

**Report from EGDI conference**  
**Making the linkages – Sexuality,**  
**Rights and Development**  
**6 April 2006**

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## Executive Summary

Sweden is the first, and so far only, country to have a coherent policy specifically on sexual and reproductive health and rights. The strategic priorities areas identified are: women's and girl's rights to their own bodies and sexuality; gender-based violence/sexual violence; combating purchase of sexual services; neo-natal and maternal care; abortion; HIV/AIDS; sexual orientation and gender identity. It is extremely important that this policy is implemented effectively and in ways that respond to the different regional and local contexts and the priorities of activists in these areas. This workshop, hosted by the Expert Group on Development Issues, was groundbreaking in its effort to bring together researchers and activists from around the world who all contributed with their knowledge in a way that will help the further promotion and operationalisation of this policy.

The workshop included a number of recurrent themes: who defines a right and how, going beyond identity politics; the power of conservative forces; the need to be grounded in people's lived realities; sexuality and morality; and – possibly the most controversial one as far as Sweden is concerned – women, men and transgender persons who sell sex for money.

On the issue of rights, a lot of debate focused on the need to strike a balance between the autonomy and universality of rights and the contexts that surround the realisation of these rights. As was demonstrated, it is possible to have all rights guaranteed by law, but unless you pay close attention to what happens in society you risk missing some critical ingredients. The mere existence of human rights in a constitutional sense may have less impact on people's lives than significant cultural and political actors say, or than perceptions in general in society.

As sexual rights are still hidden within other rights – and are to a large extent not recognised – Paul Hunt, the UN Special Rapporteur on the Right to Health, proposed that instead of using the old tactics of shaming governments for not fulfilling people's rights we should begin to name sexual rights without shame, as what is unnamed is more likely to be unsupported, ignored or misunderstood.

Furthermore, it was repeatedly emphasised and illustrated that it is important to support those with same-sex sexualities, or transgender and intersex genders in non-western settings, without imposing particular models of what it means to be lesbian, gay, bisexual or transgender. In many non-western settings, sexual orientation is not equated with a specific 'identity' such as being 'gay' for example, therefore demanding special 'gay rights' will make little sense. The general conclusion by all the speakers was that there is a need to go beyond 'identity politics'.

However, sexual rights are not only a question of sexual orientation; in many places in this world we witness not only heteronormativity but also what might be called 'marriage-normativity'. Marriage is a powerful social and economic structure related to sexuality and for many women a prerequisite for economic and social survival. In many places being single is considered a tragedy. Ideals related to marriage can also sometimes be translated into a control of women's (and men's) sexuality. The control of women's sexuality was named as a major tool for women's oppression and the root cause of severe human rights violations. Amongst the more commonly known violations are early and forced marriages, vulnerability to HIV, honour crimes, female genital mutilation and acid attacks.

The speakers recognised that sexuality is nothing new to development, but most interventions have focused on the negative issues, such as population control, disease and violence. The focus has been on encouraging people to say no to risky sex, rather than empowering them to say yes to, or ask for, safer and more satisfying sex. This focus has also been, at times, backed up with a *misconception that poor people would not want to talk about sexuality.* Learning about sexuality is a lifelong process, and this process is an inevitable part of every human being's socialisation.

However, as initiatives that promote sexuality education which embraces pleasure, openness and inclusion become more common, so do the efforts to stop these programmes. Often, counter-efforts are supported by fundamentalist religious organisations with financial backing from nations like the US. The need for Sweden to join forces with other like-minded actors and donors therefore becomes of tremendous importance.

It was generally agreed that hearing from 'the ground', rather than from researchers alone, gives a new conceptual understanding and also ideas and knowledge on how to take these issues forward. Knowledge and power are linked and the process of carrying out research can create a change in the actors involved. Calls for more action and participatory-oriented research were therefore made in this field.

## *Introduction*

The Expert Group on Development Issues (EGDI) at the Department for Development Policy at the Swedish Ministry for Foreign Affairs was established to spread information on policy analysis by improving the linkages between researchers and the development community. On 6 April 2006 the EGDI invited researchers, many of whom had found their energy and knowledge through engagement with grassroots activists, to share these experiences with development officials and Swedish civil society organisations. The topic was sexuality, rights and development, and as Carin Jämtin, Minister for International Development Cooperation, said in her speech:

“We are here today to address squarely a set of issues that are perceived by many as being quite sensitive or volatile ones. Why? Because they concern the most intimate parts of our physical, bodily selves as well as of our emotional selves. Because they therefore also concern emotional attachments, loyalties as well as feelings of social belonging. It is of course then not surprising that they subsequently lie at the centre of most societies’ collective control systems, and that many of these systems contain practices that result in repression and in obstacles to democracy and broad-based social progress. And that is precisely why there are strong linkages between sexuality, sexual rights and development!”

