

Research Series
**The Economic Case
for LGBT+ Inclusion in
Uzbekistan**



Open
For
Business

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About Open For Business

Open For Business is a coalition of global companies making the case that inclusive and diverse societies are better for business and better for economic growth. The purpose of the coalition is to advance LGBT+ rights globally. Open For Business coalition partners share a deep-rooted commitment to diversity and inclusion in their own workplaces, and they are concerned about the spread of anti-LGBT+ policies in many countries in which they operate.

The coalition has live regional programs in the Caribbean, Central and Eastern Europe and East Africa, with a program in South East Asia in development. Each of these programs works with local civil society partners to mobilize advocates in local business communities and facilitate data-driven advocacy.









































About This Report

The connection between LGBT+ inclusion and economic/business performance in countries is often overlooked. This report has a special focus on Uzbekistan, which has great economic potential. Research has shown that LGBT+ inclusion can be an important driver of economic activity and, conversely, that LGBT+ discrimination comes at a social and financial cost to societies. This report explores the current economic and business environments in Uzbekistan and demonstrates through data analysis where there are opportunities for growth. It concludes that greater LGBT+ inclusion could make Uzbekistan and the companies operating in it more viable economically.

Who is it for?

- For companies operating in Uzbekistan and the surrounding region, this report lays out how LGBT+ inclusion can be part of an effective strategy to improve competitiveness and performance, and it provides case studies and guidance on supporting LGBT+ employees.
- For policymakers considering how to enhance national economic competitiveness, this report shows how LGBT+ inclusion boosts economic outcomes, and that any form of discrimination against LGBT+ communities may inhibit global companies from fully participating in an economy and hinder their ability to attract global talent.

- For LGBT+ and human rights organizations, this report provides new economics-based arguments that can enhance public and business engagement strategies as well as the current narratives used in discussions with policymakers.

A call for evidence

As is the case in many other regions, and as Open For Business discovered in researching this report, there is overall limited and inconsistent data on the LGBT+ community in Uzbekistan, especially regarding economic and business-inclusion issues. Open For Business plans to build its research and engagement program in the region in the coming years, and looks forward to jointly developing other research programs with local organizations.

Who are the authors?

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

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Foreword from the Interim Executive Director



George Perlov,
Interim Executive Director

Open For Business is excited to share this new research report on Uzbekistan, our first in the Central Asia region. The report continues to highlight our overriding belief that greater LGBT+ inclusion is good for economies, good for business and good for people. Our hope is that the report and its findings will stimulate more dialogue about the topic of diversity and inclusion within Uzbekistan businesses and the government, as well as among multinational companies and others investing in the country.

We are impressed by the pace of growth of the Uzbekistan economy over the past few years, and by the policy reforms and international outreach efforts the country has made to enable this growth. Yet we also recognize from the data we have collected and analyzed in Uzbekistan and in other countries that sustained growth cannot happen without more attention to and actions taken on diversity and inclusion. Businesses around the world know that creativity and innovation are the drivers of growth and that innovation thrives when all workers, including LGBT+ workers, feel comfortable and included on the job.

We look to Uzbekistan businesses to take a leadership role on LGBT+ topics, as many around the world have already done, using the ideas we have put forth in our report, *Channels of Influence: How Companies Can Promote LGBT+ Inclusive Societies* and from the United Nations report, *Standards of Conduct for Business: Tackling Discrimination Against Lesbian, Gay, Bi, Trans & Intersex People*.

Businesses around the world use data and best practices to improve their performance and profitability, and we hope that our reports will stimulate new thinking on LGBT+ inclusion as a driver of growth in Uzbekistan.

Executive Summary

Open, inclusive, and diverse societies are better for business and better for economic growth. This statement is true for countries around the world, and, as the research and analysis in this report demonstrate, it is especially pertinent for Uzbekistan.

Uzbekistan is undergoing a period of change. Since 2016, President Shavkat Mirziyoyev has initiated several political and economic reforms, with the goal of improving Uzbekistan's appeal for foreign investors, developing the country's economy, and elevating the country's reputation on the world stage. However, the LGBT+ community in Uzbekistan faces a challenging situation and rampant discrimination. The source of much of this discrimination is Section 120 of the criminal code, which criminalizes consensual same-sex relationships. Although they have been asked by global institutions such as the UN Human Rights Council, President Mirziyoyev and his administration have not indicated that they are open to ending the practice of criminalizing consensual same-sex relationships. Additionally, they have avoided this topic in the media and in public forums.

Since October 2020, Uzbekistan has been a member of the UN Human Rights Council. This represents a significant moment for President Mirziyoyev to take responsibility and declare that the Constitution of Uzbekistan guarantees equal rights to all, without exception, including LGBT+ community.

As this report will show, this anti-LGBT+ discrimination holds Uzbekistan back

from reaching its economic ambitions. Repealing Section 120 and increasing LGBT+ inclusion could improve Uzbekistan's competitiveness, make it more attractive for foreign direct investment, ease its integration into global markets, and boost its reputation with tourists and businesses. Key report findings include:

- **LGBT+ inclusive economies are more economically competitive:** There is a strong correlation between LGBT+ inclusion and both the World Economic Forum's Global Competitiveness Index and the World Bank's Human Capital Index. Countries in the Commonwealth of Independent States (CIS) saw an average annual GDP per capita decline of 3.0% before decriminalizing consensual same-sex relationships and a 4.6% annual growth rate after decriminalizing.
- **LGBT+ inclusion could help Uzbekistan attract more investment:** Analysis in this report shows that

countries that do not criminalize consensual same-sex relationships have 4.5 times the amount of inward Foreign Direct Investment (FDI) that countries that do criminalize.

- **LGBT+ inclusion could increase Uzbekistan's integration in global markets:** A key EU trade scheme that Uzbekistan belongs to requires countries to uphold the rights of LGBT+ people. Additionally, research shows that global consumers want to purchase from countries committed to LGBT+ inclusion, and that companies focused on inclusion benefit from this.
- **LGBT+ inclusion could boost Uzbekistan's national reputation:** LGBT+ inclusion is strongly correlated with several indices that measure a country's reputation, such as the Human Development Index and the Global Freedom Index. Tourists also report a higher likelihood of traveling to countries that are accepting of LGBT+ people.



Growth has brought much change to Tashkent in recent years, but inclusion of all citizens has not progressed.

In the Headlines



Asia Pacific

Attack on blogger drives Uzbek gay community underground



Uzbek Blogger Who Called for Gay Rights Hospitalized After Attack



Uzbekistan: Forced Anal Testing in Homosexuality Prosecutions



LGBTQ activism in Uzbekistan 'is almost impossible'

The Situation for LGBT+ People

Uzbekistan is one of only two Central Asian and former Soviet countries that continue to criminalize consensual same-sex relations, which is codified in Section 120 of the criminal code*. Uzbekistan receives an "F", the lowest rating, on both the F&M Global Barometer of Gay Rights (GBGR®), which indexes human rights for gay people globally, and the Global Barometer of Transgender Rights (GBTR™), which similarly indexes human rights for transgender people.¹

Additionally, LGBT+ people are frequently subject to arrest, abuse and torture. They are blocked from accessing adequate healthcare and employment. They are often restricted in accessing justice. To make matters worse, Uzbekistan's restrictions on freedom of association forbid LGBT+ organizations to officially register and carry out services for LGBT+ individuals or to work for more inclusion in society.² Examples of these abuses are included in the table below.

