

LGBTQI+ DIVERSITY AND INCLUSION PLAN



GLOBAL DAIRY VENTURES



I. INTRODUCTION

II. INTERNATIONAL LEGISLATIVE FRAMEWORK

III. EU FRAMEWORK

IV. BASIC CONCEPTS AND DEFINITIONS

V. PLAN OBJECTIVES AND GUIDING PRINCIPLES

VI. PERSONAL, TERRITORIAL AND TEMPORAL SCOPE

**VII. ESTABLISHMENT OF THE COMMISSION FOR THE PREVENTION OF
HARASSMENT ON THE GROUNDS OF SEXUAL ORIENTATION, GENDER
IDENTITY AND/OR GENDER EXPRESSION**

VIII. VALIDITY

IX. ACCEPTANCE

I) Introduction

The LGBTQ+ movement arose as a result of the inequality and discrimination suffered by this group, which began an effective struggle to defend its rights in the early 20th century, following the need to freely express an affective-sexual identity different from the one recognised.

The recognition and respect of sexual and gender diversity is a fundamental principle for building an inclusive, equitable and discrimination-free society. The LGBTQ+ community has historically been vulnerable to social exclusion, violence and discrimination, which has created an urgent need for public policies that promote their rights and well-being.

The main objective of this LGBTQ+ Plan is to guarantee equal rights and the full integration of LGBTQ+ people in our company by eliminating any social, cultural, economic and legal barriers that may exist. Through a comprehensive and multidisciplinary approach, we seek to create a safer, more respectful and fairer environment where all people, regardless of their sexual orientation or gender identity, can live without fear of rejection or persecution.

The Plan is structured around various lines of action ranging from raising awareness and educating about sexual and gender diversity to strengthening policies that protect the LGBTQ+ community from any type of violence or discrimination, eradicating homophobia, lesbophobia, transphobia, biphobia and intersexphobia, and generating actions to promote the autonomy of LGBTQ+ people. It also promotes the visibility of diversity as a positive value, fostering respect and acceptance in our company.

This LGBTQ+ Plan is based on respect for human rights and the fight for equality, with the aim of ensuring that all people can live with dignity, freedom and without fear of being discriminated against because of their identity or sexual orientation. Through this commitment, we seek to move towards a more plural, just and free society for all people.

II) International legislative framework

The **Universal Declaration of Human Rights (UDHR)**, adopted by the United Nations General Assembly in 1948, establishes the fundamental rights that must be guaranteed to all people, regardless of their origin, gender, religion, ethnicity, etc. Article 27: Right to cultural participation and public life: "Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits."

The **2008 Declaration against Homophobia and Discrimination on the Basis of Sexual Orientation** represents an important milestone in the fight for the rights of LGBTQ+ people globally. Although it is not binding, it expresses the international will to advance the eradication of discrimination and violence against people because of their sexual orientation. Through this declaration, the United Nations reaffirmed its commitment to equality, non-discrimination and respect for the human rights of all people, regardless of their sexual orientation.

The main points of this Declaration are the affirmation of the universality and indivisibility of human rights, the rejection of homophobia, the right to legal protection and protection against violence, the promotion of education and awareness-raising, international support and the

promotion of an environment free from discrimination.

The UN General Assembly Resolution on Human Rights, Sexual Orientation and Gender Identity, adopted on 4 June 2012, was a crucial step towards global recognition of the human rights of LGTBQ+ people. Through this resolution, the UN reaffirmed that sexual orientation and gender identity should not be grounds for discrimination, and called on all countries to take effective measures to protect LGTBQ+ people from violence, discrimination and criminalisation. Although the resolution does not legally oblige states to make immediate changes, it has been a valuable tool in promoting reforms and policies that are more inclusive and respectful of the human rights of LGTBQ+ people. The main points of the resolution are as follows:

a) Universal Human Rights and Non-Discrimination

The resolution reaffirms that all human beings have the same rights and freedoms, regardless of their sexual orientation or gender identity.

It emphasises that sexual orientation and gender identity should not be grounds for discrimination anywhere in the world, reaffirming that human rights are universal and that all individuals are entitled to enjoy the same rights, without exception, as established in the Universal Declaration of Human Rights (UDHR).

b) Elimination of Criminalisation

The resolution calls on countries that still criminalise homosexuality or any other form of diverse sexual identity to repeal these laws, urging States to ensure that laws do not criminalise sexual orientation or gender identity, and to eliminate laws that favour the persecution of LGTBQ+ persons.

c) Protection against Violence and Discrimination

A strong call is made to UN member states to protect LGTBQ+ persons from violence and discrimination in all its forms, including physical, psychological, and sexual violence, as well as structural and legal violence, which is especially prevalent in contexts where homophobic or transphobic laws exist. Countries are urged to adopt concrete legal and policy measures to protect the rights of LGTBQ+ persons and guarantee their safety in all spheres of life, such as work, education, and health.

d) Promotion of Education and Awareness

The resolution emphasises the need to raise awareness and educate society about the rights of LGTBQ+ people and against homophobia and transphobia. This education should focus on tolerance and respect for diversity in order to combat existing prejudices and stigmas.

e) Support for the UN Resolution

The resolution calls on UN Member States to support the international community's efforts to protect the rights of LGTBQ+ persons and to commit to promoting their rights within their own borders.

f) Call to Action by the International Community

The resolution concludes with a call to all UN Member States to adopt active policies and legal measures to promote equality and protect the rights of LGTBIQ+ persons.

