

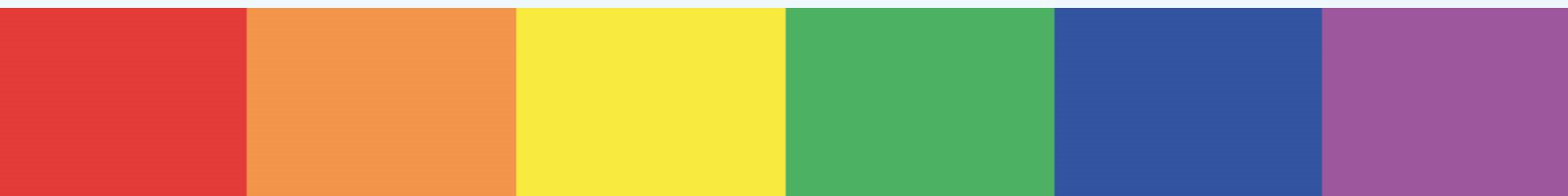


**ACCOUNTABILITY
INTERNATIONAL**

holding leaders accountable



#EQUALITYCHALLENGE GUIDELINES



FORD
FOUNDATION



INTRODUCTION

As part of our work with advertisers, Accountability International developed the #EqualityChallenge Guidelines. But the #EqualityChallenge is NOT just for advertisers!

We should all be on the right side of justice and work and live in ways that matters and that helps, rather than hurts.

We all know that how we work, create, educate our children, treat our friends, and talk to others has an impact on society. Our daily behaviour determines whether lesbian, gay, bisexual transgender, queer and gender non-conforming people (LGBTIQGNC) are included or not. It determines whether LGBT* people get housing, a job, schooling, access to health and even whether we are beaten up.

We all need to play a role in shaping how society functions, how people treat others, and we all need to break down stigma and promote equality.

We need first to change the way we think about LGBT people, and then be inspiring to others as allies to LGBTQGNC people. We cannot be bystanders, the world is changing and we all need to be a part of this shift. And we need to learn so we are not ourselves perpetrators of, discrimination! The world needs creativity, guts and conviction from everyone to ensure all LGBT* people are included always!

The #EqualityChallenge speaks to five guidelines:

GUIDELINE 1: DO NO HARM	GUIDELINE 2: BE REAL	GUIDELINE 3: PUSH LGBT DIVERSITY IN CULTURE & RELIGION	GUIDELINE 4: BUILD YOUR LGBT TEAM	GUIDELINE 5: GET INFORMED & INFORM OTHERS
DO NOT PERPETUATE GENDER & LGBT STEREOTYPES	WE LIVE IN A DIVERSE WORLD – SHOW IT!	REDEFINE WHAT IT MEANS TO BE AFRICAN/SOUTH AFRICAN & WHAT IT MEANS TO BE RELIGIOUS/ SPIRITUAL	PROMOTE INCLUSION & DIVERSITY WITHIN & WITHOUT	STUDY, EDUCATE & ADVOCATE

The #EqualityChallenge was developed a framework to help advertisers, marketers, businesses and SOGIE (sexual orientation and gender identity and expression) activists work together to make equality, dignity, freedom and security a reality for the millions of LGBT people in Africa. But it works for everybody not just advertisers.

Together, we can create new understandings of society that include everyone, that will help the African Charter on Human and Peoples’ Rights and the Universal Declaration of Human Rights be more than hopeful words, and that can spread the values of inclusion and human rights for all, enshrined in these legal instruments, to societies throughout Africa.

We can all play a role in improving outcomes for individuals, businesses and society by being equality allies, and by considering the effect our behavior has on the LGBT community. Countering stigma and regularly showing support for LGBT people in non-discriminatory ways will reduce violence and improve the safety, health and social inclusion of the LGBT community.

THE #EQUALITYCHALLENGE PLEDGE FOR EQUALITY

I, hereby express my commitment to the African Charter on Human and Peoples' Rights, also known as "The Banjul Charter", which has been ratified by 54 of 55 African Union member states. Articles 2-5 of the Banjul Charter assign fundamentally the right to equality, dignity, life, freedom and security to all people living in Africa. In accordance with this commitment, I recognize these rights as inviolable rights that must be protected.

I, also acknowledge that while the United Nations' Declaration of Human Rights, and the Banjul Charter and other international legal documents clearly assign these rights, they are far from a reality for many in Africa, particularly the LGBT community, which faces rampant discrimination and stigma daily, and ultimately experiences increased rates of violence, hate crime, rape and brutality, as well as government oppression and incarceration in some parts.

