Corporate Advocacy
for LGBT+ Rights:

A call
to action

Created by Workplace Pride,
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Workplace
Pride
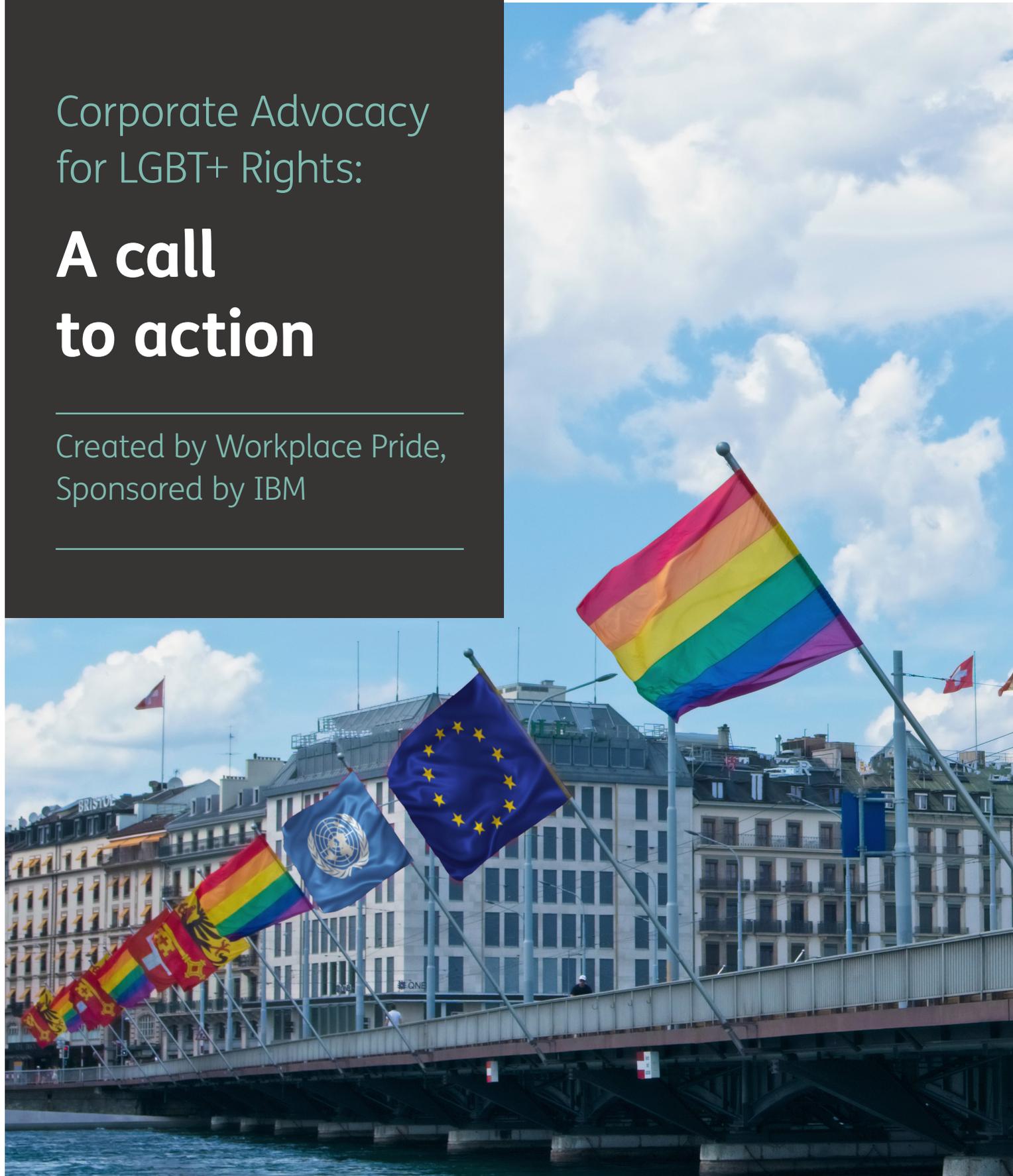
THE INTERNATIONAL
PLATFORM FOR LGBTIQ+
INCLUSION AT WORK

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About this paper

Acknowledgments

Citations

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Workplace Pride: A Call to Action: Corporate Advocacy for LGBTI+ Rights. (Amsterdam: Workplace Pride, January 2022)

Contents

Forward

For years businesses have been coming to terms with the fact their presence and activities are having an increasingly visible impact in the communities where they operate.

More and more, this comes with a responsibility to engage with their own employees as well as with the very communities where the businesses are located. Not surprisingly, businesses are increasingly obliged to also have at least an opinion on legislative and cultural issues that impact Lesbian, Gay, Bisexual, Transgender, (LGBT+) inclusion.

While this is challenging enough on a national level, working across national borders brings an entirely different level of complexity, risk and uncertainty. LGBT+ legal, political and cultural parameters around the world are constantly shifting, and the demands of civil society and local communities in this space grow ever louder. Although it may be 'safer' to avoid engagement altogether, those multinationals who have been very vocal about creating inclusive environments for all of their employees worldwide, including for LGBT+ people, now face a fundamental dilemma of how to move forward.

Being silent is no longer an option.

Basic questions of how to initiate, develop and implement successful LGBT+ corporate advocacy have been around for a while, but there has been only anecdotal evidence on the challenges of a global environment. Workplace Pride's Global Leaders Council, a quarterly gathering of decision-makers from among the Foundation's members, is the genesis of this initiative. They have often articulated the challenge of how to do more with LGBT+ corporate advocacy in various countries of the world. This call to action is in response to their requests and addresses this issue specifically and in greater depth. The paper was created from extensive research and interviews with actual practitioners from the business, diplomatic, and civil society communities. It also takes a very practical approach by addressing organisational challenges, and how to engage with the LGBT+ community itself while also including real-life examples of successful (and unsuccessful) corporate advocacy initiatives around the world.

It is our hope that by using this paper as a 'go-to-guide for LGBT+ international corporate advocacy', our community, governments and businesses will together create workplaces, and ultimately, societies, in which LGBT+ people can feel safe, make valuable contributions and truly be themselves.

David Pollard
Executive Director
Workplace Pride

IBM is proud to sponsor this report

For more than a century, IBM has been a progressive leader in diversity, advocacy and innovation. It is in the fabric of our company.

IBM's strong commitment to providing equal opportunity and fair treatment extends beyond our employees and their families, we live and promote our values throughout our business ecosystem.

Working with organisations around the world I see a growing focus from internal policies and Diversity, Equity and Inclusion (DEI) excellence to becoming corporate role models. Businesses can set a standard for inclusion. By actively promoting equality as well as standing up and speaking out against noninclusive practices in the communities where they operate. For example, companies have successfully fostered greater inclusion by endorsing equal marriage initiatives, defending trans-rights, supporting non-traditional families, and advocating for passage of the (US) Equality Act.

Social sustainability is about structurally identifying and managing business impact in increasingly dynamic environments. Keeping in mind that internal alignment and maintaining and leveraging external frameworks are essential. Joining coalitions and leveraging business platforms are helpful ways to develop, innovate and engage with stakeholders to exercise advocacy. Lead in ways that your organization can be proud. All the while, building a sustainable posture for now and the future.

Thank you Workplace Pride and everyone that has contributed to this white-paper through your useful insights and recommendations. Thank you as well to everyone who joined the DEI journey and advocates for full equality and LGBT+ Inclusion in their organisations and in the global marketplace.

We are Stronger Together.

Marijn Pijnenburg,
Business Development Executive Marketplace Diversity Leader

Executive Summary

Workplace Pride created this white paper on corporate advocacy as a call to action to protect and promote the human rights of lesbian, gay, bisexual, trans and intersex (LGBT+) people around the world and to engage employers as agents of change.

Increasingly, advocacy in support of LGBT+ human rights reflects how corporations are rethinking, reinterpreting, and re-engaging in their role as advocates. With research showing that LGBT+ inclusion bolsters economic performance, stronger growth, and higher levels of entrepreneurism, the potential for improved productivity, as well as 'doing the right thing' for marginalised communities, corporate

visibility and support for LGBT+ safety and security within civil society is becoming a business norm. Corporate structures and strategies have been useful in public advocacy, provide examples pointing to best practices, and reflect responses suited to various societal and legal contexts.

In most countries, there are no legal prohibitions to corporate advocacy. However, companies operating globally need to be aligned throughout their organizations when undertaking and communicating public positions on LGBT+ rights. *Across operations within a corporate structure, it*

is critical to create a values-based, strategic, cohesive, and well-supported approach that is driven by leaders.