III) Reference framework at the community level

Article 21 of the Charter of Fundamental Rights of the European Union of 2000 addresses the right to non-discrimination, an essential principle that prohibits any type of discrimination based on various factors, including sexual orientation, laying the foundations for a more inclusive policy that respects the rights of LGTBIQ+ people.

The European Parliament's resolutions of 18 January 2006 and 24 May 2012 have been fundamental in promoting equal rights and legal protection for LGTBIQ+ people in the European Union. Both resolutions condemn discrimination, violence and hate crimes against LGTBIQ+ people and urge Member States to adopt inclusive and protective policies.

Council Directive 2000/78/EC, known as the Equal Treatment in Employment and Occupation Directive, is a key component of European Union (EU) legislation aimed at ensuring equal rights and non-discrimination in the workplace. It is particularly relevant to the protection of sexual orientation, explicitly introducing a prohibition on direct and indirect discrimination on the basis of sexual orientation, one of the most important foundations for the rights of LGTBIQ+ people in the workplace. In this regard, the Directive helps to ensure that LGTBIQ+ people are not disadvantaged or discriminated against in access to employment, vocational training, working conditions or promotion in the workplace on the grounds of their sexual orientation.

In France, the protection of LGTBIQ+ persons is guaranteed by:

- **The Labour Code (CODE DU TRAVAIL)**, which prohibits discrimination on the grounds of sexual orientation and gender identity (Art. L1132-1).
- **Law 2008-496** on equal treatment, which adapts European directives to French law.
- **The Law against Moral Harassment (Loi sur le harcèlement moral)**, which includes sexual orientation and gender identity as protected grounds.
- The **Défenseur des Droits**, which acts as an independent body responsible for ensuring non-discrimination in the workplace and society.

In Italy, applicable legislation includes:

- **Legislative Decree 198/2006** (Equal Opportunities Code), which prohibits discrimination based on sexual orientation.
- **Legislative Decree 216/2003**, which implements Directive 2000/78/EC on equal treatment in employment.
- **Law 76/2016**, which recognises civil unions between persons of the same sex.

- **The reference body is the UNAR** (Ufficio Nazionale Antidiscriminazioni Razziali), which also acts on issues of discrimination based on sexual orientation and gender identity.

In Spain

Spanish Constitution (1978)

The Spanish Constitution of 1978 does not specifically mention LGTBIQ+ people, but it establishes fundamental principles such as equality before the law, respect for dignity and the protection of fundamental rights, which have been essential in the fight for the rights of LGTBIQ+ people in Spain.

Workers' Statute

Although the Workers' Statute does not explicitly mention LGTBIQ+ people, the equal treatment and prohibition of discrimination it establishes are fundamental to protecting LGTBIQ+ people in the workplace. Over the years, case law and other laws, such as Law 3/2007 and Law 15/2022, have been essential in consolidating the rights of LGTBIQ+ people at work, ensuring that they do not suffer discrimination or harassment on the grounds of sexual orientation or gender identity. Among other basic principles of the law in relation to the LGTBIQ+ community are the following:

a) Non-discrimination in the workplace

Article 17 of the Workers' Statute prohibits discrimination in the workplace, covering any type of discrimination on the grounds of sex, age, race, sexual orientation, disability, religion or social origin. This prohibition is one of the pillars for the protection of the rights of LGTBIQ+ people in the workplace.

b) Right to Equal Pay and Working Conditions

The principle of equal pay and working conditions, set out in Article 28, establishes that work of equal value must be remunerated equally. This means that there can be no difference in pay or working conditions based on a worker's sexual orientation or gender identity.

c) Protection against Workplace Harassment (Sexual Harassment and Harassment based on Sexual Orientation)

The Workers' Statute does not specifically mention harassment based on sexual orientation or gender identity, but Law 3/2007 on effective equality between women and men establishes clear regulations on workplace harassment and protects victims of harassment based on sexual orientation or gender identity, prohibiting such harassment and establishing measures to combat it, indicating that harassment based on sexual orientation (homophobia) and gender identity (transphobia) are forms of discrimination and must be treated with the same severity as sexual harassment and harassment on the grounds of sex. In addition, the Spanish Criminal Code punishes workplace harassment in general and specific harassment on the grounds of sexual orientation or gender identity.

Law 3/2007, of 22 March, on effective equality between women and men.

This law establishes a legal framework for equal treatment and opportunities in employment and

regulates measures to combat sexual harassment and harassment based on sexual orientation in the workplace. It recognises that discrimination based on sexual orientation or gender identity is a form of discrimination based on sex.

Law 4/2023, of 28 February, on real and effective equality for transgender people and guaranteeing the rights of LGTBIQ+ people.

Royal Decree 1026/2024, of 8 October, implementing the planned set of measures for equality and non-discrimination of LGTBIQ+ persons in companies.

IV) Basic concepts and definitions

4.1 Discriminatory behaviour

LGTBIQ+ discriminatory conduct refers to any attitude, action or behaviour that treats a person or group unequally, disadvantages or marginalises them because of their sexual orientation (lesbian, gay, bisexual, etc.), gender identity (transgender, non-binary, etc.) or any other aspect related to sexual or gender diversity.

