
Trades Union Congress
Charter on International Lesbian, Gay,
Bisexual and Transgender Solidarity

International LGBT Solidarity

A Trade Union Charter

Foreword by the ITUC

The adoption by the TUC of a charter on international Lesbian, Gay, Bisexual and Transgender (LGBT) solidarity is a significant moment for the trade union movement.

It is still a crime to be lesbian, gay or bisexual in over 70 countries, with punishments including life imprisonment, flogging and the death penalty.

In all regions of the world, to a greater or lesser extent, LGBT people are denied the right to freedom of association, freedom of assembly and freedom of expression. LGBT people continue to face hate-motivated violence and discrimination in jobs, health care and education because of their real or perceived sexual orientation or gender identity.

To paraphrase the United Nations High Commissioner for Human Rights, the regularity with which States disregard and violate human rights is shocking. They claim exceptional circumstances and pick and choose between rights. One government will support women's human rights but will balk at any suggestion that those rights be extended to LGBT communities. In so doing they reinforce prejudices and stereotypes and even legitimise manifestly unlawful behaviour.

For the trade union movement, defending the rights of LGBT people, organising LGBT workers into unions and standing in solidarity with LGBT communities is part and parcel of our mission to defend the human and labour rights of *all people everywhere*. It is recognition of the universality and indivisibility of human rights. As we so often say, "an injury to one is an injury to all".

The TUC charter is empowering in its approach. It recognises the need to expose injustice against LGBT communities wherever it occurs, whilst at the same time emphasising the agency of LGBT activists in their countries and

acknowledging the complexities of situations they may face. It puts the decision on when, whether and how to act firmly in the hands of the communities seeking solidarity and represents a move away from paternalistic and outdated relationships. This charter is an example of how true solidarity should operate: on a basis of equality and mutual respect.

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Introduction

This Charter for international Lesbian, Gay, Bisexual and Transgender solidarity has been produced by the TUC on the advice of its LGBT Committee and was adopted on 11 February 2015, following a resolution adopted at the TUC LGBT Conference in June 2014 and its annual Congress in September 2014.

The purpose of the Charter is to establish the principles on the basis of which trade unions should operate to protect and advance the rights to equality of LGBT people everywhere.

Context

There is great fluidity in the global position of LGBT people and new developments are reported regularly. Whereas in some countries, there is continued progress towards establishing legal equality, in other countries ever more repressive legislation has been introduced or is being considered. At the same time, social attitudes are also changing rapidly, with welcome progress towards social acceptance in some countries standing in contrast to hostility and violence – sometimes state-inspired – in others. While in some countries, organisations representing LGBT people have become an integrated and welcomed part of civil society and are routinely consulted by governments, in others such organisations have to operate under constant threat of state repression.

Trade Union responsibilities

In 2014, for the first time, the International Trade Union Confederation (ITUC) at its international congress recognised explicitly the equal right of LGBT trade unionists to full inclusion in the global trade union movement and the responsibility of trade unions to advance and protect the right to equality of LGBT workers and LGBT communities.

In the UK, the TUC has adopted resolutions committing it to campaign in solidarity with those facing repression abroad alongside its commitment to achieving equality domestically, explicitly including LGBT people.

The Charter

1. Leadership from LGBT people seeking solidarity

In accepting responsibility for acting to protect the right to equality and freedom from discrimination of LGBT workers and LGBT communities around the world, it is recognised that the principle that underlies this responsibility is that genuine change in a society is the result of action within that society and cannot be imposed from outside. Attempts to do so will often be counterproductive. Trade unions therefore commit to heeding the voice of LGBT communities within the country where solidarity has been requested and only to speak on their behalf if specifically requested to do so.

Trade unions further commit to taking all possible steps to ensure that actions intended to promote solidarity do not have negative consequences.

This approach is consistent with the principles adopted by the Amsterdam Network of NGOs working for international LGBT solidarity in 2012 and underpins all solidarity activity.

It is recognised that sometimes it may be necessary to conduct further enquiries to confirm that the local organisation is representative of the views of LGBT communities in the country concerned, if there is any doubt about the matter.

2. Understanding national sensitivities

Given that the historic relationship of the UK was one of colonial master to many countries where the position of LGBT communities has become a prominent issue, it is essential that trade unions considering their response to appeals for solidarity are aware of the sensitivity that exists in relations between the UK and the country in question. More broadly, when considering how to respond to appeals from other countries where there was no direct colonial relationship, unions still need to be sensitive to the negative consequences of appearing to adopt a patronising or superior attitude.

