



Jefatura de Gabinete de Ministros
Subsecretaría de Evaluación de Proyectos con Financiamiento Externo

	418115
para acción de	
Copia	
informe	

NOTA SSEPFE N° 245 /2015.

BUENOS AIRES, **03** AGO 2015

REF.: Solicitud de Financiamiento No Reembolsable para la Cooperación Técnica "Exclusión Social basada en la Orientación Sexual e Identidad de Género en América Latina"

SEÑOR REPRESENTANTE:

Tengo el agrado de dirigirme a Ud., en relación con la Nota N° 57648/2015 del Sr. Interventor del Instituto Nacional contra la Discriminación, la Xenofobia y el Racismo (INADI), que se acompaña. Asimismo, hemos recibido el borrador de Documento de la Cooperación Técnica a través del Jefe de la División de Género y Diversidad del BID.

Al respecto, se solicita a ese Banco tenga a bien realizar los trámites correspondientes para dar inicio a la Cooperación Técnica No Reembolsable por un monto de US\$100.000, para el financiamiento de recolección de datos y análisis cualitativo en torno a la población LGTBI.

Sin otro particular, saludo a Ud. atentamente.

Lic. Federico Bekerman
Subsecretario de Evaluación de Proyectos
con Financiamiento Externo
Jefatura de Gabinete de Ministros

AL SEÑOR
REPRESENTANTE EN ARGENTINA
DEL BANCO INTERAMERICANO DE DESARROLLO
Sr. Hugo FLOREZ TIMORAN
S / D

RTO-S04:0128932/2015

Fecha de transferencia: 30-Jul-2015 15:22:45

Destinatario (área): jgm@jgm - Jefatura de Gabinete de Ministros

Transferencia desde: DSPINADI@minjus - Area Despacho - INADI

Realizada por: nfrenkel@minjus - Natalia Frenkel

Documentación del remito

(Al: Área Iniciadora - NO: Número Original) Si los papeles provienen de la Administración Pública

(Al:---; NO:---) Si los papeles provienen de un particular

- NOTA-S04:0057648/2015 (Al: ---; NO: ---)

Título: Respuesta en relación a la iniciativa del Banco Interamericano de Desarrollo (BID) de generar información sobre los avances de las poblaciones LGBTI en Argentina

Fojas: 2 - Causante: dspinadi@minjus

Documentos/Carpetas remitidos (sólo cabeceras): 1

Recibido por:



Fecha de Impresión: 30-Jul-2015 15:22:45



INADI

Instituto Nacional contra la
Discriminación, la Xenofobia y el Racismo
Ministerio de Justicia y Derechos Humanos

Buenos Aires, 30 JUL. 2015

Nota-S04: 57648/2015

SEÑOR SUBSECRETARIO

De mi mayor consideración

Tengo el agrado de dirigirme a Ud. a fin de expresarle el agrado con el que el Instituto a mi cargo ha recibido la iniciativa del Banco Interamericano de Desarrollo (BID) de generar información sobre los avances de las poblaciones LGBTI en Argentina.

En este sentido, el INADI celebra que el Departamento de Género y Diversidad del BID inicie su tarea de recolección de datos y análisis cualitativo en torno a la población LGTBI, la cual ha sido sujeta de una histórica vulneración de derechos y múltiples discriminaciones que han impedido el pleno ejercicio de su ciudadanía en igualdad de condiciones con todas las personas.

Como es de su conocimiento, la Republica Argentina se encuentra transitando un proceso de reconocimiento de derechos de colectivos históricamente vulnerabilizados, en el convencimiento de que el desarrollo con inclusión se constituye como único modo de crecimiento posible, haciendo del respeto de los derechos humanos y la igualdad la piedra fundamental de toda política pública.

En el caso particular del colectivo que nos convoca, los avances en materia legislativa, a través de la sanción de leyes como la de Matrimonio Igualitario e Identidad de Género se han constituido como un



INADI

*Instituto Nacional contra la
Discriminación, la Xenofobia y el Racismo
Ministerio de Justicia y Derechos Humanos*

importante punto de partida para la igualdad real y efectiva de las personas LGBTI.

Asimismo, se destacan los decretos 1006 Y 1007 que posibilitan la inscripción de nacimientos de familias comaternales antes de la sanción de matrimonio igualitario y la reglamentación de la ley de identidad de género, respectivamente y también la reglamentación del artículo 11 de la Ley de Identidad de Género y la media sanción de la ley que instituye el 17 de mayo como día de lucha contra la homofobia y la transfobia.