4.2 Characteristics of LGTBIQ+ discriminatory behaviour

- **Unequal treatment:** LGTBIQ+ discrimination occurs when a person or group is treated differently or unfairly because they are LGTBIQ+, even though their ability or situation does not justify it. This can range from derogatory comments to the explicit denial of their rights.
- **Exclusion and marginalisation:** LGTBIQ+ people may be excluded from certain social, work, educational or family activities solely because of their gender identity or expression or sexual orientation. For example, not being accepted in the workplace or not being able to access certain services or public places.
- **Violence and harassment:** Discrimination can lead to physical, psychological or sexual violence, or verbal harassment (such as insults, jokes, threats) because of a person's sexual orientation or gender identity. It can also be expressed through bullying at school or mobbing in the workplace.
- **Stereotypes and prejudices:** Discriminatory behaviour is often based on prejudices or stereotypes about what it means to be LGTBIQ+. This can include the misconception that LGTBIQ+ people are "abnormal", "less capable", "dangerous", or that their way of life is something that should be corrected or hidden.
- **Invisibility and lack of recognition:** Discriminatory behaviour can also involve the invisibilisation or erasure of LGTBIQ+ identities, such as refusing to recognise a same-sex relationship or not respecting the gender and pronouns of a transgender person.
- **Denial of rights:** Discriminatory behaviour against LGTBIQ+ people can involve denying them access to fundamental rights such as marriage (in places where it is not yet permitted), adoption, healthcare, or employment. It can also occur in situations where the rights of transgender people are violated, such as not recognising their gender identity or denying them access to medical treatment related to transitioning.

4.3 Direct discrimination

Direct LGBTQ+ discrimination refers to any unequal or unfavourable treatment that a person or group of people receives directly because of their sexual orientation, gender identity or gender expression, without any objective justification to support it. This discriminatory treatment is based on the fact that the person is part of the LGBTQ+ community and not on their behaviour, abilities or merits.

4.4 Characteristics of Direct LGBTQ+ Discrimination

- **Unequal or unfavourable treatment:** The LGBTQ+ person is treated differently and pejoratively compared to other people in similar situations, simply because of their sexual orientation or gender identity.
- **Absence of objective justification:** The difference in treatment is not justified on the basis of legitimate or objective criteria (such as job performance, ability or qualifications). The unequal treatment is solely because of being LGBTQ+.
- **Prejudices or stereotypes:** This discrimination is often based on social prejudices or stereotypes about LGBTQ+ people, such as preconceived ideas about their behaviour, abilities or values.
- **Violation of rights:** Direct discrimination violates the human rights of LGBTQ+ people as it prevents them from accessing equal opportunities and treatment in various areas of social, working and economic life.

4.5 Indirect discrimination

Indirect discrimination against LGBTQ+ individuals occurs when an apparently neutral norm, rule, or practice disproportionately affects members of the LGBTQ+ community, even if it does not explicitly distinguish based on sexual orientation or gender identity.

4.6 Characteristics of indirect LGBTQ+ discrimination

- **Seemingly neutral:** The practice or rule does not directly refer to sexual orientation or gender identity, but has adverse effects on these individuals due to the particularities of their identity.
- **Disproportionate impact:** Although the norm or rule applies generally to everyone, its effect is more harmful or disadvantageous to LGBTQ+ people compared to other people who are not part of this community.
- **Not objectively justified:** Even if the rule is neutral in its wording, its impact must be justified by an objective and proportionate reason in order not to be considered discriminatory. If there is no valid justification, the rule is considered discriminatory.

4.7 Order of discrimination

The order to discriminate against LGBTQ+ refers to explicit acts or decisions that establish or allow systematic discrimination against individuals or groups on the basis of their sexual orientation,

gender identity or gender expression.

4.8 Characteristics of the order to discriminate against LGTBIQ+

- **Structural and systemic:** This is not an isolated act or individual attitude, but rather discrimination that is integrated into social, legal or political structures that create an environment in which the inequality and marginalisation of LGTBIQ+ people is accepted, promoted or tolerated.
- **Formal or informal legitimisation:** It can be legitimised by law (e.g. through laws prohibiting same-sex marriage, not recognising the rights of transgender people or criminalising homosexuality) or it can be socially accepted through stigmas and prejudices that are culturally ingrained in society. In both cases, discrimination becomes normalised.
- **Perpetuation of inequality:** The order of discrimination not only maintains existing inequalities but also reinforces them, making it difficult for LGTBIQ+ people to access the same rights, opportunities and recognition as the rest of society.
- **Resistance to change:** Often, this order of discrimination manifests itself in resistance to legal or social reforms that promote equality for LGTBIQ+ people due to the influence of heteronormative and cisnormative norms that dominate power structures.

4.9 Discriminatory retaliation

Discriminatory retaliation against LGTBIQ+ people refers to any punitive action or punishment taken against a person because of their sexual orientation, gender identity or gender expression, as a form of revenge or retaliation for exercising or defending their rights.

This retaliation usually occurs in response to a report of discrimination, a complaint of unfair treatment, or an attempt by the affected person to defend their identity and rights against discriminatory attitudes or practices.

4.10 Characteristics of LGTBIQ+ Discriminatory Retaliation

- **Revenge for exercising rights:** Discriminatory retaliation often occurs as a reaction to a complaint or legal action by an LGTBIQ+ person who has been the victim of discrimination. It can also occur when someone decides to express their gender identity or sexual orientation publicly, and this leads to punishment due to the prejudices of those in power.
- **Punishment or unfavourable treatment:** Retaliation involves negative treatment of the affected person, which may include measures such as dismissal from work, harassment, social isolation, refusal to provide services, or even physical or psychological violence. This punishment aims to discourage the affected person from claiming their rights, create an atmosphere of fear, or silence others who might report similar situations.
- **Violation of fundamental rights:** Discriminatory retaliation is not only a form of indirect or direct discrimination, but also a serious violation of the fundamental rights of LGTBIQ+ people, specifically their right to equality and non-discrimination. These practices are prohibited in numerous legal systems, both national and international.