This makes it necessary to work with an inclusive approach; researchers, activists and policy-makers have to join forces and share their different experiences. And as Annika Söder, State Secretary for International Development Cooperation, pointed out in her opening remarks, “This workshop is convened because we know it is topical, and the agenda is always at risk as there are powerful actors who try to make it go backwards. The right to abortion is central – and this is not only an issue for developing countries; national NGOs in the US are facing problems these days and they also need international solidarity. This international solidarity exists, for example, when the US pulled out from funding of UNFPA; Sweden and the Netherlands increased their contributions and it is also important to remember that 171 countries do contribute to UNFPA. This is a politically significant statement.” That a threat to a positive approach to sexuality, such as the one advocated in Sweden’s new policy on Sexual and Reproductive Health and Rights (SRHR), is powerful and real became evident during the many presentations.

Sweden is the first, and so far only, country to have a coherent policy specifically on sexual and reproductive health and rights. The strategic priorities areas identified are: women’s and girl’s rights to their own bodies and sexuality; gender-based violence/sexual violence; combating purchase of sexual services; neo-natal and maternal care; abortion; HIV/AIDS; sexual orientation and gender identity. These

have all been recognised as important issues that need to be taken forward and where there is no room for complacency.

As the workshop included many presentations, the range of topics that was covered was as broad as the issue of sexuality, rights and development itself – some of the recurrent themes were: who defines a right and how, going beyond identity politics; the power of conservative forces; the need to be grounded in people’s lived realities; sexuality and morality; and – possibly the most controversial one as far as Sweden is concerned – women, men and transgender persons who sell sex for money, ‘victims of prostitution’ according to the Swedish definition, but ‘sex workers’ according to most of the presenters’ definitions.

Since it is the intention of the EGDI to publish the papers presented at the conference in an anthology, this report will not give a detailed account of every presentation, but rather try to extract the common themes that are deemed relevant and indeed necessary for continued attention and work by development officials.

### *Whose rights?*

Many of the presenters touched upon the issue of rights, albeit from different perspectives, and a number of challenges emerged. Susan Jolly from the Institute of Development Studies (IDS) asked the audience if it were possible to support sexual rights without imposing new norms about what is ‘right’ and what is ‘wrong’? Ophelia Hayanaama-Örum from the Noah's Ark Red Cross Foundation, in her personal testimony as someone who has been living with HIV for many years, challenged the audience by saying “Yes, all these rights would be wonderful to have, but who is a young girl in a poor rural area supposed to claim them from? She needs support now, she needs something to change in her life today, not in five years time.” And Paul Hunt, the UN Special Rapporteur on the Right to Health, proposed that instead of using the old tactics of shaming governments for not fulfilling people’s rights we should begin to name sexual rights without shame, as what is unnamed is more likely to be unsupported, ignored or misunderstood. Sweden’s Ambassador on HIV and AIDS issues, Lennarth Hjelmåker, also emphasised the need to never forget the last R in SRHR (sexual and reproductive health and rights) – people have a right to sexual and reproductive health. Other debates centred around whether or not rights should be contextualised or universal – opinions differed.

The way you are identified by the surrounding society and your socio-economic status is closely related to your ability to claim and define sexual rights is something that became evident during the presentations. For example Ophelia Hayanaama-Örum who said “Accessing rights isn’t something that teenagers in Africa can do – they’re struggling to survive, and the easiest way to get out of poverty in Africa for a woman is to marry yourself up”. That is what she tried, but failed, to do herself and

today her teenage sister has come to a similar conclusion. The realisation of sexual rights is a far cry from her reality so she has decided to have at least one baby before she contracts HIV as, in her mind, it is not a matter of if she gets HIV, but when. Jelena Djordjevic from the Anti-Trafficking Centre in Serbia told the story of how sex workers have no chance of claiming any of the rights accorded to other citizens because they are identified as 'prostitutes' and at the bottom of the social and economic order. Sex workers, along with Roma and people who are not heterosexual, are amongst the most marginalised in Serbia today. She asked the audience: "How come it is possible and acceptable that women are experiencing extreme brutality from the police without the possibility to claim their rights?" The police are agents of the very same state which is supposed to guarantee equal rights to all their citizens. And yet, in the case of Serbia the sex workers themselves openly testify that they are not being violated by their clients, but by the police – it is the police who rape, detain and brutalise them, and demand sexual services for free.

The aim of the Anti-Trafficking Centre is to create a safe space where women working in the various levels of the sex industry can come for support. But this is almost impossible under the existing legal framework as any gathering of sex workers means that they can be charged with organising prostitution. The outreach workers from the Centre have been harassed and questioned by the police on numerous occasions for carrying condoms and standing in 'prostitution zones'. Women working in the sex industry are scared to carry condoms as they know the condoms can be used as evidence that they are in fact sex workers, which hampers all HIV-prevention efforts. These written and unwritten laws may well be one reason why there is currently no other organisation that has taken it upon itself to work alongside sex workers in order to support them with the needs they have identified themselves.