Public action by corporations must be informed by and support the aims of civil society organisations, which use different tactics to avoid putting LGBT+ people at risk. Corporate approaches can rely on 'quiet' conversations undertaken with diplomats; talking points focused on specific incidents of discrimination that occurred locally and that underscore the universality of human rights; and working with business community coalitions in targeted campaigns for law reform.

It is no longer simply 'nice to have' an external impact. As one corporate representative said: 'Advocacy is the new advertising'. *When discrimination against LGBT+ people intensifies, corporations have an ethical responsibility to take a stand that considers both the risk of advocating, as well as the cost of NOT valuing equality.* A corporate position must be thoughtful and strategic, or a company's brand and identity may be compromised by negative consumer and community response.

Key findings

Key findings emerging from the research undertaken for this white paper underscore strategic, structural, and ethical issues that corporations should keep in mind to maintain a productive work environment while effectively advocating for LGBT+ human rights:

- All relevant internal divisions of a company - particularly government affairs - should participate in creating a values-based, cohesive and well-supported strategy.

- It's the job of leadership, not employee resource groups (ERGs), to drive change. Individual leaders are key.

- Legal departments must review parameters of the proposed advocacy. In the vast majority of contexts, there are no legal prohibitions to corporate advocacy.

- A crucial prerequisite to public action is to prepare, to learn about local LGBT+ civil society organisations, to engage in dialogue with them and learn about their advocacy goals.

- Behind-the-scenes diplomacy can be more effective than more visible actions and statements in the media.

- Conversations with State interlocutors should be personalised and focus on specific incidents of discrimination occurring in the local context.

- LGBT+ equality is a universal value, not a Western value.

- The universality of human rights including equality for LGBT+ people, women, people with disabilities, and other marginalised people should be the focus.

- Stress the evidence that LGBT+ inclusion bolsters economic performance, stronger growth, and higher levels of entrepreneurialism.

- Communication with allies in the diplomatic corps is essential, particularly in times of crisis.

- When discrimination against LGBT+ people intensifies, there is an ethical responsibility for taking a stand.

- Ensure the corporate house is in order. Be strategic, sustainable, and ethical in your advocacy. Do not just 'pick an easy target'.

- Work in coalitions of organisations or with experienced human rights and LGBT+ civil society organisations, which is more efficient and helps guide corporate strategies and roles.

- Increasingly, corporate advocacy is directly tied to corporate actors reinterpreting their role in society.

- Consider the cost of NOT having corporate values based on equality.

- Advocacy is the new advertising! Companies operating globally need to be structured, balanced, and aligned across operational functions—taking into consideration their employees as well as their customers when they undertake and communicate LGBT+ advocacy.

Introduction

This white paper considers the values, structures and approaches that are driving corporate campaigns to tackle discrimination against lesbian, gay, bisexual, transgender, (LGBT+) people and to advance their socio-economic inclusion.

It primarily uses the acronym LGBT+ inclusive of other sexual and gender diverse populations, including indigenous and culturally specific identities. Corporations and literature referenced may use other acronyms.

The paper focuses on:

- Capacities needed to build corporate advocacy for LGBT+ human rights.

- Positive corporate relations tactics to influence the public sphere.

- Examples of proactive and reactive efforts in varied legal and social contexts.

- Next steps in corporate responses to intersectional diversity and equality concerns.

Corporate advocacy for social impact has emerged through the adoption of Corporate Social Responsibility (CSR) frameworks and Environment Society and Governance (ESG) approaches. Through the emphasis on CSR/ESG, business focus on external impact has been mainstreamed, so that "not only is doing good the right thing to do...it also leads to doing better"[i]. Many companies use CSR to define their role in society and importantly to apply social and ethical standards within their business[ii].

There are advantages and disadvantages for corporations that publicly take a stand on 'sensitive' social issues. The most apparent advantage is that consumers are more likely to support a socially responsible organization,

and beneficial outcomes may accrue directly to the position taken. Thus, corporate leaders are being advised to "consider the delicate balance between fiduciary responsibility and social activism, to use a strategic approach, and to understand the legal repercussions before taking a stand on a social issue"[iii]. Additionally, corporate advocacy to protect and promote the human rights of LGBT+ people is complex, existing within a context where lines "between private and public, economic and political"[iv] shift. When early initiatives were undertaken, particularly related to marriage equality in the U.S., the move toward advocacy was seen to reflect corporations being "in the midst of a process of reinterpretation of their own role in society as well"[v].

Increasingly, corporations base their case for greater socio-economic inclusion of LGBT+ people on growing evidence of economic impact. Open for Business, a coalition of leading global companies dedicated to LGBT+ inclusion, has reported that improving LGBT+ inclusion bolsters economic performance, demonstrated by stronger growth and higher levels of entrepreneurialism. This perspective is in stark contrast to the 70 United Nations (UN) member states that currently criminalise consensual same-sex activity between adults[vi] and many others that lack legal protections to adequately protect the human rights of LGBT+ people. *Barriers to realisation of their human rights socially exclude LGBT+ people from education, services, markets, and public spaces. This discrimination ultimately limits*

their equality of opportunity in employment and socio-economic security[vii,viii]. Exclusion may be intensified by intersectional discrimination that includes other characteristics and has obvious micro- and macro-economic effects.

UN-led efforts to overcome socio-economic exclusion can be enhanced by corporate engagement. The UN Global Compact, the world's largest CSR initiative, calls on companies to respect human rights in accordance with international standards[ix]. The UN's Sustainable Development Goals (SDG) aspire to "leave no one behind", and several SDG targets provide entry points that can be utilised by corporations to advocate for inclusion of LGBT+ people[x]. The UN Office of the High Commissioner for Human Rights has published UN Standards of Conduct for Business to help tackle discrimination and protect LGBT+ human rights. These standards have been endorsed by nearly 300 corporations[xi]. The standards focus on five areas for business action. Four recommend internal actions companies can take to: respect human rights; eliminate discrimination; provide support; prevent human rights violations. The fifth relates to action in the public sphere: encouraging businesses to contribute toward prevention of human rights abuses of LGBT+ people in countries where they operate. The UN recognises that public action by corporations "has often been ad hoc and inconsistent, as some global companies do well in championing LGBT+ equality at home, but less well abroad. Others may find their voice in relatively supportive environments, but stay silent in contexts where rights protection for LGBT+ individuals is weak or lacking"[xii]

This white paper is an effort to make action in the public sphere relevant and relatable to corporates. It explores approaches that have been utilised in different legal, policy and social contexts.

Methodology

Our work on this project was informed by literature from business scholars who have traced the movement of corporations into advocacy, as corporate actors have reflected on being "in the midst of a process of reinterpretation of their own role in society".

The conclusions are substantiated by findings from 14 one-hour, semi-structured interviews conducted between January and April 2021. Interview respondents included business leaders; diplomats, and other relevant stakeholders, working to promote socio-economic inclusion of LGBT+ people around the world. The discussion guide is provided in Annex 1.

The paper presents key learnings, including verbatim comments that are anonymised, so that no individual and no business is identified. The paper seeks to highlight generalisable lessons of what works in corporate advocacy.
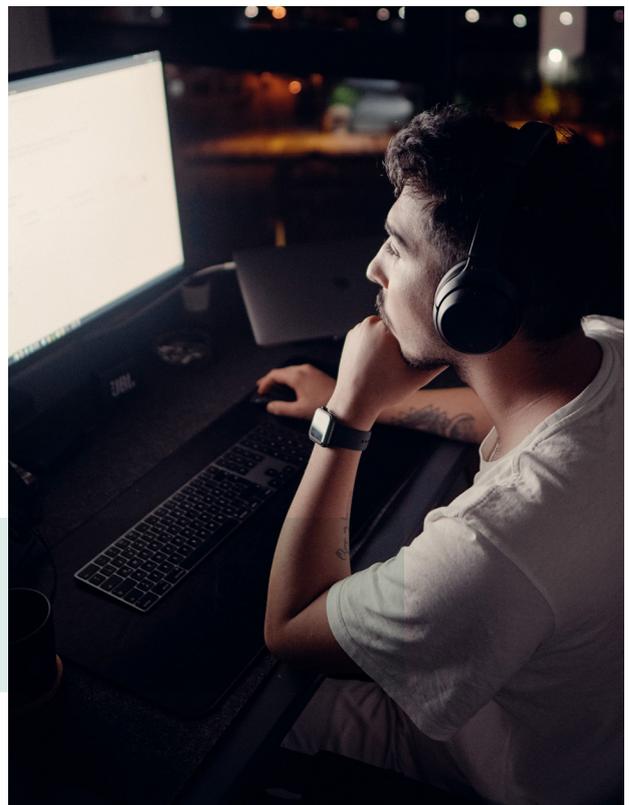
Corporate Models to Enable Advocacy

There is no single model for acting in the public sphere on corporate advocacy for LGBT+ rights.