- **Psychological and social impact:** Discriminatory reprisals can have devastating effects on the mental and emotional health of the affected person, who may experience feelings of anxiety, depression, isolation, low self-esteem or even post-traumatic stress due to the unfair and punitive treatment they suffer.

4.11 Upward harassment

LGBTQI+ upward harassment refers to a form of harassment that comes from people in positions of power or authority, such as supervisors, employers, teachers, religious leaders, or any other figure with hierarchical influence over the victim. This type of harassment occurs when the person in power, either consciously or unconsciously, harasses or persecutes an LGTBIQ+ person because of their sexual orientation, gender identity or gender expression, which can have serious consequences for the victim's emotional, social and professional well-being.

4.12 Characteristics of LGTBIQ+ Downward Harassment

- **Hierarchical power relationship:** Downward LGTBIQ+ harassment occurs when the harasser occupies a position of superiority in the hierarchy over the person being harassed. This power can be of a work, educational, social or institutional nature.
- **Motivation based on sexual orientation or gender identity:** The harassment is based on the victim's sexual orientation or gender identity. This can include derogatory comments, exclusion, mockery, threats or any form of intimidation or abuse that originates from sexual or gender diversity.
- **Psychological and social impact:** Victims of LGTBIQ+ downward harassment can experience serious effects on their mental and emotional health, such as anxiety, depression, low self-esteem, isolation or even long-term trauma. In addition, the work, academic or social environment can become hostile and unsafe for the victim.
- **Abuse of power:** Downward LGTBIQ+ harassment generally involves exploitation of authority by the person in a superior position, who uses their power to intimidate or create an oppressive environment, which can be both psychological and physical.
- **Normalisation and concealment:** In many cases, victims of downward LGTBIQ+ harassment feel powerless to report it, as the aggressor is in control of the situation and can retaliate against the victim, creating an atmosphere of fear and silence.

4.13 Upward harassment

Upward LGTBIQ+ harassment refers to a form of harassment in which the victim, who is part of the LGTBIQ+ community, is subjected to harassment or persecution by people in a lower hierarchical position. Despite this difference, the psychological and social impact of harassment remains equally serious, as the victim continues to face a hostile or toxic environment due to their sexual orientation, gender identity or gender expression.

4.14 Characteristics of LGTBIQ+ Upward Harassment

- **Reversed hierarchical power relationship:** Upward harassment occurs when the harasser occupies a lower position in the hierarchy of an organisation (e.g., a subordinate,

employee, or student) and directs their aggression towards someone in a higher position or position of authority (such as a boss, teacher, or leader). However, the harassment is still unjustified and is based on the victim's sexual orientation or gender identity.

- **Homophobic, lesbophobic or transphobic motivation:** As with other forms of harassment, upward LGTBIQ+ harassment is based on prejudices and stigmas related to the victim's gender identity or sexual orientation. The attacks can be verbal, physical or psychological, and focus on the sexual or gender identity of the person being harassed.
- **Emotional and professional impact:** Although the victim occupies a position of authority, upward harassment can cause severe psychological effects such as stress, anxiety and depression, and can also negatively affect their performance in their job or position. This can lead to isolation or difficulties in exercising their authority due to the hostile environment created by the harassment.
- **Challenge to authority:** Upward harassment can also be a deliberate attempt to discredit the victim or undermine their authority within an organisation or institution. Often, subordinates seek to undermine confidence in the person being harassed, not only because of their gender identity or sexual orientation, but also because of the position of power they hold.

4.15 Horizontal harassment

LGBTQI+ horizontal harassment refers to a form of harassment that occurs between people of equal rank or status, i.e. when the harasser and the victim occupy similar positions in a social, work, educational or institutional structure.

LGTBIQ+ horizontal harassment is often a reflection of the discrimination and intolerance that persist in many societies and communities, and can manifest itself in various ways, such as homophobic, transphobic or hateful comments, social isolation, bullying or even physical or psychological violence.

4.16 Characteristics of LGTBIQ+ horizontal harassment

- **Equal hierarchy relationship:** In horizontal harassment, both the victim and the aggressor are in a position of equality in terms of hierarchy within an environment, such as co-workers, students in the same class or members of a community. The key difference from other types of harassment (such as downward or upward harassment) is that there is no difference in hierarchical power.
- **Motivation based on LGTBIQ+ identity:** LGTBIQ+ horizontal harassment is motivated by prejudice towards the victim's sexual orientation or gender identity. The aggressor may harass the victim simply because of their non-normative gender identity (e.g. transgender, non-binary people) or because of their diverse sexual orientation (e.g. homosexual, bisexual people).
- **Manifestations of harassment:** Horizontal harassment can take many forms, such as:
 - Homophobic, lesbophobic or transphobic comments: Insults, jokes or derogatory comments about the victim's sexual orientation or gender identity.