LGBT+ individuals have limited access to healthcare

- People are reluctant to be tested for HIV because the law requires that they disclose their sexual partners, which would put them at risk of being arrested under Section 120 of the penal code.³
- An HIV-positive gay person reported that during his conversation with a doctor at a clinic in Tashkent, an individual entered the room, threatened him with arrest under Section 120, and attempted to extort money from him.⁴

LGBT+ individuals have limited access to justice

- In April 2019 a gay person reported that he was severely beaten and was forced to jump into a canal to save his life after a set-up "date." He claimed that he could not go to law enforcement as he feared they would investigate him for being in violation of Section 120.⁵
- Given the intense social stigma around LGBT+ individuals, lawyers are often hesitant to accept their cases out of fear for their professional reputations.⁶
- Groups named TashGangs and AntiGay post videos of members humiliating, insulting, beating and sexually abusing gay men on social media. They also offer money for other individuals to do the same.⁷
- In March 2021, a blogger named Miraziz Bazarov, who is not gay, was beaten and hospitalized for speaking in favor of more freedoms for LGBT+ individuals. This led to many LGBT+ individuals not leaving their homes for fear of being beaten.⁸
- Several human rights groups reported that authorities in Uzbekistan have subjected at least six men to forced anal examinations between 2017 and 2021 in order to prosecute them for consensual same-sex relations.⁹
- In May 2019, law enforcement officers in Uzbekistan stood watch at the entrance to a transgender woman's apartment building. They had previously arrested her, beaten her, humiliated her, and demanded contact information from other members of the transgender community.¹⁰
- In May 2019, unknown assailants attacked a gay man with a knife and wounded him. The police refused to open a criminal case. Fearing for this life, he was forced to flee the country.¹¹
- In the summer of 2019, a gay man who had gone out for a date was found dead in a canal the next day. The media did not report this event, and police refused to open an investigation.¹²

LGBT+ individuals and their allies are subject to physical abuse and torture, both from non-state actors and from the police

* As of September 2021. This may change to Section 154 of the criminal code in the coming months if Uzbekistan does not decriminalize consensual same-sex relations between adult men.

The Economic Opportunity

While Uzbekistan has taken steps toward liberalizing, it still faces significant challenges to becoming a modern economy.

For a large part of its history since independence in 1991, Uzbekistan has been known as one of the world's most insular countries, being both landlocked and economically isolated. Under longtime ruler Islam Karimov, Uzbekistan was also known for being one of the world's most oppressive countries, lacking respect for human rights and civil liberties. In 2016 Uzbekistan was included on the "worst of the worst" list in Freedom House's Freedom in the World report, only ranking higher than North Korea, Somalia, Tibet and Syria.¹³

In late 2016, Shavkat Mirziyoyev was elected and sworn in as Uzbekistan's second president, promising a range of ambitious economic, political and human rights reforms.¹⁴ The government also launched its National Development Strategy for 2017-2021 at the same time.¹⁵ The strategy has five main goals:

1. To improve the state, strengthen the role of Parliament, and deepen democratic reforms
2. To improve the rule of law and reform the legal and justice system
3. To develop and liberalize the economy

4. To develop the social sphere
 5. To improve security, religious tolerance, ethnic harmony and foreign policy
- President Mirziyoyev quickly set out to implement reforms related to these focus areas. For example, he eased currency and visa restrictions, closed the notorious Jaslyk prison, curtailed internet censorship, and cracked down on child and forced labor in the country's cotton industry.¹⁶ These reforms have improved economic growth, and GDP is expected to grow at 5.6% between 2022 and 2025.¹⁷

However, significant challenges remain for further growth. According to the European Bank for Reconstruction and Development, the economy still struggles with the significant presence and preferential treatment of state-owned enterprises, access to credit, reliance on commodities and exposure to commodity-price volatility, poor infrastructure, and high levels of gender and social inequality. Uzbekistan is also having trouble creating enough jobs for its young population.¹⁸



Liberalization of Uzbekistan's economy is attracting foreign businesses but human rights abuses and corruption stand in the way of continued growth.

The Global Case for LGBT+ Inclusion: 27 Propositions

Open For Business has conducted global research and analysis to understand the links between LGBT+ inclusion and performance – which is described in the 27 propositions outlined below. LGBT+ inclusion goes hand-in-hand with increased economic performance, business performance and individual performance.

A. ECONOMIC PERFORMANCE

The evidence shows that open, inclusive and diverse societies are better for economic growth, and that discrimination on the basis of sexual orientation or gender identity can damage long-term economic prospects.

Proposition 1: Competitiveness
LGBT+ inclusive economies are more competitive.

Proposition 2: Entrepreneurship
LGBT+ inclusion results in higher levels of entrepreneurship, creativity and innovation.

Proposition 3: Corruption
LGBT+ discrimination often goes hand-in-hand with corrupt practices and a lack of openness.

Proposition 4: Direct Investment
LGBT+ inclusion is associated with higher levels of direct investment.

Proposition 5: Global Markets
LGBT+ discrimination may inhibit local companies from connecting to global markets.

Proposition 6: Brain Drain
LGBT+ discrimination results in a “brain drain” – the emigration of talented and skilled individuals.

Proposition 7: Public Health
LGBT+ discrimination leads to negative economic consequences as a result of poor health outcomes.

Proposition 8: National Reputation
LGBT+ discrimination impacts perceptions on a world stage, which drive tourism, talent attraction and export markets for consumer goods.

Proposition 9: National Productivity
LGBT+ discrimination leads to lower levels of national productivity.

Proposition 10: Urban Economic Development
LGBT+ inclusion signals a diverse and creative environment, which creates the right conditions for urban economic growth.

Proposition 11: National Economic Development
LGBT+ inclusive economies have higher levels of growth in Gross Domestic Product.

B. BUSINESS PERFORMANCE

Stronger financial performance flows from the increased ability of LGBT+ inclusive companies to attract and retain talent, to innovate, and to build customer loyalty and brand strength.

Proposition 12: Attracting Talent
Companies that are more diverse and inclusive are better able to compete for talented employees.

Proposition 13: Retaining Talent
Companies that are more diverse and inclusive have higher rates of retention of talented employees.

Proposition 14: Innovation
Companies that are more diverse and inclusive have higher levels of innovation and creativity.

Proposition 15: Collaboration
Companies that are more diverse and inclusive create an atmosphere of trust and communication, which is essential for effective teamwork.

Proposition 16: Customer Orientation
Companies that are more diverse and inclusive are better able to anticipate the needs of all customers, and to access a broader client base.

Proposition 17: LGBT+ Consumers
Companies that are LGBT+ inclusive are better placed to benefit from the large, growing, global spending power of LGBT+ consumers.

Proposition 18: Brand Strength
Companies that are more diverse and inclusive have greater brand appeal and loyalty with consumers who want socially responsible brands.

Proposition 19: Financial Performance
Companies that are LGBT+ inclusive have better share price performance, higher return on equity, higher market valuations and stronger cash flows.

C. INDIVIDUAL PERFORMANCE

Individuals working in open, diverse and inclusive environments tend to perform better. A culture of inclusion and diversity can boost individual performance – for everyone, not just LGBT+ individuals.

Proposition 20: Authenticity
Individuals working in open, diverse, inclusive environments are able to be themselves, instead of concealing important aspects of themselves.

Proposition 21: Motivation
Individuals working in open, diverse, inclusive environments have higher levels of motivation.

Proposition 22: Affinity
Individuals working in open, diverse, inclusive environments have greater affinity with the values and culture of the workplace.

Proposition 23: Satisfaction
Individuals working in open, diverse, inclusive environments have higher levels of job satisfaction.

Proposition 24: Health
Individuals working in open, diverse, inclusive environments are free from discrimination – a cause of poor mental health and physical violence.

