

GUIDANCE FOR ACTION

Channels of Influence

How Companies Can Promote LGBT+ Inclusive Societies



Open
For
Business

A message from the sponsor of this report



Karl Von Rohr,

President, Management Board Member, Deutsche Bank AG

At Deutsche Bank, we know that LGBT+ inclusion is essential to creating a competitive and dynamic company. Taking an inclusive approach to all perspectives and identities allows us to become more meritocratic, attract and retain top talent, and make better business decisions. We see this play out across our company every day and research shows LGBT+ inclusive companies perform better across a range of indicators.

We are also a global company, active in over 65 countries. Our global reach means that we do business in countries where LGBT+ inclusion is challenging and where LGBT+ people face discrimination every day. Evidence from Open For Business's previous reports shows that LGBT+ discrimination impedes business and economic development. Our company and employees perform better in societies that are open and inclusive, and our dedication to LGBT+ inclusion is truly global.

While we recognize there is more work to do across businesses, institutions and communities, we are steadfast in our commitment to having a positive impact. We are proud of our track record protecting LGBT+ rights. We consistently support the LGBT+ community around the world, and we were an early adopter of the UN Standards of Conduct. We are also furthering our commitment by joining global initiatives, such as Open For Business and the Partnership for Global LGBTI Equality in partnership with the World Economic Forum.

This report is an important resource for companies considering how they can use their influence to support LGBT+ inclusion in the societies they operate. We are proud to partner with Open For Business and sponsor this report, and we hope it spurs collective business action all over the world

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About Open For Business

Open For Business is a coalition of global companies making the case that inclusive, diverse societies are better for business and better for economic growth. The purpose of the coalition is to advance LGBT+ inclusion globally, by promoting the economic and business case for equality of opportunity for everyone, all across the world.

Open For Business coalition partners share a deep-rooted commitment to diversity and inclusion in their own workplaces, and they are concerned about the spread of anti-LGBT+ policies in many countries in which they operate. In order to promote open and inclusive societies where business can flourish, the coalition presents the data that demonstrates inclusion is better for business and better for economic growth.



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About this Report

What is the purpose of this report?

This report provides a clear framework for companies seeking to act in the public sphere to promote LGBT+ inclusion in the countries where they operate.

Previous Open For Business reports have focused on **why** companies should promote LGBT+ inclusion in the countries where they operate; this report focuses on **how**.

Who is this report for?

For companies considering how to act in the public sphere, this report will outline ways to take action that are impactful and also appropriate for them.

For civil society organisations seeking to work with businesses, this report will identify opportunities to unlock effective business advocacy.

For individuals working in companies that aren't yet acting in the public sphere, this report will provide practical guidance on how to move to action.

Also, for any individuals working in anti-LGBT+ environments, this report provides some advice on how they can find support and become part of a movement for change.

What is its methodology?

Open For Business created this report with the UN Free & Equal campaign. It builds upon the work done by the UN Office of the High Commissioner for Human Rights in partnership with the Institute for Human Rights and Business in developing the *Standards of Conduct for Business* to tackle discrimination against LGBT+ people.

In particular, this report is based upon the following inputs:

- A best practice analysis contributed by the Open For Business coalition partners – companies recognised for their leadership in acting in the public sphere to promote LGBT+ inclusion.
- Lessons learnt from corporates acting in the public sphere on other issues, including women's rights and climate change, focusing on how companies can best evaluate the

channels of influence available to them in any given country.

- A series of 49 interviews were used to hone the framework presented in this report, spanning business, civil society, and government agencies, and including leading LGBT+ activists from around the world.

Who are the authors?

The Open For Business team undertook the final analysis and writing of the report, led by **Drew Keller** in Washington DC, alongside **Yvonne Muthoni** in Nairobi, Kenya and **CJ Lin** in Washington DC. Contributing authors include **Logan Smith**, **Master's Candidate at Georgetown University**, and **Ann-Kathrin Richter** and **Ruairidh Macintosh** of the Brunswick Group.

Jon Miller is the Founder and Executive Editor of Open For Business.

Companies supporting Open For Business contributed their perspectives and experience advocating for the business case for LGBT+ inclusion around the world.

The Open For Business Research Advisory Board

The work of Open For Business is supported by a Research Advisory Board, which provides ongoing guidance and feedback, and helps to ensure the economic case for LGBT+ inclusion is comprehensive and up to date.

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Forewords



Jon Miller,

Founder, Open For Business and Partner, Brunswick Group

Since Open For Business launched in 2015, we have seen a real strengthening in support for LGBT+ rights from leading global companies. We now have 27 partners in our coalition, all committed to taking action where it counts – not just talking but doing something about it.

Addressing such a contentious subject can be politically risky. Understandably, companies may be hesitant to take action on-the-ground in criminalising countries. But now Open For Business has been active in ten countries and counting, working with our coalition partners – and our programmes are starting to gain real traction.

We've already learnt a great deal on this journey.

We've learnt, for example, about what it takes to work on LGBT+ inclusion in countries that are hostile to LGBT+ rights: as well as commitment and courage, it takes trusted local insight and intelligence. Companies must have a clear strategy, developed and delivered alongside local civil society partners. This report presents a framework for developing such a strategy.

We've also learnt that many companies want to do more. Their commitment to LGBT+ inclusion is deep rooted, and they don't want to be accused of "pinkwashing" if they don't follow through in difficult countries. Increasingly, companies are asking what more they can be doing to support LGBT+ communities, wherever they operate. This report points to some answers, drawing upon our own experience, and learning from advocacy in other fields such as gender equality.

Most of all, we've learnt that the private sector can have significant impact on LGBT+ rights. The depth of the economic and business case presented by Open For Business has reframed LGBT+ inclusion as an economic issue. It is encouraging to hear that Open For Business data has been used to support advances in LGBT+ rights – in Uganda, in Hong Kong, and in India. But we have only scratched the surface. There is so much to do – and hopefully this report can begin to unlock new possibilities for creating change.



Andrew Gilmour,

Assistant Secretary-General for Human Rights, Office of the United Nations High Commissioner for Human Rights

In spite of great progress in some countries, equality remains elusive for lesbian, gay, bi, trans and intersex (LGBTI) people in many parts of the world today. Millions of people continue to live with the threat and daily fear of arrest, harassment or physical violence simply because of their sexual orientation or gender identity.

Increasingly, companies are working to promote diversity and inclusion at work, including for LGBTI employees. Many are also looking to play a larger role in supporting LGBTI communities in the countries where they do business. None of this is easy in countries where the authorities, the law and public opinion are hostile towards LGBTI people.

As a result, many global companies headquartered in countries where LGBTI equality is advanced may take a much softer stance on championing the cause - if at all - when operating abroad compared to at home. Others have found their voice in relatively supportive environments but stay silent in contexts where the human rights of LGBTI people are being seriously challenged.

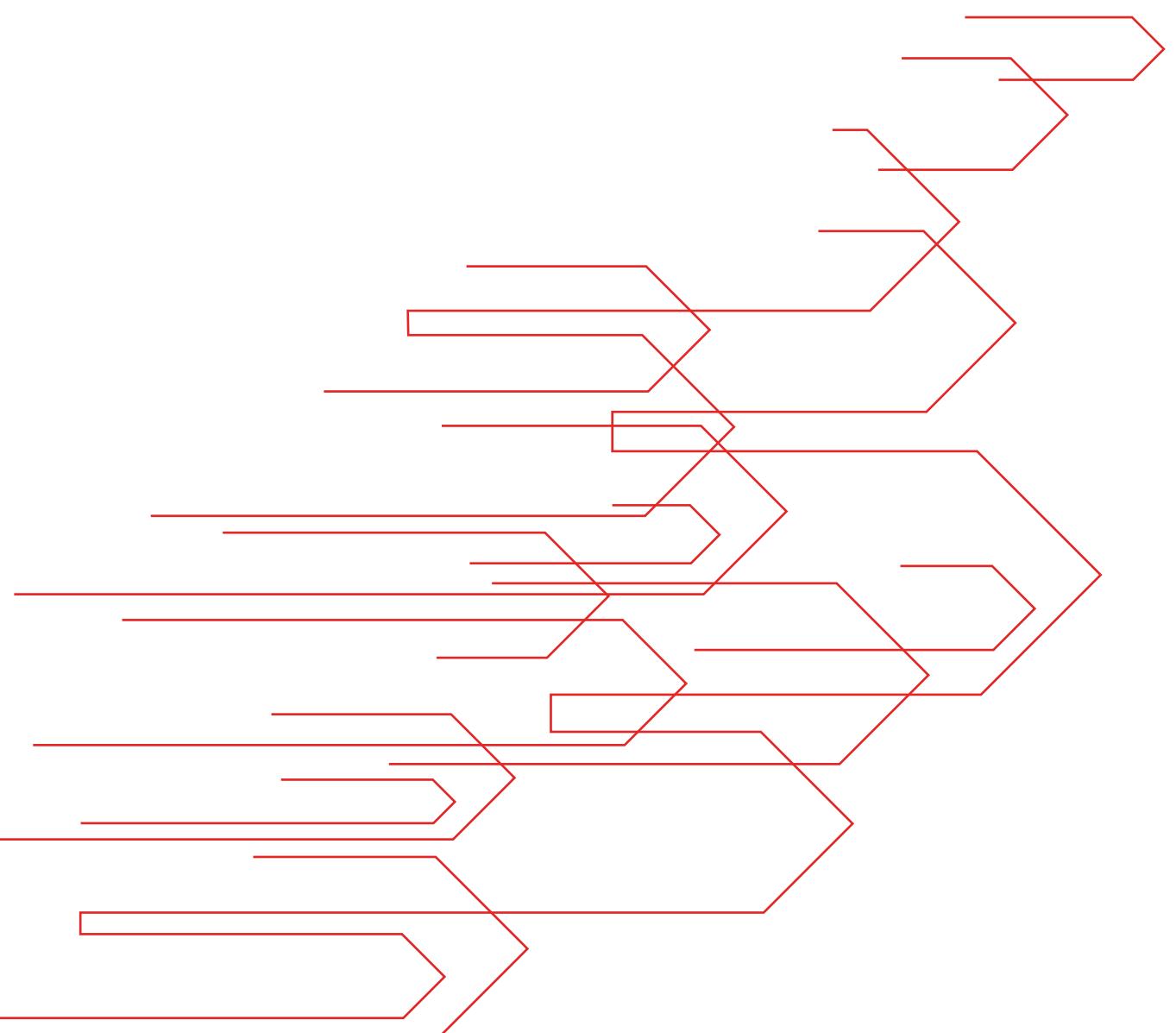
Many in the international business community are keenly aware of the challenge of "walking the talk" on LGBTI issues and are conscious of the need to reduce the tension between global values and local actions. With this in mind, in 2017 the United Nations Human Rights Office published a set of global standards for businesses looking to contribute to greater equality for LGBTI people by tackling discrimination in the workplace and beyond.

This Open For Business report focuses on perhaps the most challenging aspect of the UN standards: how best to promote the human rights of LGBTI people in countries where companies do business – and avoid inadvertently fuelling backlash against local LGBTI communities in the process.

Michelle Bachelet, the United Nations High Commissioner for Human Rights, has reiterated the view that businesses are our "best allies" in tackling some of the world's most pressing challenges. Businesses of all shapes and sizes, all over the world, can be our best allies in promoting the human rights of LGBTI people. A framework for doing so is set out in these pages.

PART I

Acting in the Public Sphere on LGBT+ Inclusion



Acting in the Public Sphere on LGBT+ Inclusion

This report provides a clear framework for companies seeking to act in the public sphere to promote LGBT+ inclusion in the countries where they operate.

In 2017 the United Nations published the *Standards of Conduct for Business* (from here onwards referred to as the 'UN Standards of Conduct')¹ to provide a clear framework for companies to review and develop policies and practices aimed at respecting and promoting the rights of LGBT+ people. To date, more than 230 companies have signed up to the Standards of Conduct – a strong expression of the breadth of support in the business world for LGBT+ inclusion.

For Standards 1 to 4, there is a well-established and accessible body of experience and best-practice: in recent years, many companies have been working to curb discrimination and promote inclusion in their workplaces,

and a growing number of civil society organisations and commercial consultancies offer practical support in developing and implementing policies to foster workplace equality.

However, on Standard 5, acting in the public sphere, there is far less support available. This report intends to address this, providing a clear framework for companies seeking to promote LGBT+ inclusion in the countries where they operate. It aims to expand the possibilities corporates consider when planning external engagement on LGBT+ issues and will hopefully result in more effective corporate advocacy for the rights of LGBT+ people.

Standards of Conduct for Business



1. RESPECT HUMAN RIGHTS

All businesses have a responsibility to respect human rights — including the rights of LGBT+ people — in their operations and business relationships. Businesses are expected to develop policies, exercise due diligence and, in cases where their decisions or activities have adversely affected the enjoyment of human rights, remediate such impacts.

2. ELIMINATE DISCRIMINATION

Employees and other people with whom the business engages are entitled to freedom from discrimination. Businesses should ensure that there is no discrimination in their recruitment, employment, working conditions, benefits, respect for privacy, or treatment of harassment.

3. PROVIDE SUPPORT

LGBT+ individuals are employees, managers, business owners, customers, and community members, among others, and yet many face formidable obstacles to workplace acceptance and inclusion. Businesses are expected to provide a positive, affirmative environment within their organisation so that LGBT+ employees can work with dignity and without stigma.

4. PREVENT OTHER HUMAN RIGHTS VIOLATIONS

Businesses should ensure that they do not discriminate against LGBT+ suppliers or distributors, or against LGBT+ customers in accessing the company's products and/or services. In their business relationships, businesses should also ensure that business partners do not discriminate.

