

# Protecting lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons

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## Key points

- Ensure that staff are aware of UNHCR guidelines for protecting LGBTIQ+ stateless and forcibly displaced persons, including with regards to the protection of sensitive personal data of LGBTIQ+ persons
- Ensure staff and partners in direct contact with forcibly displaced and stateless persons are sensitized to the needs and protection risks that can face LGBTIQ+ persons
- Create safe spaces and inclusive services that support self-disclosure for LGBTIQ+ persons. Do so sensitively; ensure confidentiality of the information shared and safety of individuals
- Engage with LGBTIQ+ civil society organisations and consult LGBTIQ+ persons to identify the diverse risks they face, their needs and capacities, as well as to develop programmes to address these risks. LGBTIQ+ persons are not a homogenous group
- Ensure that all processes and practices (family unity considerations, registration, etc.) are inclusive

## 1. Overview

In many societies, lesbian, gay, bisexual, transgender, intersex, queer, and people of other diverse identities (LGBTIQ+) are subject to serious human rights abuses because their sexual orientation, gender identity, gender expressions and/or sex characteristics (SOGIESC) do not conform to dominant social and cultural gender norms. As a result, LGBTIQ+ persons often are at heightened risk of violence, abuse, discrimination and exploitation during displacement - at the onset of an emergency, in transit, when they arrive in countries of asylum and as they seek durable solutions. Many attempt to hide their SOGIESC in fear of harm. UNHCR protection responses, procedures and programs must be inclusive and consider specific approaches and services needed by LGBTIQ+ persons.

Note on terminology.

A wide variety of terms are currently used to address and refer to persons with diverse sexual orientation, gender identity, gender expression and/or sex characteristics (SOGIESC) (see below). While acknowledging that language evolves, UNHCR uses the acronyms LGBTIQ+ persons and diverse SOGIESC as umbrella terms to describe diverse groups of persons who do not conform to dominant notions of male and female binary gender roles. Some other terms include, LGBTI+, LGBTQ, LGBTQAI, Queer, etc.

In every context, make sure your staff are aware of what are the right terms to use and what terms are considered derogatory and should be avoided. Local LGBTIQ+ organizations should be consulted in this regard. When you are working with LGBTIQ+ persons and do not know what term to use, do not assume or presume, but ask.

The following definitions are relevant:

**LGBTIQ+:** An acronym for lesbian, gay, bisexual, transgender, intersex, queer and other diverse identities. See definitions [here](#). The plus sign represents individuals with diverse SOGIESC who identify using other terms. In some contexts, LGB, LGBT or LGBTI are used to refer to particular populations.

**SOGIESC:** An acronym for 'sexual orientation, gender identity expression and sex characteristics. All people have SOGIESC, but not everyone's SOGIESC makes them the target of stigma, discrimination or abuse.

**Sexual orientation:** Each person's capacity for emotional, affective, and sexual attraction to, and intimate relations with, persons of a particular gender or more than one gender. It encompasses hetero-, homo-, bi-, pan- and asexuality and a wide range of other expressions of sexual orientation.

**Gender identity:** Each person's deeply felt internal and individual experience of gender, which may or may not correspond to the sex they were assigned at birth or the gender attributed to them by society. Gender identity includes the personal sense of the body, which may or may not involve a desire for modification of appearance or function of the body by medical, surgical or other means. A person's gender identity is distinct from their sexual orientation.

**Gender expression:** Refers to each persons' external manifestation of gender, which may or may not correspond to culturally normative expectations of masculine or feminine appearance and behaviour. Individuals use a range of cues – such as names, pronouns, behaviour, clothing, haircut, voice, mannerisms and/or bodily characteristics – to interpret other individuals' genders. Gender expression is not necessarily an accurate reflection of gender identity. A person's gender expression is distinct from their sexual orientation and sometimes also from their gender identity.

**Sex characteristics:** Each person's physical features relating to sex, including chromosomes, gonads, sex hormones, genitals and secondary physical features emerging from puberty.

## 2. Relevance for emergency operations

During emergencies, individuals who are lesbian, gay, bisexual, transgender, intersex, queer and other diverse identities (LGBTIQ+) encounter distinct protection risks because their real or perceived sexual orientation, gender identity, gender expression and/or sex characteristics (SOGIESC) do not conform to prevailing sociocultural norm. LGBTIQ+ people are at heightened risk of exclusion, exploitation, violence and abuse throughout the entire displacement cycle.

LGBTIQ+ persons may face numerous barriers to accessing humanitarian assistance and services such as safe accommodation, appropriate health care, gender-based violence (GBV) services, education and livelihoods opportunities. Barriers are especially acute for persons whose affirmed gender identity does not match their official identity documents. Many of them attempt to hide their SOGIESC in an effort to avoid being targeted for abuse, making it difficult for UNHCR and its humanitarian partners to identify them or facilitate their access to asylum procedures and humanitarian services.

This entry provides fundamental information to help UNHCR staff in addressing the protection risk and needs of LGBTIQ+ persons and ensure they are not excluded from accessing the services that address these needs.