According to Jelena Djordjevic there is today an unspoken division between 'deserving' victims and those who do not deserve help. Someone who has chosen to be a sex worker may be considered by some as not worthy of help. Although as Sida's Chief Economist, Per Ronnås, stated with emphasis "Deprivation pushes people to take extreme risks. People should not be forced to make impossible choices out of poverty. Action, not words, is what matters, and we do have a choice here". Susan Jolly had earlier provoked the participants by saying that we are witnessing an obsession with choice today, when sex work is discussed. "The key question is not: did sex workers choose this work and on what basis was this choice made? But rather: what do they want now and how can they be supported?" This approach is in line with paying attention to the perspectives of poor people as defined in the Swedish policy for global development, but of course contradictory to other Swedish policies including gender equality and sexual and reproductive health and rights, which do not recognise prostitution as work.

Access to resources in terms of coming from a better class or having an education is also a key issue for lesbians in search of secure employment in Latin America; here it was not a matter of being criminalised as the legal frameworks are by and large against discrimination based on sexual orientation. But prejudice still exists in society and the informal sector is larger than the formal, and most of the anti-discriminatory laws bind the public sector much more than private actors. This means that most lesbians have to hide their private life and act out feminine identities that do not represent who they are in order to keep their jobs, as disclosure in most cases can and often does lead to them being fired. According to the study 'Unnatural, Unsuitable, Unemployed! Lesbians and Workplace Discrimination in Bolivia, Brazil, Colombia, Honduras and Mexico' presented by Alejandra Sardá, those women who refused to hide their identity as lesbians looked for work in more positive environments. However, this required class privileges and entailed making some hard choices such as accepting a lower salary. The existence of anti-discriminatory legislation protection is important, but as Alejandra Sardá said, in order to be effective they must be followed by intense social debate and awareness raising.

So even if the success of human rights, as stated clearly by Ulrika Sundberg of the Swedish Ministry for Foreign Affairs, has been built on the principles of universality and that it is the autonomous interpretation of human rights that have given human rights its strong empowering force, in reality context still matters and indeed is decisive for individuals' opportunities – including their knowledge and exercising of their rights. It matters if you are poor in terms of not having the resources to exercise your rights as in the Zambia described by Ophelia Hayanaama-Örum; it matters if you sell sex to earn a livelihood, or even if you are a woman with a condom in Serbia where the criminalisation of sex workers interacts with social stigmatisation by the surrounding community. And it matters for those lesbians who might be acknowledged by their nation as having the same rights as everybody else but live their everyday lives in a community that may still not recognise this.

### *Going beyond identity politics*

Alejandra Sardá urged the participants to “stop using the term LGBT<sup>1</sup>. We are speaking of an entity that doesn't exist so please go into a deeper analysis instead!” And as Susie Jolly and Sonia Correa had proposed in their keynote paper, same-sex sexualities and gender identities may be experienced and labelled differently in different contexts. This is of course precisely the reason why the term MSM – men who have sex with men – was coined in the HIV and AIDS programmes, to include men who had sex with other men but did not necessarily see themselves as gay because of it. In most western countries there has been much emphasis on identity as

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<sup>1</sup> lesbian, gay, bisexual, transgender persons

a non-heterosexual, as homosexuals were initially criminalised and later pathologised and seen as being in need of a cure. In more recent decades to be able 'to come out' and be proud instead of ashamed of the assigned identity became extremely important. However, as stated in a report to Sida<sup>2</sup>, it is important to support those with same-sex sexualities, or transgender and intersex genders in non-western settings, without imposing particular models of what it means to be lesbian, gay, bisexual or transgender. In international terms, there is a predominance of western organisations supporting transgender and same-sex sexualities. As Ulrika Sundberg told the audience, some of these organisations argue in human rights circles that they were born with a certain *identity* and that it is this identity that should be respected. So they simply want the same rights as everybody else without being considered a minority who need special rights. They are not asking for a particular school system, to speak a particular language or to exercise a certain religion.

Sumit Baudh, an activist and human rights lawyer from India, argued, on the other hand, for the need for a new right to sexual autonomy, precisely because sexuality must be defined contextually. While acknowledging the role of human rights in the LGBT movement worldwide, Baudh pointed out some of the limitations. There is a wide spectrum of sexual acts, practices and gender identities the world over. The existing language of human rights has emerged almost exclusively in the context of LGBT identities and, in turn, seems to cater only for such similar or analogous identities. The challenge is to make human rights accessible to all. In an identity-focused human rights model, Non-LGBT and indigenous identities like Hijras (of South Asia) might lose out. Therefore there is a need to expand the human rights discourse, for it to go beyond narrow notions of identities, and to secure a firm foundation for sexual rights.

Baudh used the example of the British colonial law, Section 377 of the Indian Penal Code, 1860, which makes 'carnal intercourse against the nature' illegal, and has outlived the colonial regime. It still remains as a perfectly valid law in India, and is a source of constant human rights violations. Although a plain reading of the text does not explicitly sanction any given sexual identity, homosexual or heterosexual, it effectively criminalises all forms of consensual same-sex sexual activity. Because of its own lack of focus and attention to particular identities, Section 377 is a fitting test case for the broader right to sexual autonomy.