5. ACT IN THE PUBLIC SPHERE

Businesses are encouraged to use their leverage to contribute to stopping human rights abuses in the countries in which they operate. In doing so, they should consult closely with local communities and organisations to identify what constructive approaches businesses can take in contexts where legal frameworks and existing practices violate the human rights of LGBT+ people.

Rationale for acting in the public sphere

Antagonism towards LGBT+ communities continues to increase in many parts of the world. LGBT+ people are suffering discrimination at the hands of politicians and lawmakers, and many are at risk of harassment and even violence. It has been described as a “backlash”² against the clear long-term arc towards global recognition of the rights of LGBT+ people. These anti-LGBT+ actions happen all over the world:

In **Turkey** the fourth annual pride parade in Istanbul was officially banned. When LGBT+ community members ignored the order and marched, police fired tear gas and rubber bullets into the crowd. Eleven were arrested.³

In **Malaysia**, two women were publicly caned in front of more than 100 people after being arrested after being caught attempting to have sex.⁴

In **Indonesia**, there have been many instances of a fresh anti-LGBT+ crackdown. The city of Pariaman passed a law to fine gay and transgender people for “immoral” behaviour.⁵ Two men were recently arrested for being suspected of running a Facebook page for gay men.⁶ And, most egregiously, two men were publicly caned for being gay.⁷

In **Egypt**, following a strong crackdown on the LGBT+ community after dozens of people were arrested for waving a rainbow flag at a concert⁸, a TV presenter was sentenced to a year in prison for interviewing a gay sex worker.⁹

In **Nigeria**, 57 men were arrested for allegedly participating in a gay “club” in a hotel in Lagos.¹⁰

In **Tanzania**, ten men were arrested for conducting a suspected same-sex marriage ceremony in Zanzibar.¹¹ In Dar es Salaam, announced the creation of a “surveillance squad” dedicated to hunting down gay people.¹²

In **Chechnya**, over 40 people were rounded up in a fresh wave of mass arrests and detentions of gay people.¹³

And in **Brazil**, President Jair Bolsonaro has removed the LGBT+ community from the government’s official human rights body and said he would prefer a “dead son to a gay son”.¹⁴

This is a concern for the business community. There is now a broad acceptance of the economic and business case for LGBT+ inclusion, which has been established in prior Open For Business reports. Many business leaders recognise that anti-LGBT+ sentiment runs counter to the interests of business and of economic development. Consequently, many companies are seeking to understand how they can more proactively support LGBT+ inclusion around the world, including in countries where LGBT+ rights are challenged.

The Economic and Business Case for LGBT+ Inclusion

LGBT+ inclusion is associated with better business performance, and LGBT+ inclusive societies have stronger economic prospects. This has long been the conviction of many leading companies, and it is now been supported by a substantial – and growing – evidence base. In its previous reports, Open For Business has analysed the available data and distilled it into a widely adopted framework (see below).

A. ECONOMIC PERFORMANCE

Stronger growth and higher levels of entrepreneurialism

Proposition 1: Competitiveness

LGBT+ inclusive economies are more competitive.

Proposition 2: Entrepreneurship

LGBT+ inclusion results in higher levels of entrepreneurship, creativity and innovation.

Proposition 3: Corruption

LGBT+ discrimination often goes hand-in-hand with corrupt practices and a lack of openness.

Proposition 4: Direct Investment

LGBT+ inclusion is associated with higher levels of direct investment.

Proposition 5: Global Markets

LGBT+ discrimination may inhibit local companies from connecting to global markets.

Proposition 6: Brain Drain

LGBT+ discrimination results in a “brain drain” – the emigration of talented and skilled individuals.

Proposition 7: Public Health

LGBT+ discrimination leads to negative economic consequences as a result of poor health outcomes.

Proposition 8: National Reputation

LGBT+ discrimination impacts perceptions on a world stage, which drive tourism, talent attraction and export markets for consumer goods.

Proposition 9: National Productivity

LGBT+ discrimination leads to lower levels of national productivity.

Proposition 10: Urban Economic Growth

LGBT+ inclusion signals a diverse and creative environment, which creates the right conditions for urban economic growth.

Proposition 11: National Economic Growth

LGBT+ inclusive economies have higher levels of growth in Gross Domestic Product.

B. BUSINESS PERFORMANCE

Superior performance, innovation and profitability

Proposition 12: Attracting Talent

Companies that are more diverse and inclusive are better able to compete for talented employees.

Proposition 13: Retaining Talent

Companies that are more diverse and inclusive have higher rates of retention of talented employees.

Proposition 14: Innovation

Companies that are more diverse and inclusive have higher levels of innovation and creativity.

Proposition 15: Collaboration

Companies that are more diverse and inclusive create an atmosphere of trust and communication, which is essential for effective teamwork.

Proposition 16: Customer Orientation

Companies that are more diverse and inclusive are better able to anticipate the needs of all customers, and to access a broader client base.

Proposition 17: LGBT+ Consumers

Companies that are LGBT+ inclusive are better placed to benefit from the large, growing, global spending power of LGBT+ consumers.

Proposition 18: Brand Strength

Companies that are more diverse and inclusive have greater brand appeal and loyalty with consumers who want socially responsible brands.

Proposition 19: Financial Performance

Companies that are LGBT+ inclusive have better share price performance, higher return on equity, higher market valuations and stronger cash flows.

C. INDIVIDUAL PERFORMANCE

Greater employee productivity and contribution

Proposition 20: Authenticity

Individuals working in open, diverse, inclusive environments are able to be themselves, instead of concealing important aspects of themselves.

Proposition 21: Motivation

Individuals working in open, diverse, inclusive environments have higher levels of motivation.

Proposition 22: Affinity

Individuals working in open, diverse, inclusive environments have greater affinity with the values and culture of the workplace.

Proposition 23: Satisfaction

Individuals working in open, diverse, inclusive environments have higher levels of job satisfaction.

Proposition 24: Health

Individuals working in open, diverse, inclusive environments are free from discrimination – a cause of poor mental health and physical violence.

Proposition 25: Speaking Up

Individuals working in open, diverse, inclusive environments are more likely to speak up with suggestions to improve performance.

Proposition 26: The Extra Mile

Individuals working in open, diverse, inclusive environments are more likely to go beyond their duties and make a contribution to the life and culture of the company.

Proposition 27: Individual Productivity

Individuals working in open, diverse, inclusive environments have greater productivity – more efficient work with higher quality outputs.

The risk of "pinkwashing"

"Pinkwashing" – opportunistically supporting the LGBT+ community for pure commercial gain – is a term that has entered the lexicon in recent years. Companies that promote themselves as LGBT+ inclusive – for example, by signing the UN Standards of Conduct – are at risk of being accused of pinkwashing if they do not back up this positioning with substantial action in support of the LGBT+ community.

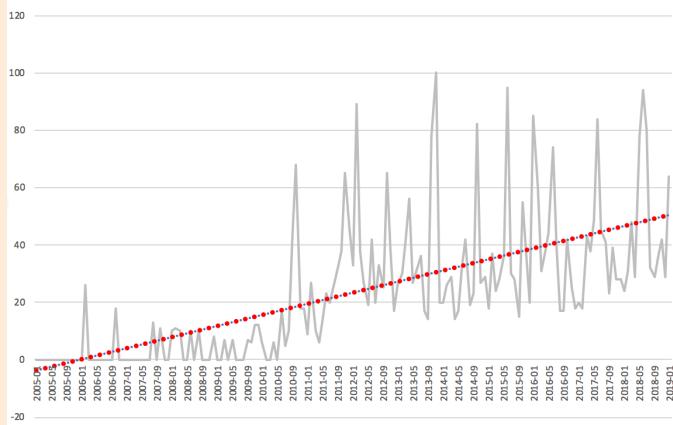
Civil society groups, employees and consumers are all putting increasing pressure on companies to ensure they are authentically supporting LGBT+ inclusion. For these constituencies, the real test isn't how a company behaves in LGBT+ friendly countries, but whether it follows through in countries where LGBT+ rights are challenged. For example, a company that sponsors Pride or issues a rainbow-coloured version of their logo in a country that is LGBT+ inclusive risks being accused of pinkwashing if, at the same time, they remain silent on abuses of LGBT+ rights in other countries where they operate.

Growing concern about pinkwashing has led to increased scrutiny by consumers. For example, there have been demonstrations at Pride parades

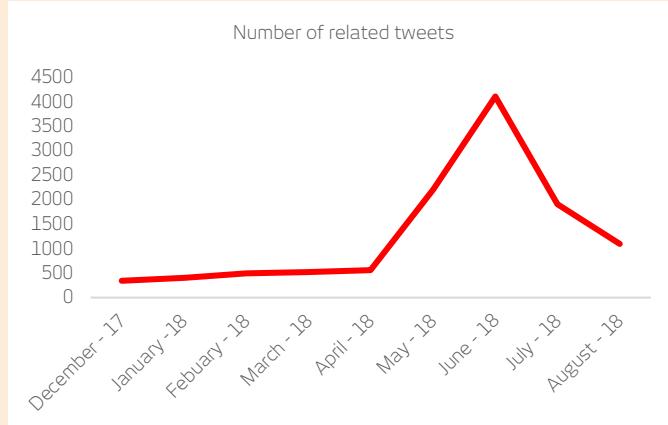
around the world^{15,16} by activists who perceive corporate participation as inauthentic. Additionally, companies that support LGBT+ inclusion, but have large supply chains in discriminatory countries, have been the focus of media reports and consumer campaigns in recent years¹⁷.

This creates an urgency for companies to take concrete action to show that they are authentic in their support of the LGBT+ community and seek to apply this support consistently around the world. This report will help companies identify appropriate actions to take that will be commercially and socially responsible. And it will help companies think through how to show they are serious about LGBT+ inclusion even in more difficult environments.

Increasing concern about pinkwashing



According to data from Google Trends, web searches for the term "pinkwashing" have increased steadily over recent years, indicating a growing concern that LGBT+ issues are being co-opted. The regular "spikes" in this data reflect increased interest during the annual Pride season.



Analysis of Twitter data using the terms "pink washing" or "pinkwashing" or #pinkwashing between August 2017 and January 2019 shows a clear spike around June, which is the annual Pride season in many countries.

Policy objectives of acting in the public sphere

Open For Business exists to promote LGBT+ inclusion in societies where LGBT+ rights are challenged. This is in line with the UN Standards of Conduct, which encourage businesses to “use their leverage to contribute to stopping human rights abuses in the countries in which they operate.”¹⁸ These are broad objectives. What, specifically, are the policy objectives of acting in the public sphere? If businesses are to become advocates, what exactly are they advocating for?

Businesses are by nature outcome oriented and may ask “what does success look like?”. Without a clear answer to this question, it may be difficult to motivate action by a business. How will the company know when their actions have been successful, and society has become more LGBT+ inclusive?

There is no universal answer to this question, since the specific policy objectives of LGBT+ advocacy vary according to the local situation, and are determined by a mix of political, legal and cultural factors, as well as the strategic priorities of civil society organisations representing local LGBT+ communities.

Organisations such as Open For Business are in dialogue with local civil society organisations, and may help a company frame policy objectives for acting in the public sphere on a specific issue. In practice, when corporates use their influence to support LGBT+ inclusion, the advocacy messaging tends to be on one of three levels:

| | Positive frame | Negative frame |
|-----------------|--|--|
| General | e.g., “Openness, inclusion and diversity are good for business and for economic progress” | e.g., “Discrimination is against the interests of business and is bad for economic progress” |
| LGBT+ inclusion | e.g., “LGBT+ inclusive societies are better for business and better for economic progress” | e.g., “Discrimination against LGBT+ people is against the interests of business and economic progress” |
| Specific | e.g., encouragement and support for policies and legislation that promote LGBT+ inclusion | e.g., expression of concern for policies and legislation that enable discrimination against LGBT+ people |

Determining the appropriate level of advocacy, and the subject of any specific policy objective, will require careful consideration. Companies can:

- 1) use this report to identify the channels of influence that are appropriate given their corporate assets,
- 2) reach out to civil society organisations (either directly or via Open For Business) to understand the state of LGBT+ inclusion and the community’s priorities, and
- 3) identify actions that overlap between the company’s available channels of influence and the community priorities.

This is a process that should continue over time and can be enhanced by establishing an ongoing dialogue with civil society and other companies.

Principles for acting in the public sphere

The following principles are recommended for companies acting in the public sphere on LGBT+ inclusion:

1. **Do no harm.** This is a guiding mantra of organisations that are concerned with human rights and social issues and requires an open and ongoing dialogue with civil society organisations representing the communities that will be impacted by the actions.
2. **Nothing about us without us.** Any advocacy undertaken on behalf of LGBT+ communities should respect the self-determination of those communities and should ensure the full and direct participation of those representing them.
3. **Never assume.** The context of LGBT+ inclusion can be complex and easily misunderstood by those outside of the community. Civil society organisations are deeply embedded in local contexts and can help accurately identify what aims business can strive for.
4. **Locally led, globally supported.** Actions in support of LGBT+ inclusion should be led by local senior executives of a company, with support from the global leadership and a clear worldwide commitment to LGBT+ inclusion.
5. **The long view.** Prioritise creating sustainable mechanisms for continued dialogue across stakeholders on LGBT+ inclusion, rather than specific near-term outcomes. In other words, don't "win the battle and lose the war".

The call for acting in the public sphere

"If companies move together as a coalition and build a real relationship with local actors to learn the local context and better understand what is feasible, they can reach positive changes in a short amount of time."

Melinda Miklós,
WeAreOpen, Hungary

"Companies have a huge opportunity to advance LGBT+ inclusion in Lebanon. Activists welcome companies reaching out to start a dialogue; we can help them understand what is possible and what is not."

Georges Aziz,
Arab Foundation for Freedoms, Lebanon

"It seems like international companies want to help advance LGBT+ inclusion; they just need a guide for how to responsibly act."