Key Learnings

- Capacities needed to build corporate advocacy for LGBT+ human rights.
- Positive corporate relations tactics to influence the public sphere.
- Examples of proactive and reactive efforts in varied legal and social contexts.
- Next steps in corporate responses to intersectional diversity and equality concerns.

When working to advance LGBT+ inclusion, corporations need to adapt their approaches to the context of the country in which they are operating. That truism is relevant to both internal operations and external relations.

There is no single model for acting in the public sphere on corporate advocacy for LGBT+ rights. Coqual, formerly known as the Center for Talent Innovation, a global, nonprofit think tank and advisory group that addresses bias and uncovers barriers to advancement for underrepresented populations in the workplace, identify three models that corporate LGBT+ inclusion tends to reflect[xiii].

- **The 'when in Rome' approach:** wherein a corporation simply adheres to the norms of the jurisdiction in which it is operating and, as such, does not undertake LGBT+ inclusion efforts if it is not the norm in that country.

- **Embassy Model:** A corporation undertakes LGBT+ inclusive policies and supportive measures to ensure diversity and inclusion within its workplace and workforce such as implementing benefits for LGBT+ employees that provide parity with other employees. The 'embassy' model has been widely embraced.

- **Moving into Advocate:** In this model corporates begin to act in the public sphere with actions supporting local LGBT+ activism, lobbying local legislators to repeal harmful laws, and influencing to enact protective laws and policies.

A corporation may progress from model to model depending on numerous variables, including the context in the country of operation, the company's own values proposition, and a growing confidence in its role in advocacy. Looking across the operations of a multinational corporation, there may be examples where they are merely reflecting the 'when in Rome' approach in certain jurisdictions while in other settings it is implementing the embassy model evident in diversity, equity, and inclusion practices and policies.

While the embassy model has proven highly effective in efforts to promote business inclusion, those policies and norms offer protection to LGBT+ employees only within the bounds of the 'corporate campus'. Once a vulnerable LGBT+ worker steps across that 'campus gate' in a criminalising country or socially hostile context, the protective environment ceases to exist, creating dissonance between the employee's 9-to-5 work life and their broader 5-to-9 life, where an intolerant society may pose personal safety risks and other forms of discrimination. While concerned about the employee's safety, corporations operating in a global context also expend resources on ensuring that existing rights are not repealed, on recruiting new employees with sensitivity to the social climate, and on retaining employees with benefits that are suited to the company of operation.

> "I love my job; I love being here [at work]. I sometimes don't want to leave because here, I'm me. When I leave here, I go back into a shell of protection"

One respondent said an employee had substantiated this risk: "I love my job; I love being here [at work]. I sometimes don't want to leave because here, I'm me. When I leave here, I go back into a shell of protection". Overcoming such disparity could be a motivating factor for corporations to begin advocating for protection of LGBT+ people. The embassy model is also likely to influence corporate social norms to the extent that employees become accustomed to valuing and respecting diversity among their colleagues.

The embassy model is informed by norms of international diplomacy. The diplomats interviewed for this white paper reflected that within embassies there is a growing practice of a 'safe space' to convene discussions on LGBT+ inclusion with national stakeholders and to host community events, such as the International Day Against Homophobia, Transphobia and Biphobia (IDAHOBIT). Typically diplomatic corps from nations that support LGBT+ inclusion will undertake direct dialogue with interlocutors from states where LGBT+ people are not protected. They discuss ways the country might create a more enabling environment for the protection of human rights. The norms of this advocacy are reviewed in the next section.

While international diplomacy relies on established norms in government relations, corporations require frameworks that provide a clear justification on which to establish public action. Scholars of business ethics have suggested that there are three basic conditions to legitimate corporate advocacy: consistency, plausibility, and authenticity[xiv].

- **Consistency:** public advocacy must be consistent with the foundational values of the company so that advocates are clear what those values are and what it means to enact them.

- **Plausibility:** a company's advocacy becomes plausible if it is embedded in a strategy to promote those values or the specific causes related to them.

- **Authenticity:** is demonstrated externally when causes a company is advocating for are reflected within its own operations. Thus, a company's advocacy is legitimised when its culture is authentic and has integrity. These features give it the "right to advocate"[xv].

> "Once employers engage around the globe there is increasingly an implied obligation that they are responsible for the well-being of their staff as well as a stakeholder in the communities in which they operate; this includes LGBT+ communities,"

Workplace Pride recognises that public action on LGBT+ inclusion can be difficult, particularly in 'sensitive countries', but the challenge is no excuse for ignoring the need. "Once employers engage around the globe

> External affairs can be a massive block, but they can be a massive 'un-locker' when on board

there is increasingly an implied obligation that they are responsible for the well-being of their staff as well as a stakeholders in the communities in which they operate; this includes LGBT+ communities," noted David Pollard, executive director of Workplace Pride.

Throughout their interviews, corporate respondents reflected on structures that allow corporations to take public action. They stressed the importance of a joined-up approach and buy-in from essential divisions of the business, including executive leadership, legal affairs, human resources, communications (including social media), an external affairs arm (often referred to as government affairs), and employee resource groups (ERG).

One stakeholder remarked that the most crucial among these is an external affairs function. "External affairs can be a massive block, but they can be a massive 'un-locker' when on board." Several informants, who worked at the C suite level, e.g., as a Chief of Diversity and Inclusion

> "...inclusion is not an add-on to what the law is...it is based on the same principles of the law...inclusion is about equal stance and standing, equal access to justice. That's what the law was built for in the first place"

(D&I), indicated their company had given them latitude to undertake certain public actions, in accordance with corporate values, without needing to get explicit clearance first. Another C- Suite level D&I professional reflected on their corporate process for seeking clearance in terms of informing senior management or the CEO: "If it's a 'no' from legal or communications, I am probably not going to go down the line with the rest of them'.

Understanding the legal position for corporate advocacy is essential. A respondent from a multinational law firm reflected on the legal grounds for corporate advocacy on behalf of LGBT+ people, saying that "...inclusion is not an add-on to what the law is...it is based on the same principles of the law... inclusion is about equal stance and standing, equal access to justice. That's what the law was built for in the first place" . Corporations have established that implementing inclusive policies within their workplace does not break the law, and in most settings is not likely to contravene local law either. A respondent who is a stakeholder for economic inclusion of LGBT+ people asserted that 'there's often a sense that companies are reluctant...because their legal departments are telling them that [advocacy is] not something that the company is in a legal position to do in that country'. The respondent stressed 'in many cases there are no legal prohibitions to companies speaking up'. While implications of advocacy need to be seriously considered, they should not be an excuse to hold back action. This respondent expressed concern that 'legal barriers are convenient for companies to hide behind'.
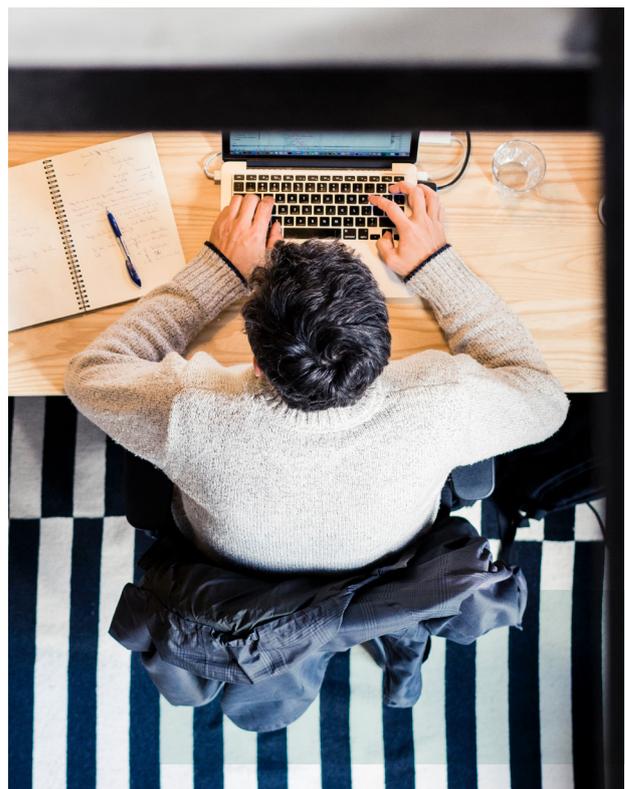
> "… it's the job of leadership to drive change"

Getting the communications right is key. Communications strategy should extend to aligned messages for the media. A respondent from a multinational company asserted that a critical element is 'the support from your leadership team, from the CEO, but also from communications, legal, marketing. It all must be aligned. They all need to understand it, be aware, and be committed about it'. Communications campaigns that precede corporate implementation of LGBT+ inclusion policies may open a corporation to criticism of 'pink-washing' or 'virtue signalling'. (These terms are used to explain a strategy of promoting the gay-friendliness of a corporation attempting to downplay or soften actions that might be considered negative.) Human resources should be at the heart of considerations about 'moving into advocacy', and only if the company has begun to do the right thing for its LGBT+ employees.