In some contexts 'western' identities such as 'lesbians' are commonly used and regardless of whether it is an identity or not, the research presented by Alejandra

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<sup>2</sup> Samelius, L., and Wagberg, E., 2005, *Sexual Orientation and Gender Identity Issues in Development: A Study of Swedish Policy and administration of Lesbian, Gay, Bisexual and Transgender issues in international development cooperation*, Sida, Health Division Document



Sardá clearly showed that being a lesbian restricted the already limited options available to a woman in Latin America. The unemployment rate of women in the region is 1.4 times higher than for men, and where unemployment has gone down it has gone down more for women than men, and where it has gone up it has gone up more for men than women. In other words, women generally, whether lesbian or heterosexual, are disadvantaged in the labour market. To be financially independent is a necessary ingredient for a woman who wants to assert her identity as a lesbian. When such opportunities fail to materialise, many lesbians find themselves being forced to live with and become dependent upon their family members and submit to the lifestyle of the family, which often implies leading a 'double life', self-denial and hiding their sexual preference, which leads to increased stress and ill health. Those most affected by this are younger women who have a hard time getting into the labour market and those over 40, as it is very difficult for any woman in Latin America to find employment after the age of 40. In other words, a lesbian over 40 who suddenly found herself without a job would often be forced to go back to her family home and revert to 'closeted' behaviour. In return for being financially looked after by the family she'd be forced to have a low status and be expected, for example, to be a care provider for sicker family members, the elderly or infants. And this is happening in countries where homosexuality is not illegal.

As pointed out above, it is not only a matter of hiding your sexual preferences when looking for employment, but women who are to work in positions that require contact with the public are also supposed to display certain feminine mannerisms, wearing provocative clothes, make-up, perfumes etc. It becomes evident here that even if lesbians are affected more than other women, there are ideas regarding gender that all women would benefit from challenging. Because, even if you are not a lesbian, it may be possible that you would in fact prefer to live alone, be able to leave a bad marriage after the age of 40, and choose whether or not you want to wear short skirts, high heels and lipstick.

This is one reason of many that Sonia Correa and Susan Jolly proposed that "Sexual rights offer the potential for an approach that goes beyond identity politics. Instead of rights being associated with particular categories of people – such as women or gay men, lesbians, transgender – sexual rights imply that everyone should have the right to personal fulfilment, and freedom from coercion, discrimination and violence around sexuality". Sexuality is often interpreted and expressed through how we behave as 'men' or 'women' (or a third sex in some instances). There is therefore much to gain from joining forces with women's movements, for example, and much to learn from the mistakes and successes they've experienced. As Prudence Woodford-Berger from the Swedish Ministry for Foreign Affairs said, in some camps there may be a feeling that too much emphasis on sexual preference and gender identity would compete with resources for women's empowerment or the promotion

of gender equality, but we must instead try to focus on the parallels and mutuality in these struggles.

An inspiring example of such a joint struggle was given by Pinar Ikkaracan who told the story of the successful campaign on the Reform of the Turkish Penal Code from a Gender Perspective coordinated by Women for Women's Human Rights (WWHR) that had been running between 2002 and 2004 in order to change a set of laws that pertained to the control of women's bodies and sexuality. Their approach was inclusive so it was not only a women's issue but they also joined forces with LGBT organisations, something which, as Pinar Ikkaracan pointed out, rarely takes place at national level. When the Turkish laws from that the Ottoman period underwent westernisation in 1923, articles that pertained to women and sexuality in the penal code were not changed, although almost every other aspect of the code was westernised. Likewise, as Turkey now wants to become a member of the EU, new amendments to a number of laws were proposed but not on articles pertaining to women and sexuality in the penal code. The campaign for sexual rights which brought together people from all walks of life challenged this with their slogan, 'We will not seek permission from the State to make love!' Their opponents labelled them as indecent and marginal women who should not even be called Turkish citizens. 2004 was however a year of triumph for this groundbreaking alliance as the Turkish Penal Code was changed along the lines they had advocated.

### *Dominant models of sexuality*

Pinar Ikkaracan from Women for Women's Rights also echoed the point of view expressed earlier by the Swedish Minister Carin Jämtin, "The control of sexuality is a major tool for women's oppression and the root cause of severe human rights violations". Amongst the more commonly known violations are early and forced marriages, honour crimes, female genital mutilation and acid attacks. But as Pinar pointed out, "in addition to this, the taboos around sexuality serve to further the production of misinformation, constructions and myths that serve to maintain women's and girl's oppression and severely limit women's options for positive sexual experiences". Therefore a specific component on sexuality has been included in the Human Rights Education Programme for Women, which WWHR has been implementing since 1998 in collaboration with the General Directorate for Social Services in the economically most disadvantaged areas of Turkey. They chose to include a sexuality component in the programme as they believed that there could be no empowerment as long as women do not have a positive perception and experience of their own bodies. Interestingly, but perhaps not surprisingly, the most popular workshops in this programme were the ones on sexuality where the participation was higher and the discussions more intense. There is a misconception, according to Pinar, that poor people would not want to talk about sexuality. In reality, they love learning and talking about sexuality. Anna Runeborg, First

Secretary at the Embassy of Sweden in Vietnam, later emphasised this in the context of the pressing need for sexuality education for young women and men. “If you talk to young people they will close their ears, but if you say ‘what do you think about sex?’, it will take only half a second for you to get a discussion going, it is never impossible to talk to people about important things!”.