Azza Sultan,
Mesahat Foundation, Egypt

"It is a security challenge for activists in Egypt and Sudan to reach out to businesses, as we don't know who to trust. Outreach from the private sector and ongoing dialogue would help dispel that security concern."

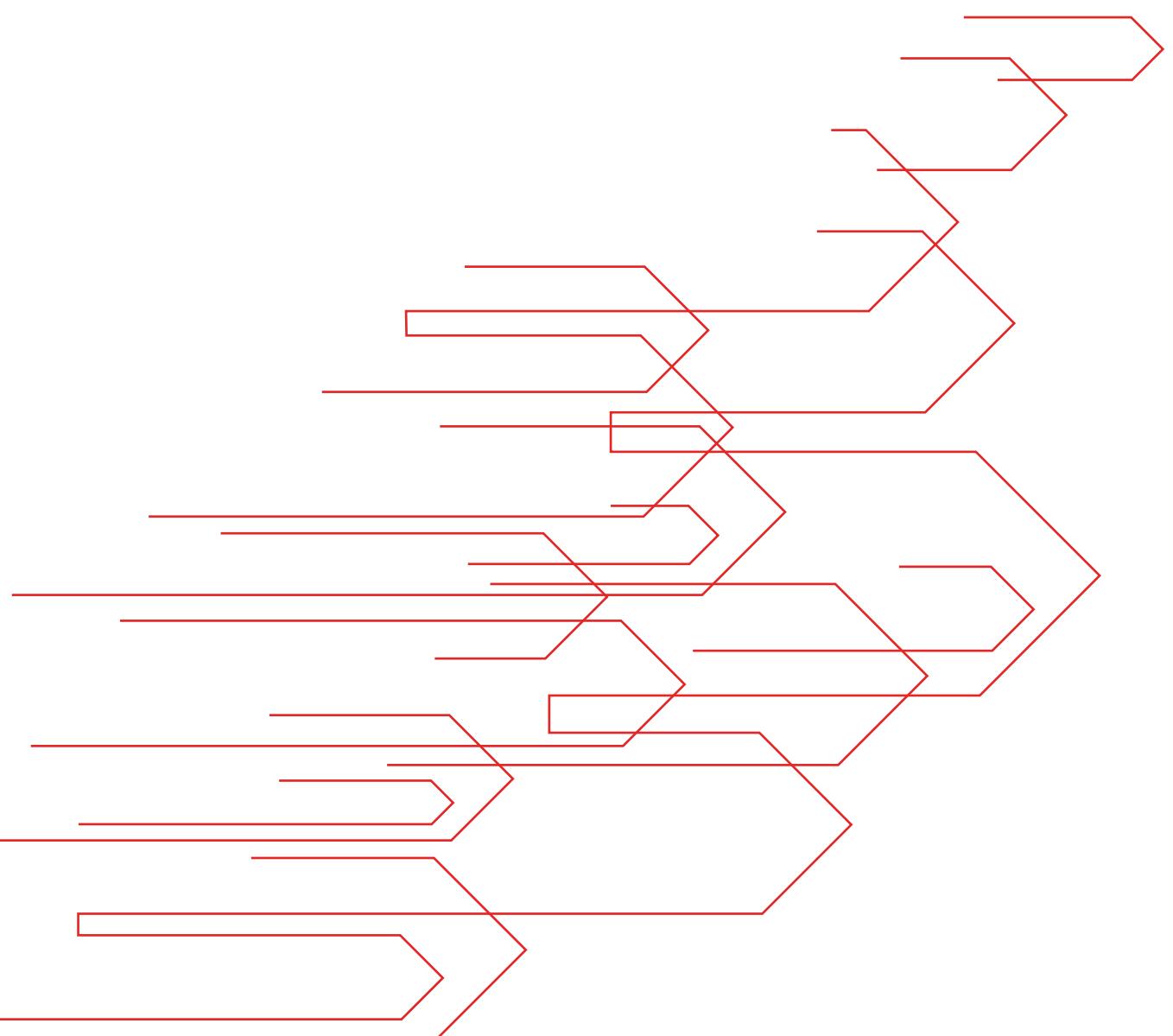
Noor Sultan,
Bedaya, Egypt/Sudan

"Civil society has the information but lacks the power. Companies have the power but lack the deep knowledge to effectively act in support of LGBT+ inclusion. Activists in Nigeria welcome an open dialogue with businesses."

Keenarh Mohammed,
The Initiative for Equal Rights, Nigeria

PART II

The Channels of Influence



The Framework: Channels of Influence

Acting in the public sphere doesn't necessarily mean *acting in public*; in many contexts, the best way to promote LGBT+ inclusion isn't to make public statements or fly the rainbow colours. Sometimes a quieter approach can be more powerful. Companies have a range of options for how they may act in the public sphere.

There are many potential channels available to any business through which it can exert influence to support LGBT+ rights in the countries in which it operates – including suppliers, distributors, industry bodies, investors, and many others. Many other movements, from gender equality to workers' rights, have made use of

these levers. However, to date there has not been a well-established understanding of what it truly means to act in the public sphere on LGBT+ inclusion, and the principles for doing so.

In this section we propose a framework of the channels through which companies can use their leverage. It is essential that businesses consult closely with local communities and organisations before taking any action, particularly in countries where LGBT+ rights are challenged. Many global companies are used to a Western model of advocacy: signing public statements, marching in Pride parades, and other visible actions. These can be

highly effective in certain situations but can be detrimental to both LGBT+ communities and companies themselves in more sensitive markets.

This report broadens the range of options and strategies that companies can employ to act in the public sphere in a variety of countries. The 'Channels of Influence' are summarised in the framework below. We then identify how companies can take action across these Channels, drawing on examples of companies taking action on LGBT+ inclusion, and also, more broadly, learning from how companies use their leverage on other social and environmental issues.



Value Chain Channel

The Value Chain Channel includes a company's supply chain and distribution networks, as well as the end-buyers of its products and services – customers, clients and consumers.



Financial Channel

The Financial Channel includes banking partners that provide financing lending and services (such as payroll), as well as investors (asset owners and managers) and direct investment.



Public Policy Channel

The Public Policy Channel includes relationships with public officials, governments, politicians and policymakers, as well as relevant industry regulators and national human rights institutions.



Civil Society Channel

The Civil Society Channel includes the civil society groups and NGOs that a company interacts with, the various communities that surround the business, and the media.



Industry Channel

The Industry Channel includes any professional bodies or industry associations that a company or its employees may participate in, as well as Chambers of Commerce and Trade Unions.



Value Chain Channel

The Value Chain Channel includes a company's supply chain and distribution networks, as well as the end-buyers of its products and services – customers, clients and consumers.

Companies can emphasize the importance of LGBT+ inclusion throughout their value chains – and create advocates globally.

Companies have thousands of touchpoints with suppliers, distributors and others in their value chain around the world, many of which are based in countries where LGBT+ discrimination is common. Often, these business partners do not focus on LGBT+ inclusion in the workplace, even though mounting evidence shows that it is good for business performance. This presents a real opportunity for companies to engage partners throughout the value chain to advance LGBT+ inclusion in difficult environments.

There are a multitude of different relationships and business arrangements global companies have throughout their value chains. This Channel identifies the most common relationships and provides strategies for how companies can factor LGBT+ inclusion into those relationships.

This section will focus on key actors in the Value Chain Channel:

- (i) Suppliers and Distributors
- (ii) Joint Venture Partners
- (iii) Franchisees
- (iv) Consumers



Value Chain Channel

Best practices for action

- 1 Convene a Working Group to draft a clear supplier engagement policy that states the company only does business with partners that do not discriminate against LGBT+ people.
- 2 Integrate the policy into all supplier contracts. Communicate this policy to suppliers and distributors in a way that is respectful of local context, typically in the form of a letter from the CEO.
- 3 Engage current suppliers and distributors, opening a dialogue about what they are doing to protect LGBT+ employees. Start with those where there is the most leverage.
- 4 Establish audit mechanisms to certify that suppliers and distributors are implementing their policies. This can be done either by training in-house auditors or by working with a professional auditing firm
- 5 Support suppliers and distributors that may be struggling to implement non-discrimination measures, providing them with best practices and tactical steps.
- 6 Enforce non-compliance with the policy by withdrawing business if a supplier or a distributor is found to not be implementing non-discrimination measures despite support.

(i) Suppliers and Distributors

Companies can enforce a clear policy to ensure that all suppliers and distributors combat discrimination based on sexual orientation and gender identity. They can also engage in dialogue about the benefits of focusing on inclusion and diversity.

Leading consumer companies make strides in protecting women in their supply chains

Companies that represent some of the world's largest supply chains are focusing on specific initiatives aimed at advancing gender equality in their suppliers and distributors. Two of the largest examples come from Walmart and Inditex.

Walmart launched its Women's Economic Empowerment (WEE) initiative in 2014, aimed at supporting women throughout its massive global supply chain.¹⁹ The WEE has three main goals. First, it aims to source \$20 billion from women-owned businesses. Second, it supports training for low-income women in the US and in emerging markets. And lastly, the initiative requires major suppliers (defined as having over \$1 billion of sales through Walmart) to report on the gender make-up of the teams that service Walmart. The company sees the strong shared value in this approach. The Senior Director of the initiative said, "In the long run, [women] benefit the world, but they also benefit our business. It's the right thing to do, but it's also the smart thing to do."²⁰

Inditex, which works with more than 1,800 suppliers and 7,200 factories in 50 countries, has a global strategy for empowering women in the supply chain. They focus on the themes of health, protection and empowerment. One manifestation of these themes is the Sowbhagyan project in Tamil Nadu, India. Inditex found that girls from rural areas had to work for years with no pay as a contribution to their dowry. To combat this practice and ensure women in its factories are paid fairly, Inditex teamed up with global and local NGOs to raise awareness about this practice, to establish grievance channels, and to establish groups of young people to inform them of their rights. In 2017, more than 11,000 people benefited from the project.²¹

While these initiatives focus specifically on gender, it shows that specific initiatives benefiting marginalised groups in the supply chain are possible and create impact. The mechanisms employed in this case could be adapted to address similar issues facing the LGBT+ community.

How can this help LGBT+ communities?

Often local or regional companies either do not prioritise LGBT+ inclusion in the workplace or actively discriminate against LGBT+ people. These companies tend to hire large numbers of local people, including LGBT+ people, and they have strong political and social influence in their home country. Starting a conversation on LGBT+ inclusion with them can create workplaces where LGBT+ people can work free from discrimination and can turn these companies into powerful allies for LGBT+ inclusion in society.



Value Chain Channel

(ii) Joint Venture Partners and Franchisees

Companies can use their relationships and leverage with joint venture partners and franchisees to encourage these partners to become LGBT+ inclusive.

Best practices for action

- 1 For potential new joint venture partners, diversity and inclusion can be incorporated into the criteria for risk assessment and due diligence.
- 2 Incorporate LGBT+ non-discrimination terms into new joint venture partnership agreements.
- 3 For existing joint venture partners, begin discussing the importance of LGBT+ inclusion and consider incorporating non-discrimination policies into the agreement when it is renewed
- 4 Require franchisees to have in place a Code of Conduct that explicitly prohibits discrimination based on sexual orientation or gender identity, alongside evidence that this Code is enforced.
- 5 When sharing the brand through a brand licensing agreement, creating an LGBT+ inclusive workplace can be made a condition of licensing. A review process can be put in place to ensure that the standards of the agreement are being met.
- 6 Create buy-in by inviting local leaders/partners to co-create LGBT+ inclusive policies.

Leverage licensing agreements to advance LGBT+ inclusion

Companies are increasingly entering into a wide range of agreements with other firms, from joint venture to franchises to brand licensing. In fact, the number of joint venture deals globally rose 4% p.a. from 2006 to 2017.²² The deals and relationships are accompanied by agreements that define the terms of the relationship, including fees, training, quality control and other policies that must be honoured. Including LGBT+ non-discrimination policies in these agreements is an effective way to advance LGBT+ inclusion and diminish risk for the company entering into the agreement.

One example is **Marriott's** international Marriott Affiliate Program, which partners with companies to market Marriott hotels to their consumers.²³ Each participant in this programme must sign an Affiliate Operating Agreement with Marriott, which lays out the terms and conditions of the relationship. One of the stipulations of the agreement is that partners can not discriminate against LGBT+ people, or feature or promote any material that discriminates against the LGBT+ community on their website.²⁴

How can this help LGBT+ communities?

Working with local joint venture partners and franchisees can encourage significant local employers to provide inclusive spaces for LGBT+ people and to champion broader LGBT+ inclusion in society.



Value Chain Channel

Best practices for action

- 1 Feature members of the LGBT+ community in mass marketing campaigns.
- 2 Signal that the company is supportive of the LGBT+ community. Depending on the national context, this can be through overt actions, such as flying a rainbow flag or participating in a Pride march, or through subtle actions, such as displaying on the corporate website that the company has a non-discrimination policy that explicitly includes sexual orientation and gender identity.
- 3 Work with the Chief Marketing Officer and the brand teams to build consensus on the business case for including positive images of LGBT+ people.

(iii) Consumers

Companies can use their brand and marketing to promote positive images of LGBT+ people, which have the potential of reaching mainstream audiences and changing social attitudes.

Hindustan Unilever's transgender inclusive ads in India

Increasingly, leading brands around the world are including LGBT+ people in their ads – sometimes even in countries where the LGBT+ equality still has a long way to go. An example is Hindustan Unilever (HUL) in India. Brooke Bond Red Label, a popular tea brand owned by HUL, created an ad campaign that featured a transgender musical act.²⁵ The campaign was a huge hit across India and globally, and it even won an award at the Cannes Lions festival in 2016.²⁶

Featuring transgender people in an ad was not guaranteed to be a success, as the transgender community in India faces discrimination and steep barriers to full social acceptance. HUL's General Manager for Tea in India said, "Was I apprehensive? Of course. India is a traditional society and Brooke Bond Red Label is a traditional brand. It was a risk, but we decided to take the risk one song at a time."²⁷

In the end, the ad was positive for HUL and for the LGBT+ community in India. It built the Brooke Bond Red Label brand and increased sales for the company.²⁸ The Humsafar Trust, a leading LGBT+ NGO in India, said that the positive portrayal of LGBT+ in advertising "is a very important step towards acceptance."²⁹

How can this help LGBT+ communities?