Proposition 25: Speaking Up
Individuals working in open, diverse, inclusive environments are more likely to speak up with suggestions to improve performance.

Proposition 26: The Extra Mile
Individuals working in open, diverse, inclusive environments are more likely to go beyond their duties and make a contribution to the life and culture of the company.

Proposition 27: Individual Productivity
Individuals working in open, diverse, inclusive environments have greater productivity – more efficient work with higher quality outputs.

The Evidence Base for LGBT+ Inclusion in Uzbekistan

The propositions outlined above may apply with different strength depending on the local market contexts. Eight propositions have been identified that apply most strongly in our focus countries, based on a literature review, key expert interviews, and a short survey through Open For Business corporate and civil society networks in each country.

A. Economic Performance

Competitiveness

A number of analyses using LGBT+ human rights data and economic indicators show that countries that are more open are also more competitive.

Foreign Direct Investment

Analysis of FDI levels demonstrates that Uzbekistan has an opportunity for greater investment growth.

Global Markets

A shift toward LGBT+ inclusion could better help Uzbekistan integrate into global markets.

B. Business Performance

Public Health

Depression and HIV, more prevalent in the LGBT+ community due to stigma and discrimination, have a negative economic impact.

National Reputation

Overt anti-LGBT legislation, actions and violence is diminishing Uzbekistan's performance on key indices and could hold back its tourism sector.

National Economic Development

GDP growth is higher in countries after they decriminalize consensual same-sex relationships.

Financial Performance

At both the international and local level, companies that promote and invest in LGBT+ inclusion perform better.

Economic Performance

Government action is critical to economic growth. The following analyses identify macroeconomic factors and trends where greater inclusion of and/or less discrimination against LGBT+ communities could improve economic performance in the region.



Competitiveness

Broader LGBT+ rights align with greater economic competitiveness

The World Economic Forum’s Global Competitiveness Index (GCI)¹⁹ is an authoritative source on a country’s ability to perform competitively in the global economy. The index aggregates 103 individual indicators across 11 pillars, including institutions, infrastructure, skills and business dynamism.

There is a strong correlation between the GCI and LGBT+ rights. The F&M Global Barometer of Gay Rights (GBGR®), which indexes human rights for gay people globally, and the Global Barometer of Transgender Rights (GBTR™), which similarly indexes human rights for transgender people, correlate at 54% and 57%, respectively with the GCI. See appendix on page 32 for more information about the F&M Global Barometers.

Importantly, Uzbekistan will be included in the GCI for the first time in 2021, and business leaders, policymakers and investors around the world will be watching its performance.

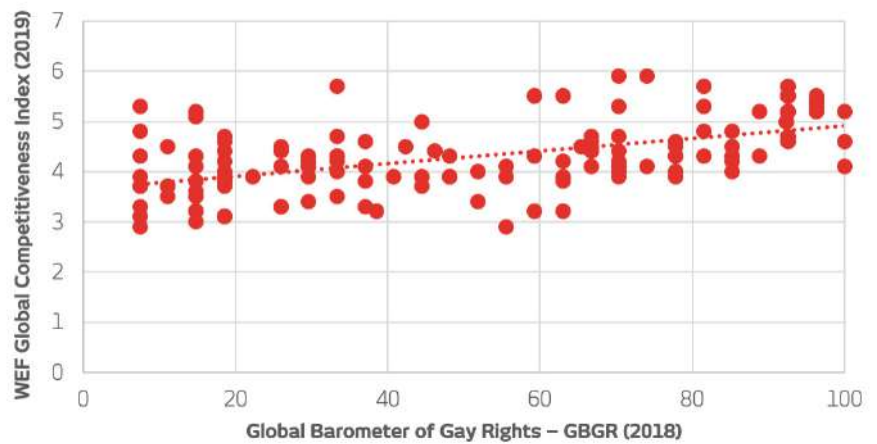


Figure 1: Human rights protections for gay and bisexual people (x-axis) vs. 2019 GCI score (y-axis)

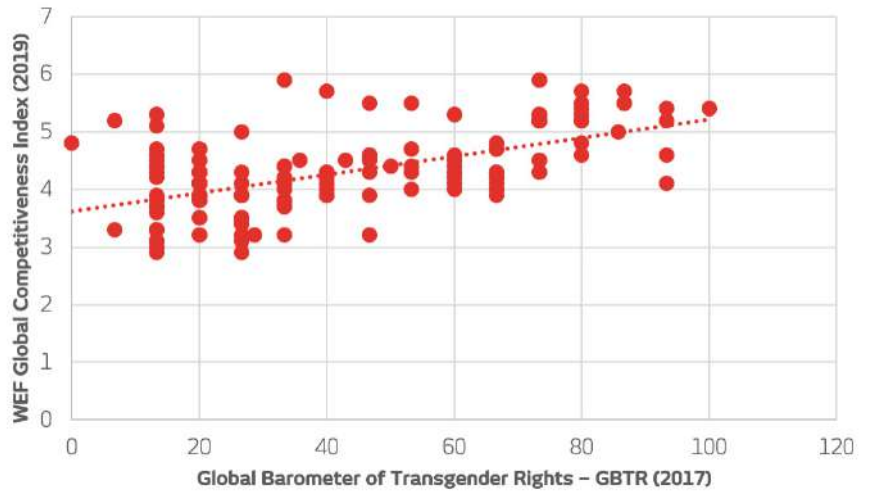


Figure 2: Human rights protections for transgender people (x-axis) vs. 2019 GCI score (y-axis)

Broader LGBT+ rights help develop an economy's human capital, an essential aspect of long-term competitiveness.

Human capital is a key component of any country's plan to improve economic competitiveness. According to the World Bank, unless countries strengthen their human capital, they "cannot achieve sustained, inclusive economic growth, will not have a workforce prepared for the more highly skilled jobs of the future, and will not compete effectively in the global economy."²⁰ In order to measure a country's human capital, the World Bank developed the Human Capital Index (HCI). It aims to measure the contribution of health and education to an individual's productivity. The GBGR and GBTR correlate at 67% and 66%, respectively, against the HCI. This suggests that LGBT+ rights regularly go hand-in-hand with higher levels of human capital.

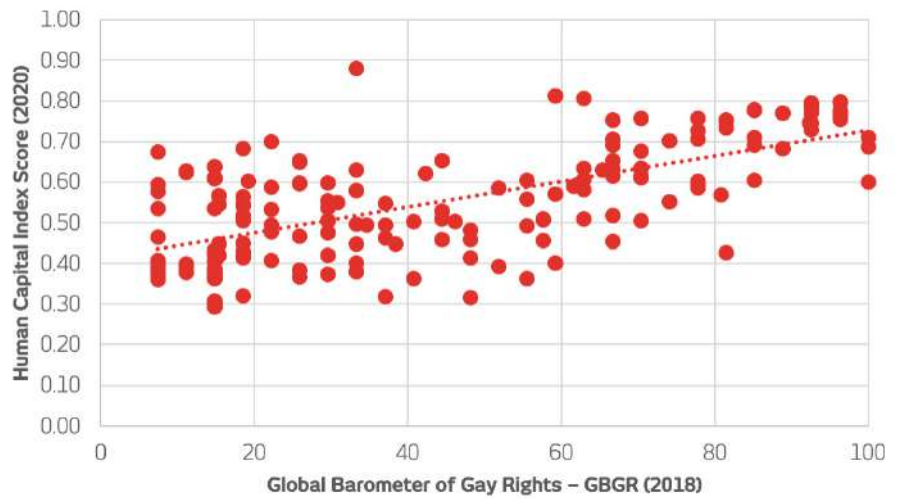


Figure 3: Human rights protections for gay and bi people (x-axis) vs. Human Capital Index score (y-axis)