The LGBT+ ERG should be engaged. The role of LGBT+ employee resource groups (ERG) is critical, offering an important channel about local concerns for employees, within LGBT+ communities, and in the broader community context. A dedicated LGBT+ ERG can create a space for employees to support one another and stay informed of relevant internal corporate issues as well as external issues in markets that may be relevant to corporate advocacy. An ERG may be instrumental in framing the public policy strategy of a corporation. A recent resource from Out and Equal, outlines policy channels that a U.S.-based ERG might suggest to support advocacy at the state and federal level and through the judiciary[xvi]. One respondent cautioned against companies expecting an ERG and/or their LGBT+ employees to be at the forefront of corporate action, as 'they are a group of volunteers and companies can put too much onus on them to drive changes. It's actually not their job, "… it's the job of leadership to drive change".

Leaders, including those who identify as LGBT+, can play a crucial role in corporate advocacy. In initial

stages of taking public action, the stakes for individual leaders can be high. A respondent noted that 'you do have very brave leaders within organisations who do take that stance, but it's few and far between'. Understanding whether senior leaders are willing to move into advocacy is crucial, as one respondent reflected: 'There is no point putting something out there and finding out your CEO won't stand behind it if asked in public… you need to understand who your advocates are'. Another respondent found advocacy efforts are often driven by D&I leaders saying 'you have to show a lot of personal leadership. You must take risks…find a route forward with one or two supporters and just go for it. And that's when you start to get it moving'.

It is essential that the conviction for getting involved in advocacy comes from the very top of a corporation, because 'as a leader you are expected to speak up'. A CEO will need a well-crafted statement of intent that clearly and succinctly states why advocacy for LGBT+ human rights is important to the company. It should have a narrative that explains 'why it matters to me'. Two respondents from a multinational reflected on the support and training their leaders and employees receive. Noting that their D&I training includes reverse mentoring, they said 'we have to teach our own leaders about the issues and that takes a lot of time'.

Public action may also be taken by a leader as an individual, in addition to or in place of being identified solely with the corporation, e.g., in 2019, a letter signed by over twenty CEOs addressed concern about contexts where discrimination against LGBT+ people was intensifying. The letter urged other business leaders to "engage governments who are persecuting people… let them know that marginalising LGBT+ communities is unacceptable and runs counter to the economic interests of their country"[xvii]. Leadership for corporate LGBT+ inclusion advocacy may be disaggregated throughout corporate structures and mirror efforts of other groups of employees standing up to discrimination. A respondent
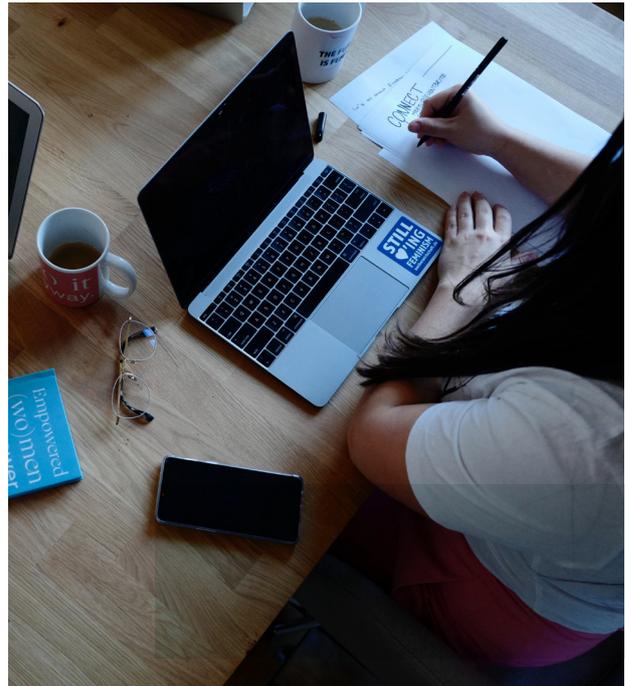
from a multinational indicated 'we have really interested leaders. For every one of our communities, we have a Senior Vice President executive sponsor. All constituencies have executive councils made up of business executives whose day jobs are not HR, not legal, not advocacy. They want to be a leader for their community and take positions externally to support their community members. We continue to develop more robust internal communities that are driving more action externally'.

While organizations should support taking public action, one respondent stressed that a corporation doesn't need to have the perfect structure in place before they move into external action on LGBT+ human rights. Another remarked: 'sometimes the most effective way to send a strong message internally is to make a statement externally. Then, everybody knows you really mean it'. Furthermore, they argued that "..part of being a leader on an issue like [LGBT+ advocacy is to acknowledge the journey that you still must take, be open about the challenges, and share the learning. Not to hide away until it's all fixed and then 'look what we've done' but to be visibly out there grappling with these issues, talking about why they are difficult, what you are learning, how you are making progress."] That is what it means to be a leader'. Committed and consistent leadership is a pre-requisite for moving to the next level of advocacy.

Moving into Advocacy

Companies that respect their people and have zero tolerance for discrimination or harassment in their workplace will strive to ensure their advocacy encourages these norms in all societies where the business operates.

Advocacy is a process which relies on corporate competencies such as:

- Capacities needed to build corporate advocacy for LGBT+ human rights.

- Positive corporate relations tactics to influence the public sphere.

- Examples of proactive and reactive efforts in varied legal and social contexts.

- Next steps in corporate responses to intersectional diversity and equality concerns.

Once a company has decided to undertake advocacy, its actions should be informed by good practice, reflect local contexts, and further the aims, approaches, and desires that are aligned with LGBT+ civil society actors based in the country or region. Before beginning, a company should reflect on the values underpinning its LGBT+ advocacy, which may reflect moral arguments shared with human rights organisations and grounded in international human rights standards.

There are risks associated with advocacy. The first and most critical step is to understand how the corporation's values proposition supports advocacy for human rights. One diplomat stressed that corporate values should be stated clearly and reflect what the company is actually doing. 'Don't point fingers, make sure you are a good example'. Another respondent from a multinational law firm contends that 'corporates usually tend to think about values in terms of the cost of having [values]', adding that

'the cost of not having values on equality is real and it's big. You're going to have to be proactive or reactive, and normally when you are reactive, you are in a bad spot'.

that 'the cost of not having values on equality is real and it's big. You're going to have to be proactive or reactive, and normally when you are reactive, you are in a bad spot'.

Workplace Pride's guidance on implementing the UN Standards is that advocacy needs to be supported by the company's brand, clients, and employees[viii]. The values proposition for corporate advocacy should be grounded in business perspectives, utilising the business case and the economic evidence for LGBT+ inclusion. One respondent recommended 'tying the values of LGBT+ inclusion into the brand values of the company. Find your supporters, link it back to the business case. Anything that has a customer in it, helps.'

Two respondents working for a multinational reflected that a values proposition should be 'very transparent. Link it to the values and purpose and conviction. Link it to your company in terms of storytelling, explaining why you [advocate for LGBT+ rights]. If you cannot explain why you do it, it gets more difficult.' Their colleague added 'our company has agreed that we are going to be leaders in standing up for those that don't have a voice. We are going to try to make changes for the better'.