There are many examples of LGBT+ people being positively portrayed in advertisements in unwelcoming environments. These positive images reach society at large and can encourage people to view the LGBT+ community in a different light to dispel pervasive myths about them. Companies should consult local civil society to understand how to portray LGBT+ people in the proper way.

Examples of LGBT+ inclusive brand communications from around the world

In **China**, e-commerce company Alibaba sent a strong signal that it backs LGBT+ inclusion when it ran a competition to send 10 same-sex couples from China to get married in California. Same-sex marriage is not legal in China, and a spokesperson for Alibaba said the contest "hopes to evoke respect and understanding of homosexuality and support the realisation of dreams ... It's more of a symbolic kind of gesture."³⁰



'AMOY KITA' video ad by TBWA for Bench (2018)

Bench, a **Philippine** retail brand, had a viral ad which featured a gay main character.³¹



'Mutato' video ad, produced by JWT for Avon (2018)

Transgender women are the focus of this Avon ad campaign in **Brazil**.³²



Facebook @HSBCHK #HSBCPride (2018)

HSBC painted their iconic lions rainbow outside of their **Hong Kong** headquarters.³³



Baidu app ad

A lesbian couple is featured in an ad for Baidu, the **Chinese** search engine giant.³⁴



Financial Channel

The Financial Channel includes banking partners that provide financing lending and services (such as payroll), as well as investors (asset owners and managers) and direct investment.

Companies can use their financial and investment leverage to make clear that LGBT+ inclusion is a priority for their business.

Financial leverage has been a powerful channel of influence for a company to emphasize their commitment to a certain issue, from gender equality to good governance over extractives. The world's largest institutional investors have begun prioritising gender equality and other indicators in their investments, which in turn makes companies around the world focus on including women. Companies have traditionally worked with local financial institutions to finance projects – and have required that those institutions adhere to their codes of conduct. And companies have also begun making decisions on where they will expand their operations based on how open and inclusive that city or country is. When used in the right conditions, these actions can have a powerful influence in advancing LGBT+ inclusion.

This section will focus on key actors in the Financial Channel:

- (i) Investors (asset owners and managers)
- (ii) Financial services
- (iii) Direct investment



Financial Channel

Best practices for action

- 1 Companies can engage investors around the business case for inclusion and diversity, educating them on why LGBT+ inclusion can indicate stronger long-term performance, and encouraging them to ask questions of other investee companies about their approach to LGBT+ inclusion.
- 2 Engage with the investor relations department to integrate LGBT+ inclusion into public long-term plans that are reported to investors.
- 3 Discuss the importance of LGBT+ inclusion when engaging with CEOs and investors at forums such as the CEO Investor Forum.

(i) Investors (asset owners and managers)

The investor base of most global companies includes substantial stakes owned by institutional investors – and these investors typically have clients and investments all over the world, including in countries with anti-LGBT+ policies. In the same way that some companies have engaged investors around issues like climate change, water or conflict minerals, so companies can engage them on diversity and inclusion.

Increased focus on long-term value creates opportunities to integrate LGBT+ inclusion into ESG standards

There has been a rising interest in long-term value creation, among both institutional investors and companies. This shifting focus gained global attention when Larry Fink, the CEO of BlackRock, suggested that companies should lay out a “strategic framework for long-term value creation” with a focus on “environmental and social factors facing companies today.”³⁵ This has caused a growing number of companies, such as IBM, BD and Nielsen, to share long-term strategies with their investors.³⁶ These long-term strategies provide the opportunity for companies to help investors understand ESG issues through the eyes of management³⁷ and create “ally investors”.³⁸ This, in turn, provides companies with a platform to discuss their focus on LGBT+ inclusion and why it is better for business performance with their investors and encourage them to factor this into their ESG investing guidelines.

Investor focus on ESG issues has proven to be a powerful tool in advancing diversity and inclusion around the world. Over the past few years, “gender lens investing” has gained significant attention from the investor community. Since 2014, the assets under management in gender lens products has grown from \$100 million to \$2.4 billion. And these products have taken hold in markets from Nigeria to Singapore.³⁹ Companies around the world are beginning to take notice of this trend. A report in *The Economic Times* in India advises Indian companies to “proactively recognise the trend of investors using the so-called ‘gender lens’ to make investment decisions” and focus on how they include women in their operations. This would have an equally powerful effect on how companies around the world grapple with LGBT+ inclusion.

How can this help LGBT+ communities?

Institutional investors may have investments in companies that are headquartered in or have considerable operations in countries with high levels of LGBT+ discrimination. Influencing these investors to prioritise LGBT+ inclusion in their investee companies will lead to those investors working with investees around the world to also focus on LGBT+ inclusion. This creates more open workplaces for LGBT+ people and powerful new advocates for the LGBT+ community.



Financial Channel

(ii) Financial services

Companies must frequently work with local financial service institutions to structure financing, secure loans, operate lines of credit, and to manage cash transactions such as employee payroll. Companies can use this relationship to ensure that the institutions they do business with are LGBT+ inclusive.

Best practices for action

- 1 Encourage financial institutions to endorse globally-recognised principles concerning financial services and human rights, such as The Equator Principles⁴⁰ and The Thun Group of Banks.⁴¹
- 2 Encourage financial institutions to ensure that non-discrimination also extends to customers – including individuals in the LGBT+ community, and LGBT+ civil society groups.
- 3 Engage with financial institutions on including non-discrimination in the lending standards they use to make financing decisions for other groups operating in the country.
- 4 Encourage financial institutions to explore how they may support LGBT+ communities, for example by extending services in the same way they do for some other marginalised communities.

The power of the financial sector in supporting marginalised groups

The high levels of discrimination faced by many LGBT+ people around the world can frequently extend to the financial sector, particularly retail banks and corporate lending operations. Many LGBT+ civil society organisations around the world have a difficult time in opening bank accounts and securing lines of credit, often being explicitly rejected from banks that refuse to lend to LGBT+ people. For example, civil society organisations that Open For Business works with in Kenya have routinely encountered this problem and have only a small number of banks with whom to do business.

However, when banks focus on supporting marginalised groups, they can play a strong role in supporting communities. One key example comes from South Africa, where banks are focused on advancing black economic empowerment (BEE). The banking industry in South Africa has created a framework for supporting black businesses and entrepreneurs, alongside The Banking Association of South Africa. The industry has six strategies to further BEE, including easing access to financial services, eliminating racial discrimination in the workplace, and targeting investments to proactively support black entrepreneurs and business owners.⁴²

While this example is focused on racial equality, the themes can be applied to the LGBT+ community. Companies tend to be large clients of local banks and can use that leverage to discuss the banks lending policies toward the LGBT+ community. In cases where one company does not have adequate leverage to impact a bank's policies, it can reach out to other companies that do business with the bank to approach the institution as a coalition.

How can this help LGBT+ communities?

In the same way that banks have been an important channel of influence for making progress on issues such as resource-use efficiency or human rights in the supply chain, so they may help to create an LGBT+ inclusive business environment. Often, local banks refuse to provide services to organisations that focus on LGBT+ inclusion, a blatant form of discrimination; working with local banks may help to support the operations of local LGBT+ civil society organisations – for example, access to credit.



Financial Channel

(iii) Direct investment

Companies can include LGBT+ inclusion in the consideration factors when looking to invest in a new location and make it clear that open, inclusive environments are essential for it to operate most effectively.

Best practices for action

- 1 When exploring potential new location investments, companies typically work with location advisors and government inward investment departments. At this stage, make it clear that an important criterion is how open and LGBT+ inclusive that city or country is.
- 2 Include measures of openness, diversity and inclusion into the decision-making for a location investment – for example, by using data from the Open For Business City Ratings.⁴³

Organisations use LGBT+ inclusion as a decision factor when expanding operations

The past few years have seen many organisations including LGBT+ inclusion as a factor – sometimes a deciding factor – when making the decisions on where to relocate or expand operations.

Amazon conducted a far-reaching campaign to select a new location for its second headquarters throughout 2018. While the RFP had many parameters, it explicitly asked for potential locations' "compatible cultural and community environment".⁴⁴ Company executives routinely asked about LGBT+ inclusion in the locations that they visited, making it clear that it was an important decision factor in the \$5 billion expansion.⁴⁵ Amazon eventually selected sites in New York City and outside of Washington, DC, two LGBT+ inclusive cities, over locations in states with discriminatory legislation, such as Atlanta, Dallas and Charlotte.

In 2017, the US state of North Carolina passed and signed into law the infamous House Bill 2 (HB2). This bill nullified any local anti-discrimination protections in the state and was specifically meant to target transgender people from using the bathroom corresponding to their gender identity.⁴⁶ The bill faced immediate scrutiny from the business community, which collectively said it could not do business effectively in a discriminatory environment. Many countries scrapped plans to expand operations in the state, including **PayPal**, **CoStar**, **Deutsche Bank**, **Adidas** and **VoxPro**. The CEO of **CoStar** said about the decision, "We couldn't set up operations in a state that was discriminating against LGBT+ people."⁴⁷ Final tallies found that the bill cost North Carolina \$3.76 billion.⁴⁸

Preparing for Brexit, the **European Medicines Agency**, which is currently located in London, requested relocation proposals from any EU member state that wanted to host the agency. Shortly after the request was made, employees at the EMA made it clear that they wanted to relocate to a location that had full protection for LGBT+ rights, especially same-sex marriage.⁴⁹ Many countries in Eastern Europe and the Balkans submitted proposals, with some even trying to obscure the state of LGBT+ rights in their countries. There was immediate pushback from EMA's employees and from NGOs throughout Europe. A group of Bulgarian NGOs even penned an open letter to the EMA outlining the various ways that LGBT+ people are discriminated against in Bulgaria.⁵⁰ The agency eventually chose to relocate to Amsterdam, one of the most LGBT+ friendly cities in Europe.

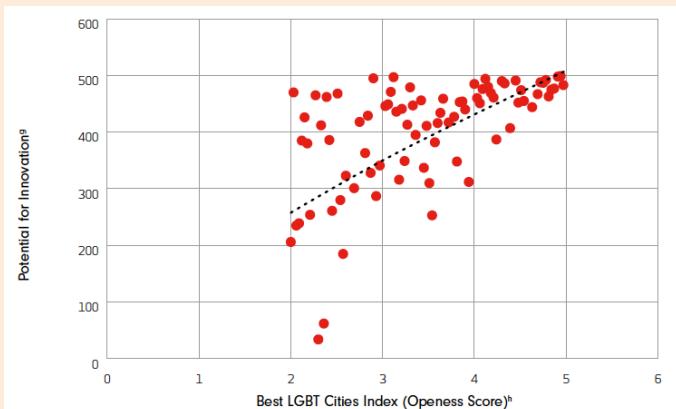
How can this help LGBT+ communities?

The risk of losing investment from global companies because of discrimination against LGBT+ communities is a strong motivation for governments to focus on LGBT+ inclusion. At a national and city level, the need to compete globally for investment from companies looking to expand internationally can motivate efforts to create more progressive and inclusive environments.

The case for investing in LGBT+ inclusive cities

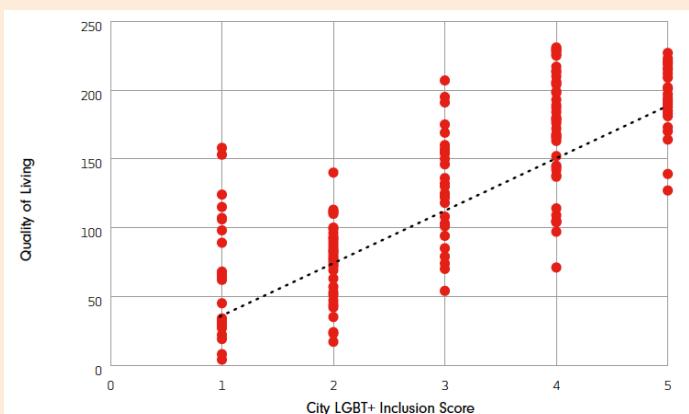
Research in the Open For Business report Strengthening the Economic Case shows that LGBT+ inclusive cities are more economically competitive. There is a strong positive correlation between GDP per capita and LGBT+ inclusion at the city level. This is driven by three factors:

1. **LGBT+ inclusive cities are more innovative.** They have complex innovation ecosystems that include knowledge institutions and large firms. These cities register more patents – a sign of innovation – they appear at the top of the world's most innovative city lists, and they encourage the free flow of ideas that drive knowledge-based economies.



LGBT+ Inclusion and the Potential for Innovation in Cities

2. **LGBT+ inclusive cities have higher concentrations of skills and talent.** The most LGBT+ inclusive cities in the world also have the highest proportion of tertiary degrees in the world. Skilled workers look to a city's LGBT+ inclusion when deciding where to move. And conversely, cities that discriminate against LGBT+ people see high levels of brain drain.
3. **LGBT+ inclusive cities have a high quality of life.** There is a strong positive correlation between quality of life measures and LGBT+ inclusion at a city level.



City LGBT+ Inclusion and Quality of Life



Public Policy Channel

The Public Policy Channel includes relationships with public officials, governments, politicians and policymakers, as well as relevant industry regulators and national human rights institutions.

Companies can use their access to and relationships with the public sector to engage in dialogue about the economic and business importance of LGBT+ inclusion.