## 3. Main guidance

### Protection objectives

UNHCR's protection objectives with respect to lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons are:

- To sensitize UNHCR and partner personnel to the specific risks and protection needs of LGBTIQ+ persons.
- To ensure that UNHCR and partner offices, registration facilities, reception centres, service delivery points, etc. are welcoming, confidential and safe spaces for LGBTIQ+ forcibly displaced and stateless persons.
- To consult LGBTIQ+ forcibly displaced and stateless persons and make sure that their views inform the design, implementation, and monitoring and evaluation of emergency responses.
- To ensure that LGBTIQ+ forcibly displaced and stateless persons do not suffer discrimination, are treated respectfully and fully participate in decisions that affect them.
- To ensure all responses are inclusive of LGBTIQ+ persons and consider their specific capacities and needs in terms of age, gender, and diversity (AGD).
- To implement specific measures where required, to prevent, mitigate and respond to violence against, or exploitation and abuse of, LGBTIQ+ persons during an emergency.
- To work with local LGBTIQ+ civil society organizations in the development of safe referral pathways and inclusive services.

### Protection Risks

LGBTIQ+ persons are not a homogenous group. While they may share similar risks and concerns, each person has distinct needs and concerns that derive from the intersection of their SOGIESC with their gender, age, and other diversity characteristics (such as disability, ethnicity, religion,

level of literacy etc.).

- Public spaces such as collective shelters, sanitation facilities, health clinics, police stations, and aid distribution points, often present risks for LGBTIQ+ persons. Host communities may stigmatize, harass or marginalize LGBTI persons; their own families and communities may also do so. Same-sex couples and their families may be separated in different accommodations and Transgender individuals may be placed in wrong accommodation creating further risk. The content of assistance packages may not consider the specific needs of LGBTIQ+ persons (e.g. trans men, intersex children).
- Lesbian women may suffer persecution based on their gender and their sexual orientation and may be exposed more frequently to gender-based violence, including honour crimes and rape, at the hands of private actors, including family and community members.
- Gay men tend to live more public lives than lesbian women and as a result are often at more immediate risk of harm, including from state actors in countries where consensual male same-sex sexual conduct is a criminal offence.
- Transgender persons are often severely marginalized and subject to violence. They are often subject to sexual abuse by state as well as non-state actors. Frequently excluded from education and access to housing and employment, they may resort to the sale and exchange of sex. They often lack access to medical services that are much needed.
- Intersex individuals may be subject to ritualistic abuse where it is believed that bodily diversity is evil. They are often exposed to forced surgical interventions, including sterilization, without consent – including on intersex children or infants.
- Coping mechanisms and infrastructures on which LGBTIQ+ persons normally rely may be incapacitated or destroyed as a result of displacement. These include safe public spaces and facilities such as non-discriminatory health and community centres.

## **Other risks**

The reputation of UNHCR and its partners will be put at risk if they do not fulfill their responsibility to protect all forcibly displaced and stateless persons.

## **Key decision points**

- Ensure that all staff and partners understand the specific protection needs of LGBTIQ+ persons, either through training or by reviewing UNHCR's Need to Know Guidance on Working with Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Persons in Forced Displacement.
- Ensure that all UNHCR and partner premises are welcoming and safe for LGBTIQ+ forcibly displaced and stateless persons.
- Ensure that all staff and partners, including drivers and security guards, are aware of what is and is not appropriate behaviour when working with LGBTIQ+ persons. [UNHCR's Code of Conduct](#) sets out clear norms and requires managers to take action when inappropriate behaviour is identified.
- Appropriate partners may need to be identified, in particular in the absence of (reliable) national services. It is recommended to work with local LGBTIQ+-led organizations.
- Establish systems that will consistently refer LGBTIQ+ persons to relevant service providers and ensure all services are accessible without discrimination.

- Ensure that feedback and response mechanisms, including those for confidential reporting, are known, safe and accessible for LGBTIQ+ persons.

## **Key steps**

### **1) Accessibility and assessment procedures**

- Ensure that UNHCR and Partners are safe and accessible to LGBTIQ+ persons, and that communication and outreach activities are inclusive.
- Where possible, consult civil society actors, NGOs and other civil society organizations, including local LGBTIQ+-led organizations.
- In your reception centres, registration facilities and service provision points, include visual material that has key messages for LGBTIQ+ persons. Ensure that confidential hotlines and other reporting channels are in place, known and inclusive.
- During assessment, be alert to the fact that lesbian, gay, bisexual, transgender, intersex and queer persons and other persons with diverse SOGIESC face different risks and have different needs and priorities.
- Support services should include LGBTIQ+ forcibly displaced and stateless persons in all protection and assistance programming. Specific arrangements and adaptations may need to be made in some situations.
- Ensure that the urgent needs of LGBTIQ+ persons are identified and adequately addressed; take targeted actions where necessary. Include LGBTIQ+ persons in programmes that prevent and respond to gender-based violence (GBV), working with partners where applicable.
- Design confidential, safe and effective referral systems by mapping the needs of LGBTIQ+ persons in liaison with local LGBTIQ+ -led organisations and other relevant service providers.
- Treat personal data of LGBTIQ+ carefully to avoid risk exposure. Apply safeguards for the processing of such data and restrict access to sensitive information.