As corporations move into advocacy, they must prepare. A respondent asserted that 'we have to equip businesses

with collateral, they have to have assets, they have to have a talking point' in order to be ready to act for proactive social norm change and law and policy reform. The actions taken may come in phases and include supporting the actions others have initiated, such as re-tweeting a statement, signing a letter, or joining a coalition. Coalitions have become quite common. A number of corporate networks, some ad hoc and others more structured and sustained, have formed around various LGBT+ human rights issues. This allows the business community's voice and influence to be amplified. A respondent from a multinational company that is engaged in advocacy in several regions shared that

> 'preferably we work with coalitions - so that it's not just us - and always stress why we do it, why it's important for our employees, and for the communities we operate in'

'preferably we work with coalitions - so that it's not just us - and always stress why we do it, why it's important for our employees, and for the communities we operate in'.

As confidence in its advocacy role builds, a corporation may focus more on building relationships with public officials, politicians, and policymakers, as well as relevant industry regulators and national human rights institutions[xix]. For companies that wish to develop government relations expertise on human rights concerns, one recommendation is to follow the lead of the diplomatic corps and work in conjunction with like-minded embassies to undertake 'quiet diplomacy'. This allows corporations to have confidential conversations with policy makers and to demonstrate corporate support for legislation that can promote greater inclusion of LGBT+ people.

Conversations about advocacy must be clear and relatable to the location being discussed. This point was

underscored by a diplomat who reported that 'one of the most challenging types of conversations is when you are engaging with someone who isn't quite certain what you are talking about exactly'. Talking about a theoretical construct can be confusing, frightening, and ultimately unproductive.

To successfully communicate advocacy points, consider:

- Personalising the conversation.

- Making it relevant, ensuring that is understood in the context where it is happening, which will vary from place to place.

- Making it tangible and immediate for the local person who may be learning about the issue for the first time.

- Using public examples, with permission of the person(s) involved, or publicly available information about how a type of discrimination negatively impacted a local LGBT+ individual.

- Helping them understand, within the local context, what affirmative movement would be and how the change would be in the interest of the community and all individuals, including the LGBT+ people who live there.

- Explaining the economic case, which is often the argument that policy makers can most readily understand and respond to.

There may be non-negotiables in this kind of dialogue, and this diplomat asserted 'there are certain types of behaviour that you have to compel. You can't convince someone that imprisoning [a person] on the basis of identity is the wrong thing to do. You have to compel that [behaviour] to stop, but in terms of adopting policies that are more inclusive and respectful *'...the change you seek is change of hearts and that is going to take a while'.* Moreover 'speaking in inclusive language that is not strictly LGBT+ defined is really important...talk about equality and anti-discrimination, which is just wrong any way you cut it'. Corporations undertaking such conversations

can be ambitious, and the tone of their messages must reflect what is acceptable within a particular cultural context. This will be explored further when reviewing how corporates respond to challenging contexts.

An experienced advocate from a multinational said: *"Corporate advocacy is a process, it's not just a project... you have to engage with your whole organisation so that everyone gets it."* Yet, not every part of a corporation is empowered to determine whether to get involved. Whatever arm of the business is the decision maker it should undertake risk assessment informed by local civil society. Another respondent from a multinational, also with extensive advocacy experience, shared that once they identify that there is an 'official need to engage with a government and take a stand one way or another', they take a series of steps:

Steps in a Corporate Advocacy Process

- Review the situation from a local perspective.

- Decide whether it's a "yes- engage" or "no - don't engage" issue and identify why.

- Forward this information to the government affairs team, which in this respondent's corporation is a global-level team, for advice and assistance guiding the strategy and moving forward with the official engagement.

- Engage the communications department to draft message points that are aligned to corporate values.

- Engage leadership on behalf of the company to meet with government officials.

Generally, if a corporation has a government affairs department, it will manage engagement from a content/ communications standpoint and ensure that the company is delivering its message consistently around the world. Corporations that do not have a government affairs function may rely on a multi-led effort, comprised of colleagues in the various business arms discussed

previously, or on an alternative, integrated approach which may be more appropriate in that corporate culture.

Regardless of where responsibility for advocacy resides in a multinational corporation, power imbalances between global/HQ and local operations regarding decision-making should be considered and openly addressed. A respondent reflected that 'you need to not accidentally let the decision about taking action reside in one place or another. It cannot be a global decision to take action in a country, and the local country office must be fully on board with that decision. A global company has global policies that will be implemented everywhere'. Thus, an action may require negotiation between HQ and local operations to think through the most effective position that weighs up the risks and addresses the realities on the ground. The respondent explained further that 'if they are indignantly saying no, it's very difficult to get around that. *'If you're saying that 'this is what we'd like to see happen, help us understand how to make this happen in your country', that's a different conversation'.*

A good illustration of this local v. global advocacy paradigm can be found in various campaigns implemented to advance the case for same sex couples to marry - often

referred to as marriage equality.

Marriage Equality

Campaigns for marriage equality in various countries, beginning in Europe and North America and expanding into other regions, were discussed with several respondents. The importance of individual leadership, particularly of LGBT+ leaders, was highlighted.

One respondent shared that 'when we were campaigning for marriage equality in Ireland, I led on getting corporates behind it. That was a big task, and it's really hard when you are the first. I stood up for [marriage equality] as a CEO. I had a journey to get there, to have my face in the newspaper and be quoted as a lesbian. It trickled to two to three business supporting, and we eventually got to 107 companies. But that was a journey'.

Another respondent recalled the campaign for marriage equality in Australia and compared approaches of two of the largest national companies: Australia's national airline and its largest mobile carrier. The respondent remembered that the airline CEO took an incredibly strong stand supporting marriage equality. The Government of Australia reacted harshly stating that 'corporates should stay out of social policy'. Even though 32 CEOs had been involved in campaigning together, the Home Secretary singled out the airline CEO, an openly gay man, and made a homophobic remark that he should 'get back to his knitting'.

Analysing the telecom company that was involved, the respondent recounted that after the Catholic Church threatened to drop the company as a telecom supplier, the company announced it would not campaign for marriage equality. The respondent indicated that this position 'exploded on social media, and thousands of people started to cancel their contracts. [The company] issued a press release: they supported marriage equality, but they weren't campaigning for it. By the end of that week, they had completely reversed their position and said they would campaign for marriage equality. [It was]

seven days of massive cost'. When marriage equality passed in the Parliament of Australia and was signed into law, the airline CEO was hailed as a hero, and the telecom company experienced brand damage and financial loss.

Other companies involved in research for this white paper have been engaged in successful campaigns for marriage equality in the U.S. and Taiwan and have backed efforts in Japan, Hong Kong, Czech Republic, and elsewhere. A respondent who had worked on campaigns in several countries reflected that 'marriage equality has been a great catalyst, because it is a tangible process with a really defined point over time'. Another respondent from a multinational has found marriage equality campaigns a useful way to broaden the regional scope of their advocacy, particularly in Asia. In these efforts they prefer to partner with broader groups that have organised the business community around the campaigns.

While corporations have found that their support for marriage equality is totally appropriate and welcomed by LGBT+ civil society, in other conservative countries, politicians have revealed their fear that human rights campaigners will ultimately push for marriage equality despite LGBT+ civil society stating this is not the goal. Only when LGBT+ civil society has explicitly prioritised marriage equality as a goal, should corporate advocacy be aligned in support of the local campaigns. One respondent highlighted the importance of getting this insight, saying 'that's where the relationships to local civil society are totally critical. What the priorities are in a specific country can only come with working with local civil society partners'. This principle will be explored further in the next section.

Nothing About Us Without Us

Workplace Pride stresses that public action needs to be grounded in local realities for LGBT+ people and recommends that corporations develop relationships with LGBT+ civil society organisations.

These relationships build essential trust, identify collective actions, and foster collaboration in social dialogue and challenges to government[xx]. Aligned with the UN Standards, Workplace Pride's best practices stress that corporate decisions about advocacy on LGBT+ rights must be 'based on engagement and dialogue with affected stakeholders and affected communities. Begin by gaining an understanding of the situation of LGBT+ persons in countries where [corporates] carry out their business activities', even considering the possibility of deferring to the local advocating organizations.

Workplace Pride underscores the importance of being informed by the diplomatic missions in-country as they will have developed a local narrative on LGBT+ inclusion and the know-how to start and advance the conversation locally. A diplomat interviewed for this paper reflected that 'we work together with local LGBT+ organizations. In whatever we do, always we check before, whether about statements, events, or policy influencing. We can never be experts on a certain country and whether a certain statement is helpful or not. That's the principle of 'nothing about us without us' which we always try to be guided by'.