3. Understanding the communities

LGBT communities have developed in particular ways in the UK and western Europe and North America. These models arise from conditions and traditions in these countries and are not necessarily reflected in the customs, language or cultures of other countries and it will be necessary, prior to organising a solidarity campaign, to become familiar with the position in the country concerned. However, it is not acceptable ever to compromise on the fundamental starting point that LGBT rights are human rights and are universal.

It may be that a response to an appeal for solidarity would be best couched in terms of a broader human rights agenda, or it may be far more specific. It may be that the situation of LGB people, for example, differs considerably from that of trans people, and that different support is required. In all cases, trade unions need to establish the appropriate language and formulations that will be understood correctly in the country in question, without abandoning or weakening the underlying principle of the goal of equality.

4. Trade unions in the country

It will be a fundamental principle that, as part of the international trade union movement, contact should be established with the equivalent trade union organisation when a call for solidarity is received from that country, if such an organisation exists.

Where the trade union(s) are committed to support the equal rights of LGBT communities in that country, the discussion will be based on identifying what practical assistance can most usefully be offered, without prejudgement as to what that might be.

However, it is also recognised that there will be circumstances where the local trade union organisation is not in a position to promote the solidarity campaigns called for that would be consistent with the policies adopted by the ITUC. Where the union(s) in that country have not adopted these policies, it may be appropriate to consider as part of the practical solidarity steps seeking to improve that position, recognising that this will have longer term benefits with deeper roots.

In such circumstances, the approach of the trade union will be to enter into dialogue through the best available channels to encourage the union in the country concerned to deepen its understanding and commitment to the full equal and human rights of LGBT people in that country. This may take the form of exchange visits, offers of training, provision of resources or whatever is agreed between the parties.

5. Practical solidarity: direct support

Where an appeal for solidarity is received from LGBT organisations in a country, the next step will be to make contact with the organisation(s) and to enter into dialogue in which can be established what the best and most practical solidarity may be. Such solidarity may take a number of different forms and will need to be adapted to the circumstances in that country and to respect the views of the local organisation on what is and is not suitable.

In general terms, supporting and building the capacity of local organisations may often be the most effective approach where this can be achieved without leading to a backlash.

It will always be important to establish who else may be acting on an appeal for solidarity and to make contact with, and coordinate activity with, any others who are responding to the appeal.

In particular, trade unions will need to be careful that in providing practical solidarity, they do not accidentally worsen the position of the local organisation by leaving it vulnerable, for example, to accusations of breaching laws on foreign financial support or foreign interference in domestic affairs.

6. Practical solidarity: UK government action

In recent years, in a welcome development, the UK government has shown itself willing to speak out vigorously in defence of LGBT rights and against attacks on human rights abroad.

The UK government has already developed a range of support activities appropriate to local circumstances including actions by embassies to support LGBT groups, and to demonstrate public support where appropriate. One step in taking solidarity forward may be to contact the Foreign and Commonwealth Office to check what action it may already have taken or is considering.

In deciding whether to call upon the UK government to act against a state, the same principle of heeding the voice of local LGBT organisations must apply.

In particular, the issue of calling for sanctions against a state is one must depend on the wishes of the local organisations, as the call may be counterproductive and encourage a worsening of the position.

Similarly, the question of whether or not to call for conditionality to be attached to foreign aid needs particularly sensitive attention. Trade unions accept that action that will cause harm to other communities in the country concerned is unlikely to be helpful to LGBT communities and may be positively detrimental. Where local LGBT organisations have called for aid to be conditional on equal rights, it will be essential to be clear about the exact nature of the aid in question (for example, the difference between aid for state budgets and aid for community projects).

7. Action within UK trade unions

In order to deliver international solidarity with LGBT communities most effectively, unions will make efforts to:

- Seek to inform members generally on the position of LGBT communities in other countries
- and on the actions undertaken by the union in solidarity.
- Unions will also strive to ensure effective collaboration between international and equality departments (where they exist) to maximise the impact of solidarity actions.

In addition,

- Unions will seek to ensure that union negotiators with employers who may post union members to workplaces in countries where LGBT people face legal discrimination or social prejudice are trained to arrange appropriate protections for LGBT members in this situation, following best practice guidance published by the TUC and others.

Trades Union Congress

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