- Social isolation: Exclusion of LGTBIQ+ individuals from activities, conversations or social dynamics within their peer group.
 - Intimidation or threats: Making threats of violence or intimidating gestures based on the person's identity.
 - Spreading rumours: Spreading false or malicious information with the aim of damaging the victim's reputation.
 - Physical or psychological violence: Acts of violence, whether physical or psychological, motivated by the victim's LGTBIQ+ identity, such as verbal or physical aggression.
 - Professional or academic exclusion: In the workplace or educational setting, colleagues may make it difficult for the victim to be included in work projects, collaborate less with them, or deny them professional or academic opportunities.
- **Emotional and social repercussions:** As with other types of harassment, horizontal LGTBIQ+ harassment can have serious psychological consequences for the victim. It can cause stress, anxiety, depression, social isolation, and decreased self-esteem. In addition, the victim may feel distrustful of their colleagues and develop a sense of insecurity in their social or professional environment.
 - **Normalisation of harassment:** In some environments, especially those where a heteronormative or traditionalist culture predominates, horizontal LGTBIQ+ harassment may be tolerated or even minimised. This can make it difficult for the victim to report the behaviour, as they may perceive that their complaint will not be taken seriously or that their colleagues will not consider it a relevant issue.

4.17 Other concepts

- **Multiple and intersectional discrimination:** Multiple discrimination occurs when a person is discriminated against, simultaneously or consecutively, on two or more grounds, and/or on other grounds of discrimination provided for in Law 15/2022 of 12 July, the comprehensive for equal treatment and non-discrimination. It refers to the experience of discrimination faced by a person due to the combination of several social identities and personal characteristics that interact simultaneously, such as gender, race, social class, sexual orientation, disability, among others.
- **Discriminatory harassment:** This is a form of harassment or intimidating treatment that occurs because a person belongs to a specific social group or category that is being discriminated against. This type of harassment is based on prejudices or stereotypes related to personal or group characteristics, such as gender, race, ethnicity, religion, sexual orientation, disability, age, among others. It can manifest itself in various ways, including offensive comments, derogatory attitudes, social exclusion, threats, insults, mockery, physical or verbal aggression, and other forms of behaviour that seek to humiliate, belittle or marginalise the victim because of their identity or personal characteristics.
- **Discrimination by association** occurs when a person is treated unfavourably or denied rights because of their relationship or connection to another person or group that belongs to a category protected by law, such as race, gender, sexual orientation, disability, etc. This form of discrimination is based on their association with someone who has those characteristics.



- Discrimination by mistake occurs when a person is treated unequally or denied rights due to a mistaken assumption about their identity, characteristics or personal situation. This type of discrimination occurs when someone is misperceived (e.g. their race, gender, sexual orientation, etc.) and discriminated against based on that false assumption.
- Positive action measures: Measures aimed at preventing, eliminating and, where appropriate, compensating for any form of discrimination or disadvantage in its collective or social dimension. Such measures shall be applicable as long as the situations of discrimination or disadvantage that justify them persist and shall be reasonable and proportionate in relation to the means for their implementation and the objectives pursued.
- Intersexuality: a biological condition in which a person is born with sexual characteristics (such as chromosomes, genitals or gonads) that do not strictly fit into the traditional categories of "male" or "female". Intersex people may have a combination of male and female characteristics, or characteristics that do not fully align with conventional definitions of sex.
- Sexual orientation: refers to the emotional, romantic, sexual, or affective attraction that a person experiences towards other people. This attraction may be directed towards people of the same sex, the opposite sex, or both sexes, and may vary depending on a number of biological, psychological, social, and cultural factors.
- Sexual identity: This is an aspect of personal identity that is related to how a person perceives themselves in terms of their gender and how they experience their attraction to others. Although often confused with terms such as 'sexual orientation' or 'gender', sexual identity is a broader and more complex category that encompasses both how we identify internally with regard to our own gender and how we relate to sexuality and social expectations on these issues.
- Gender expression: The way in which each person expresses their gender identity.
- Trans person: A person whose gender identity does not correspond to the sex assigned at birth.
- LGTBQ+ family: A family in which one or more members are LGTBQ+, including same-sex parent families, i.e. those composed of lesbian, gay or bisexual persons with minor children who are in stable care, guardianship or parental authority, or with adult children with disabilities in their care.
- LGBTQ+phobia: a term used to describe rejection, prejudice, discrimination, violence or aversion towards people who identify as part of the LGBTQ+ community (lesbian, gay, bisexual, transgender, intersex, queer, and other related identities). This phobia can manifest itself in different ways, from attitudes of intolerance and derogatory comments to physical and psychological aggression, and has profound implications at both the individual and social levels. These include:
 - Homophobia: This is the fear, rejection, or prejudice towards gay and lesbian people. It often manifests itself in negative stereotypes, discrimination, or violence directed towards people whose sexual orientation is towards the same sex.

- Transphobia: This refers to hostility, fear or discrimination towards transgender people, i.e. those whose gender identity does not match the sex assigned to them at birth. Transphobia can include mockery, denial of rights, physical or verbal violence and the pathologisation of transgender people.
- Biphobia: This is the rejection or prejudice towards bisexual people, who are attracted to people of more than one gender. This phobia can come from both heterosexual and homosexual people, and is often based on the misconception that bisexual people are indecisive, promiscuous, or not "really" part of the LGTBQ+Q+ community.
- Interphobia: Interphobia is the rejection or discrimination against intersex people, i.e. those born with sexual characteristics (chromosomal, gonadal or genital) that do not fit traditional definitions of 'male' or 'female'. Interphobia can also include the imposition of non-consensual medical interventions to "normalise" the bodies of intersex people.
- Queerphobia: This is discrimination or aversion towards people who identify as queer, i.e. those who reject rigid categories of gender and sexuality. Queer people may identify with a variety of non-normative sexual orientations and/or gender identities.