I recognize that to eradicate stigma, I need to work to change the way people think and perceive each other and society. Therefore, in order to promote equality, reduce discrimination and violence, and break down harmful social norms, I agree to work in solidarity with LGBT* activists and organizations to promote and support equality, diversity, and an environment that supports the human rights and inclusion of LGBT people.

Wanting to promote equality, dignity, freedom and security for all Africans, I hereby endorse the #EqualityChallenge guidelines and will seek to implement them in my home, workplace, place of workshop and sports field. I agree to be guided by the principles of equality, inclusion and non-discrimination, central to these guidelines, in all I do and I hereby pledge my solidarity as an ally in the struggle for LGBT equality.



GUIDELINE 1: DO NO HARM

DO NOT PERPETUATE GENDER & LGBT STEREOTYPES

We should all reject harmful stereotypes that promote or support discrimination, gender-based violence and undermines the human rights of the LGBT community or individuals.

This means carefully considering how we think about gender roles and avoiding stereotypical representations of LGBT people in the way we behave. For instance, behaving as if gay men are all extremely effeminate or lesbian women are extremely masculine reinforces harmful and narrow-minded stereotypes.

We should not reinforce assumptions that limit how people see themselves and others. We should carefully consider how harmful ideas of masculinity and femininity play out in our lives and at work, on the sports field and in places of worship. We should work to turn this on its head.

GUIDELINE 2: BE REAL!

WE LIVE IN A DIVERSE WORLD – SHOW IT!

We live in societies that are biased towards heteronormativity, a gender binary, and cis-genderism. This means, respectively, that most societies suggest that “the norm” is having a heterosexual orientation (being attracted to people of the opposite sex), identifying within a “binary” as either and only male or female, and that one’s gender should match the sex assigned to a person at birth (“cis-gendered”). Such ideas are inaccurate and harmful – they do not match the realities of sexuality or of gender diverse people’s lived experiences. Instead, they perpetuate stigma against those who are not heterosexual, cis-gendered or do not fit into or accept a gender binary. These norms exclude people, impinge on human rights and expose people to violence and discrimination. Such social “norms” try to force people into boxes that limit them, that do not work in real lives, and that ultimately cause hurt.

Fortunately, we are seeing the beginning of a trend in law that binary gender designations are being deemed discriminatory and are becoming illegal in certain countries, and we are seeing a slow shift in how people think about sex and gender, as well as an expansion of LGBT rights and recognition. However, we still have a far way to go to achieve real equality.

We should all work to include the great diversity of LGBT* people and question the limited notions of society and self that lead to intolerance and give rise to homophobia, lesbophobia, transphobia, stigma, violence, bullying and hate crimes.

We should be equality pioneers, breaking down and discarding the exclusionary and limiting boxes, not reinforcing them: We should be remembering that, like others, LGBT people are often members of multiple marginalized groups (e.g. race groups, disabled, HIV+, rural, poor etc.), so we need to show our support and include them in our spaces. This will actively break down homo/les and trans phobias, and ultimately help reduce violence.

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DO NOT PERPETUATE GENDER & LGBT STEREOTYPES	WE LIVE IN A DIVERSE WORLD – SHOW IT!	REDEFINE WHAT IT MEANS TO BE AFRICAN/SOUTH AFRICAN & WHAT IT MEANS TO BE RELIGIOUS/ SPIRITUAL	PROMOTE INCLUSION & DIVERSITY WITHIN & WITHOUT	STUDY, EDUCATE & ADVOCATE

GUIDELINE 3: PUSH LGBT DIVERSITY IN CULTURE & RELIGION

Recognizing that discriminatory ideas are often fanned by cultural and religious/faith leaders and teachings, we must all work to break down and attack harmful ideas of masculinity, faith, sexuality, and gender identity and expression that lead to discrimination, and particularly to rape and violence.

a) REDEFINE WHAT IT MEANS TO BE AFRICAN/SOUTH AFRICAN

It is vital that we all proactively condemn cultural ideas that perpetuate homo/les and trans phobic rape and violence. Here we need to take on and challenge these ideas in the public space so as to stop hate crimes.