En lo que respecta a políticas públicas, el INADI trabaja federalmente en la promoción un cambio cultural que deconstruya y tienda a la erradicación de prácticas no discriminatorias, sensibilizando a la comunidad, generando instancias de capacitación, produciendo materiales teóricos y audiovisuales y realizando gestiones para la adecuación de normas, reglamentos y procedimientos de diversos ámbitos a la legislación igualitaria.

Asimismo, entre otras acciones, el INADI forma parte del grupo de organismos del Estado Nacional para la Promoción y Protección de los Derechos de la Población LGTBI, que cuenta con la participación de más de 30 instituciones públicas comprometidas con el trabajo en la temática desde donde se diseñan actividades, campañas, materiales y demás instancias de sensibilización.


En este sentido y en el entendimiento de que lo planificado por ese Banco Interamericano de Desarrollo se encuentra en absoluta consonancia con el trabajo que el Estado Nacional se encuentra realizando en pos de la visibilidad y reconocimiento de derechos del colectivo LGBTI es que este Organismo no encuentre objeciones que realizar a vuestra iniciativa y celebra su realización.



INADI

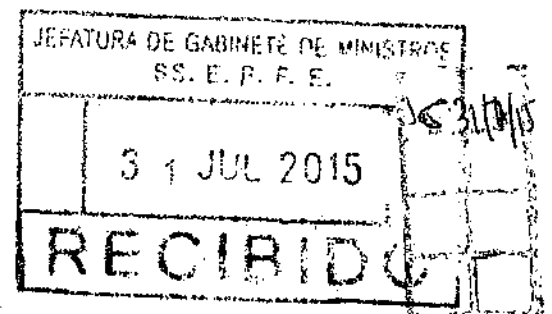
Instituto Nacional contra la
Discriminación, la Xenofobia y el Racismo
Ministerio de Justicia y Derechos Humanos

Sin otro particular, hago propicia la presente
para saludarlo con mi más distinguida consideración,



FEDERICO BEKERMAN
INTERVENTOR
INADI

**AL SUBSECRETARIO DE EVALUACION DE
PROYECTOS CON FINANCIAMIENTO EXTERNO
DE LA JEFATURA DE GABINETE DE MINISTROS
Lic. Federico Bekerman**
S _____ / _____ D



ANNEX 1:

DRAFT TC Document

I. BASIC INFORMATION

▪ Country/Region:	Argentina
▪ TC Name:	Social Exclusion based on Sexual Orientation and Gender Identity (SOGI) in Latin America
▪ TC Number:	RG-X1245
▪ Team Leader/Members:	Andrew Morrison (SCL/GDI), team leader; Paola Buitrago (SCL/GDI), co-team leader; to-be-defined (RES/RES); Monica Lugo (LEG/SGO); Claudia Ogliastro (ORP/GCM) and María Fernanda García Rincon (ORP/PTR)
▪ Beneficiary	Argentina
▪ Executing Agency and contact	Inter-American Development Bank through the Gender and Diversity Division (SCLGDI)
▪ Donors providing funding:	Project specific grants (PSG) from Dreilinden Foundation
▪ Non-reimbursable funds requested:	PSG contribution from DREILINDEN: US\$ 100,000 Total: US\$ 100,000
▪ Disbursement period:	24 months
▪ Required start date:	October 15/2015
▪ Types of consultants :	Firms and individuals
▪ Prepared by Unit:	SCL/GDI
▪ Unit of Disbursement Responsibility:	SCL/GDI
▪ TC Included in Country Strategy:	No
▪ TC included in CPD:	No
▪ GCI-9 Sector Priority:	Social policy for equity and productivity

II. DESCRIPTION OF THE ASSOCIATED LOAN/GUARANTEE

2.1. This technical cooperation will finance collection activities of representative data on LGBTI (Lesbian, Gay, Bisexual, Transgender/Transsexual and Intersex) populations in one country in the Latin America and Caribbean (LAC) region, as well as gather qualitative information on the types of exclusion faced by LGBTI populations and sub-populations in the country. The total cost of this operation will be US\$100,000 (See Table 3). The Dreilinden Foundation has committed to financing the operation's total cost through a Project Specific Grant (PSG), administered by the Bank according to the procedures established in the "Report on COFABS, Ad-Hocs and CLFGS and a Proposal to Unify Them as Project Specific Grants (PSGs)" (Document SC-114). As discussed in the aforementioned procedures, the commitment from the Dreilinden Foundation will be established through a separate administrative arrangement. Under such an arrangement, the resources for this project will be administered by the Bank and the Bank will charge an administrative fee of 5% (as identified in the budget for this technical cooperation operation).