V) Plan objectives and guiding principles

An LGTBQ+ diversity and inclusion plan aims to ensure that all LGTBQ+ people can enjoy their rights and opportunities on equal terms, without their sexual orientation or gender identity being factors for exclusion or discrimination.

The **main general objectives** included in this plan are detailed below:

- Ensure equal opportunities without discrimination based on sexual orientation or gender identity
- Ensuring that LGTBQ+ people have the same opportunities for access to employment, training, professional development and promotion, without their sexual orientation, gender identity or gender expression being a factor for discrimination.
- Eradicate discrimination, harassment and violence on the grounds of sexual orientation or gender identity
- Prevent and eliminate all forms of harassment, discrimination or violence against LGTBQ+ people in the workplace, in education and in society. This includes the implementation of clear and effective protocols for reporting and resolving cases of harassment or discrimination.
- Foster an inclusive and respectful environment
- Promote an organisational, educational or social culture that values and respects sexual and gender diversity, creating an inclusive environment where LGTBQ+ people feel safe,



respected and supported. This includes adopting policies that highlight diversity and promote mutual respect.

- Raise awareness and promote sexual and gender diversity
- Promote the visibility of LGBTQ+ people within the organisation or community by promoting campaigns, events and actions that help reduce prejudice and stigma and highlight the richness that sexual and gender diversity brings.
- Ensure the inclusion of trans and intersex people
- Develop specific measures to ensure the inclusion of transgender and intersex people, protecting their right to gender identity and ensuring that they have access to the same rights and opportunities as cisgender people, without being subject to discrimination.
- Prevent and address hate speech and LGBTQ+phobic violence
- Implement strategies to prevent hate speech and LGBTQ+phobic violence, both inside and outside the workplace, school or community, including training initiatives, awareness campaigns and zero-tolerance policies towards discrimination.
- Promote inclusion at all levels of decision-making
- Ensure that LGBTQ+ people are represented in decision-making bodies, promoting the participation of the LGBTQ+ community in leadership, management and administrative positions within the organisation or institution.
- Guarantee equal pay and access to positions of responsibility
- Eliminate pay gaps or gaps in access to positions of responsibility for LGBTQ+ people by ensuring that all people are treated fairly in terms of remuneration and career opportunities, regardless of their sexual orientation or gender identity.
- Protect the rights of LGBTQ+ people in their employment relationships
- Ensure that LGBTQ+ people do not suffer discrimination on the basis of their sexual orientation or gender identity in matters relating to recruitment, promotion, training, pay or any other aspect of the work or educational environment.
- Training and awareness-raising on sexual and gender diversity
- Promote training and awareness programmes on sexual and gender diversity, both for staff and the community at large, with the aim of reducing prejudice and stereotypes and fostering an inclusive and respectful attitude towards LGBTQ+ people.
- Develop specific support mechanisms and resources for LGBTQ+ people
- Offer specific support resources and services for LGBTQ+ people, such as legal and psychological advice and career guidance, to ensure their well-being and protection in case



they need support in situations of discrimination or harassment.

- Facilitate the transition of trans people within the organisation or institution.
- Establish protocols to support transgender people in their transition process, ensuring that they can do so without facing obstacles or discrimination, and ensuring that their gender identity, name, and pronouns are respected, both in the workplace and in social settings.
- Continuous review and evaluation of the plan
- Implement mechanisms for monitoring and evaluating the LGTBIQ+ equality plan in order to ensure its effectiveness and make adjustments and improvements as necessary to continue promoting an inclusive and discrimination-free environment.

Based on these general objectives, the following specific objectives are set:

- Develop a diagnosis to analyse and highlight existing inequalities in the company and opportunities for implementing strategies and actions to overcome them.
- Based on the diagnosis, design an action plan with a holistic and systematic proposal of strategies and actions aimed at promoting equality and diversity.
- Establish a system for monitoring and evaluating actions and measures to promote equality and diversity.
- Transparency and accountability: Anyone in the company may have access to information on the implementation of the Plan for LGTBIQ+ people. The principle of transparency and accountability requires that institutions, organisations and entities responsible for implementing LGTBIQ+ equality plans act in a clear, open and responsible manner. They must have mechanisms in place to monitor, evaluate and report on progress in implementing the plan and be prepared to adjust their actions if necessary.
- Solidarity and alliances: Promoting the principle of solidarity and cooperation between different LGTBIQ+ communities and groups and other social groups (such as feminists, migrants, people with disabilities, etc.) is essential. Working together strengthens the fight for equality and allows for the development of a mutual support network.
- Non-regression: This principle ensures that the rights already achieved by LGTBIQ+ people are not rolled back or curtailed. The principle of non-regression focuses on constantly advancing the protection of LGTBIQ+ rights without backtracking or allowing previous achievements to be eliminated.
- Sustainability and continuous evolution: The LGTBIQ+ plan must be sustainable and adaptable, allowing it to evolve over time. Policies should be designed not only to respond to the current needs of the LGTBIQ+ community but also to anticipate future challenges and adapt to social and cultural changes.
- Communication: Communication is a fundamental process for the successful implementation of the Plan. It should be planned and the objectives, channels and messages adapted to the needs of the population.