The testimonies from some of the participants in the workshops that Pinar shared with the audience underscored the points that so many of the speakers had made before, but with even greater force so they will therefore be quoted here.

‘When I was 8 years old, I was curious about the sexual organ of our neighbour’s son and wanted to see what it looked like. When my family found out about this, they confined me to a dark room. After 3 days of confinement, I was taken to a doctor for a virginity test, and taken out of school. I still suffer from this experience. I have difficulty in having sex with my husband. I feel pangs of anxiety and shame.’

‘Our sexuality is limited to reproduction. Our organs serve only to give birth. There is no such thing as wanting it or asking for it. It is a luxury for women.’

‘Unfortunately, in our country, one of the tools most frequently used to repress our sexuality is honour. Honour is deemed to be contained in a woman’s body. Her honour belongs to the men, in fact it belongs to the whole wide society. This is a great injustice committed against women’s bodies and sexuality. When you interpret honour this way, many girls cannot get an education, cannot marry the man of their choice or cannot go out to work, therefore we discussed it intensely in our group.’

‘Until I participated in this training, I didn’t know that girls and women can feel sexual pleasure.’

‘One of our friends in the group was asleep during most sessions, but when it came to sexuality, all of a sudden she became very awake. Until we participated in this training, we were all very closed about sexuality. But now I started discussing sexuality with everybody. I felt this wonderful change in me after this training.’

Despite the brutality inherent in some of these testimonies the experiences from Turkey also showed that change is possible, change as is evident from the participation of these women in the workshops and change as in the reform of the Turkish Penal Code.

Sexual rights are not only a question of sexual orientation as previously underlined in the keynote by Sonia Correa and Susan Jolly. In many places in this world we witness not only heteronormativity but also what might be called ‘marriage-normativity’. Marriage, they said, is a social and economic structure related to

sexuality and for many women a prerequisite for economic and social survival. In many places being single is considered a tragedy. And as Henry Armas from the Working Group for Participation in Peru told the participants, "For the first time in Peru we have a female presidential candidate, and she is attacked, not because she is a woman, but because she is a woman who is not married and does not have any children." According to Sonia Correa and Susan Jolly, in development, the idea of the 'household' is similarly synonymous with a married couple with children and possibly an extended family. This is the norm that even to this day underpins many development interventions. The most blatant example of this is probably the ABC<sup>3</sup> message of HIV prevention campaigns where the marital bed is seen as the only proper place for sex and the only legitimate partner the spouse. But playing by the rules and getting married may be at the cost of all those violations named earlier by Pinar Ikkan. Going against the norms can come at an equally high price. In development policy and practice, female-headed households have for a long time been singled out as the poorest and most vulnerable. Whilst this may be true in some instances, it is also possible that this identification is as much a result of the idea that such households are an anomaly and must therefore be more vulnerable by default<sup>4</sup>. However, for the majority of people, women and men alike, who experience poverty, to choose not to marry, or to choose who to marry, is hardly an option. Nor is there a real choice available to most of these women in terms of reproduction.

Kopano Ratele from the University of Western Cape, South Africa, analysed how ideas about dominant heterosexual masculinity are acted out and interact with notions of sexuality and sexual rights in today's South Africa. Historically and presently the dominant masculinity is made up of elements such as heterosexuality, control of economic decisions inside and outside the home, and political authority. All of this is challenged in the new South African Bill of Rights which is based on equality and clearly stipulates that nobody must be discriminated against due to gender/sex or sexual orientation. But as Kopano illustrated, these sentiments of equality between men and women, or recognition of a variation of sexual practices are not shared by all South Africans. In a recent study undertaken by him and a team of researchers, they interviewed boys in high schools who asserted that 'a man is always considered as the head of the household while women are subordinate to men. Therefore a woman is not allowed to equate her husband when it comes to household decision-making' and 'the problem with abstinence is that you might go crazy, if you are a man'. They also informed the researchers that they didn't have a problem with gays as long as they didn't display any mannerisms associated with being gay and that it would be hard for a man to look after children as it would make

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<sup>3</sup> Abstain until marriage, Be faithful, Condomize

<sup>4</sup> See for example the work of Sylvia Chant, London School of Economics, whose research has shown that sometimes women who have left their spouses to fend for themselves can be better off than before for reasons of security, for instance

him look like a 'moffie'<sup>5</sup>. These findings are not unique but as Kopano showed, they were not the attitudes of young boys alone, but voiced with even greater power by one of the leading political and cultural figures in South Africa, ex-deputy president and also chair of the South African National Aids Council, Jacob Zuma. As a question about oral sex was put to him (at that time he was still deputy president) during a debate in parliament his answer was: 'I can't answer on wrong things that people do that are unnatural. I can't talk about that...I don't know really whether I should have an opinion on some of the things...because I do not understand, what do they mean. We are talking about education about sex, not other things that are not sex.'<sup>6</sup> This statement came at the same time as he was featuring in a national media campaign that tried to encourage people to talk openly about sexuality as part of the larger efforts to stem the spread of HIV/AIDS. In other words, he went against not only the Bill of Rights in naming a particular sexual practice as being against nature but also his responsibility as a leading figure in a campaign that was aimed at creating more open, rather than prejudiced, attitudes towards sex and sexuality.