Workplace Pride has suggested that corporations can provide support, possibly including sponsorship, to LGBT+ civil society organisations and stressing the need to make a concerted effort to align the corporate position with influencing decision makers. If a corporation has an idea for a social policy or legal reform initiative, LGBT+ civil society must be consulted and review any proposal to ensure that it is feasible and would not put LGBT+ people at risk. A respondent pointed out that *'..most mistakes happen because there is no communication with local LGBT+ communities'.* If you want to do something that isn't grounded within the vision of the local community about what is helpful for them, then it might only create a backlash'.

In addition to emphasizing the importance of corporate engagement of civil society LGBT+ organizations, Workplace Pride strongly encourages the inverse, i.e., relationship building by local LGBT+ groups with corporations. Executive Director of Workplace Pride David Pollard reinforced this point, saying *"Our community worldwide will benefit by realising that the private sector can be powerful allies. By cooperating with them, harmful legislation or practices will have a greater chance of being eliminated."*

A corporation should expend as much effort understanding where local LGBT+ civil society stands as on the government's position. Executives need to consider both what can be done as well as what should not be done. It is important that corporations recognise the roles that civil society organisations can play, i.e., the types of advocacy, campaigning, and communications that are unique to them and how they operate, likely in ways that companies cannot act or communicate. One respondent said 'we don't jump into an issue from an advocacy standpoint just because broader civil society is calling for action. We are going to evaluate what employees and our clients are saying - that is going to inform when we do decide to take an advocacy stand.' But it is important corporations remain aware that LGBT+ employees may have the ability to disproportionally influence an advocacy position simply by asserting their collective voice.

This white paper is informed by Workplace Pride's history of working to bridge divides between corporates and LGBT+ civil society and to develop better relations on both sides. Corporations may relate more easily to larger, well-structured, well-resourced civil society organisations. However, the reality is that LGBT+ civil society organisations in most parts of the world are typically small grassroots groups, often founded by LGBT+ human rights defenders, who have endured significant personal risk while working for LGBT+ people. Such groups often face barriers to organisational growth. In 55 countries, LGBT+ organizations are prohibited from legally registering because they are considered illegal[xxi]. The power imbalances between organisations like these and multinational corporations are significant and should be acknowledged and sensitively managed. Some corporations may find that networks, like Workplace Pride, offer a helpful partnership for making initial inroads to relationships with local LGBT+ civil society organisations.

LGBT+ civil society organisations hold a range of attitudes towards corporations and have varied interest, experience, and capacity to engage with corporations. A diplomat interviewed for this paper acknowledged that LGBT+ activists express concerns that human rights-based arguments for LGBT+ inclusion sometimes have less traction than economic arguments.

For that reason, some LGBT+ activists remain cynical about corporations and suspect that their actions highlighting LGBT+ human rights concerns may be motivated by 'pink-washing'. A second respondent also noted that LGBT+ civil society believes 'that the corporate sector only had profit as its motive... this cynicism is out there...If you have a long-term partnership where they trust you, you are more likely to have success'. One face of 'pink-washing' or 'virtue signalling' is the situation in which the C suite says the right thing and then does nothing significant to reflect the values intoned by a public statement. *'Virtue signalling is being called out across a range of D&I concerns, and many corporations have taken opportunities to reflect on ways to act on their values rather than simply speak about them'.*

Another respondent addressed such negative attitudes about corporate profit and pink-washing, noting that fewer LGBT+ organizations 'have had exposure, or positive exposure, to multinationals or larger corporations...the community needs to work on bringing that together, because there can be a lot of power there and learnings from one another'. Research has identified that companies have capacity, resources, and expertise to enhance the protection of civic space[xxii]. One respondent asserted that *'very often, the cartoon depiction of the relations between business and NGOs is one of antagonism. There is also a huge amount of interdependency between the two... business needs a healthy civil society around it in the same way it needs the rule of law around it'.* Not only would civil society and corporates benefit from more consistent collaboration, but that type of engagement would also serve and support the needs of LGBT+ communities. The Civil Society Business Toolkit, developed by Workplace Pride and Open for Business, includes practical guidance on relationships between civil society and corporates engaged in LGBT+ advocacy.

civilsocietybusinesstoolkit.org

Responding to Challenging Contexts

Corporate advocacy in countries that criminalise same sex-activity can be effective with strategic planning and implementation.

- Discussions should focus on human rights and fairness.

- LGBT+ human rights should be positioned as a universal , not a Western value.

- Embarrassment will not succeed as a tactic.

- Corporations should foster environments that give local advocates safe opportunities to speak out.

If the human rights of LGBT+ people come under concerted attack, it is imperative that corporations undertake groundwork for public action, including proactive advocacy to shift social norms and expand inclusion, correctly contextualising approaches, and integrating LGBT+ inclusive policies within the corporate framework. Companies operating in any of the 70 UN member states that criminalise consensual same-sex activity should carefully consider how their access to policy makers can be used to promote inclusion. This sort of corporate advocacy for law and policy reform or other forms of socio-economic inclusion could make a difference.

Companies operating in the countries that criminalise same-sex activity may be very risk-averse, even to LGBT+ integration internally. Several respondents reflected on the Middle East where most countries are highly restrictive for LGBT+ people. One respondent, an employee based in the Middle East who has worked for several multinational corporations shared concerns about differential treatment of LGBT+ personnel, such as not establishing an ERG or offering staff D&I training that covers LGBT+ issues. The respondent lamented 'I see a lot of Western people from outside the region deciding what is possible and what is not…people working for multinationals are aware that their companies have those initiatives. You need to make sure you ask if things can be accepted before you assume they won't be'.

A respondent with extensive experience in the petroleum industry reflected that discussing inclusion in the Middle East is possible 'if you have the right conversation. I would initiate conversations with leaders, not about LGBT+ inclusion, because that was just their red flag…the conversation was one about fairness and human rights in a company like ours. *'Leaders in every country where we operate have a responsibility to maintain standards, certain values and human rights are part of that. So, you start having a conversation down that angle…'* it starts where people feel safer…' Another respondent working for a multinational chemical company expressed how they nuanced their approach to advocacy. 'in the Gulf, embarrassment is not the path to success, not publicly shaming or trying to 'gotcha'. Having a thoughtful, behind the scenes conversation…we utilise what we best know for that country or geography and how they come to decisions there'.

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A diplomat advised that companies should present the human rights of LGBT+ people as universal not a 'Western value'. Companies need to ensure there is consistency between global advocacy and local advocacy. Speaking about their own employer, a multinational that has hosted business roundtables on inclusion in Africa and the Middle East, one respondent noted that in these settings the discussion has included LGBT+ employees' personal safety/security, as well as uniform access to medical care, education, and other company benefits.

The next section presents two case studies of corporate advocacy, which was necessitated by anti-LGBT+ actions by the governments of Uganda and Brunei.

Case Study: Uganda

Uganda's Penal Code has outlawed homosexuality since the colonial era. In February 2014, Uganda's President Museveni signed into law the Anti Homosexuality Act, with severe punishments including a life imprisonment sentence for 'aggravated homosexuality'. This politicisation created a culture of extreme and violent homophobia that contributed to the grisly murder of an activist and founder of a prominent LGBT+ civil society organisation. A respondent noted that this murder was so shocking and violent that companies felt compelled to publicly condemn the incident.

Nevertheless, as the Anti Homosexuality Bill progressed through Parliament, most corporate responses were risk averse or low profile. A respondent for this paper criticised a multinational bank well-known for LGBT+ inclusion in their operations in the global north for not taking a public stand because 'even uttering the word gay in the Ugandan branch was poisonous.' As the draconian legislation gained momentum, advocacy by corporations, many foreign governments, and multilateral organisations ensued. A respondent shared that the two largest multinational banks operating in Uganda, including their employer at the time, undertook 'quiet diplomacy' with the diplomatic corps from two embassies from the global north. A multinational beverage company also pursued this approach.

The CEO of a multinational venture capital conglomerate took a bold action, giving an interview in a widely read Ugandan newspaper and stating that the company had been planning to make investments in the Ugandan economy, but the persecution of homosexuals was causing him to reconsider. The CEO insisted that if the bill were enacted, the company would pull back all activities. A few weeks later, President Museveni was interviewed in the same newspaper. He questioned whether the Anti Homosexuality Bill was necessary and stated that Uganda's national priorities were education, job opportunities, and economic growth.

In August 2014, the Constitutional Court of Uganda ruled the Act procedurally invalid, and thus, it did not become national law. Analysis has suggested that external pressure from corporations, governments, and multilaterals influenced this outcome.