Many traditional leaders are proposing diversity-positive ideas of Africanism and humanity, that promote inclusion, positive individualism, compassion, kindness, education, law and understanding of human rights.

b) REDEFINE WHAT IT MEANS TO BE RELIGIOUS/SPIRITUAL

Increasingly faith-based institutions and leaders are understanding that being LGBT is acceptable. The various religious texts all have verses that argue for the inclusion of LGBT* people and argue for love and not hate. LGBT people want to be a part of these same faith-based institutions and have the right to congregate with their god and their fellows.

GUIDELINE 4: BUILD YOUR LGBT TEAM

PROMOTE INCLUSION & DIVERSITY WITHIN & WITHOUT

All employers and workers must promote inclusion and diversity in the workplace. We can train and educate staff on the #EqualityChallenge guidelines and the need for LGBT-inclusive workplaces. We should consider the value of LGBT diversity in our staff components as we hire and can even implement proactive LGBT hiring policies (whereby we actively seek out and hire talented LGBT people) and strengthen our non-discrimination in the workplace policies (and implementation thereof) to ensure the security, wellbeing and retention of LGBT staff. Diversity in teams is also valuable from a purely creative perspective.

GUIDELINE 5: GET INFORMED & INFORM OTHERS

STUDY, EDUCATE & ADVOCATE

We must all educate ourselves, our peers, our families, friends and the public. We should be aware of current events with regards to LGBT rights and challenges, and also stay abreast of current and new laws and international guidelines regarding LGBT/gender-stereotyping in advertising. We need to hold ourselves accountable and consider how we can promote a culture of solidarity. We should work to educate the public in order to promote LGBT equality and security, and to advocate for the rights and protection of LGBT people.

LEGAL BACKGROUND AND CONTEXT

LGBT rights are laid out in many national, regional and international laws, resolutions and codes which speak to equality, non-discrimination, dignity, non-violence and protection of the law.

UNITED NATIONS

DECLARATION OF HUMAN RIGHTS

The United Nations' (UN) Declaration of Human Rights (adopted by the UN General Assembly in 1948) sets out fundamental human rights to be universally protected, including the following, and promotes the teaching thereof to expand the understanding of, respect for and realization of these human rights:

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 12

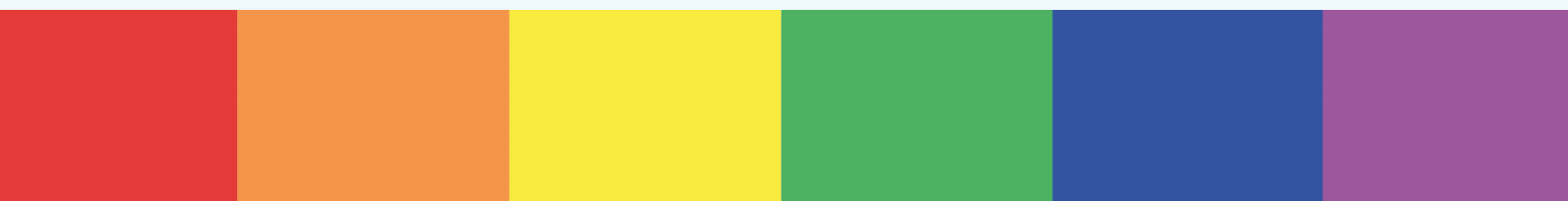
No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 16

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.



HUMAN RIGHTS COUNCIL RESOLUTION 32/2

In 2016, the United Nations Human Rights Council (HRC) adopted **Resolution 32/2 on “protection against violence and discrimination based on sexual orientation and gender identity.”** In it, the HRC reaffirmed the rights to freedom, equality and dignity as laid out in the Universal Declaration of Human Rights, strongly deplored acts of violence and discrimination based on sexual orientation and gender identity, and appointed an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity for three years.

AFRICAN UNION

THE AFRICAN CHARTER ON HUMAN AND PEOPLES’ RIGHTS

The African Charter on Human and Peoples’ Rights (“Banjul Charter” or “African Charter”) which came into effect in 1986 on October 21 (“African Human Rights Day”) has been ratified by all except South Sudan of the fifty-five member states of the African Union. It is an international human rights instrument that is intended to promote and protect human rights and basic freedoms on the African continent.

Oversight and interpretation of the Charter is the task of the African Commission on Human and Peoples’ Rights (ACHPR/ “African Commission”). Articles 2-5 and 19 particularly speak to equality and non-discrimination:

Article 2

Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

Article 3

1. Every individual shall be equal before the law.
2. Every individual shall be entitled to equal protection of the law.

Article 4

Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.