Governments around the world view the private sector as partners in their shared quest for economic development. Many global companies have well-developed public policy operations and strong relationships with policymakers at all levels of government.

Smart, strategic engagement in the Public Policy Channel allows companies to proactively engage with governments on LGBT+ inclusion. There is mounting evidence to show that open and LGBT+ inclusive societies are good for business and economic growth, as Open For Business has shown in successive publications. Companies can use this evidence to raise LGBT+ inclusion as an issue of economic competitiveness across a variety of touchpoints with the public sector.

Companies should consult local civil society before engaging the Public Policy Channel. In particular, if global companies discuss LGBT+ issues with the government without understanding the history and context, or if the wrong person in government is engaged in the wrong way, it could lead to a backlash or crackdown against the LGBT+ community.

This section will focus on key actors in the Public Policy Channel:

- (i) Regulators, Government, and Legislators
- (ii) Judiciary
- (iii) National Human Rights Institutions (NHRIs)



Public Policy Channel

(i) Regulators, Government, and Legislators

A nuanced approach and language are required to effectively engage regulators, governments and legislators on LGBT+ inclusion. In some cases, LGBT+ issues may be approached obliquely: for example, it is possible to engage governments on topics related to LGBT+ inclusion, such as HIV/AIDS, the right to privacy, police brutality, and others that impact the LGBT+ community.

Throughout the interviews for this report, three main engagement methods arose that can be used in slightly different ways with regulators, government officials, and legislators: (a) advisory panels, (b) private meetings, and (c) public statements. We look at each of these in turn:

(a) Advisory panels

Senior executives are frequently invited to join advisory committees that provide the government input on a wide range of economic issues, from implementation of Sustainable Development Goals (SGDs) to strategic economic growth plans. Companies can explore opportunities to incorporate evidence from the economic and business case for LGBT+ inclusion into recommendations when serving on advisory panels.

Best practices for action

- 1 Determine how the economic and societal issues the company is advising the government on can be enhanced by a more open and inclusive society.
- 2 Review the evidence base for the economic and business case for LGBT+ inclusion to identify facts that are relevant to the subject the company is advising on.

The rise of long-term economic plans

Many developing countries adopt long-term economic plans to set their economic strategies and diversify their economies. Often, these take the form of a publicly defined economic development plan. Examples of these plans include Vision 2030 in Saudi Arabia,⁵¹ Vision 2030 in Kenya,⁵² Vision 2030 in Jamaica,⁵³ Vision 2036 in Botswana,⁵⁴ and MP3EI in Indonesia.⁵⁵

Almost all these plans take advice from the private sector, often on a short- to medium-term basis. For example, Kenya's Vision 2030 is broken up into a series of 5-year Medium Term Plans (MTPs). Each of these MTPs takes advice and guidance from the private sector. This provides an opportunity, in a sensitive and appropriate way, to raise LGBT+ inclusion issues on a regular basis.

Additionally, many of these plans are created by global consulting firms that pride themselves on LGBT+ inclusion. These firms can integrate the economic and business case for LGBT+ inclusion into their recommendations as they advise governments on these plans.

How can this help LGBT+ communities?

Corporate advisory panels have strong input into long-term economic policies, legislation, regulations, and other important law-making processes that set the direction of a country or city. Emphasizing that diversity and inclusion are key factors that should be considered sends a strong message that a country's or city's future growth prospects must be focused on creating an open and inclusive society where all can thrive. This has the potential to enhance the legal and social atmosphere for LGBT+ people.

(b) Private meetings

Large companies often play a strategically significant role in the economies in which they operate, and senior executives in those companies may have direct access to senior public officials. It may be possible to incorporate LGBT+ issues into existing dialogue. Additionally, companies may request meetings with public officials to raise LGBT+ inclusion issues and share the economic and business case for inclusion. This may take place either individually, or as a small group of companies.

Best practices for action

- 1 A discussion of the economic and business case for LGBT+ inclusion may be incorporated into existing dialogues between senior executives and public officials.

- 2 If there is a specific or urgent matter related to LGBT+ inclusion, such as a piece of legislation or government statement or policy, the company can request a meeting with the relevant public officials to give input on how the action impacts LGBT+ inclusion and their business.

How to raise LGBT+ inclusion in private meetings

Business leaders interviewed for this report say they have been able to raise issues of diversity and inclusion, including LGBT+ inclusion, at private meetings with government officials. While the government may be publicly anti-LGBT+, behind closed doors they tend to be more open to listening to arguments for LGBT+ inclusion in private from business leaders.

In November 2018 senior business leaders from Hungarian and global companies took part in a private focus-group session to give input into this report, in partnership with the WeAreOpen initiative. They shared insights into strategies that have worked for them to advance LGBT+ inclusion against Hungary's increasingly anti-LGBT+ government. A few lessons emerge from their experience:

1. The proper framing is essential. It's imperative not to position the meeting as a confrontation. Rather, tie LGBT+ inclusion with another policy the government cares about, such as talent retention or national reputation.
2. Coordinate talking points amongst a handful of business leaders who meet with government official frequently. Work with LGBT+ civil society organisations to understand how to tie these talking points to an issue or policy that is important to the LGBT+ community.
3. Enter the meetings prepared with hard data from the economic and business case for LGBT+ inclusion, and be confident that the arguments are evidence-based.

See Part III – Getting Practical – for guidance on how to handle common misconceptions around the issue.

How can this help LGBT+ communities?

Direct business advocacy can demonstrate that LGBT+ inclusion is not a marginal consideration or a "foreign agenda" but an economic and business issue. Conversations behind closed doors can reduce the need for public confrontation and reduce the risk of polarising the public debate.

(c) Public statements

Recent years have seen an increase in public statements made by companies on LGBT+ issues. These may take the form of a corporate position statement or individual comments by senior executives, in particular the CEO.

Best practices for action

- 1 The company can release a public statement offering support for the community in language that is appropriate for the local context. This may be done individually or as part of a broader coalition of companies.
- 2 Senior executives in the company, including the CEO, may wish to speak out in the media on issues around LGBT+ inclusion.
- 3 Internal and external preparation may be needed in advance of a public statement. Internally, leaders of relevant functions or regions will need to be on board; externally, local civil society organisations will should be consulted in advance.

The rise of public statements supporting LGBT+ inclusion

Issuing public statements in support of LGBT+ inclusion is becoming a popular advocacy tool for companies and civil society around the world. Companies and business leaders have issued statements in many countries around the world, including some that are unfriendly towards LGBT+ inclusion.

For example, public statements were made by African-based companies in response to the anti-LGBT+ policies of the Ugandan government in 2014:

Sifiso Dabengwa, the former CEO of Africa's largest cellphone operator **MTN**, set out a clear position when he told the media that MTN would respect the laws of the countries in which it operates, but would not discriminate against employees on the basis of sexual orientation.⁵⁶

Woolworths, the South African based retailer with operations across Africa, took a similarly clear position. A statement from the company insisted there would be no change in hiring practices: "All Woolworths stores in Uganda and elsewhere remain open to talent of all races, cultures, beliefs and sexual orientation."

More recently, coalitions of companies have issued public statements in Brazil and Taiwan. In Brazil, 32 companies and NGOs, including **Accenture**, **Google**, **IBM**, **LinkedIn**, and **Microsoft** signed a public statement urging Brazil's presidential candidates to recognise the importance of LGBT+ inclusion in the workplace.⁵⁷ And in Taiwan, 29 companies, including **Deutsche Bank**, **EY**, **Google**, **IBM** and **Microsoft** released a statement in support of LGBT+ inclusion ahead of a referendum on same-sex marriage.⁵⁸

While this tool can be effective in certain situations, there may be significant drawbacks to these statements. This is especially true in countries that use the LGBT+ community as political scapegoats: a public statement in such a country could risk prompting government leaders to crack down further on LGBT+ rights to show that they will not be pressured by businesses, especially businesses based in the West. This makes it of utmost importance to use the proper language, to have the right partners on board, and to consult civil society before issuing a statement.

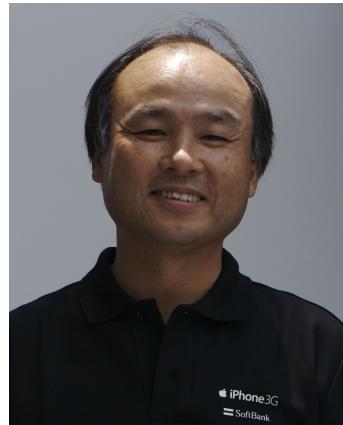
How can this help LGBT+ communities?

Public statements make it clear to governments and societies at large that LGBT+ inclusion is an issue that is of importance to the private sector. These statements have the potential to transform national conversations around LGBT+ rights and add a new dimension to the public debate. They may be particularly useful when facing specific government actions or legislation that hurts or helps the LGBT+ community.

High-profile business leaders from successful companies in emerging markets have sent strong public signals of support for LGBT+ inclusion:



Nisaba Godrej, Director at Godrej, said "I would be proud if we create a culture where our LGBT colleagues can be comfortable".⁵⁹



Masayoshi Son, founder and CEO of SoftBank, which has become known in Japan for its support of LGBT+ employees.⁶⁰



Jack Ma, founder and CEO of Alibaba, which "hopes to evoke respect and understanding of homosexuality".⁶¹



Bonang Mohale, former Chairman of Shell in South Africa: "When people feel included, they leverage the richness of perspectives".⁶²



Geng Le, founder and CEO of China's biggest gay dating app BlueD: "We push everything forward".⁶³



Nandita Gurjar, group head of HR at Infosys, seeks to create "a safe and harassment free work place irrespective of sexual orientation".⁶⁴



Public Policy Channel

(ii) Judiciary

Companies can issue briefs related to specific legal cases on LGBT+ inclusion that discuss the economic and business case for a ruling that supports openness and inclusion.

Best practices for action

- 1 If there is a legal case that impacts the LGBT+ community, the company can write a memo or file a brief to the court that presents the economic and business case for LGBT+ inclusion.

The private sector's perspective on key court cases in India, Hong Kong and the United States

While the opportunities for the private sector to influence a court ruling are limited, companies can make their position on an issue known through memos or briefs, or by taking part in hearings with the court. There have been many recent examples of a company or coalition of companies supporting rulings that promote LGBT+ rights, given that they are good for business and economic growth. Three of the most recent examples include:

- **India:** In 2018, the Supreme Court of India ruled to decriminalise consensual same-sex acts. One of the pleas issued to the Court was from a prominent Indian business leader, Keshav Suri. He argued that LGBT+ people do not receive equal work or pay, and he used data from the Open For Business economic and business case for LGBT+ inclusion.⁶⁵
- **Hong Kong:** In 2018, 31 banks and law firms in Hong Kong petitioned the highest court to take part in the hearings of a case focused on granting visas to same-sex couples. They based their petition on the fact that the ruling would directly impact their ability to attract and retain the best talent. Although their request was denied, the court acknowledged their arguments.⁶⁶ The court ruled in favour of allowing visas for same-sex couples.⁶⁷
- **United States:** In 2015, 379 companies signed an amicus brief that was presented to the US Supreme Court as it debated legalising same-sex marriage. The brief cited the business benefits of equal marriage, including increased "employee morale and productivity."⁶⁸ The Court ruled to legalise same-sex marriage. The text of the brief included a striking passage on the nature of business support for LGBT+ inclusion:

*"Our principles are not platitudes. Our mission statements are not simply plaques in the lobby. Statements of principle are our agenda for success: born of experience, tested in laboratory, factory, and office, attuned to competition. Our principles reflect, in the truest sense, our business judgment."*⁶⁹

How can this help LGBT+ communities?

Many times, courts considering cases related to LGBT+ rights and inclusion focus exclusively on the human rights aspects of the case. This is a very important angle, but it can be enhanced by presenting an economic angle. Courts in India, Hong Kong and the United States have all considered the economic perspective when making key decisions on LGBT+ rights, spurring landmark advances in the inclusion of those LGBT+ communities.



Public Policy Channel

Best practices for action

- 1 Establish a connection with the NHRI in priority markets to broker and introductory meeting with the company's regional and national leadership and the head of the NHRI.
- 2 Invite the NHRI to visit your business and conduct human rights training, including the state of LGBT+ rights. Open a discussion with the NHRI on how companies can help advance and protect LGBT+ rights.
- 3 Attend dialogues focused on LGBT+ inclusion/rights in the private sector held between NRHIs and civil society organisations to provide a business-based perspective on challenges and opportunities.
- 4 Participate in the development process of National Action Plans on Business and Human Rights (NAP). These NAPs set a State's priorities for business and human rights, and often include reference to LGBT+ inclusion.

(iii) National Human Rights Institutions (NRHIs)

NRHIs are State bodies that have a constitutional or legislative mandate to protect and uphold human rights in their country. While they are given their mandate by the State, they function independently and serve as an important link between civil society and the government. Companies can work with the NHRI to provide input on priorities and initiatives to advance LGBT+ inclusion in their country.

Kenyan companies working with The Kenya National Commission on Human Rights (KNCHR)

Kenya has a vibrant and growing economy and is the economic hub for East Africa. Many companies have headquarters in Nairobi, which is also a thriving start-up hub. Given the strong private sector, the KNCHR launched a specific programme focused on business and human rights, with the stated goal of producing a National Action Plan.⁷⁰ The KNCHR convenes roundtables and dialogues that bring together companies, civil society and government to discuss issues and how companies can most effectively protect and monitor human rights. In 2012, the KNCHR held a forum for stakeholders in the extractives industry to streamline due diligence and to begin a conversation between companies and civil society.

In February 2019, the KNCHR hosted a public launch of the report *The Economic Case for LGBT+ Inclusion in Kenya*, produced by Open For Business, with representatives from businesses, LGBT+ NGOs and the government to discuss the economic benefits of LGBT+ inclusion.