Further thoughts on Uganda: One respondent said that 'if a company takes a firm stand... politicians will listen. There comes a certain point in a very difficult situation that you have to take a stand...if you just keep on going, and you look the other way, you are morally responsible for the atrocities that are happening.' Furthermore, sustained corporate engagement, along with work by Ugandan LGBT+ civil society organisations, has led to further breakthroughs. In 2016, a group from Open For Business coalition partners presented the 2015 Economic Case report to President Museveni to support advocacy for Ugandan anti-discrimination laws. Open For Business has asserted that President Museveni was persuaded by the investment case and subsequently did not oppose a Constitutional Court ruling that anti-discrimination law must include LGBT+ people.

The respondent stressed fostering an environment that encourages and supports local leaders to be progressive and outspoken. For example, when the company hosted

a diversity conference in Kenya, a local leader in the company stated they would speak out on discrimination against LGBT+ people. At a similar event in Dubai, local staff expressed some reservations, but those concerns abated when a corporate leader addressed equality of LGBT+ people along with that of women and people with disabilities. The respondent applauded this action, saying 'they just did it and showed leadership. That kind of leadership is valued in our organisation. *"We need people to make a difference, to stand up and try things' "*.

When high profile cases of anti LGBT+ violence and discrimination occur, concerns and considerations become more complex. Criminalisation of LGBT+ people is grounded in draconian laws and sentences. These difficult contexts can intensify when politicians and other community leaders make public statements that stigmatise or scapegoat LGBT+ people and can lead to backlash. In such situations, corporates may be operating in a reactive mode and should reconsider their strategies. One respondent shared that when their corporation was confronted with opposition to LGBT+ rights in several Eastern European countries, the strategy was to: '...move through the ERGs, ensure that the company is doing the right thing by our people, and being very conscious that these things are happening. We raise it with the ERGs to see how we can support further'. Politically motivated repression may emerge unexpectedly, creating an even more hostile environment that can catch companies off guard.

Case Study: Brunei

In 2014, The Sultan of Brunei proposed anti-gay law statutes that would impose the death penalty for same sex intimacy. In April 2019, the new measures came into force. These developments shocked many in Brunei and abroad, including businesses owned by the Sultanate and corporations operating in Brunei.

A boycott of the Sultanate's business holdings was organised and centred on a hotel group, which includes some of the world's most iconic luxury brands. The

boycott hit the hotels hard, affecting the bottom line and putting the livelihoods of staff on the line. Some individuals made threats against the properties and hotel staff, which raised additional safety risks. A respondent from the hotel group shared that prior to the boycott a robust D&I framework, grounded in the human rights of all people, including LGBT+ people, had been implemented with support from their ownership. Various corporate responses followed:

- One respondent critiqued that there were 'an awful lot of corporate press releases, which were well intentioned, and no outreach to organisations on the ground. They haven't considered if this is part of change or just enunciating a value'.

- Several corporate leaders signed a Legalise Love letter, though a respondent involved in the letter noted that those corporations were 'quite cool within the letter about Brunei to not be pointing fingers'.

- A respondent from a travel company, where some employees wanted to divest from Brunei, shared that a divestment strategy was not enacted because of concern for the gay people employed in the hotels, who could lose their income. Instead, 'we asked our gay employees...'have you gone to Dubai or Saudi?'... which made people think about their choices'.

Recalling the direct dialogue with the Sultanate, a respondent from the boycotted hotel group said, 'This gave us the opportunity to say what was on our mind, clearly articulating why we were concerned, how it was affecting our business, how it was affecting our employees...we were very frank.' The official response from the Sultanate was that 'we do not want you to stop anything that you are doing, continue to protect the employees. What we're doing has nothing to do with what you're doing. It's something inside of our country'. There was pressure from us, there was pressure from other companies. It hit a lot of their businesses'.

Ultimately, a moratorium on the revised penal code came into force in May 2019.

Further thoughts on Brunei: Reflecting on the outcome of this advocacy, the respondent from the hotel group indicated 'we never got to where we wanted to get, which is just to repeal it. But we feel like the fact that they weren't going to stone anyone, they weren't going to whip anyone, they weren't going to kill anyone, that felt like a win. We know it still happens in Saudi Arabia and other places'. Expressing concern about the advocacy of other companies owned by countries that enforce anti-LGBT+ law...this individual said, 'I wasn't sure these companies should be calling us out. I considered it pink-washing. I met one that came after us the hardest, and he didn't realise their company was part owned by Qatar. I asked why they chose us, why not go after Saudi? They said that Brunei was 'an easy target', [which] allowed our people to be bullied, attacked, and given death threats just because you thought we were an easier target than the worst'.

This situation was complex and suggests that those who organised the boycott lacked understanding of the foundations for LGBT+ rights advocacy, for LGBT+ inclusion within an organisation, or an ethical grounding in human rights work. Furthermore, the hotel group was frustrated that advocates did not consider how hard they had worked to implement the 'embassy model' through their D&I framework. The respondent said 'I thought that was a missed opportunity. Just because we have this ownership structure it doesn't stop us from treating our employees well. What I was really proud of throughout this whole boycott [was that] we did not lose any employees. I think that alone speaks to the culture we created, that they did feel safe and respected. They knew that we were not going to start implementing anti-LGBT+ law in our hotels. We are the first to say we don't like the law'. Arguably, the Sultanate's insights into the benefits of LGBT+ inclusion within their business may have influenced their decision to keep the moratorium in place, which demonstrates the importance of corporate values for LGBT+ inclusion being asserted proactively rather than reactively.

Reflecting on what companies can do in situations when things are worsening, a diplomat advised to 'shift your language to non-discrimination: regardless of any grounds we do not discriminate, we do not tolerate violence'. They suggested that the remarks should not be

too specific if there is a risk that LGBT+ people will face more persecution. Another respondent urged companies to remain steady and continue to stress that human rights are universal, underscoring that every country that is a UN member state should adhere to the Universal Declaration of Human Rights. In crisis moments, corporations should put more emphasis on keeping lines of communication open with the diplomatic corps, local LGBT+ civil society and other human rights organisations, and they should identify ways to contribute support to help affected communities survive moments of crisis. Once it is safe enough and affected communities can regroup, corporates should reflect on lessons learned, options for revised approaches, and decisions on next steps, which might include staying quiet for the time being. Corporate advocates at the local level should communicate to HQ and the wider networks, keeping them informed of support that is needed and advising about actions that will not be helpful in a complex context.

Dangers Emerging for LGBT+ Europeans

In Hungary and Poland, the personal safety and human rights of LGBT+ people, as well as many others, are deteriorating and political conditions are raising alarm among LGBT+ civil society organizations, human rights monitoring groups, and the European Union. These developments should be monitored by LGBT+ inclusive corporations operating in these two countries.

Poland's most recent crackdown has come over a decade-long rise in activist demands for LGBT+ rights that was accompanied by a tandem escalation of state-sanctioned homophobia tacitly supported by the Catholic Church. The political environment for this backlash had grown volatile, sparked initially by Warsaw's mayor signing the Declaration for Warsaw, an inclusive 10-point plan for overcoming discrimination and promoting equality. When the Warsaw mayor later ran for Poland's presidency on a

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pro-LGBT+ platform, the ruling Law and Justice Party (PiS) intensified its anti-LGBT+ rhetoric, ensuring that LGBT+ rights became a battleground in the 2019 parliamentary elections. In the run up to the 2020 presidential election, the PiS candidate and Poland's president signed a "Family Charter," which opposes same-sex marriage and adoption rights as well as comprehensive sexuality education in schools. Most recently, Poland has declared "LGBT-free zones", causing the EU Commission to cancel grants for economic support in six Polish towns that had joined the anti-LGBT+ movement.

Hungary's hardline nationalist Prime Minister Viktor Orban, who faces an election in 2022, has grown increasingly regressive on social policy, railing against LGBT+ people and immigrants and deeply dividing the country. His Fidesz party promotes a Christian-conservative agenda, which has been denounced as discriminatory by human rights groups. Hungary's parliament recently passed legislation that bans the dissemination in schools of content urging inclusiveness of homosexuality and explaining gender change. Human rights groups and opposition parties have been vocally critical of these policies, saying it wrongly conflates pedophilia with LGBT+ human rights. The parliamentary vote triggered a mass rally in opposition, while several rights groups have called for withdrawal of the bill. To initiate the conversion of corporate advocacy, Workplace Pride organised a conference in May of 2021 in Budapest that brought together corporate, civil society and diplomatic parties.