2.2. The IDB must receive the approval of the Finance Ministry of the selected country to conduct this research. While the participation of a specific country cannot be guaranteed until such approval is granted, the IDB has a close working relationship and a long history of working on social issues with the countries of the region.

III. OBJECTIVES AND JUSTIFICATION

- 3.1. **Objectives:** The objectives of this research project are to: (i) collect representative data on LGBTI (Lesbian, Gay, Bisexual, Transgender/Transsexual and Intersexed) populations in one country in the Latin America and Caribbean (LAC) region, taking into account the challenges of such data collection; (ii) gather qualitative information on the exclusion patterns faced by LGBTI populations and sub-populations in this country; and (iii) identify and organize other available data on LGBTI in the LAC region.
- 3.2. The products associated with this project are: (i) a regional inventory of available statistical information on LGBTI populations in LAC; (ii) estimates of the size and the socioeconomic characteristics of the LGBTI populations in one selected LAC country: Argentina;¹ (iii) a working paper identifying patterns of exclusion of these populations in the same country for (ii); (iv) one seminar presenting the results of this work program; and (v) participation in at least one regional meeting on LGBTI issues to present the results of the research in the selected country.²
- 3.3. **Justification:** Very little is known about the size of overall LGBTI populations in LAC or the exclusion mechanisms they face. Even less information is available to characterize particular LGBTI sub-populations³, which makes it very difficult to take into account and address the differential needs within LGBTI populations. One popular perception on the population refers to the LGBTI population as a wealthy (or at least, non-poor) and well educated segment of society. The reality that has been uncovered in other societies is that this reality is not accurate. There also are important segments of the LGBTI community that can be labeled as under-privileged. They are just invisible to the available statistics (and popular perceptions) (Badgett et al., 2014). To portray a more complete picture of the LGBT community is then an important stepping stone for public policy as well.
- 3.4. More accurate data on the socioeconomic situation of LGBTI populations in at least one country of the region would increase the IDB's ability to: (i) conduct quality empirical research; (ii) improve the design of future projects that would address the needs of these populations, including social sector projects to improve the delivery of specialized services; and (iii) provide better policy recommendations to combat SOGI-based discrimination. Information on the types of exclusion based on SOGI may be of particular interest to both sectorial ministries (e.g., labor, health) and Finance and Planning ministries. Additionally, the learning process of data collection and harmonization would serve as a basis for the replication of similar processes in other countries of the region in the near future.
- 3.5. The newly approved Sector Framework for Gender and Diversity which includes LGBTI as a form of diversity (GN-2800-4) mentions, under knowledge activities, the possibility of

¹ See the country selection criteria in paragraph 4.3.

² This may be the Bilateral Conference in Montevideo in 2015, assuming that some initial results are ready by the date of the conference. It will be financed via cost savings from other components (if applicable) or financed with Bank administrative budget.

³ Overall, there seems to be more available data on gay, bisexual, and other men who have sex with men (MSM) than on other groups such as lesbian, bisexual, and other women who have sex with women (WSW). There are also significant differences in the challenges lesbians, gay men, bisexuals, transgender or intersex populations face.

conducting research on the social exclusion faced by LGBTI populations. This TC responds to this item in the Sector Framework.

3.6. Anti-discrimination legislation and attitudes regarding LGBTI individuals in LAC: Legal protections for LGBTI populations vary widely across LAC, from countries like Argentina and Uruguay that allow same-sex unions to countries such as Belize and Jamaica that outlaw same-sex sexual relations. According to the most recent regional comparison⁴ for LAC, approximately half of the IDB's borrowing member countries (12 of 23)⁵ have approved SOGI anti-discrimination legislation.⁶

3.7. The Global Index on Legal Recognition of Homosexual Orientation (GILRHO) developed by Waaldijk (2009) provides a useful measure for comparing the status of LGBTI inclusion across countries. This index takes into account eight categories of LGBTI rights, one of which is whether a country has an explicit prohibition of discrimination in employment on the basis of sexual orientation. Countries receive a score of 8 if there is protective legislation across all eight dimensions. Argentina, Brazil and Mexico are the LAC countries with the most complete legal framework for protecting LBGT rights (see Table 1); note that there have been no significant improvements in the value of the index since 2012.