Companies working with the Australian Human Rights Commission to advance inclusion and diversity

The Australian Human Rights Commission launched a partnership project with the Australian Stock Exchange (ASX), following the results of a 2008 census that found vast under-representation of women in business. As a result of the partnership, companies listed on the ASX report on meeting voluntary targets for gender diversity. Between January and June 2010, 24% of all ASX200 board appointees were female, compared with just 5% in 2009. The Commission also produced a number of resources for employers that guide on inclusive workplaces and launched a programme called "Male Champions of Change." This group works with business leaders to ensure gender equality is high on their agendas.⁷¹

This example focuses on gender equality in the workplace, and similar initiatives could include LGBT+ inclusion.

The rise of National Action Plans on Business and Human Rights

National Action Plans (NAPs) focused on a variety of topics have been developed and adopted by countries around the world. The first NAPs focused on business and human rights were developed after the UN Human Rights Council adopted the Guiding Principles on Business and Human Rights in 2011. Since then, there have been increasing calls from the UN, the EU, governments, civil society and business associations for countries to develop their own NAP. These have proven to be effective guides for companies to ensure they are protecting human rights.⁷² At the time of writing:⁷³

- 23 countries have completed NAPs. These include Belgium, Chile, Colombia, Czechia, Denmark, Finland, France, Georgia, Germany, Ireland, Italy, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Slovenia, South Korea, Spain, Sweden, Switzerland, the United Kingdom and the United States.
- 12 countries are in the process of developing NAPs. These include Argentina, Honduras, India, Indonesia, Japan, Kenya, Liberia, Malaysia, Mexico, Morocco, Peru and Thailand.

This rise in NAPs provides companies with increased opportunities to engage with NHRIs to provide their perspective on how best to include LGBT+ inclusion in the plan.

How can this help LGBT+ communities?

NHRIs can be influential allies for LGBT+ people in some of the most difficult countries in the world. Supporting NHRIs and providing the business perspective on LGBT+ inclusion can make their work in advocating for LGBT+ inclusion more effective.



Civil Society Channel

The Civil Society Channel includes the civil society groups and NGOs that a company interacts with, the various communities that surround the business, and the media.

Global companies can utilize their resources, skills, and knowledge to bolster the efforts of civil society working on LGBT+ inclusion.

Civil society organisations have been the backbone of global progress on LGBT+ inclusion. These organisations are becoming increasingly aware that the private sector is a strong partner in creating more LGBT+ inclusive societies. There have been many examples of businesses and civil society organisations working together to advance LGBT+ inclusion, from businesses supporting Pride parades around the world to Google, Prezi, and Espell creating their own civil society organisation, WeAreOpen, in Hungary.

The civil society leaders that were interviewed for this report had clear views the various methods the private sector can work to support their efforts. This Channel identifies various ways companies can advance LGBT+ inclusion by engaging with civil society and the media.

This section will focus on key actors in the Civil Society Channel:

- (i) Communities
- (ii) NGOs
- (iii) Media



Best practices for action

- 1 Host training programmes for marginalised communities, especially the LGBT+ community, to provide them with skills necessary for a job in the company or another industry.

- 2 Externally signal that the company is an inclusive place that will not discriminate based on sexual orientation or gender identity. Depending on the local context, this could be as overt as marching in a Pride parade, or as subtle as incorporating inclusive language in public statements.

(i) Communities

Companies can utilize their capabilities and resources to provide public support and economic opportunity to LGBT+ communities.

IBM starts Project Vayati, to employ transgender people in India

In 2016, IBM brought together a group of local and multinational companies in India to discuss how they could collectively work together to advance LGBT+ inclusion in society. The network decided to use their skills and resources to train members of the transgender community to find jobs in the formal sector.⁷⁴

This initiative grew and became known as Project Vayati. IBM, ThoughtWorks, Xerox, and Interweave Consulting teamed up with the Solidarity Foundation, an Indian civil society organisation, to create the initiative and ensure that it would be sustainable. Project Vayati helps enrol transgender people in well-respected training institutions to provide skills for formal employment. They then work with their corporate partners to place the graduates of the programme.

Many candidates from the first cohort have been placed in formal jobs.⁷⁵ One of Project Vayati's leaders describes the impact: "They made the choice to escape begging, sex work and numerous other challenging situations, and instead upskill themselves so they could lead lives grounded in their individual courage and passion."⁷⁶

How can this help LGBT+ communities?

In many countries, the LGBT+ community faces discrimination in school and in the workplace. This causes many of them to not attain the skills they need for productive, gainful employment. Tailoring training programmes to help members of the LGBT+ community build employable skills provides access to jobs and economic security.



(ii) NGOs

Companies can leverage their resources and skills to build capacity for local LGBT+ NGOs. At the same time, these NGOs can help the company grapple with LGBT+ inclusion in a thorough and appropriate way.

Best practices for action

- 1 Determine how the company's core competencies can be used to help local LGBT+ NGOs. For instance, the company could provide training on social media profile boosting, legal advice, financial planning or simply space in a local office for the NGO to meet.
- 2 Create initiatives aimed at advancing LGBT+ inclusion with multiple companies and local NGOs. See side box for examples.
- 3 Provide funding for NGOs that are trusted and have a track record of sound fiscal management. Small monetary amounts can make a world of difference for small NGOs.

Companies use their core competencies to support NGOs

Companies across industries have talent, expertise and innovations that NGOs often lack. These companies have engaged with NGOs around the world to create partnerships to help further the NGO's mission.

- **Google** has partnered with global LGBT+ activism group OutRight Action International and 75 frontline LGBT+ activists to develop digital security tools for human rights defenders.⁷⁷
- **GSK** responded to suggestions from health NGOs across Asia to take steps toward establishing a regional network of NGOs by convening a global event that deliberated the potential for collective advocacy and action.⁷⁸
- **IBM** has supported local LGBT+ groups and sponsored LGBT+ events around the world, from Brazil and Kenya to Hungary and Vietnam.
- **LinkedIn** has hosted discussions amongst LGBT+ civil society organisations in India and as a result offered to help those activists build their online presence.⁷⁹
- **Linklaters** helped the Cambodian Centre for Human Rights' efforts in campaigning for effective reform in Cambodia by undertaking a large comparative research project into how LGBT+ rights have evolved in different countries since the 1960s.⁸⁰
- In 2010, authorities in Russia were reportedly targeting human rights NGOs for pirating software – harassment under the guise of intellectual property rights, according to the *New York Times*.⁸¹ **Microsoft** responded by issuing a free one-time license to selected NGOs.⁸²
- **Safaricom** and **Huawei** in Kenya have used their expertise in IT and mobile connectivity to enable primary health clinics and hospitals in the coastal region to see patients via video conference, as part of the Private Sector Health Partnership.⁸³
- A number of examples of how companies have supported civil society are given in the report **Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders**⁸⁴.

Open For Business connects companies with NGOs on the ground

Open For Business is a coalition of 27 global companies, working collectively to advance LGBT+ inclusive societies around the world. The coalition promotes research on the economic case for LGBT+ inclusion, to build strong business voices in support of inclusive societies – particularly in countries where LGBT+ people face significant discrimination, legally and in society.

A key part of the Open For Business strategy is to work closely with NGOs on the ground, in three ways: (i) providing training on the economic case for LGBT+ inclusion; (ii) building capacity to engage constructively with businesses and (iii) connecting NGOs to businesses, providing a safe space for dialogue and, where appropriate, unlocking sources of funding and in kind support. Kenya to Singapore to the Caribbean.

Businesses have a history of working with NGOs in cross-sector initiatives

Some industries have long grappled with serious human rights and governance issues. For example, the extractives industry has been associated with corruption, and the tech industry with privacy violations. These are complex systemic issues, and individual companies cannot solve them unilaterally. Many companies have partnered with civil society to create industry-wide initiatives. For example:

- **The Extractive Industries Transparency Initiative** represents the “global standard to promote the open and accountable management for oil, gas and mineral resources.”⁸⁵ The initiative brings together the private sector, civil society and government to implement best practices in extractives governance. Extractives giants, such as Anglo-American, Chevron and Glencore, have signed on to the initiative, giving them tools to monitor their own governance and work in transparent countries.⁸⁶
- **The Global Network Initiative** is a network of ICT companies, civil society, academics and investors that focuses on helping companies respect freedom of expression and privacy rights. The organisation audits companies that sign up and helps them to improve their commitment to freedom of expression and privacy. It also works across stakeholders to pass legislation that protect these aims.⁸⁷ It includes companies like Google, Facebook, Microsoft and Nokia.

How can this help LGBT+ communities?

Many NGOs are underfunded with no safe meeting space and they lack many skills that are considered basic in the private sector. With additional funding and expertise, NGOs can expand their work to provide more services for the LGBT+ community and better advocate for LGBT+ inclusion in society.



Best practices for action

- 1 Work with traditional media and social media, such as LinkedIn, to post op-eds about the economic and business case for LGBT+ inclusion.
- 2 Engage internal PR and media teams to ensure global and local media understand the economic angle of LGBT+ inclusion and include it in their reporting on LGBT+ issues.
- 3 In public interviews, signal support for the LGBT+ community, either directly or via indirect wording that nods at inclusion. Also consider putting LGBT+ role models forward for interviews.
- 4 Forbid discrimination against LGBT+ people in media engagement and social media codes of conduct. Provide examples of LGBT+ inclusive language employees should use when communicating externally.

(iii) Media

Companies can engage with the media to convey the case for LGBT+ inclusion to the broader public, and if appropriate present visible LGBT+ role models and allies.

Safaricom CEO writes on social media about the value of LGBT+ inclusion

Bob Collymore, CEO of Safaricom, posted a public LinkedIn post championing the benefits of diversity and inclusion. The post included explicit references to including people regardless of their sexual orientation. This is a strong move for a business leader to make in a country where same-sex acts are still criminalised, and a large part of society does not support the LGBT+ community.



Image by ICT Authority / CC 2.0 Generic

"Research has shown that diversity in the workplace leads to better quality decisions and products. It extends beyond gender equality to race, ethnicity, sexual orientation and disability, bringing with it diversity of opinion that is a key ingredient of any successful organisation."⁸⁸

Protecting LGBT+ people from discrimination on social media

Social media is a useful tool for companies, but it also presents risks: a distasteful post could have severe consequences on a company's reputation and brand. Many companies now have social media codes of conduct, and some of these include LGBT+ non-discrimination. This is important, as the internet is a place where anti-LGBT+ sentiment is easily shared and visible

- **Best Buy** provides employees with a clear checklist of do's and don'ts on social media, both personally and professionally. Employees should "Honor Our Differences: Live the values. Best Buy will not tolerate discrimination" – with specific mention of sexual orientation and gender identity.⁸⁹
- **Starbucks** advises, "Don't bully others using malicious, obscene, threatening or intimidating actions; don't use discriminatory remarks ... on the basis of race, sex, sexual orientation, disability, religion or any other status protected by law or Starbucks policies."⁹⁰

These policies have far-reaching benefits and can make the internet a friendlier and more inclusive place for LGBT+ people.

How can this help LGBT+ communities?

Presenting positive narratives of LGBT+ people in mainstream and on social media will allow large portions of society to see strong arguments in favour of LGBT+ inclusion, potentially changing their minds and creating a more inclusive society.



Industry Channel

The Industry Channel includes any professional bodies or industry associations that a company or its employees may participate in, as well as Chambers of Commerce and Trade Unions.

Companies can work with established organisations that speak for the private sector to elevate the importance of LGBT+ inclusive societies.

When entire industries and groups of companies take a collective position on an issue, it has the power to shift public discourse and opinion. The stakeholders listed in this Channel have the respect of government and the public in many countries around the world. Effective engagement with them can add a new dimension to debates on policies that affect the LGBT+ community. Large companies that are members of these groups often have the ability to shape the group's agenda and suggest it focuses on LGBT+ inclusion.

This section will focus on key actors in the Industry Channel:

- (i) Chambers of Commerce
- (ii) Trade Unions
- (iii) Professional Bodies and Industry Bodies



Best practices for action

- 1 Identify which chambers of commerce the company belongs to in specific markets and which chambers of commerce have influence. It may be easier to start with international chambers, such as the American or British Chamber of Commerce. However, the national chambers of commerce tend to have the most influence in their countries.
- 2 Begin a conversation with the chamber and other companies about including LGBT+ inclusion in the chamber's work. This could be focused on a specific policy priority, a specific cornerstone event, or in the chamber's ongoing operations.

(i) Chambers of Commerce

Companies can work with chambers of commerce to include LGBT+ inclusion in the set of priority issues for the private sector.

Chambers of Commerce pushing for marriage equality in Japan

In September 2018, the American Chamber of Commerce in Japan published a viewpoint that recommended the government legalise same-sex marriage. The viewpoint focused on the economic benefits of doing so. Specifically, the Chamber argued that marriage equality would increase Japan's international competitiveness and talent retention, encourage more productivity in the workplace, and support a more diverse community.

Four other chambers endorsed the viewpoint, including the Australian & New Zealand, British, Canadian, and Irish Chambers of Commerce. The international support has caused the Japanese government to speed up their focus on marriage equality to get it passed before the Olympics in 2020.⁹¹

How can this help LGBT+ communities?

Chambers of commerce can be powerful voices representing the private sector's stance on specific issues. They are typically respected by government leaders and can shape conversations around how diversity and inclusion impact economic growth and the private sector. This has the potential to create more inclusive policies and shift social attitudes towards LGBT+ people.



Industry Channel

(ii) Trade Unions

Companies can work with local and international trade unions to create evidence-based best practices to protect LGBT+ people from discrimination in the workplace.