As Kopano Ratele demonstrated, this statement reveals that it is possible to have all rights guaranteed by law, but unless you pay close attention to what happens in society you risk missing some critical ingredients. In nations like South Africa, where the idea of human rights and democracy for all is still being established, identities and room for expression depend less on negotiation and more on messages from powerful figures such as Zuma. The mere existence of human rights in a constitutional sense may have less impact on people's lives than significant cultural and political actors say.

### *Pleasure and the power of conservative forces*

As initiatives that promote sexuality education which embraces pleasure, openness and inclusion become more common, so do the efforts to stop these programmes. Often, counter-efforts are supported by fundamentalist religious organisations with financial backing from nations like the U.S. Sonia Correa and Susan Jolly reminded the audience of the case of Uganda, once in the forefront of showing political engagement at the highest political level in HIV/AIDS, but where millions of condoms today remain impounded in government warehouses as they are allegedly 'defective' and where the U.S. government has been given the go-ahead to promote their 'abstinence only' programmes. And in Brazil, NGOs working with HIV/AIDS prevention remain short of funding due to their refusal in 2005 to sign a 'loyalty oath' condemning prostitution. The Economic and Social Council of the United Nations continues to deny accreditation of the International Lesbian and Gay Association and

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<sup>5</sup> 'Moffie' is South African slang, with a derogatory implication, for a homosexual or effeminate man, originally from Afrikaans in which it means 'glove' as men who wore gloves were also supposedly homosexuals

<sup>6</sup> Quoted by Ratele from Mail and Guardian Online 2002

Pope Benedict XVI has recently launched the *Deus Caritas Est* that openly condemns same-sex relations.

And yet, despite all this, there are organisations on the ground, such as those represented at the conference, that continue to promote a positive approach to sexuality. They are not in a majority, because as Correa and Jolly noted, it may be the case that sexuality is nothing new to development, but most interventions to date have been based on *essentialist* understandings of sexuality as a natural drive. This force of nature is something to be controlled and channelled in directions where it does the least harm. Lately this has been challenged and theories that explain sexuality as a social *construction* are slowly making their way into development. But even if there is a gradual new theoretical understanding of sexuality in development, in practice the focus is still largely on negative issues, such as population control, disease and violence. Sonia Correa and Susan Jolly proposed that in most development “The focus has more often been on encouraging people to say no to risky sex, rather than empowering them to say yes to, or ask for, safer and more satisfying sex.” Perhaps the violations of individuals’ sexual and reproductive rights have provoked negative responses as a way of trying to combat these abuses. Another less common approach is to not just try and stop something that makes people suffer, but rather to try and create positive change. In this respect Sweden’s new policy on SRHR breaks away from the mainstream as it acknowledges that positive, life-affirming and life quality enhancing factors have been ignored in the past and that all people should be enabled to have a positive attitude to their sexuality. The presentations during the seminar confirmed what is already known, e.g. that many people are pressured into unsafe sex by violence or economic dependency, but they also showed that there is more to the story than this. To deny that many people also want, and seek out, pleasurable sex is to deny reality. This denial affects women more than men and as Julitta Onabanjo from the United Nations Population Fund (UNFPA) pointed out in her comments ‘women who are HIV positive tend to be seen for their status only, everything else becomes secondary, the big challenge today is to recognise that they also have desires for sex or to have children’.

Adenike Esiet from Action Health Incorporated in Nigeria shared the story of how they had struggled to get sexuality education into the school curricula, and what the positive impact was but also how there is now a wind of backlash sweeping through the nation. There are some 26 million young people between the ages of 10 and 19 in Nigeria alone, about 50% of the girls are married by the age of 20, many against their will, 54% of all females have given birth to a child by the time they are 20 years old (and evidence has shown that teen mothers are twice as likely as older women to die during pregnancy). In some places as many as 75% of women who come into hospitals for treatment of abortion complications are adolescents. And yet, most adults continue to refuse to acknowledge that young people are sexual beings!

