeguards.” We agree that the Bank ought to overhaul its complex web of currently-existing safeguard policies, but the current draft falls far short of protecting the human rights of LGBT people and others who may be impacted by the Bank’s work.

LGBT people face unique discrimination in many parts of the world where the Bank conducts its work. Seventy-five countries criminalize homosexuality and in many countries they face high levels of discrimination, persecution and violence. The Bank can play a key role in protecting the human rights of LGBT people by ensuring that projects avoid harming LGBT populations and by enshrining non-discrimination policies into all Bank projects.

Unfortunately, the second draft of the ESF does not require Bank consultation with LGBT people or organizations in areas where the Bank will be investing or conducting its work. There is no requirement to ascertain their unique needs or concerns, or to determine how a specific project might impact that community. The ESF also neglects to outline how LGBT people will be protected from arrest, violence or persecution when they participate in Bank projects.

Thus, when the Bank is helping to build a dam in a particular area that will require the displacement of a local population, the ESF does not outline a process to ensure that LGBT people are not resettled in an area known for particular high levels of anti-LGBT discrimination. In a school funded by the Bank, there is no policy that ensures teachers do not target LGBT students for harsh treatment or expulsion. In Bank-funded clinics, doctors and nurses would still be free to turn away LGBT patients based solely on their sexual orientation or gender identity.

The impacts from these choices would be devastating, not only for the LGBT individuals themselves, but for the economic progress of their broader communities. We have already seen data such as the recent study in India suggesting a strong link between discrimination and economic stagnation, and it is clear that diseases such as HIV/AIDS will continue to spread so long as key populations face stigma and humiliation when they seek treatment.

Furthermore, while we agree that “country ownership” is a noble goal, in giving the borrowing country greater control over projects, the second ESF draft places far too much responsibility on them, rather than on the Bank, to enforce human rights standards. Should the borrowing country choose to ignore or contravene the safeguards, it is not clear that the Bank has a process in place to ensure that the safeguards are enforced.
As one of the largest development agencies in the world, working in many of the countries that target LGBT people for the most violent forms of persecution, the World Bank is missing a crucial opportunity to advance the cause of human rights and ensure that LGBT people – and all communities – face a brighter future. We strongly urge you to redraft the ESF with an eye toward protecting the human rights of all people, regardless of who they are or whom they love.

Sincerely,

David Stacy
Government Affairs Director
Human Rights Campaign