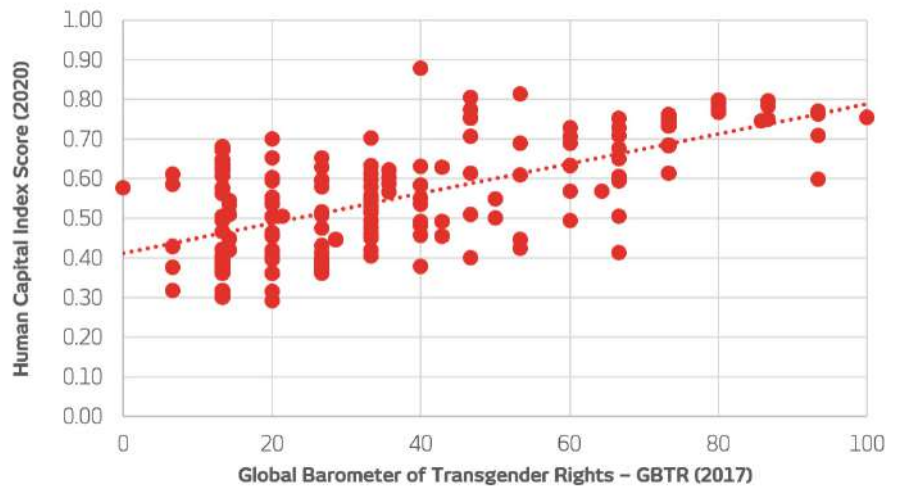


Figure 4: Human rights protections for transgender people (x-axis) vs. Human Capital Index score (y-axis)

Foreign Direct Investment

One of Uzbekistan's main economic priorities is to privatize its largely state-owned economy by attracting foreign investors and businesses. The government recently listed more than 620 state-owned assets as targets for privatization, primarily in the oil and gas, construction, chemical, wine, and tourism sectors.²¹ Additionally, in February 2020, the government passed the Law on Special Economic Zones, which provide tax and customs relief for investors.²²

While these efforts have begun to attract the attention of some investors, Uzbekistan still attracts one of the lowest amounts of FDI as a proportion of its GDP compared with its neighbors and other former Soviet nations. Encouragingly, evidence shows that improving LGBT+ inclusion could help Uzbekistan close this gap and attract more investment.

Globally, countries that do not criminalize consensual same-sex relations attract 4.5 times more foreign investment on average than countries that do criminalize this community.

Using data from UNCTAD, we find that, on average, the 133 countries that do not criminalize same-sex relationships have significantly higher levels of inward FDI than the 70 countries that continue to criminalize. Additionally, this pattern holds for FDI outflows, suggesting that investors in LGBT+ inclusive countries also invest more outside of their borders than investors in non-inclusive countries.

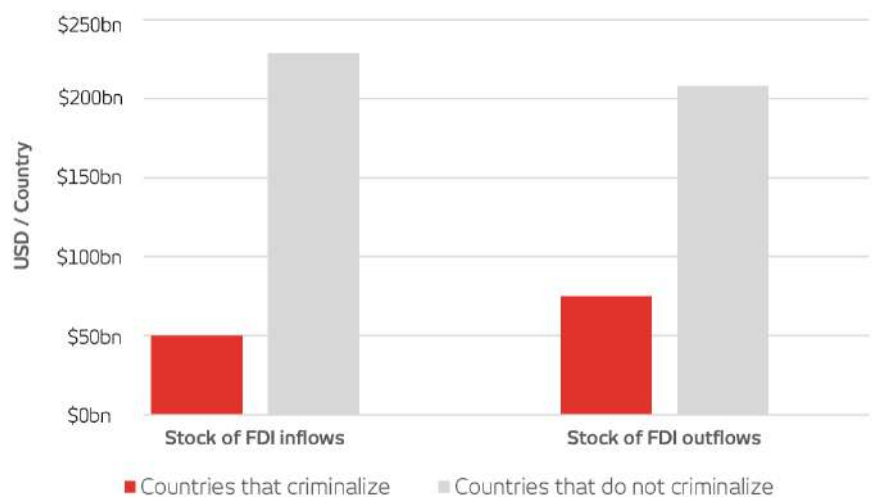


Figure 5: Average level of FDI inflows and outflows in 2019 for 193 countries of USD. Data is from UNCTAD²³

Uzbekistan has the lowest level of foreign investment as a percentage of its GDP compared with its 11 peer countries that make up the Commonwealth of Independent States.

This low level of FDI compared with its peers suggests that Uzbekistan can greatly increase its total FDI stock. It also suggests that investors are prioritizing investing their money in countries that have more open and inclusive economies, of which LGBT+ inclusion is an enabling factor.

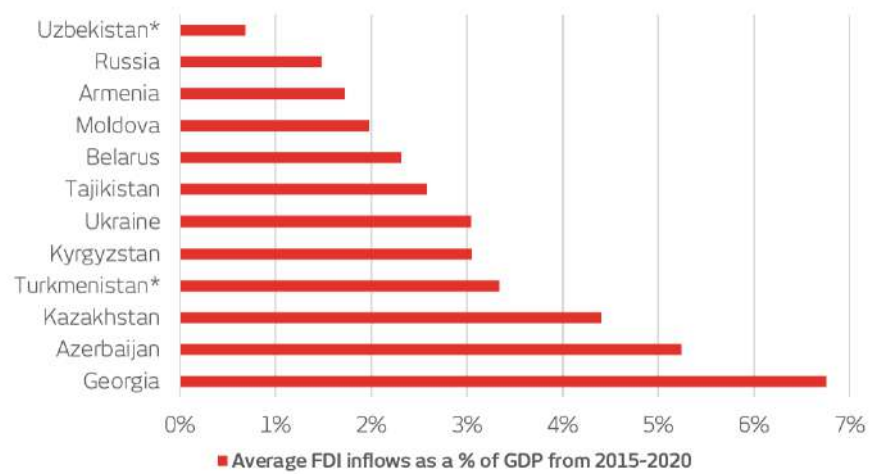


Figure 6: The five-year average FDI inflow as a % of GDP from 2015 to 2020 for countries in the CIS. *An asterisk beside a country’s name denotes that it criminalizes consensual same-sex relations. Data is from the Economist Intelligence Unit²⁴

LGBT+ discrimination in Uzbekistan has been marked as a potential cause for concern for investors interested in the country.

Underneath these high-level trends is evidence that investors and their advisors, many of whom are paying more and more attention to environmental, social and governance (ESG) indicators, are concerned about the treatment of the LGBT+ community in Uzbekistan. For example, the Economist Intelligence Unit's June 2021 Uzbekistan report, which companies and investors use to evaluate the ease of doing business in a country, included an update on the attack of a blogger supportive of the LGBT+ community. The report noted that while they "do not expect any sanctions on Uzbekistan, **persistent restrictions of civil liberties may hamper the attractiveness of the country's investment potential.**"²⁵

A growing investor focus on ESG factors will reduce investments in countries that are not LGBT+ inclusive and have poor human rights records.

More and more investors are taking notice of human rights violations. For instance, Germany's Union Investment opted out of buying Tajikistan's bonds due to its record on human rights abuses. Investors that already invest in Uzbekistan have noted that they are watching to ensure reforms continue as a requirement for keeping their money in the country. In 2021, a Neuberger Berman spokesperson told the Financial Times that "should we get more evidence that Uzbekistan is regressing on the reform momentum, **we would look to reduce our exposure.**"²⁶ The growing momentum for mandatory human rights due diligence in the EU will only increase the importance of human rights and LGBT+ inclusion for investors in Uzbekistan.