“Learning about sexuality is a lifelong process, and this process is an inevitable part of every human being’s socialization”. Action Health Incorporated has therefore created a sexuality education curriculum that focuses on the whole person and presents sexuality as a natural and positive part of life. In 1999 they succeeded together with other civil society organisations in getting the federal government’s approval for the integration of sexuality education into the school curricula, although it later had to be re-named ‘Family Life and HIV/AIDS Education’ due to protests from some of the more vocal fundamentalists in the Sharia states. One state, Lagos, has shown a particularly high commitment to this education and invested its own resources along with resources from the Ford Foundation to roll out the training to as many as schools as possible. Preliminary findings show that the education has had a positive effect; the students take better care of their own sexual health, which includes taking precautions regarding pregnancy and HIV, and they have also become more aware of how to handle love-relations between boys and girls. Teachers have gained new knowledge through the training, as have the parents and the community through their involvement for support.

It could have been another success story. But today the federal and Lagos governments have been sued by right-wing NGOs (who get financial support from overseas) for offering this education. In addition, there is heavy pressure from the U.S. through PEPFAR<sup>7</sup>, which means that a condition for receiving funding is that only ‘abstinence-until-marriage’ programmes should be promoted.

### *Staying real*

Prudence Woodford-Berger took note of the risks inherent in the creation of new conceptual dimensions and definitions in this area. She agreed with the cautions put forward by Sonia Correa and Susan Jolly about sexuality and rights becoming tied up with ‘western’ categorisations and frameworks and thus becoming another post-colonial, cultural-imperialistic project due to false assumptions. “How can we create space for other voices?” she asked. This was underlined again and again throughout the conference and Henry Armas took the old question once formulated by Robert Chambers ‘whose reality counts’ and turned it into a new set of questions that should always be asked: “Whose sexuality counts? Men’s or women’s? Heterosexuality or also gay, lesbian, bisexual, transgender or intersex? Whose pleasure? Whose desire? Whose notion of decency? Whose notion of promiscuity? Whose shame? Whose fears? Whose identities? Whose sin? Whose transgression? Whose redemption? Whose liberation? Whose freedom?”

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<sup>7</sup> The President’s Emergency Plan for AIDS Relief

Gita Sen from the Indian Institute of Management and also an EGDI member emphasised the importance of deriving policies from people's realities especially since we are in the early days of interpreting human rights into issues of intersectionality, sexuality and gender. In her experience, hearing from 'the ground', rather than from researchers alone, gives a new conceptual understanding and also ideas and knowledge on how to take these issues forward. As Henry Armas pointed out: "knowledge and power are linked, we always make a political choice about what we want to find out, we can't rely on established knowledge. The process of doing research creates a change in the actors involved. Creating knowledge is a political process". Most of the presentations made during the day were concerned with action rather than research alone. None of the activities would have been possible if they had been designed without the inclusion of people who were not development practitioners or policy makers. Working for a better life for sex workers in Serbia necessitates working with them; enhancing women's rights in Turkey implies joining forces and exploring those rights together; doing sexuality education in Nigeria means talking with teenagers about their lives and desires; creating a climate that benefits all women in Latin America must also include the experiences and needs of lesbians. And whilst international solidarity and dialogue is needed, the agenda can only move forward if it relates to the lived realities of people. As Henry Armas said, "The personal dimension is the first level of work for change. It is the basis on which wider action and reflection can be supported".

Great strides have been taken over the last decade when it comes to formulating some basic consensus on how to understand a human rights approach and apply it to development, but as Paul Hunt said, "Today the challenge is different – it is how to *operationalise* the human rights approach. In my view, it is very difficult to operationalise the human rights approach to poverty reduction or development *in general terms*. If we are to operationalise the human rights approach, we have to focus on *particular sectors* – health, education, food justice and so on. We have to graduate from the general and examine the particular. In this case, the devil is *not* in the detail – it is in the general." He asked if a human rights campaign against maternal mortality could provide one such way wherein through a focus on the particular, a wider set of sexual rights could be promoted and protected? Reality tells us that every minute a woman dies in childbirth or from pregnancy-related complications. For every woman who dies, as many as 30 others suffer chronic illness or disability. Nearly all of these deaths could have been avoided. Reality tells us that maternal mortality is linked to women's empowerment; it is about gender-based violence, safe abortions, access to contraceptives and sexuality education. But so far, despite a number of international initiatives, nothing has changed, the numbers have not gone down. So he proposed that "the human rights community must be urged to remonstrate and demonstrate about maternal mortality just as loudly as it complains about extra-judicial executions, arbitrary detentions, unfair trials, and prisoners of



conscience. We have to get across the message that avoidable maternal mortality is a violation of the woman's rights to health and life."

Getting real also means recognising that for most people sexuality and sex is still tarnished with feelings of guilt, immorality and shame. For that reason Paul Hunt's call for naming sexual rights without shame has the potential to frame where the obstacles lie in our surrounding societies. Where is the shame, why is it shameful, who feels it and who casts it? But it also opens up for breaking those circles of shame: ideas around how a society's morals are embedded in a woman's body or how no persons of the same sex must love each other. Because as Hunt clearly stated, as long as the sexual rights that many had spoken about during the day remain unspoken and unrecognised, they will never become rights. Naming them, but without shame, is one of many steps that need to be taken in order to secure a better world for all.