Article 5

Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.

Article 19

All peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another.

AFRICAN COMMISSION ON HUMAN & PEOPLES' RIGHTS

SOGI RESOLUTION 275

In 2014, the African Commission on Human and Peoples' Rights (ACHPR/"African Commission") adopted the landmark Sexual Orientation and Gender Identity (SOGI) Resolution 275 on "Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity" at the 55th Ordinary Session held in Luanda, Angola, from 28 April to 12 May 2014.

This is currently the most powerful pan-African LGBT commitment to date. It states that the ACHPR:

Recalling that Article 2 of the African Charter on Human and Peoples' Rights (the African Charter) prohibits discrimination of the individual on the basis of distinctions of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or any status;

Further recalling that Article 3 of the African Charter entitles every individual to equal protection of the law;

Noting that Articles 4 and 5 of the African Charter entitle every individual to respect of their life and the integrity of their person, and prohibit torture and other cruel, inhuman and degrading treatment or punishment;

Alarmed that acts of violence, discrimination and other human rights violations continue to be committed on individuals in many parts of Africa because of their actual or imputed sexual orientation or gender identity;

Noting that such violence includes 'corrective' rape, physical assaults, torture, murder, arbitrary arrests, detentions, extra-judicial killings and executions, forced disappearances, extortion and blackmail;

Further alarmed at the incidence of violence and human rights violations and abuses by State and non-State actors targeting human rights defenders and civil society organisations working on issues of sexual orientation or gender identity in Africa;

Deeply disturbed by the failure of law enforcement agencies to diligently investigate and prosecute perpetrators of violence and other human rights violations targeting persons on the basis of their imputed or real sexual orientation or gender identity;

1. **Condemns** the increasing incidence of violence and other human rights violations, including murder, rape, assault, arbitrary imprisonment and other forms of persecution of persons on the basis of their imputed or real sexual orientation or gender identity;
2. **Specifically condemns** the situation of systematic attacks by State and non-state actors against persons on the basis of their imputed or real sexual orientation or gender identity;
3. **Calls on** State Parties to ensure that human rights defenders work in an enabling environment that is free of stigma, reprisals or criminal prosecution as a result of their human rights protection activities, including the rights of sexual minorities; and
4. **Strongly urges** States to end all acts of violence and abuse, whether committed by State or non-state actors, including by enacting and effectively applying appropriate laws prohibiting and punishing all forms of violence including those targeting persons on the basis of their imputed or real sexual orientation or gender identities, ensuring proper investigation and diligent prosecution of perpetrators, and establishing judicial procedures responsive to the needs of victims.

GLOSSARY

Androgynous

A term used to describe an individual whose gender expression and/or identity may be neither distinctly “female” nor “male,” usually based on appearance.

Biological Sex

Is defined by primary and secondary sex characteristics identified at birth. ‘Sex’ refers to the biological and physiological characteristics that define men and women.

Cisgender / Cismen / Ciswomen

People whose gender identity matches their sex at birth. This has a more positive connotation than ‘normal’ or ‘non-trans diverse’.

Gender

Refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for men and women. To put it in another way – male and female are sex categories, while masculine and feminine are gender categories.

Gender Diversity

The range of different gender expressions that spans across the historically imposed male-female binary. Referring to “gender diversity” is generally preferred to “gender variance” as “variance” implies an investment in a norm from which some individuals deviate, thereby reinforcing a pathologizing treatment of differences among individuals.

Gender Expression

How one demonstrates and showcases their gender of identity through the ways of dress, behaviour, carry ourselves and interact socially.

Gender Identity

Refers to an individual’s innate sense of being male or female, man or woman, both or neither. It usually, but not always, matches the gender expected of the person’s sex assigned at birth. However, in the case of trans diverse people, their innate gender identity often does not match the expected gender of the sex assigned to them at birth.

Gender Non-Conforming (GNC)

Refers to a gender identity and expression by an individual which does not match typical masculine or feminine gender norms.

Gender and Sex

The term ‘sex’ refers to biologically determined differences, whereas ‘gender’ refers to differences in social roles and relations. Gender roles are learned through socialization and vary widely within and between cultures. Gender roles are also affected by age, class, race, ethnicity, and religion, as well as by geographical, economic, and political environments.