EU Response

Amid demonstrations by activists and LGBT+ civil society organizations calling for protection of human rights in Hungary and Poland, the European Parliament has declared that the whole of the European Union is an "LGBTIQ Freedom Zone" (Lesbian Gay, Bisexual, Transgender, Intersex and Queer), passing a resolution stating that "LGBTIQ persons everywhere in the EU should enjoy the freedom to live and publicly show their sexual orientation and gender identity without fear of intolerance, discrimination or persecution"[xxiii]. The resolution said that discrimination not only needed to be addressed in Poland, adding that "authorities at all levels of governance across the EU should protect and promote equality and the fundamental rights of all, including LGBTIQ persons"[xxiv]. The resolution was supported by 492 members of the European Parliament (MEP), while another 141 voted against it and 46 abstained.

European Commission President Ursula von der Leyen also backed the resolution. "Being yourself is not an ideology. It's your identity," she tweeted. "No one can ever take it away. The EU is your home. The EU is a #LGBTIQFreedomZone."[xxv] Last year, von der Leyen said that Poland's "LGBT-free zones" had "no place in our union" and vowed to push all EU member states to recognise adoptions by same-sex couples[xxvi].

Corporate Response

Corporations have been watching with interest how this high-stakes political game will play out while simultaneously preparing for potential fallout by informing themselves as much as possible. In May of 2021, Workplace Pride organised an online conference in Budapest with the embassies of the Netherlands, Sweden and the United States as well as several multinational corporations and Hungarian business and civil society groups to explore the dynamic currently in the country. Participants concluded that workplaces where any individual cannot be themselves, including LGBT+ and including in Hungary, are less attractive for the individual as well as for the company investing in a local workforce and economy.

Conclusion: Raising the Bar on Corporate LGBT+ Advocacy

Evidence of corporations moving into advocacy has had a demonstrated impact on improving the social norms that respect the human rights of LGBT+ people. One of the diplomats interviewed for this white paper argued that *"from 2015 to now, the single most significant driver of progress was the business community".*

Recognising that some corporations are on a journey, moving from the 'embassy model' into public action shows that capacity can be built, and new pathways and partnerships can be explored. Other corporations that have a mature government relations function are already looking at how to advance their advocacy for LGBT+ human rights.

A respondent from a company that is taking advocacy to the next level communicated several factors that reinforce their approach:

- One increasingly important dynamic is the employee experience; employees feel engaged and proud to be part of a company that is consistent in its advocacy stance.

- Another is the customer response, i.e., customers are interested in what companies are doing around sustainability and human rights topics. This respondent claimed that 'advocacy is the new advertising,' wherein the 'total brand' is empowered by new messages and new ways of communicating.

- Social media, backed up by balanced and aligned communications, should not be ignored. It allows a brand to 'reach anyone anywhere in the world beyond country, regional, and geopolitics. D&I issues are global concerns, and companies that are organised globally need to be more structured, balanced, aligned, and prepared to communicate about advocacy'.

The COVID-19 pandemic is also influencing the next level of corporate advocacy for social issues including LGBT+ inclusion. Public health measures have led most businesses to shift workers from physical workplaces into work from home. In many sectors, businesses have had to re-strategise operations. Some have reflected on how to enhance employee well-being, considering more deeply their social impact. LGBT+ advocacy may have been re-energised, reinforced, or refocused by intersectional concerns, such as those expressed through Black Lives Matter, #MeToo and other social movements and social media campaigns. One respondent shared that the government affairs capacity initially developed in their corporation to respond to U.S. LGBT+ human rights has been utilised on other national concerns such as Black Lives Matter, undocumented workers, concern for Asian Pacific Americans and the fight against suppression of voting rights. All this was 'because of the lessons we've learned, the strategies we've developed, and the formulas we now are deploying for each of the different constituencies'.

Corporations advocating in multiple regions can identify ways to network differently, exploring how to influence regional intergovernmental bodies and regional trading blocks. Another way to leverage impact at the global level is to tie advocacy efforts to the achievement of SDGs, particularly targets that advance inclusion of LGBT+ people. Relationships developed between corporations -

getting out of silos - must be pursued as social impact cannot rely on the efforts of a sole advocate nor should it be associated with the values of one brand. Corporate advocates should consider multiplier effects and how various ad hoc or structured coalitions, such as Workplace Pride, could maximise advocacy impact.

While the lessons learned in the research for this white paper mainly focus on positive actions, there are some boundaries that respondents underscored about what corporates should not do. One respondent urged corporations to be strategic, undertaking appropriate levels of advocacy at the appropriate time, saying that if an action is premature or '…it is too much, then you can get backfire.'

Another indicator for decision making in corporate advocacy is whether a public action is tied up with a company's own short-term gain. One respondent urged that a company 'shouldn't be diluting their brand in the name of profit'. Although corporate advocates are encouraged to utilise all available evidence, including the economic information and data about violations of LGBT+ people's human rights, a respondent urged 'don't let the perfect be the enemy of the good. Don't dismiss progress because people are persuaded by the economic case rather than human rights arguments'.

Through taking a journey into implementation of advocacy, companies can and should continue to promote human rights by demonstrating how inclusion of LGBT+ people benefits their employees and positively impacts the societies where they operate while maintaining efficiency and profitability.
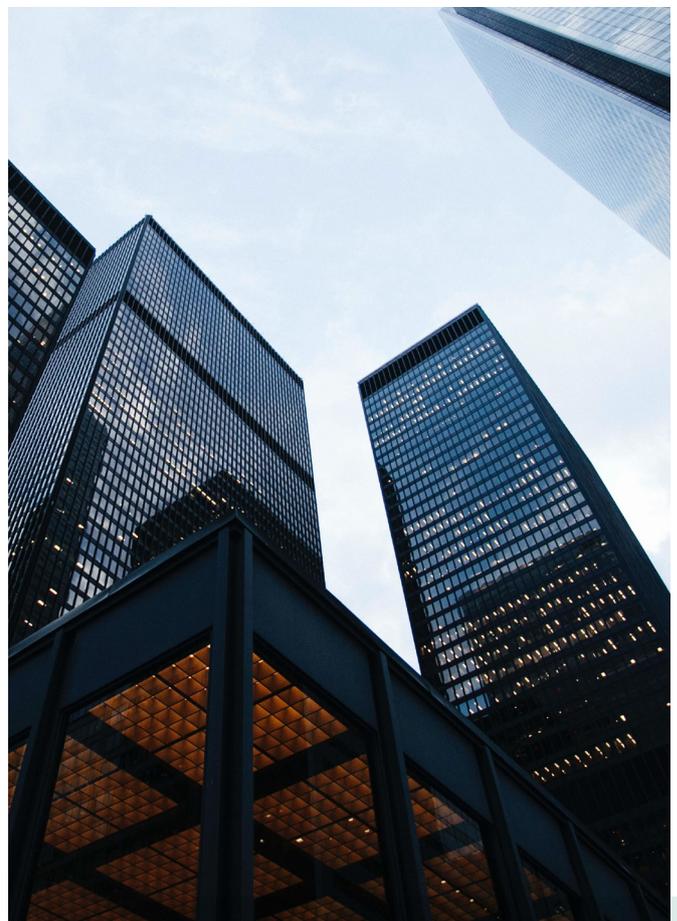
Annex 1:
Discussion Guide

Can you share an example of corporate advocacy that your company has taken to advance LGBT+ rights?

What are some of the good practices in your company to ensure a positive social impact on LGBT+ diversity and inclusion?

Can you describe the structures and processes that have supported these actions?

Does your company have an example of supporting LGBT+ employees in settings where there is criminalisation of LGBT+ people?

What have been the strategies when the situation is not changing or is getting worse?

In these efforts who has the company collaborated with, who are the key stakeholders?

Does your company consult with LGBT+ human rights defenders in the country before corporate advocacy is undertaken and/or during government relations around the rights concerns?

What would you suggest companies can do, what are they obliged to do and what is the good thing to do to advance LGBT+ rights?

Are there particular boundaries that should not be crossed?

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Corporate Advocacy for LGBT+ Rights:

A call to action

Visit workplacepride.org
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Through taking a journey into implementation of advocacy, companies can and should continue to promote human rights by demonstrating how inclusion of LGBT+ people benefits their employees and positively impacts the societies where they operate while maintaining efficiency and profitability.

Workplace Pride

THE INTERNATIONAL PLATFORM FOR LGBTIQ+ INCLUSION AT WORK

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