3.8. The Pew Research Center (2013) conducted a global attitudes survey in 39 countries asking respondents whether they thought society should accept homosexuality. Public opinion on homosexuality was in general positive within LAC. In Argentina, about three-quarters (74%) said homosexuality should be accepted, as do clear majorities in Chile (68%), Mexico (61%) and Brazil (60%). In contrast, 62% of Salvadorans say homosexuality should be rejected by society, as do nearly half of Bolivians (49%). Latinobarometro conducted a survey on public perceptions in the region in 2009. They asked respondents if they would be opposed to having members of particular groups as neighbors, including homosexuals. An average of 29% responded that they would not like to have a homosexual neighbor (see Table 2). Finally, data for 2014 round of the LaPop project⁷ showed that higher public support (on a 0-100 scale, higher values mean more degrees of support) for same-sex couples' right to marry is found in those countries that have enacted legislation allowing same-sex unions or marriage (Uruguay with 71.1, Argentina with 57.5, Brazil with 45.5, and Chile with 44.7).

⁴ Americas Society/Council of the Americas; <http://www.as-coa.org/articles/explainer-LGBTI-rights-latin-america-and-caribbean>. Updated May 16, 2013.

⁵ Bolivia, Brazil, Chile (in the case of Chile the legislation does not specifically mention sexual orientation or gender identity, but it outlaws any discrimination that "threatens the legitimate exercise of fundamental rights", Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Nicaragua, Peru, Uruguay and Venezuela. In Argentina no national law exists that penalizes LGBTI discrimination; there are legal protection measures only in certain provinces.

⁶ For the purposes of this document, "anti-discrimination legislation" refers to legislation that penalizes any act of discrimination against SOGI.

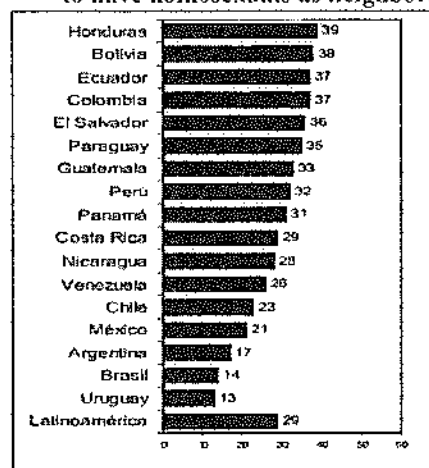
⁷ Stands for Latin American Public Opinion Project, an initiative led by Vanderbilt University.

Table 1. Legal recognition of LGBTI rights: selected LAC countries, 2012-2014

Country	Global Index on legal Recognition of Homosexual Orientation (GILRHO)		
	2012	2013	2014
	Values from 0 to 8: 8 when homosexual behavior is not criminalized, equal age of consent applies, sexual orientation discrimination is forbidden in employment, same-sex couples can get recognized as cohabitants		
Argentina	7	7	7
Brazil	6.5	7	7
Chile	3	3	3
Colombia	5	5	5
Ecuador	5	5	5
Guatemala	2	2	2
Honduras	2	2	2
Mexico	5.5	5.5	5.5
Peru	2	2	2
Venezuela	4	4	4

Source: Badgett et al., 2014

Table 2. Perceptions of homosexuality in LAC: % respondents who would not like to have homosexuals as neighbors



Source: Latinobarometro, 2009.

3.9. Available data on LGBTI populations in LAC: Data on LGBTI populations are extremely scarce in LAC, since questions about SOGI are only very infrequently asked in statistically representative surveys (Badgett, 2013). The few examples of data collection initiatives in the region—all within the last five years—include:

- **Censuses:** Brazil (2010), Mexico (2010), Argentina (2010) and Uruguay (2011) asked a question about same-sex partnerships in their most recent censuses. Brazil's national census, for example, revealed 134,988 persons in same-sex couples. The number is rather small considering that Brazil's population is 190.7 million. These data have two limitations. First of all, they likely underestimate LGBTI populations because they neither include those who have partners of a different sex, but also engage in sex with same-sex individuals, nor include those who are not partnered. Second, there is only very limited socio-economic data available in the censuses.
- **Household surveys using random samples:** In 2010, a national household survey on discrimination against vulnerable groups in Mexico asked respondents if they considered themselves to be LGBTI. Out of 52,095 respondents, only 184 (0.35%) identified themselves as LGBTI.
- **Surveys of individuals using snowball sampling methods:** Ecuador's National Institute of Statistics and the Bogota's Planning Secretariat used snowball sampling methods (see Component 2 below for details on this methodology) to survey LGBTI populations about their living conditions and experiences with discrimination. Neither of these surveys is representative at the national level (in Bogotá, data is representative at the city level). In the case of Bogotá, 3.64% of the LGBTI population reported labor market discrimination; this is likely measured with error however, since only 60% of employed individuals responded to the question on their sexual orientation.

- Self-reported data from online surveys: In 2013, the *No Tengo Miedo*⁸ collective published a qualitative study on violence suffered by LGBTI populations in Metropolitan Lima. Of the 292 LGBTI individuals who answered the questionnaire, 260 (89%) reported that they had suffered violence.⁹ A 2014 survey collected data in half of northern and central Mexican states on homophobia in the labor market. Of the 2,284 individuals who responded online, one in three said that they had been victims of discrimination in the workplace.

IV. DESCRIPTION OF ACTIVITIES, COMPONENTS AND BUDGET

- 4.1. **Component 1 - Data bank of available statistical information on LGBTI populations in LAC.** Before collecting new data on LGBTI populations, we need to make sure we have catalogued all existing data. This activity will establish an inventory of the (scarce) existing statistical data –national and local surveys, surveys administered by non-profit organizations and think tanks, etc.– on LGBTI populations in the LAC region as well as social perceptions and attitudes toward LGBTI populations, and develop a data bank with the available information. This exercise would also help identify good practices of data collection already in place, as well as local initiatives that could be scaled up to the national level. An individual consultant would perform this activity within an estimated period of 3 to 4 months.
- 4.2. **Component 2 - Statistically representative survey on socioeconomic characteristics and employment conditions of LGBTI individuals in one LAC country: Argentina.** This component will finance the design and implementation of a specialized survey in one country in LAC. The survey will explore topics such as socio-demographic conditions, education, occupation and employment, social exclusion, perceptions of wellbeing, and access to resources and services. Since LGBTI individuals are difficult to survey both because of their relatively small population sizes and because of stigma in self-identifying as LGBTI, this activity proposes a respondent-driven sampling (RDS) method. The objective is to implement a statistically representative survey, at the national or metropolitan-area level, using RDS in high-density LGBTI populations. This method, originally proposed by Heckathorn (1997), combines "snowball" sampling (surveyed individuals of the target population refer interviewers to other members of the target population) with a model that applies weights to compensate for the fact that the sample was collected in a non-random manner. This methodology allows for the generation of sampling weights and acceptable representativeness of national populations. The only drawback to this methodology is its cost; in general, individuals who refer interviewers to other respondents are compensated.
- 4.3. The selection of the country in which this data collection will be undertaken -Argentina- has been based in the following criteria: it is a country with relatively high levels of legal protection of LGBTI rights (see Table 1) and intermediate levels of social acceptance of homosexuality (Table 2). Intermediate levels of social acceptance will likely translate into significant levels of social exclusion against LGBTI individuals which can be analyzed using the data generated; at the same time, the government has expressed their support for LGBTI

⁸ *No Tengo Miedo* (I'm not Afraid) is an activist organization working to promote equal rights for LGBTI population in Peru.

⁹ The collective plans to expand the study to include four other Peruvian regions, collect 600-1,000 new observations and improve the questionnaire so as to collect information on additional dimensions (e.g. labor market outcomes).

rights so the findings of the analytical work are more likely to result in government action to reduce exclusion based on SOGI.¹⁰

4.4. Component 3 – Focus groups to identify forms of exclusion faced by LGBTI populations in one LAC country: Argentina.¹¹ The proposed activity will conduct focus groups to better describe and characterize the experiences of exclusion faced by LGBTI sub-populations. These focus groups will better inform the primary data collected through component 2.¹² Twenty five (25) focus groups will be assembled so as to have five groups of lesbian women, five groups of gay men, five groups of bisexual individuals, five groups of transgender/ transsexual individuals, and five of intersex individuals.