Hate Crime and Violence Against LGBT People

Any incident, which may or may not constitute a criminal offence, perceived as being motivated by prejudice and

hate. The perpetrators seek to demean and dehumanize the targeted person or group, whom they consider different from themselves based on their actual or perceived race, ethnicity, gender, age, sexual orientation or identity, disability, health status, nationality, social origin, religious convictions, culture, language or other characteristics.

Intersex

A term referring to a variety of conditions (genetic, physiological or anatomical) in which a person’s sexual and/or reproductive features and organs do not conform to dominant and typical definitions of “female” or “male”. Such diversity in sex characteristics is also referred to as biological “variance”, a term which risks reinforcing pathologizing treatment of differences among individuals.

LGBT/LGBTIQGNC

We use the short and well-known “LGBT” to refer to Lesbian, Gay, Bisexual, Trans, Intersex, Queer and Gender Non-Conforming people (LGBTIQGNC). LG and B in this context are sexual orientations, while the “T” is a gender identity and “I” is a biological variant. They are clustered together in one abbreviation due to similarities in experiences of marginalization, exclusion and discrimination in a heteronormative and heterosexist society, in an effort to ensure equality before the law and equal protection by the law. It is important to recognize that LGBT persons are not a homogenous group and that their issues, experiences and needs may differ significantly in several respects.

Sexual Diversity/Sexually Diverse People

A catch-all term used by some to include lesbian, gay, bisexual, trans diverse, intersex and gender non-conforming persons, as well as people who are asexual (not interested in having sex at all) or pansexual (attracted to all genders). The term usefully blurs the lines between the various groups and speaks to the fluidity of sexuality and gender.

Sexual Orientation

A person’s lasting emotional, romantic, sexual or affectional attraction to others (heterosexual, homosexual, pansexual, bisexual or asexual).

Trans

Trans is an umbrella term that includes all the various identities within the transgender spectrum: transgender, agender, transsexual, gender fluid, cross-dressing, drag kings and queens, third gender, genderqueer, non-binary, genderfuck, genderless, non-gendered, two-spirited, bigender, and transman and transwoman.

Transitioning

A person who is transitioning is in the process of seeking or undergoing some form of medical or surgical treatment to bring their body (sex characteristics) and gender identity into closer alignment. Not all trans diverse people wish to or undergo sex/gender reassignment procedures.

Transphobia

This term refers to the fear of, rejection of, or aversion to anybody on the basis of them being or perceived to be trans diverse. These phobias are often expressed as stigmatizing attitudes or discriminatory behaviour.

ABOUT ACCOUNTABILITY INTERNATIONAL

Vision

Accountability International's vision is a world where there is accountability for the lives, human rights and wellbeing of all persons, across all spheres of society.

Mission

As a watchdog ourselves, our mission is to amplify the diverse voices of marginalised communities, by ensuring that the voices of the community lead all our work. We collaborate with marginalized communities to actively exercise their role as watchdog and hold various leaders accountable. We do this by enabling increased transparency, promoting dialogue and supporting action as catalysts for increased accountability.

In 2015, Accountability International launched the Destabilising Heteronormativity project which aims to improve access to health and other human rights for people in Africa who are LGBTIQGNC (Lesbian, Gay, Bisexual, Trans, Intersex, Queer or Gender Non-Conforming (LGBTIQGNC) and all other forms of sexual orientation and gender identity and expression (SOGIE) that exist.

IN ORDER TO DO THIS, THERE NEEDS TO BE A CHANGE IN "NORMS".

Many people think that being straight and only either male or female is how the world operates, that it is the only way to be. It is not like that for a lot of people. We need to change what people consider the "norm". First, we must disrupt the status quo. Only then, can we shift people away from a two-gender (male and female) binary rut and a heterosexual cliché and into an understanding that includes everyone.

IN OUR AREA OF WORK, WE CALL THAT DESTABILISING HETERONORMATIVE AND BINARY GENDER THINKING.

The Advertisers Activists Collective (AAC) was launched in early 2016 as a means to reach out specifically to the advertising industry in Africa and for activists and advertisers to collaborate to promote LGBT equality and LGBT-positive advertising.

NO MORE STEREOTYPING: THE POWER OF THE INDIVIDUAL TO CHANGE NORMS.

Not only advertisers but all of us have the power to change norms and either reinforce or reverse stigma and discrimination. We must all stop to perpetuate harmful stereotypes and start to include LGBT* people in our homes, workplaces, places of worship and on the sports fields!

NOT SUPPORTING EQUALITY IS NO LONGER AN OPTION.

GET IN TOUCH

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