LGBT+ inclusion is a key factor for companies making decisions about expansion.

An Open For Business analysis of how companies make location decisions reveals three types of factors that make a country attractive to business: consideration, competitive advantage and preference factors. Quality of life and social and cultural factors are important ingredients, and LGBT+ inclusion in particular is a factor that causes a business to give preference to one location over another. See Figure 7 below for a full set of factors.

Factors that make locations attractive to business

Consideration Factors

Necessary for a location to qualify for consideration

- Access to major markets
- Natural resources
- Infrastructure
- Institutional environment
- Corruption risk

Advantage Factors

Necessary for a location to make it onto a shortlist

- Talent and skills
- Innovation ecosystem
- Global integration
- Financial/non-financial incentives

Preference Factors

Necessary for the "final mile" to close the deal

- Quality of life and liveability
- Relations with city governments
- Social and culture factors, including LGBT+ inclusion
- City image and reputation

Figure 7: Common factors that make a location attractive for businesses to invest

Global Markets

Another key part of Uzbekistan’s economic strategy is to integrate into the global economy more fully. This provides access to larger markets for Uzbekistan’s exports and also lays the groundwork for local Uzbekistan companies to expand internationally. Evidence from around the world has found that LGBT+ inclusion can be a key enabler for countries and companies to increase global integration. Conversely, LGBT+ discrimination and the criminalization of consensual same-sex relationships can be an inhibitor of this integration.

Continued criminalization of consensual same-sex relationships could jeopardize trade agreements with key partners.

In April 2021, Uzbekistan became the ninth country to join the EU’s Generalized Scheme of Preferences under a special incentive arrangement (GSP+). Membership in this program removes tariffs on a large number of products that are imported by the EU, making these goods much more competitive in the lucrative EU market.²⁷ This has the potential to be a boon for Uzbekistan’s exports. In 2020, Uzbekistan exported €200 million worth of goods to the EU, amounting to 1% of Uzbekistan’s total exports.²⁸ While currently small, this leaves significant room for Uzbekistan to increase its market share in the EU market, especially because wealthier EU countries, such as France, Germany and the Netherlands, receive virtually no Uzbek exports.²⁹

However, countries only have access to GSP+ if they continue to uphold 15 human and labor rights UN/ILO conventions. Of these conventions, four explicitly forbid discrimination based on sexual orientation and gender identity, which is caused and exacerbated by Uzbekistan’s continued criminalization of consensual same-sex relationships (see table below). In fact, the EU has already noted that Uzbekistan’s continued criminalization of consensual same-sex relationships “continue[s] to be problematic in terms of full alignment with international conventions.”³⁰ This could very clearly jeopardize Uzbekistan’s inclusion in the GSP+ program.

UN/ILO Convention Included in GSP+	Connection to LGBT+ Discrimination	Articles Violated by the Criminalization of Consensual Same-Sex Relationships
UN/ILO Convention Included in GSP+	Connection to LGBT+ Discrimination ³¹	Articles Violated by the Criminalization of Consensual Same-Sex Relationships
International Covenant on Economic Social and Cultural Rights	The UN Office of the High Commissioner for Human Rights specifically notes that LGBT+ discrimination is counter to a number of rights enumerated in this convention. ³²	<ul style="list-style-type: none"> • Article 2 (Non-discrimination) • Article 7 (Torture) • Article 9 (Arbitrary arrest) • Article 17 (Privacy) • Article 21 (Peaceful assembly) • Article 23 (Right to marry) • Article 26 (Equality before the law)
Convention on the Rights of the Child	The Committee on the Rights of the Child have expressed concern about homophobic discrimination in schools, and called for measures to counter homophobic and transphobic attitudes.	<ul style="list-style-type: none"> • Article 2 (Non-discrimination) • Article 6 (Right to life) • Article 9 (Right to liberty)
Convention on the Elimination of All Forms of Discrimination Against Women	The Committee on the Elimination of Discrimination against Women has specifically noted that women experience discrimination based on their sexual orientation and gender identity. ³³	<ul style="list-style-type: none"> • Article 2 (Non-discrimination)

Figure 8: Descriptions of how the criminalization of consensual same-sex relationships violates a number of convents included as requirements in the GSP+ scheme

End consumers want to purchase products from companies and countries that are committed to LGBT+ inclusion.

Increasingly, consumers across the EU, UK, US and other countries report that they are more likely to purchase products from companies and countries that are LGBT+ inclusive. For example:

- The global “millennial” generation expects brands with shared values: there are 1.8 billion millennials globally, and research suggests that they share similar values across nations.³⁴ A study by Boston Consulting Group found millennials expect brands to “say something about who I am, my values, and where I fit in.”³⁵
- In several studies around the world, the majority of the populations surveyed believe that LGBT+ people should not be discriminated against in the workplace. For example, 58% of people in India, 63% in Kenya, 65% in Mexico, 56% in Nigeria and 62% in the Philippines agree or strongly agree that LGBT+ people should be protected at work.³⁶
- 48% of all Americans report that they would not buy from brands that discriminate against the LGBT+ community³⁷, which frequently occurs in countries that criminalize consensual same-sex relationships.

LGBT+ inclusion allows fast-growing emerging-market companies to more effectively tap into global markets and supply chains.

New Global Champions, a report published by Open For Business and BCG, looked at the connections between LGBT+ inclusion and the financial performance of 100 fast-growing companies in emerging markets, such as India, Kenya and Turkey. The report found that companies that openly support LGBT+ inclusion have a significantly higher portion of their revenue coming from international markets³⁸, suggesting that they are more effective at becoming global. Additionally, it was more likely for companies to openly support LGBT+ inclusion in countries that did not criminalize consensual same-sex relationships.

Public Health

A healthy population is essential for strong, sustainable economic growth. Poor health often shortens an individual's life and diminishes their productivity, economic potential and ability to live a happy life. According to McKinsey & Company, "A larger and healthier labor force translates into substantial economic benefits across all countries."³⁹

Poor health outcomes from LGBT+ discrimination costs the Uzbekistan economy \$314 million, or 0.5% of GDP, per year.

LGBT+ discrimination leads to negative economic consequences as a result of poor health outcomes. The prevalence of HIV/AIDS and depression in LGBT+ individuals are the two areas where this is most notable in Uzbekistan.

HIV/AIDS

LGBT+ individuals in Uzbekistan, primarily gay and bisexual men, experience significant discrimination that restricts their access to quality healthcare to test for and treat HIV/AIDS. Many people are reluctant to get tested for HIV, mainly due to the requirement that HIV-positive individuals to disclose their sexual partners to authorities.⁴⁰ The criminalization of consensual same-sex relationships means that this forced disclosure puts gay and bisexual men at direct risk of arrest and harassment. Additionally, there are many reports of HIV-positive LGBT+ individuals forgoing treatment due to the risk of medical professionals disclosing their infection to **mahalla*** communities, thereby exposing those individuals to stigmatization and harassment.⁴¹

UNAIDS reports that the prevalence of HIV among men who have sex with men (MSM) in Uzbekistan is 3.7%**⁴², while the prevalence in the general population is 0.3%.⁴² This leads to lower economic productivity and a smaller workforce, which dampens the country's economic output.

Using established cost-estimation methodologies (see detailed explanation in Methodology section), Open For Business estimates the annual economic cost of HIV/AIDS due to discrimination against LGBT+ individuals to be \$63 million, or 0.1% of GDP.