4.5. Technical and fiduciary responsibility. SCL/GDI, through the project team leader, will be responsible for supervising the program and for reporting to the Dreilinden Foundation according to the Donor “Administration Agreement”. In particular, the project team will submit to the Donor annual reports with status updates on Project implementation and, following the completion of the Project, the Bank will submit to the Donor a final Project report.

Table 3. Indicative Budget (US\$ dollars)

Activity/ Component	Description	Cost
Component 1 Year 1	Consultant to develop a data bank with existing statistical information on LGBTI populations;	\$15,000
Component 2 Year 1-2	Nationally representative survey of LGBTI population using RDS methodology; 1,500 surveys.	\$64,000
Component 3 Year 1-2	Focus groups with LGBT sub-populations to complement primary data; 25 focus groups in same country as component 2.	\$16,000
Administrative fee (5%)¹³		\$5,000
TOTAL		\$100,000

¹⁰ Note that as a multilateral development bank, the IDB must receive the approval of the Finance Ministry of the country to conduct this research. While the participation of the specific country cannot be guaranteed until such approval is granted, the IDB has a close working relationship and a long history of working on social issues with the countries of the region.

¹¹ Focus groups are a form of qualitative research in which a group of people are asked about their perceptions and/or experiences regarding particular situations. Questions are asked in an interactive group setting where participants are free to talk with other group members.

¹² For this reason, the focus groups will be conducted in the same country as component 2.

¹³ The commitment from the Dreilinden Foundation will be established through a separate administrative arrangement. Under such an arrangement, the resources for this project will be administered by the Bank and the Bank will charge an administrative fee of 5%.

Table 4. Indicative Results Matrix

Expected Impacts	Means of verification	Comments
Policymakers and other relevant actors increase their knowledge on size and socioeconomic conditions of LGBTI populations in LAC	Number of downloads (or requests for access) of the country level report and dataset	Medium run (2+ yrs)

Expected Outcomes

Indicator	Means of Verification	Baseline	Target	Comments
Expected Outcome 1: Increased availability of information on existing national and local initiatives on data collection regarding LGBTI population in LAC				
Inventory report of existing national and local initiatives on data collection regarding LGBTI population in LAC	Report	0	1	Short Run (1-2 yrs)
Expected Outcome 2: Increased availability of data on the size and socio-economic characteristics of the LGBTI population in a LAC country				
Country-specific dataset with primary information of LGBTI populations	Dataset	0	1	Short Run (1-2 yrs)
Country specific report with estimates of the size and socio-economic characteristics of the LGBTI populations	Report	0	1	Short Run (1-2 yrs)
Expected Outcome 3: Qualitative data on exclusion of LGBTI populations in a LAC country				
Report on the qualitative findings from the focus groups with LGBTI sub-populations regarding experiences of exclusion	Report	0	1	Short Run (1-2 yrs);

V. EXECUTING AGENCY AND EXECUTION STRUCTURE

5.1. Given that this TC will generate knowledge products produced by the Bank, the operation will be implemented by the Inter-American Development Bank through SCL/GDI. The project team will be responsible for the preparation and submission of project reporting to donors in compliance with the “Administration Agreement” (see paragraph 4.5). The project team will request and obtain the corresponding non-objection letter from the country’s official counterpart before the initiation of any activity in the country. The TC will be implemented over a 24 month period. The Bank will contract individual consultants, consulting firms and non-consulting services in accordance with current Bank procurement policies and procedures.

5.2. If at the end of project execution the project was closed with a positive uncommitted and unspent balance, the project team will be responsible for informing ORP/GCM to transfer the unspent balance as agreed to with the donor and the Bank pursuant to the terms of the PSG “Administration Agreement”.¹⁴

VI. MAJOR ISSUES

6.1. This project has low fiduciary and governance risk. Nonetheless, there are risks of: inadequate quality of the data and analysis generated. On the quality of data collected: the

¹⁴ All PSG Administration Agreements include provisions for the use of any unspent balances.

project team will enlist external and Bank experts to comment on the methodology for data collection; in addition, the Bank will select consulting firms with proven experience in data collection at the national and local level in the LAC region. On the quality of data analysis, external reviewers and IDB experts will review all analytical products before dissemination in order to mitigate this risk.

VII. EXCEPTIONS TO BANK POLICY

7.1.No exceptions to Bank policy are envisaged.

VIII. ENVIRONMENTAL AND SOCIAL STRATEGY

8.1.Based on the guidelines contained in the Environment and Safeguards Compliance Policy (OP-703), the proposed classification of this operation is category C.