- Continuous improvement process: The management model of the LGTBIQ+ Diversity and Inclusion Plan focuses on quality and continuous improvement, seeking greater efficiency and effectiveness in policies aimed at achieving normalisation and equality for LGTBIQ+ people.

VI) Personal, territorial and temporal scope

6.1 Personal scope

The provisions apply to all workers, regardless of their legal relationship with the company, and therefore apply not only to the workforce but also to any other personnel who may have a similar relationship, provided that they carry out their activities within the organisational scope of the company.

They shall also apply to workers of subcontracted companies, provided that, within the framework of cooperation between companies derived from Article 24 of Law 31/1995 of 8 November 1995 on the prevention of occupational risks, they provide their services in the company and company personnel are involved.

Finally, it shall also apply to persons who are not part of the workforce but who are related to it due to their work (customers, suppliers, candidates, etc.).

In the event that personnel from outside the company are involved, their respective companies will be notified of the incident so that they may take the measures they deem appropriate.

6.2 Territorial scope

This LGTBIQ+ Diversity and Inclusion Plan applies to all of our company's workplaces.

If new workplaces are established during the term of the LGTBIQ+ Diversity and Inclusion Plan, its application will be extended to them.

6.3 Time frame

The LGTBIQ+ Diversity and Inclusion Plan shall be valid for four years from the date of approval and signature, and may be extended for equal periods if it expires and none of the parties request its modification within two months of its expiry.

VII) Establishment of the Commission for the Prevention of Harassment on the grounds of sexual orientation, gender identity and/or gender expression.

In order to guarantee a working environment that respects the aforementioned rights of those who make up this organisation, the company and the legal representatives of the workforce undertake to create a commission for dealing with harassment, to deal with any situation of harassment that may arise within the organisation with the utmost and due diligence.

7.1 Functions of the Commission (Diversity Committee)

- Meeting schedule
- Preparation of minutes
- Adoption of agreements
- Term of office of the committee
- Confidentiality
- Out-of-court dispute resolution
- Planning of specific training on the prevention of discrimination against the LGBT community in the workplace for all staff.

7.2 Complaints or reports of harassment

For the purposes of filing a complaint or report under this protocol, the following are considered legitimate:

- Anyone who considers themselves a victim of harassment on the grounds of sexual orientation, gender identity and/or gender expression.
- Anyone who is aware of harassment on the grounds of sexual orientation, gender identity and/or gender expression. In this case, the body receiving the complaint must request the express written consent of the alleged victim in order to proceed with the procedure.
- Trade unions with representation in the company, provided that they can prove that they have the express written consent of the offended person.
- Anyone who receives any instruction that involves discrimination on the grounds of sexual orientation, gender identity and/or gender expression.

The parties involved in complaints or reports of harassment on the grounds of sexual orientation, gender identity and/or gender expression shall be provided with the appropriate assistance.

The complaint or report must be made in writing in all cases, using the form included as an annex, and must be signed by the person or organisation making the complaint.

The communication must be addressed to any member of the Commission for the Prevention of Harassment on the grounds of sexual orientation, gender identity and/or gender expression.

7.3 Guiding principles of the procedures

- **Respect and protection of individuals:** Appropriate discretion must be exercised to protect the privacy and dignity of the individuals concerned. Actions or proceedings must be carried out with the utmost prudence and with due respect for all persons involved, who under no circumstances may receive unfavourable treatment for this reason. Persons involved who so request may be assisted by a representative or advisor at all times throughout the proceedings.
- **Confidentiality:** Those involved in the procedure are obliged to maintain strict confidentiality and shall not transmit or disclose information about the content of the complaints filed during the investigation process. The Commission for Attention to Harassment on the grounds of sexual orientation, gender identity and/or gender expression must expressly inform all those involved of their obligation to maintain confidentiality.

- **Diligence and agility:** The investigation and resolution of the reported conduct must be carried out without undue delay, so that the procedure can be completed in the shortest possible time while respecting the appropriate guarantees.
- **Contradiction:** The procedure guarantees a fair hearing and fair treatment for all persons concerned. All parties involved must seek in good faith the truth and clarification of the rights reported.
- **Restitution for victims:** If the harassment has resulted in a deterioration of the victim's working conditions, the company must restore them to their previous conditions, if the victim so requests.
- **Protection of victims' health:** The company's management must adopt, either ex officio or up, at the request of the Commission for Attention to Harassment on the grounds of sexual orientation, gender identity and/or gender expression, or any of its members, or the victim, the measures it deems appropriate to guarantee the right to health protection of the workers affected.
- **Prohibition of reprisals:** Reprisals against persons who file a complaint, appear as witnesses or assist or participate in an investigation into harassment are expressly prohibited.

If a member of this Commission is the subject of a complaint or is a complainant, they are prevented from participating in any other proceedings until their own case has been fully resolved.

The incompatibility of a member of the Commission to act in a specific proceeding may be alleged by the member themselves, by any other member of the Commission, or by any of the parties involved in the proceeding. In the event of a discrepancy, the Joint Commission for the Interpretation and Monitoring of the Agreement/Equality Commission, after hearing the parties, shall decide according to its best judgement.

7.4 Procedure for action

In order to ensure maximum independence in the handling of these procedures, the company has outsourced them to the Secretary of the Compliance Body, who will act as the Investigating Officer in these procedures.