Depression

Similarly, LGBT+ individuals in Uzbekistan are more prone to depression and poor mental health than the general population, mainly driven by the social exclusion they face. It is estimated that the prevalence of depression among LGBT+ individuals is 29.5%⁴³, while the prevalence in the general population is 4.2%⁴⁴.

This leads to an annual economic cost depression due to discrimination against LGBT+ individuals of \$252 million, or 0.4% of GDP.

Health impact	Prevalence among LGBT+ individuals	Prevalence among the general population	Estimated economic impact of higher prevalence among LGBT+ community
HIV/AIDS	3.7%	0.3%	\$63,009,000
Depression	29.5%	4.2%	\$251,296,000
Total			\$314,305,000

Figure 9: The estimated economic impact of an increased burden of disease due to stigma and discrimination against the LGBT+ community in Uzbekistan

* **Mahalla** means "local" in its Uzbek derivation and refers broadly to residential community associations. Every Uzbek citizen belongs to a **mahalla**.

** It is important to note that this discrepancy in prevalence rates does not imply that LGBT+ individuals are the most prone to HIV/AIDS or that they are driving Uzbekistan's epidemic. There are other stigmatized groups that have even higher prevalence of HIV/AIDS in Uzbekistan.

National Reputation

A key component of Uzbekistan's strategy to enmesh itself more fully in the global economy and to attract more foreign investment is to build its national reputation around the world. The government has made it a priority for the country to be seen in a positive light and has taken significant steps to position Uzbekistan as a tourist destination in the region. At the height of the COVID-19 pandemic in 2020, the government promised to provide tourists with \$3,000 to compensate for their losses if they contracted the disease while on vacation in the country.⁴⁵ However, the continued discrimination against LGBT+ individuals actively undermines these efforts, damaging Uzbekistan's reputation in key investor and tourist markets.

LGBT+ discrimination hurts Uzbekistan's score on prominent indices that rate countries on a variety of issues.

Uzbekistan has a strategy to ensure it rates highly on several prominent indices to boost its reputation abroad. Across these indices, countries that are more LGBT+ inclusive and score higher on the Global Barometer for Gay and Trans Rights (GBGR and GBTR) tend to score higher. The table below showcases the correlation between the index and the GBGR and GBTR score.

Index	Provider	Correlation with LGB inclusion	Correlation with trans inclusion
Democracy Index	Freedom House	0.87	0.77
Human Freedom Index	Cato Institute	0.77	0.77
Commitment to Reducing Inequality Index	Oxfam	0.73	0.72
Human Capital Index	World Bank	0.67	0.66
TRACE Bribery Risk Matrix	TRACE International	0.66	0.71
Global Freedom Index	Freedom House	0.65	0.65
Human Development Index	United Nations Development Program	0.63	0.62
Internet Freedom Index	Freedom House	0.62	0.65
Corruption Perceptions Index	Transparency International	0.59	0.66
Press Freedom Index	Reporters without Borders	0.58	0.60

Figure 10: Correlations between various indices and the Global Barometer of Gay Rights and the Global Barometer of Transgender Rights

Index	Indicator(s)	Connection to LGBT+ inclusion
Global Freedom Index	<p>B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?</p> <p>D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?</p> <p>E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?</p> <p>F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?</p> <p>F4. Do laws, policies and practices guarantee equal treatment of various segments of the population?</p> <p>G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?</p>	LGBT+ individuals in Uzbekistan are not able to register organizations to specifically provide services for the LGBT+ community, are frequently subject to physical force, are not able to choose a partner for marriage, and do not have equal treatment before the law.
Internet Freedom Index	C7. Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities?	Individuals who are LGBT+ or who support the LGBT+ community online are subject to physical abuse, as happened in March 2021. ⁴⁶
Democracy Index	<p>Civil Society 3. Is society free of excessive influence from extremist and intolerant nongovernmental institutions and organizations?</p> <p>Civil Society 7. Is the government receptive to policy advocacy by interest groups, public policy research groups, and other nonprofit organizations? Do government officials engage civil society groups by inviting them to testify, comment on, and influence pending policies or legislation?</p>	Groups of individuals known as TashGangs have been known to track down LGBT+ individuals and physically assault them. ⁴⁷ Additionally, the government is not receptive to advocacy from many civil society organizations in Uzbekistan, including LGBT+ organizations.
Human Freedom Index	Legalization of same-sex relationships	Consensual same-sex relationships are illegal in Uzbekistan.

Figure 11: Specific indicators related to LGBT+ inclusion

Anti-LGBT+ laws and stigma diminish tourism.

Before the COVID-19 pandemic, tourism in Uzbekistan was booming. Between August 2018 and August 2019, the number of travelers to Uzbekistan increased by 19%. The number of travelers from distant countries, such as Europe and North America, increased by 44%.⁴⁸ This corresponds with a concerted effort by the government to make tourism to Uzbekistan easy and attractive. In the past few years, the government has enacted policies to make visa-free travel possible for more people, expanded airline access to the airport in Tashkent, and launched a massive tourism campaign.⁴⁹

Uzbekistan could take steps to further improve tourism by decriminalizing consensual same-sex relationships and improving LGBT+ inclusion. Evidence shows that potential travelers from countries which are more LGBT+ inclusive are more likely to travel to a country after it has enacted more LGBT+ friendly policies. In June 2021, Open For Business surveyed 1,435 individuals in the US, UK and Canada about their likelihood to travel to a country before and after the decriminalization of same-sex relationships. **60% of the respondents said that they would visit, but only after decriminalization.** Additionally, as has been documented earlier in this report, violence against LGBT+ people is common in Uzbekistan. There is strong evidence that political violence and human rights violations deter tourism to a country.

While the majority of tourists traveling to Uzbekistan currently come from CIS countries, tourism from the US, Europe, Canada and Australia is quickly growing. For example, from August 2018 to August 2019, the number of tourists from these countries increased by 159%.⁵⁰ The decriminalization of same-sex **relationships would likely increase this number even more and position Uzbekistan as a key destination in the region.**

National Economic Development

The primary aim of Uzbekistan's economic and political reforms is to unlock higher levels of economic growth and greater output per person. In this sense, the reforms are showing meaningful economic progress. Although still at relatively low levels, Uzbekistan's GDP per capita grew at 3.4% per year from 2016 to 2019. During the same timeframe, its overall GDP grew at 5.2% per year.*

However, evidence shows that Uzbekistan could further increase its economic growth with more reforms, such as decriminalization of consensual same-sex relationships.

CIS countries that have decriminalized consensual same-sex relationships see higher GDP per capita growth after decriminalization than before.

Of the 12 countries in the CIS, 10 of them have decriminalized consensual same-sex relationships. Decriminalization occurred between 1991 and 2003 in these countries (see table below). Analysis of their compound annual GDP per capita growth rates from 1995** to 2019 shows that these countries on average had much higher rates of economic growth post-decriminalization than they did before (-3.0% growth pre-decriminalization versus 4.6% post-decriminalization). Additionally, in the period from 2016 to 2019, during which Uzbekistan started its ambitious reform agenda, CIS countries that have decriminalized saw an average GDP per capita growth of 3.7%, while Uzbekistan saw growth of 2.3%. While decriminalization is not the only factor that led to this divergence in growth rates, the evidence presented throughout this report shows that it likely played a role.