Best practices for action

- 1 Open dialogues with global and local trade unions, such as the ILO (International Labour Organization) and the IUTC (International Trade Union Confederation), to set best practice standards for supporting LGBT+ inclusion for workers around the world.
- 2 Share evidence on the benefits of an inclusive workplace with trade unions to empower their messaging around non-discrimination.
- 3 Factor LGBT+ non-discrimination policies into International Framework Agreements signed with a Global Union Federation. These agreements set the standards for the global relationships between multinational companies and global unions.

Companies partner with the ILO to create jobs for young people in Côte d'Ivoire

The International Labour Organization (ILO) is a UN agency that brings together governments, companies and workers to promote fair and decent work for all.⁹² Recently, the ILO has been working with companies on increasing access to jobs and at eliminating discrimination in the workplace, including on the basis of sexual orientation and gender identity.⁹³

One example comes from Côte d'Ivoire, where youth unemployment is a major issue. The ILO worked with 30 global companies with operations in Côte d'Ivoire to identify ways they could create more and better jobs for local youth. Together they launched a multi-stakeholder Task Force on Youth Employment Promotion and Responsible Investment.

The Task Force is ongoing and has led to concrete commitments from companies to train and hire local youth. For example, they created an internship programme for young people, many of whom went on to be hired by the companies. Additionally, the agro-industry sector committed to training 1,000 young people per year, over three years.⁹⁴

The process of partnering with the ILO to initiate industry-wide initiatives could also apply to LGBT+ inclusion, especially through the ILO's PRIDE initiative.

The role of International Framework Agreements (IFAs) in advancing LGBT+ inclusion

Strong relationships with trade unions are essential to a productive and efficient workforce and supply chain. One method to strengthen these relationships are IFAs: agreements negotiated on a global level between trade unions and a multinational company. They provide a global standard for worker protections and safety practices.⁹⁵ IFAs that are inclusive of LGBT+ non-discrimination represent important new tools for activists fighting for LGBT rights.⁹⁶

Many large companies have begun to include LGBT+ protections in IFAs in places with unions they work with. For example, **H&M** and **Inditex** both have IFAs with the IndustriALL global union which explicitly say that workers should not be discriminated against on the basis of sexual orientation or gender identity.^{97,98}

How can this help LGBT+ communities?

Since their inception, trade unions have been powerful advocates for better working environments. When these unions implement standards that protect LGBT+ workers, companies around the world are encouraged to change, and many times these unions will provide them with training and support to create more inclusive workplaces. More inclusive workplaces lead to more economic opportunities for LGBT+ people and a more inclusive world.



Industry Channel

Best practices for action

- 1 Work with industry and professional organisations that are core to the company's business. Engage these groups with industry-specific information that highlights why LGBT+ inclusion is an issue it should focus on to advance the industry's competitiveness and prominence.

(iii) Professional Bodies and Industry Bodies

Companies can work with organisations representing the industry or profession to prioritise LGBT+ inclusion, and to collaborate on industry-specific initiatives focused on advancing LGBT+ inclusion. This is particularly useful in countries and regions where a particular industry dominates the economy.

Powerful industries are using their voices to support LGBT+ inclusion

In the Caribbean, a region where nine countries criminalise same-sex activity, the tourism industry dominates the economy. The **Caribbean Hotel and Tourism Association** (CHTA) is the tourism industry's voice on issues that impact its members. In the past, the CHTA has organised a collective response to a range of issues, from energy and climate change to taxes and trade.⁹⁹ Recently, the CHTA has begun working with tourism companies on the issue of LGBT+ rights and inclusion. In 2018, tourism leaders across the region met in Barbados to discuss industry-wide initiatives to advance LGBT+ inclusion. The conversations are ongoing, but represent a powerful, collective voice in making the Caribbean more LGBT+ inclusive.

In India, **NASSCOM**, which is a powerful industry group representing the ICT sector, has incorporated LGBT+ inclusion into its work for the past few years. NASSCOM includes over 2,000 members from the ICT industry and represents a roughly \$154 billion industry. This size gives the group the weight to set national and industry-wide topics, including LGBT+ inclusion. NASSCOM has made LGBT+ inclusion a key part of its diversity and inclusion summits and even hosts full-day sessions on LGBT+ inclusion.¹⁰⁰ This has made it clear that LGBT+ inclusion is a core concern for the massive Indian ICT industry and has exposed many companies and consumers to LGBT+ inclusion.

The consumer goods industry joins forces to launch an initiative to advance sustainability and worker safety

The consumer goods industry has been the target of many conversations concerning environmental sustainability and workers' rights. In order to grapple with these issues, many of the world's leading consumer goods companies, including Coca-Cola, L'Oréal and Danone, have joined **The Consumer Goods Forum**. This forum is an organisation of retailers and manufacturers that focuses on driving forward a range of social issues, including environmental and social sustainability, product safety, and health and wellness for workers. Participation has allowed these companies to take collective action on issues that directly affect their businesses.

The forum provides structured commitments for the member companies to agree to and sign. For example, the forum undertook a substantial review of positive action taken by companies to eliminate forced labour within supply chains, called Business Action Against Forced Labour. Companies highlighted include Carrefour, Coca-Cola Company, Colgate-Palmolive, Danone, Kellogg's, Marks & Spencer, Mars Inc., Metro Group, Migro, Mondelēz, Nestlé, S Group, Target, Tesco's, Walt Disney Company, Unilever, & Walmart. The case studies and learnings that came out of the initiative show what is possible when an entire industry comes together to solve a systemic issue¹⁰¹. Also evident is the commitment of senior leadership to tackle this problem.



Image by Semaines sociales de France / CC-BY-SA

"We believe that the ultimate goal of market economy cannot be anything other than social justice. Human Rights must form the basis of a company's relationship with its ecosystem, in particular with the most vulnerable partners of the supply chain."

Emmanuel Faber, Chief Executive Officer, Danone



Image by Remy Steinegger / CC-BY-NC-SA 2.0

"We will play a leadership role in promoting the dignity of people who make the products we sell. Those who work in our supply chain should be recruited and employed responsibly."

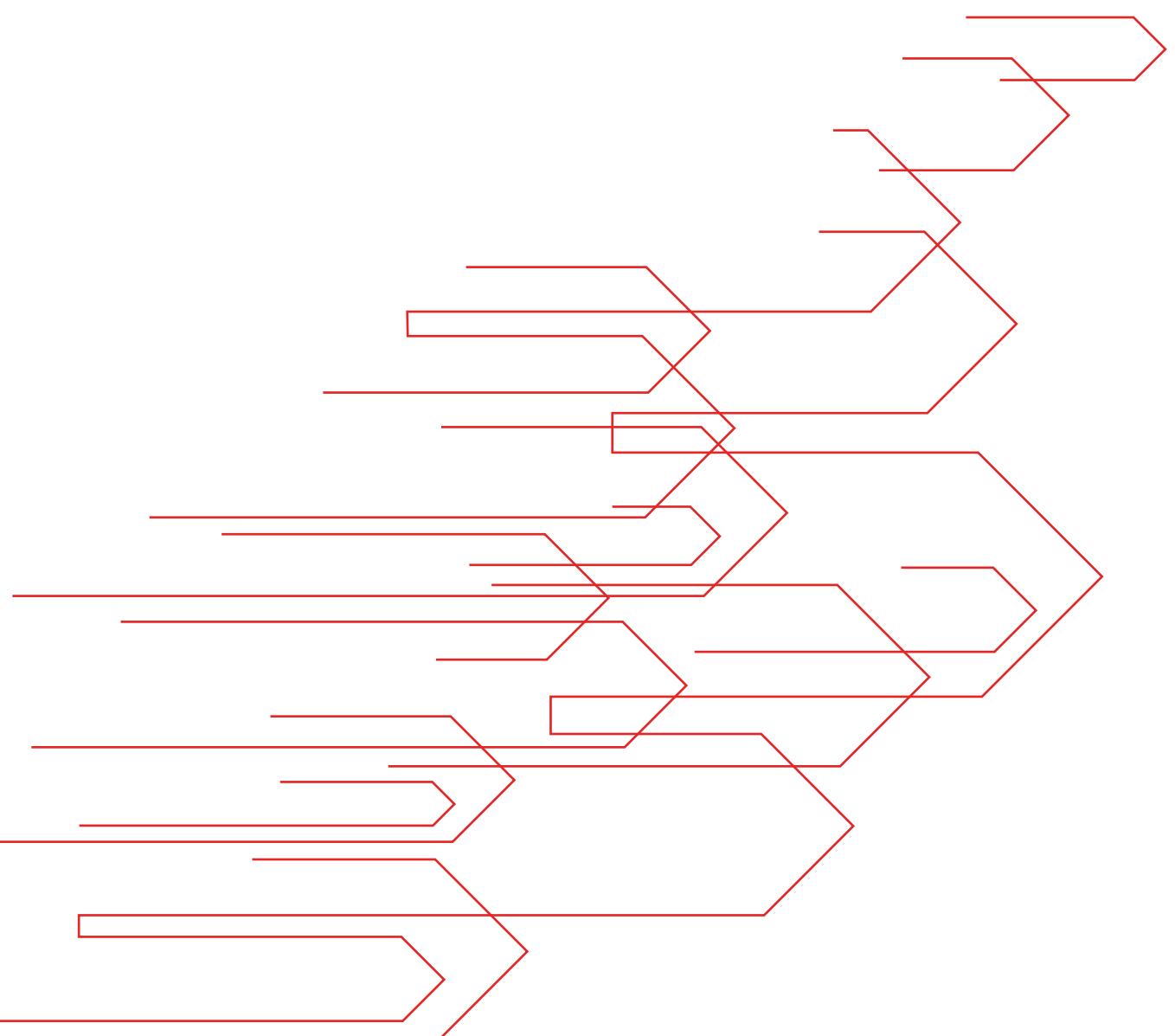
Doug McMillon, Chief Executive Officer, Walmart

How can this help LGBT+ communities?

In countries where a certain industry dominates the economy, the groups representing that industry can serve as powerful allies to the LGBT+ community. They can promote the benefits of LGBT+ inclusion to the government and public, launch initiatives to provide economic opportunity to the LGBT+ community and encourage other businesses to support LGBT+ inclusion.

PART III

Getting Practical



Getting Practical

Previous Open For Business reports have focused on *why* support LGBT+ inclusion. This report looks at *how*. In this section we present further practical advice.

For **companies** considering how to act in the public sphere, this Channels of Influence framework allows them to select the right mix of Channels and take actions that are impactful and also appropriate for them.

For **civil society organisations** seeking to work with businesses, this report will identify opportunities to unlock effective business advocacy; and in this section we present practical advice on engaging businesses.

For **individuals** working in companies that aren't yet acting in the public sphere, this report will provide practical guidance on how to move to action. And for anyone working in anti-LGBT+ environments, this section provides some advice on how they can find support and become part of a movement for change.

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How to select the best Channels of Influence

Companies seeking to act in the public sphere require appropriate internal mechanisms to support such a strategy. An effective internal process must balance the need for a central, global strategy with the implementation of that strategy in a culturally-appropriate way at the local level.

Each of the Channels of Influence identified in this report is discussed in general terms, although in reality, the nature of influence that a company may have depends on the kind of company it is. For instance, consumer goods companies with massive supply chains would likely prioritise focus on the Value Chain Channel, both because they are likely to have vast corporate infrastructure for implementing supply chain initiatives and they would have large impact given their scale.

How should a company go about identifying which Channels they should prioritise? And in which countries should different Channels be used?

This section attempts to provide a guide for companies to identify which Channels and stakeholders to focus on across a range of geographies. It consists of three sets of questions that set the stage for both the global steering committee to identify global actions the company can take and for local leaders and employees to identify which actions would be most effective in their given environment.

Consider the business context

- Does the company have a large footprint or other interest in the country in question?
- What is the nature of that footprint (i.e., core operations, large supplier/distributor network, joint venture, potential expanded operations, etc.)?
- Does the company have significant financial exposure in the country?
- Is the company B2B, B2C or a hybrid?
- Does the company have a strong brand in the country?
- Does the company have strong relationships with the government? Is there an established government relations function in the country?
- Does the company's leadership have any visible leadership positions on chambers or commerce, industry groups, or any similar organisations?
- Is the company's local leadership supportive of LGBT+ inclusion?

Consider the civil society context

- Are there court cases or policies being debated that affect the LGBT+ community?
- Is there an LGBT+ organisation that is reputable or is internationally recognised?
- Are there legal restrictions against civil society organisations (i.e., funding, registration, etc.)?
- What are the priorities for the LGBT+ community?
- How does the media portray LGBT+ people?

Consider the societal context

- Are there laws criminalising homosexuality?
- Are there any legal protections for LGBT+ people (i.e., employment, hate crime, etc.)?
- Is there any official marriage or partnership recognition?
- Is there any adoption recognition?
- What is the capital city's Open For Business City Rating?
- Has the government made any public comments or commitments on LGBT+ inclusion, either positive or negative?
- Is the public supportive of LGBT+ inclusion?

Companies can work through these questions with their internal steering committees and ERGs and supplement the conversation with input from publicly available sources and input from civil society. These questions will help structure conversations on which channels to focus on, though they will not give a definitive answer as to which the perfect channel is to employ in any given context.

How global companies can take effective action

Companies seeking to act in the public sphere require appropriate internal mechanisms to support such a strategy. An effective internal process must balance the need for a central, global strategy with the implementation of that strategy in a culturally-appropriate way at the local level.

Throughout the interviews for this report it became clear that there is not one model that works for all companies, and some amount of experimentation is necessary to identify an approach that works. However, certain themes arose that most companies interviewed agree on. These themes are helpful for companies at any stage of their LGBT+ inclusion journey to consider as they continue to perfect their internal mechanisms to act in the public sphere.