#### *Recommendations and implications for development policy*

Sweden is the first country to have a policy on SRHR which acknowledges a positive approach to sexuality – how Sweden takes its commitment and responsibility forward in development cooperation will therefore be of great importance, as it can set an example and lead the way for other countries and donors. Despite the great variety of both topics and experiences from specific geographical locations, the conclusions and recommendations from all presenters had much in common. Below is a list of issues and approaches identified for further action by researchers, activists, government representatives and international donors.

#### *Recommendations for Sweden and Sida*

- To continue to speak out in international gatherings, as has been done in the past.
- To implement this policy effectively it will be necessary to take context into account. Different regional and local contexts, and the priorities of activists in these areas, will require an ability to adapt and respond in different and diversified ways.
- To mobilise political support, as well as financial resources, for programmes to be implemented and for activists to continue their struggle and to be able to connect across borders.
- To use and support participatory approaches, both in research as well as implementation.
- To include and work with sex workers, listening to them and understanding their priorities, in the efforts that are made to combat prostitution and trafficking in persons for purposes of sexual exploitation.

#### *Recommendations for activists and practitioners*

- To continue advocacy for positive laws and legal changes but to include efforts to stimulate social debate in this work. Social debates should raise awareness through the inclusion of voices of those whose lives are directly affected by these laws.
- To move beyond identity politics and make alliances, such as between women's movements and organisations working for the right of same-sex relations.
- To engage in, and develop, sexuality education which builds upon people's curiosity about sex and encourages positive and inclusive approaches, as this is likely to make these initiatives more effective.
- To assist states in compiling information on the frequency and type of violations that people are exposed to, in particular people who prefer same-sex relations or are transgender or intersex.

*Recommendations for researchers*

- To assist activists in mapping their struggles.
- To assist policy makers in making the connections between what is happening on the ground and how this is translated into new national and international commitments.
- To engage in research that pays close attention to social and cultural expressions and change, especially in societies where ideas about human rights and democracy are not yet well established.
- To engage in research grounded in action and informed by the diversity of people's experiences, especially those who have been forced into silence.

## Workshop Programme, 6 April 2006

Venue: Gustavianska Våningen, Solliden, Stockholm

09.00–09.30 Coffee/tea and registration

09.30 Introduction by Annika Söder, State Secretary for International Development Cooperation, Ministry for Foreign Affairs (MFA), Sweden (Chair)

09.40–10.30 **Sexuality, Development, and Human Rights** by Sonia Correa (International Working Group on Sexuality and Social Policy/DAWN, Brazil) and Susan Jolly (IDS Sussex, UK). *Discussant: Prudence Woodford-Berger (MFA)*

10.30–11.20 Panel 1, discussants and discussion (Chair, Gita Sen)

On sexualities and development

a) **HIV Positive Women and Sexuality** - Ophelia Haanyama-Örum (Noah's Ark Red Cross Foundation, Sweden) *Discussant: Julitta Onabanjo, UNFPA*

b) **Trafficking** – Jelena Djordjevic (Anti-Trafficking Centre, Belgrade) *Discussant: Per Ronnås (Sida)*

11.20–11.40 Coffee/tea

11.40–12.30 Panel 1 cont.

c) **Discrimination against Lesbians in the Workplace** – Alejandra Sardá (International Gay and Lesbian Human Rights Commission, Argentina) *Discussant: Lennarth Hjelmåker (MFA)*

d) **Right to Sexual Autonomy: a Human Right? An Inquiry in the Context of Criminalization of CIATON in India**, Sumit Baudh (AMAN Trust, India) *Discussant: Ulrika Sundberg (MFA)*

12.30–13.30 Lunch

13.30–14.20 Panel 2, discussants and discussion (Chair, Andrea Cornwall)

On ways forward: working with sexualities/ issues for policy

a) **Masculinity, Sexual Rights and Development** – Kopano Ratele (University of Western Cape, South Africa) *Discussant: Signe Arnfred (Nordic Africa Institute)*

b) **Rights, Sexuality Education and Development** - Nike O. Esiet (Action Health Incorporated, Nigeria) *Discussant: Anna Runeborg (Sida)*

14.20 **Sweden's International Policy on Sexual and Reproductive Health and Rights**, Carin Jämtin, Minister for International Development Cooperation and Acting Minister for Foreign Affairs, Sweden

14.40 **Keynote address** by Paul Hunt, UN Special Rapporteur on the Right to Health and Human Rights

15.00–15.20 Coffee/tea

15.20–16.10 Panel 2 cont.

c) **A Democracy of Sexuality: Linkages and Strategies for Sexual Rights, Participation and Development** – Henry Armas (The Working Group for Participation, Peru)

*Discussant: Anna Runeborg (Sida)*

d) **Sexuality, Human Rights and Development: Experience from the field** - Pinar Ilkcaracan (Women for Women's Human Rights, NEW WAYS, Turkey) *Discussant:*

*Signe Arnfred (Nordic Africa Institute)*

16.10–17.10 General discussion (Chair, Sonia Correa)

17.15 Closing of workshop

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