Complaints may be submitted in three ways:

- Letter in a sealed envelope without return address and addressed to the attention of "Harassment Investigator"
- Email to the address indicated on the complaint form
- Through the entity's complaint channel provided on its website.

The investigator will be responsible for receiving complaints from employees, conducting the investigation and proposing preventive measures aimed at resolving the problem, with the support and advice of the company's occupational risk prevention service.

The investigator may request the involvement of any person from the company they deem appropriate, members of the CSS, the RLT or independent experts, if necessary, who will in that case constitute the Investigative Committee. Under no circumstances may any person involved in

the complaint be a member of the committee.

This protocol does not prevent you from exercising your right to report the matter to the Labour Inspectorate, as well as in civil or labour proceedings, or to bring a criminal complaint. If you exercise your right to refer the matter to bodies outside the company, the actions of the investigation committee will be suspended, as the decisions taken there take precedence over the actions set out in this protocol.7.4

The initiation of actions aimed at identifying, investigating, evaluating, and correcting the risk of violence, psychological harassment, or discrimination at work originates from the reporting of such incidents by submitting the established form either in writing or by email.

The complaint is the element or channel through which news is transmitted or reported, or a recipient is notified and/or warned about an action or event that has occurred.

All complaints are subject to the principle of immunity from reprisals against the complainant and the presumption of innocence of the person complained about.

A false report is one in which the information or notification in the report has not occurred, in whole or in part, and in our case, the accusation is motivated by a desire to cause harm. False reports may be subject to sanctions.

The following persons may file a complaint:

- Any person within the organisation who considers that they are being harassed.
- Any employee who observes such a situation.

The complaint may be made orally with the aim of seeking a solution to the conflict through dialogue between the parties involved, with the help of a mediator or investigator, and solely to inform the investigator or the company's prevention service of the seriousness of the situation and the people involved in the conflict.

Written complaints must always be signed and must include:

- The name and surname(s) of the person making the complaint (except in the case of anonymous complaints)
- The name and surname of the person who is allegedly being harassed, if they are not the one making the complaint
- Identification of the person or persons allegedly committing the harassment
- A description of the events and situations that have led to this situation, with as much detail as possible regarding the relevant elements (events, circumstances, dates, possible witnesses, etc.)

A record of the report will be made and copies will be provided to the following parties:

- One copy for the complainant and/or the person allegedly being harassed
- One copy for the investigation and mediation team
- One copy for the person reported
- One copy for the company's prevention service

 GLOBAL DAIRY VENTURES	LGBTQ+ DIVERSITY AND INCLUSION PLAN	Code: PDIL Date: 25/03/25 Page 21 of 23
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Once the reported incident has been recorded, an investigation and mediation file will be opened to determine whether the reported incident actually took place.

From this point onwards, the investigator will have the authority to take whatever action they deem appropriate to clarify and consider the matter. The existence of a written complaint implies the opening of the corresponding file for this reason and empowers the investigator or investigation team to open two avenues for resolution: formal and informal.

Once the investigator is familiar with the matter, they will begin the investigation of the case file.

During the process of analysing the available information and conducting interviews with the various parties involved and with those who may be able to clarify the matter at hand, those who, in the opinion of the investigator, may have a family relationship, friendship or manifest enmity with any of the parties involved shall not be allowed to participate. The investigator shall also take into account any possible relationships of superiority or immediate hierarchical subordination between any of the persons involved on either side.

Only the investigator shall determine the person or persons who may be required to be interviewed.

A personal hearing must be guaranteed for all witnesses and interested parties, and the confidentiality of the complaints and the processing procedure must be maintained.

The process shall be completed within a maximum period of twenty calendar days from the first working day following receipt of the written and signed complaint, unless the investigation of the facts requires the period to be extended for the time necessary, in which case the decision must be approved by all members of the Investigating Committee.

The resolution, without prejudice to any other resolutions that may be effective, must be justified, and in it the committee shall determine whether, in its opinion and based on the facts, statements made and actions taken, these constitute "a breach of the diversity and/or harassment prevention plan", bearing in mind that the committee is an internal body with no sanctioning powers and cannot replace the disciplinary authority of the employer or assume powers that correspond to the labour authority, judges or courts.

The investigation will be conducted as indicated, under the principles of presumption of innocence, confidentiality, speed, impartiality, contradiction, confidentiality and equality, with all persons involved in the investigation being warned of their obligation to maintain the utmost confidentiality regarding anything they learn as a result of their involvement in the investigation, whatever their capacity may be.

The Investigating Committee shall take special care in the event of the involvement of persons outside the company in the investigation of the case.

If the breach of the Plan or harassment occurs between employees of different companies sharing the same workplace, the measures to be taken to resolve the situation should be coordinated between the companies concerned, in accordance with the provisions of Article 24.1 of the PRL Law on the coordination of business activities.

The Committee responsible for ensuring compliance with the Plan shall monitor the

implementation and effectiveness of the preventive measures, drawing up a report on the application of this plan, the preventive measures applied and the update on the assessment of psychosocial risks. It may also propose the revision and updating of this Protocol in view of its effectiveness, if deemed appropriate.

The penalty or disciplinary regime will be that established in the collective agreement or legal regulations in force at any given time.

VIII) Validity

This Plan shall enter into force after it has been communicated to the workers and shall remain in force until the next one is approved.

IX) Acceptance

The undersigned declares that they are aware of and accept this LGTBI+ DIVERSITY AND INCLUSION PLAN