Establish a global senior steering committee on acting in the public sphere on LGBT+ inclusion

A global senior steering committee can signal the company's commitment to action and increase buy-in from around the company. It should be senior enough to have a mandate to create an LGBT+ inclusion strategic plan that the entire organisation will adhere to. The steering committee should include:

- the executive sponsor of the company's LGBT+ inclusion efforts, or a member of the C-suite if no executive sponsor exists
- the D&I leaders and/or Chief Human Rights Officer (CHRO)
- the heads of regions where the company has major operations (i.e., EMEA, Asia Pacific, Americas, etc.)

Develop a strategic plan for acting in the public sphere on LGBT+ inclusion

The steering committee should take charge of creating and implementing the strategic plan, refining it at least yearly. The plan should include specific strategies for how the company will proactively support LGBT+ rights in the public sphere and which internal and external stakeholders are integral to implementing those strategies. It should be assumed that the plan will change, since social and political contexts and business objectives change frequently.

Engage employees and Employee Resource Groups (ERGs) on priorities for action

Engaging employees is can help to determining which issues and regions to focus efforts on. Throughout the creation of the plan, engage with employees and employee resource groups to get input into which issues and strategies should be prioritised. Keep in mind that some regions will not have any employee or ERG representation, but this does not mean that those regions should not be included in the plan. In fact, it may underscore the need to focus more on those regions.

Engage local leaders on the benefits of acting in the public sphere on LGBT+ inclusion

As with any aspect of a global company, implementation will vary based on local contexts. It is important to work with leaders of the company's local and regional operations to build consensus about the benefits of acting in the public sphere on LGBT+ inclusion. Ultimately, they will be on the front-line of any activities. It should be made clear that LGBT+ inclusion is a global value of the company and a global business best practice; and that not engaging on this issue is a strategic risk for the company.

Maintain a process to respond to unforeseen requests from civil society or employees

No matter how robust the strategic plan is, unforeseen developments will arise, which the company may be asked to react to. It is important to have a plan in place to receive to these requests, consider them in the context of the strategic plan, and respond to them in a streamlined manner.

How to make more impact collectively

As this report shows, there are many tools at the disposal of companies that want to act in the public sphere to advance LGBT+ inclusion. But that does not change the fact that acting on a topic that is sensitive in many parts of the world could be risky for companies. One powerful way to mitigate this risk and to increase the impact of acting in the public sphere is to work with a coalition. Multiple companies acting together shows that LGBT+ inclusion is a true global business best practice, not limited to one company, industry or region.

There are many benefits of acting in a coalition. For example, this method of engagement can:

Reduce the risk of action.

There is no one company that is taking a stand, and therefore no one company would be the target of any potential fallout.

Demonstrate consensus on this issue.

When several companies discuss LGBT+ inclusion with the government, it becomes clear that this is not just the desires of one firm, but a global business best practice that is key to ensuring competitiveness.

Focus the goal.

The companies in a coalition can ensure that they are each focused on the same specific issue related to LGBT+ inclusion and that they are working towards the same goal.

Reduce the load on civil society.

Companies effectively acting in the public sphere will work alongside civil society to understand the needs of the LGBT+ community. One single touchpoint with a group of companies is much easier on civil society organisations than having to seek out and manage relationships across several different companies.

The coalition approach is not new, nor is it unique to LGBT+ inclusion. Companies have formed coalitions to focus on a range of issues affecting them, from working conditions¹⁰² to fair pay¹⁰³ to human rights in mega-sporting events.¹⁰⁴

Open For Business is a coalition of companies created to collectively identify ways to act in the public sphere to advance LGBT+ inclusion. The coalition works globally and with stakeholders listed in every Channel of Influence in this report to create many avenues for companies to take concrete action on LGBT+ inclusion, in countries all over the world.

NGOs can engage companies on LGBT+ inclusion

Throughout this report we have stressed that businesses seeking to act in the public sphere on LGBT+ inclusion must do so in close consultation with local civil society organisations. However, often these organisations do not have experience of dealing with businesses, and the culture of corporations can feel alien. This section provides advice for civil society organisations seeking to engage businesses.

Present solutions, don't make demands.

Companies may quickly "shut down" if they sense a confrontational dialogue, so explore how you can engage them on a win-win basis. Present a range of options for how they can take action, based on the Channels of Influence framework presented in this report.

Become fluent in the economic case.

Understand the language of business and become familiar with the economic and business arguments for LGBT+ inclusion. Comprehensive evidence and data are set out in detail in our previous Open For Business reports.

Listen and get to know them.

Take the time to understand their business and speak to people on this inside, ask lots of questions and get to know them. The more they feel you understand their issues, the more likely they will engage with you.

Identify opportunities.

Companies can be risk averse, but they are also very competitive. Show them where there are opportunities for leadership and competitive advantage, or where they risk being left behind.

Connect to global standards.

If you're engaging a multinational company, show how taking action will align them with their company's global strategy and vision. If you're engaging a local company, show how taking action can be a part of connecting them to global standards of best business practice.

Diversify your contacts.

Sometimes it's possible to get "stuck" speaking to one person in a company; that's fine if they are happy to move forward, but occasionally they can be a block. Try to engage with a number of people in the company. This can be time-intensive, but it may help you to create a consensus in the company to take action.

Don't just look for funding.

Focus on establishing a relationship of trust and mutual benefit, and this can provide a firm foundation for asking for funds. Funding is critical, of course – and companies may sign a cheque, but positioning yourselves as partners is a route to larger and more sustainable funding relationship.

How every individual can make a difference

Many people work in companies that are not LGBT+ inclusive, and in countries that discriminate against LGBT+ people. They often feel isolated and powerless; it may seem there's nothing they can do to make a difference for LGBT+ inclusion. However, every individual – no matter how senior or how junior – can be part of the movement towards more equal societies.

People working in anti-LGBT+ environments sometimes ask Open For Business for advice – and here's what we tell them, based on our experiences working with businesses on this issue around the world.

You're not alone.

It may feel that you are isolated, but you are part of a global community of LGBT+ employees – including many talented professionals and successful business leaders. This is a significant force for change.

Support is available.

There are many networks of LGBT+ employees, both within companies and across sectors – and even across borders. These are a proven source of support. Contact Open For Business for further information.

Nobody is asking you to "come out".

You don't need a megaphone to make a difference: coming out is a very individual decision, and personal safety must be a priority. Smart, below-the-radar actions can also be effective.

Stay informed.

Understanding the latest developments in LGBT+ inclusion – both locally but also globally – will help you become aware of opportunities to get involved when the time is right.

Be fluent in the economic and business case.

If you become involved in conversations about LGBT+ inclusion, stick to the evidence-based arguments on improved performance of businesses and economies.

Connect to other inclusion themes.

In some contexts, other diversity and inclusion communities may be more well established – for example, gender equality. Think about how to align with these communities.

History is on your side.

Over the past half-century the majority of nations have passed LGBT+ inclusive laws – including protections against discrimination and hate crime. Anti-LGBT+ sentiment runs counter to the dominant global trend.

How to start a conversation on LGBT+ inclusion

Although mounting evidence shows that LGBT+ inclusion is good for business and economic growth, there remains hesitation among many in the global business community to initiate a discussion, mainly due to a number of perceived risks for supporting LGBT+ inclusion. This is true in countries all over the world – from Barbados to India to Kenya – which share similar concerns. Open For Business has encountered many myths and misconceptions in its work around the world, which are listed below, together with possible responses:

| Perceived risk | Open For Business response |
|--|---|
| "Our consumers / customers / clients won't like it." | Some customers won't like it – but as the examples above and the experience of Open For Business coalition partners all around the world show, most customers and clients will welcome a more progressive and global brand. Evidence presented in this report shows that LGBT+ inclusion can be a source of competitive advantage and brand preference; and inclusion can lead to improved "customer orientation" and better client service. |
| "We don't have any gays." | Many LGBT+ people feel the need to hide their sexual orientation or gender identity, particularly in an environment where social attitudes do not feel safe or accepting. This phenomenon is known as "covering", and studies show that this still occurs even in highly LGBT+ inclusive countries. If there is nobody in an organization identifying as LGBT+, the most likely explanation is that people are concealing their identities. |
| "We don't know our employees' sexual orientations or gender identities, so it's impossible for us to discriminate against LGBT+ people." | Similar to the above response, just because LGBT+ people are not open in the workplace does not mean that they do not exist. There are many documented cases of discrimination against LGBT+ people in the workplace – and brands should proactively ensure that those cases do not occur in their offices and suffer hits to their brand or reputation. |
| "We don't get involved in politics." | This isn't a political issue, this is a business issue. Looking after the welfare of employees is a business issue; creating an inclusive culture that can foster performance and innovation is a business issue; operating in an open, globally connected economy is a business issue. |
| "We are too busy focusing on creating an inclusive workplace for women, different ethnicities, and people with disabilities to focus on LGBT+ people too." | While time and resources are necessary for companies to become world-class at LGBT+ inclusion, the initial steps of signalling that your company is LGBT+ inclusive can be achieved by updating non-discrimination and other HR policies to include sexual orientation and gender identity. This does not take away from any of the other minority groups but reinforces that the workplace is truly inclusive of everyone, no matter who they are. Additionally, a focus on LGBT+ inclusion can differentiate companies in a market where many companies are focusing on gender, ethnic, and disability inclusion. |
| "It's not safe to encourage people to come out." | In many countries, coming out is always a risk. The question isn't whether to encourage employees to come out or not, but how to provide a safe and supportive environment for LGBT+ people – whether they have decided to come out or not. This begins with a clear statement that LGBT+ people are welcome in the workplace and fostering a culture of inclusion; it can also include measures such as giving people the ability to connect anonymously to online employee LGBT+ networks or working with local LGBT+ community groups. Finally, it can include working in the public sphere to put the economic and business case for LGBT+ inclusive societies. |

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Acknowledgements

A special thanks to the following partners, without whom this report would not be possible

BRUNSWICK



CLYDE GROUP



OUTRIGHT
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Human Rights for LGBTIQ People Everywhere.



This report exists because of the dedicated time and support from individuals in our coalition partners, dedicated LGBT+ civil society leaders around the world, and many others who dedicate countless hours to making our work possible.

There are certain individuals and groups who were essential to the creation of this report and who have our wholehearted thanks:

Fabrice Houdart at the **UN Office of the High Commissioner for Human Rights** for creating the **UN Standards of Conduct** and giving us his blessing and support to develop this report as an extension of his work. Fabrice introduced us to business leaders around the world who helped us refine our framework and approach.

Melinda Miklós who is the CEO of **WeAreOpen** in Hungary. Melinda not only provided us with a strong activist perspective on Central and Eastern Europe, she also organised a roundtable of Hungarian business leaders to provide feedback for the report, including **Melanie Seymour** from **BlackRock**; **Csaba Szende** from **Eaton**; **Janos Strohmayer** from **Egon Zehnder**; **Eric Bentz** from **GSK**; **Laszlo Hajdu-Nemeth** from **Morgan Stanley**; and **Peter Arvai** from **Prezi**.

Sahar Moazami, **Paul Jansen**, **Maria Sjödin** and **Jessica Stern** at **OutRight Action International** for introducing us to inspiring LGBT+ activists around the world, who

provided their input into this report. They helped us shape the report so that it would be truly beneficial for LGBT+ people fighting for equality all over the world.

In particular, the following LGBT+ leaders and human rights defenders around the world provided their time and insight to help shape this report: **André du Plessis** from **ILGA**, **Frank Mugisha** in **Uganda**, **Jean Chong** in **Singapore**, **Pallav Patankar** and **Sharif Rangnekar** in **India**, **Ludo Swinden** and **Pavel Šubrt** of **East Meets West** in **Vienna**, **Levis Maina** in **Kenya**, **Georges Azzi** in **Lebanon**, **Xeenarh Mohammed** in **Nigeria**, **Noor Sultan** and **Azzan Sultan** in **Egypt**.

Katie Marchetti, **Matt McEveety**, **Nathan Foley**, **Charles Twallin** and **Anika Mohammed** from **Gerson Lehrman Group (GLG)**. The team put us in touch with experts from the private sector who have shaped their companies' engagement on issues ranging from climate change to gender equality.

Alex Slater, **Scott Nolan Smith** and **Fiona Burke** of **Clyde Group** in Washington, DC for launching this report at SXSW, and building a strong communications plan to ensure this report is seen around the world.

At the **Brunswick Group**, we are grateful to **Simon Sporborg**, **Chris Calvert** and **Sayagi Vallipuram** for aiding with the media launch in London; and we owe a special debt

to **Neal Wolin** and **Helen James**, **Brunswick's** CEO and COO respectively, for their continued support for the Open For Business coalition.

We are thankful to the many business leaders from our coalition partners and other companies leading on LGBT+ inclusion for providing valuable insight into the report. From our coalition, **Monica Boll**, **Nedra Dickson** and **Javier Leonor** from **Accenture**; **Jon Tilli** from **Deutsche Bank**; **Beth Brooke-Marciniak** and **Sugan Palanee** from **EY**; **Liz Burton** and **Alice Barrett** from **GSK**; **Tony Tenicela** and **Marijn Pijnenburg** from **IBM**; **Nacho Mora Ariza** from **Inditex**; **David Pearson** from **KPMG**; **Michael Karimian** from **Microsoft**; and **Matthias Stausberg** and **Tom McGivan** from **Virgin**. Those who helped from other companies include **Fiona MacDonald** and **Melissa Tandy** from **ANZ**; **Antonio Cavalli** from **IKEA**; **Steve Howard** formerly from **IKEA**; **Sonia Studer** and **Arda Uzal** from **Nestle**; **Guillermo Dibella** from **Unilever**; **Jan Peter Bergkvist**; **Louise Raymond**; and **Marc Estigarribia**.

Many from civil society and the public sector helped create this report as well, including **Dinah McLeod** from **The B Team**, **Karen McKenzie** from **the Commonwealth Secretariat**, and **Anthony Cotton** and **Betty Mugo** from **USAID**.

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