### **2) Access to services**

- Respond promptly and adequately to the specific needs of LGBTIQ+ persons. Map partners, referral mechanisms, and the community's capacities.
- Work with partners, other actors, and the authorities where feasible, to identify appropriate and safe housing arrangements.
- Ensure that services such as legal counselling, health, and MHPSS are accessible to LGBTIQ+ persons without discrimination and that LGBTIQ+ persons are included in programmes that target forcibly displaced and stateless persons.
- Review your response programmes to identify where LGBTIQ+ persons may be at higher risk. Be mindful that it may not always be safe for LGBTIQ+ persons to access established mainstream services. For example, many public health facilities are legally required to report GBV cases to local law enforcement, which may put LGBTIQ+ persons at additional risk.

### **3) Prevention of abuse and exploitation**

- Take steps to put systems in place to prevent and respond to violence, exploitation and

abuse are inclusive for LGBTIQ+ persons. Establish monitoring mechanisms for this purpose.

- Ensure feedback and response systems are accessible to LGBTIQ+ persons and that concerns reported through those systems are acted upon.

#### 4) Inclusion and information sharing

- Ensure that LGBTIQ+ forcibly displaced and stateless persons are consulted and meaningfully involved in the design, implementation, monitoring and evaluation of programmes that affect them.
- Provide information, in different forms and at various locations, about how and where LGBTIQ+ persons can seek assistance.
- Ensure the office reception provides a safe and welcoming environment and that registration is conducted in a non-discriminatory manner. Specific arrangements may need to be made for registration.

#### 5) Awareness raising and advocacy

- Include the diverse protection issues LGBTIQ+ persons face in awareness-raising and training activities with partners.
- Provide specific training to ensure that staff, interpreters, and other relevant actors (in government and civil society) understand the particular needs and vulnerabilities of LGBTIQ+ persons in forced displacement.

### **Key management considerations**

- Enough resources and sufficient knowledgeable staff should be available to meet the specific needs of LGBTIQ+ forcibly displaced and stateless persons.
- Strengthen the capacity of protection staff and partners to respond to the protection needs of LGBTIQ+ persons. Mainstream efforts to address issues of LGBTIQ+ individuals in all relevant sectors.
- Establish mechanisms to monitor the security and level of protection of LGBTIQ+ persons, and their level of access to services.
- Press national services and partners to remain engaged in support of LGBTIQ+ persons.

### **Resources and partnerships**

#### Staff

Staff working in protection, community-based protection, health, shelter, CCCM, education, livelihoods and other technical sectors are particularly relevant. Ideally, each operation should have a trained and knowledgeable LGBTIQ+ focal point.

#### Financial resources

Financial resources will be required to plan and implement relevant services, interventions and programmes.

## Training

Ensure that staff, interpreters, and other relevant actors (in government and civil society) are aware of and can obtain training on working with LGBTIQ+ persons in forced displacement and on the particular risks they face and specific needs they have. Ideally, conduct such training before an emergency occurs.

## Partnerships

- National NGOs and government institutions that are sensitive to LGBTIQ+ persons. Well-known and trusted international NGOs with expertise include ORAM, ILGA and HIAS. Such partners are often also able to provide mental health and psychosocial support, where required.
- Explore national LGBTIQ+ organisations who provide specific services to LGBTIQ+ persons.
- Map grassroots LGBTIQ+ organizations, including those led by displaced persons and explore opportunities to support them, e.g. through grant agreements.

## Annexes

[UNHCR/HCP/2018/1 Policy on Age, Gender and Diversity](#)

[UNHCR, Need to Know Guidance: Working with Lesbian, Gay, Bisexual, Transgender, and Intersex Persons in Forced Displacement, 2021](#)

[UNHCR, Guidelines on International Protection No. 9. Claims to Refugee Status based on Sexual Orientation and or Gender Identity, 2012](#)

[UNHCR, Tip sheet on applying the UNHCR, Age, Gender and Diversity policy to LGBTIQ+ persons, 2021](#)

[UNHCR, 2021 Global Roundtable on Protection and Solutions for LGBTIQ+ People in Forced Displacement – Summary Conclusions + 2023 Progress Stock Taking](#)

[UNHCR Priorities on Protection and Solutions for LGBTIQ+ People in Forced Displacement](#)

## 4. Learning and field practices

Working with LGBTIQ+ people in forced displacement e-learning [\[English\]](#) [\[French\]](#) [\[Spanish\]](#) [\[Arabic\]](#) (also available for partners through the [Learning portal](#))

[UNHCR video on LGBTIQ+](#)

[UNHCR video on SOGIESC](#)

## 5. Links

[UNHCR page on LGBTIQ+ persons](#) [Refworld portal on SOGIESC](#) [The Yogyakarta Principles](#) [Ilga World Database](#) [Safeguarding individuals \(external\)](#) [United Nations Free and Equal Campaign](#) [UN - LGBTIQ+ people](#)

## 6. Main contacts

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer or Senior Community-based Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the senior Protection Coordinator, or the senior Protection Officer, or the senior Community-based Protection Officer in the Regional Bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.