Country	Year of decriminalization ⁵¹	GDP per capita CAGR pre-decriminalization	GDP per capita CAGR post-decriminalization
Armenia	2003	1.0%	5.4%
Azerbaijan	2000	-6.0%	3.1%
Belarus	1994	N/A	5.1%
Georgia	2000	-2.3%	6.6%
Kazakhstan	1997	-3.8%	2.8%
Kyrgyz Republic	1997	-3.0%	4.0%
Moldova	1995	N/A	6.6%
Russian Federation	1993	N/A	6.5%
Tajikistan	1998	-4.9%	3.8%
Ukraine	1991	N/A	6.7%
Average		-3.0%	4.6%

Figure 12: Table showing the compound annual GDP/capita growth rates for CIS countries pre- and post-decriminalization of consensual same-sex acts

* Measured in constant 2010 USD

** The earliest year data was available for all CIS countries

Business Performance

Creating workplaces that are diverse and inclusive of everyone regardless of gender identity, ethnicity, physical ability, sexual orientation, age or nationality is an important competitive differentiator for businesses around the world. Evidence shows that companies that are successful at fostering inclusive workplaces, particularly workplaces that are inclusive of the LGBT+ community, see better financial performance. And this link between business performance and LGBT+ inclusion isn't limited to specific sectors: it's across the business world. The top-performing companies covered by the evidence base come from a wide range of sectors, including law firms, banking, manufacturing, technology and transportation.

In Uzbekistan, inclusion and diversity is still not a mainstream business practice. The economic inclusion of women has slowly been rising as a priority for business leaders and policymakers, with the encouragement of development banks and international chambers of commerce such as AmCham52. This suggests that businesses in Uzbekistan could be underperforming the expectations of the global business community, potentially holding them back from competing on a global stage.

Innovation

Innovation is essential for economic growth and improves business performance. The challenge for companies and countries around the world is making the right decisions to foster an innovative environment. For example, the Global Innovation Index (GI) identifies 15 separate inputs that enable countries to be innovative. These include strong institutions, high numbers of knowledge workers and high levels of education.⁵³ Each of these takes thoughtful consideration for governments and business leaders to properly enact.

LGBT+ inclusion closely correlates to innovation, suggesting it is a key factor that enables strong innovation ecosystems.

This analysis shows a strong connection between an economy’s score on the Global Innovation Index and its GBGR (67%) and GBTR scores (64%). This holds true for the Innovation Output (65%/62%) and Innovation Input Sub-Indices (66%/64%) as well. This suggests that LGBT+ inclusion is a key enabler of innovation. It sends the signal that a country and company is welcoming, inclusive and open to attracting new ideas and points of view.

Recent academic literature has also found that LGBT+ exclusion “hinders innovation, thus impeding economic development.”⁵⁴ Researchers find this to be the case because the inclusion of LGBT+ people helps foster human capital development and is connected to a country’s level of economic complexity.

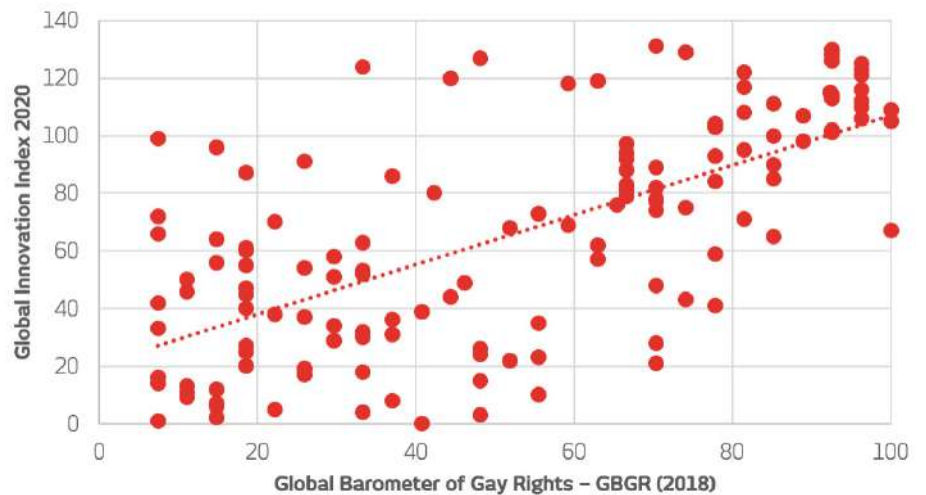


Figure 13: Human rights protections for gay/bi people (x-axis) vs. innovation ranking (y-axis)



Figure 14: Human rights protections for trans people (x-axis) vs. innovation ranking (y-axis)

Financial Performance

LGBT+ inclusive companies have stronger financial performance than non-inclusive peers.

Evidence of the link between LGBT+ inclusion and business performance most clearly shows up in analyses that examine how inclusive firms perform financially. Credit Suisse has constructed a market-cap weighted portfolio of the 350 most LGBT+ inclusive companies in the world, called the LGBT 350. They found that, since 2010, the LGBT 350 portfolio has outperformed MSCI's ACWI global equity index (excluding the LGBT 350) by 3.78% per year.⁵⁵ While a focus on LGBT+ inclusion is not sufficient for a company to perform well, this data suggests that it is a key factor that enables companies to outperform their peers.



Figure 15: The performance of Credit Suisse's LGBTQ 350 index compared with the performance of the S&P 500 index

Open For Business and BCG's *New Global Champions* report contains an analysis of the fastest-growing companies from emerging markets. As the chart below shows, companies that openly support LGBT+ inclusion suffer no obvious negative impact on revenue growth, even in countries that are not LGBT+ inclusive.

LGBT+ inclusive companies within the sample group have an EBIT margin in line with peers

LGBT+ inclusive companies within the sample group show revenue growth in line with peers

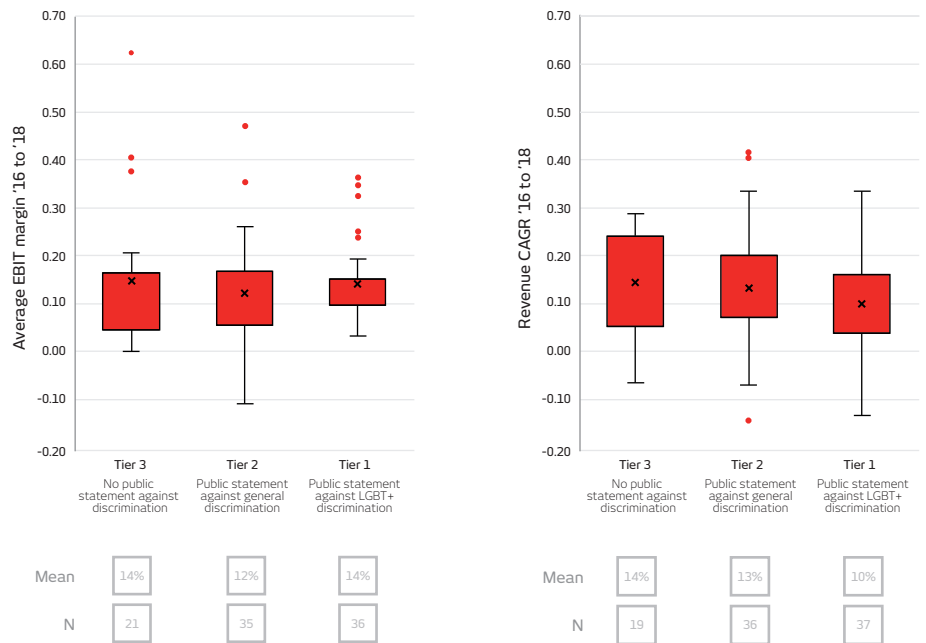


Figure 16: Multivariate regression shows that LGBT+ inclusive companies (Tier 1) suffer no obvious negative impact on revenue growth and EBIT margins

Appendix



A – Methodology for Calculating Health Costs Due to LGBT+ Discrimination

The methodology for estimating the cost to CEE economies due to HIV and depression in the LGBT+ community is based on the World Bank analysis of India, which is itself based on global best practices for determining economic impacts of disease. It is then strengthened by using McKinsey's methodology for calculating the GDP impact from fewer early deaths.⁵⁶

The health impact measure used to determine the total cost is the number of disability-adjusted life years (DALYs) for the health condition. This is recommended by the World Health Organization's Commission on Macroeconomics and Health. It reflects the total of years of life lived with a disability and years of life lost due to the health condition. DALYs reflect the cumulative years of life lost and years lived with disability.

The steps of the calculation are below:

1. Calculate the excess prevalence of the health condition for LGBT+ people. This assumes that LGBT+ people would see similar levels of disease as the general population in the absence of LGBT+ discrimination.
2. Use that rate multiplied by the estimated population of LGBT+ people to identify the number of LGBT+ people with the health condition due to LGBT+ discrimination.
3. Determine what proportion of the total population has the health condition due to LGBT+ discrimination.
4. Use that proportion multiplied by the total number of DALYs for the health condition to determine the number of DALYs attributed to LGBT+ discrimination.
5. Multiply the number of DALYs by the labor force participation rate, the employment rate, and the GDP per worker to estimate the GDP gain from fewer early deaths.

A sample calculation for the cost of depression due to LGBT+ discrimination in Uzbekistan:

1. Excess prevalence rate = prevalence in LGBT+ population⁵⁷ - prevalence in general population⁵⁸
 $25.3\% = 29.5\% - 4.2\%$
2. Excess number of LGBT+ people with depression = excess prevalence rate * LGBT+ population estimate⁵⁹
 $171,969 = 25.3\% * 679,721$
3. Excess LGBT+ as proportion of total affected population = Excess number of LGBT+ people with depression / total Uzbeks with depression
 $12\% = 171,969 / 1,410,360$
4. Excess depression DALYs due to LGBT+ discrimination = Excess LGBT+ as proportion of total affected population * DALYs due to depression⁶⁰
 $20,250 = 12\% * 166,075$
5. Economic cost = Excess depression DALYs due to LGBT+ discrimination * labor force participation rate⁶¹ * employment rate⁶² * GDP/worker⁶³
 $\$251,295,970 = 20,250 * 74.9\% * 94\% * \$17,620$

D – F&M Global Barometers Methodology



The **F&M Global Barometers** are human rights barometers that measure the extent to which countries are protecting or persecuting of their sexual and gender identity minorities. The **Global Barometer of Gay Rights (GBGR®)** consists of 27 items operationalized from international human rights principles and focuses on the human rights of sexual minorities (reference 1). The **Global Barometer of Transgender Rights (GBTR™)** is the sister barometer to the GBGR, consisting of 15 items that measure concerns specific to gender identity minorities (reference 2).

The F&M Global Barometers provide a framework for objectively documenting and uniformly monitoring and analyzing global progress towards the human rights protection of LGBT individuals. They are the first-of-their-kind measures that allow for countries to be compared on their LGBT human rights performance on a uniform scale, on the same human rights issues, and across multiple years.

The latest Global Barometers dataset ranked 203 countries based on their protections for SOGI minorities on a scale of A - F:

The Global Barometers rank countries on a scale of 0 to 100 percent based on their protection or persecution of LGBT individuals. It employs binary variables, 0 or 1, to score items. Each item in the Global Barometers is weighted equally. A country will receive one point if evidence supports the item in the affirmative and a zero if in the negative. For example, the item **"No death penalty for sexual orientation"** would receive a one if there is no death penalty for sexual orientation, but if the country has the death penalty for sexual orientation, it would receive a zero.

GBGR/GBTR Category	GBGR/GBTR Score	Corresponding Human Rights Report Card Grade	Grade Definitions
Protecting	90-100%	A	Excellent
Tolerant	80-89%	B	Very Good
Resistant	70-79%	C	Average
Intolerant	60-69%	D	Unsatisfactory
Persecuting	0-59%	F	Failing

The items are grouped into five dimensions:

- Dimension I:** De jure protections
- Dimension II:** De facto protections
- Dimension III:** LGBT rights advocacy
- Dimension IV:** Socio-economic rights
- Dimension V:** Societal persecution

The above grouping allows for broad-based analysis of not only a country's legal protections for LGBT minorities but also its protections in practice, the state of grassroots civil society activism, and societal safeguards (or lack thereof) against violence targeted toward LGBT individuals.

A distinctive feature of the Barometers is that the data is **triple-verified**. The triple-verification process is extensive and rigorous, employing to date 50+ peer review experts from over 40 countries to ensure the accuracy and integrity of the Global Barometers dataset.

Reference 1: GBGR scorecard

Item Number	Global Barometer of Gay Rights Scorecard
DE JURE PROTECTION OF SEXUAL MINORITIES	
1	No death penalty for sexual orientation
2	No life sentence for sexual orientation
3	No prison term for sexual orientation
4	No criminalization of sexual orientation
5	Hate crimes legislation includes sexual orientation
6	Sexual minorities are not restricted or banned from serving in the military
7	Civil unions for sexual minorities are allowed
8	Same-sex marriage is allowed
DE FACTO (CIVIL & POLITICAL) PROTECTION SEXUAL MINORITIES	
9	Freedom from arbitrary arrest baesd on sexual orientation
10	Head of state supports legalization of homosexuality
11	Head of state supports same-sex civil unions/same-sex marriage
12	Majority of citizens are accepting of homosexuality
13	Hate speech laws include sexual orientation
14	Sexual minorities have the right to privacy
15	Sexual orientation does not prejudice the right to a fair trial
LGBT RIGHTS ADVOCACY	
16	LGBT organizations are allowed to legally register
17	LGBT organizations exist
18	LGBT organizations are able to peacefully and safely assemble
19	LGBT pride events are allowed by the state
20	Security forces provide protection to LGBT pride participants
SOCIO-ECONOMIC RIGHTS	
21	Fair housing anti-discrimination laws include sexual orientation
22	Workplace anti-discrimination laws include sexual orientation
SOCIAL PERSECUTION	
23	No known acts of murder against sexual minorities
24	No known acts of violence against sexual minorities
25	Crimes based on sexual orientation are reported to police
26	Same-sex couples are allowed to jointly adopt
27	Individuals are not discriminated against in access to medical treatment because of their sexual orientation

Reference 2: GBTR scorecard with two additional items to be introduced in the 2018 dataset

Item Number	Global Barometer of Transgender Rights Scorecard
DE JURE PROTECTION OF GENDER IDENTITY MINORITIES	
1	Country has legal recognition of gender identity
2	No criminalization of gender identity
3	Gender minorities are allowed to serve in the military
4	No physiological alteration requirement for gender identity recognition
5	No psychiatric diagnosis requirement for gender identity recognition
DE FACTO (CIVIL & POLITICAL) PROTECTION OF GENDER IDENTITY MINORITIES	
6	No arbitrary arrest based on gender identity
LGBT RIGHTS ADVOCACY	
7	LGBT organizations are allowed to legally register
8	LGBT organizations exist
9	LGBT organizations are able to peacefully and safely assemble
10	LGBT pride events are allowed by the state
11	Security forces provide protection to LGBT pride participants
SOCIO-ECONOMIC RIGHTS	
12	Fair housing anti-discrimination laws include gender identity
13	Workplace anti-discrimination laws include gender identity
SOCIAL PERSECUTION	
14	No known acts of murder against gender minorities
15	No known acts of violence against gender minorities
16	Crimes based on gender identity are reported to police
17	Individuals are not discriminated against in access to medical treatment because of their gender identity

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