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Protection against violence and discrimination based on sexual orientation and gender identity

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Graeme Reid, in accordance with Human Rights Council resolution 59/5.

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Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Graeme Reid

Protection against violence and discrimination based on sexual orientation and gender identity in humanitarian contexts

Summary

In the present report, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Graeme Reid, examines the extent to which the humanitarian needs of lesbian, gay, bisexual, transgender and other gender-diverse (LGBT) persons are addressed within the existing architecture of the global humanitarian system. Building on the mandate holder's previous work on LGBT persons in armed conflict and forced displacement, the report includes a consideration of access to assistance and protection across humanitarian settings, the institutional barriers that impede such access, and the constraints shaping contemporary humanitarian action. The Independent Expert identifies good practices and offers recommendations to States and other stakeholders to strengthen normative and operational frameworks and promote inclusive humanitarian responses that uphold the rights and dignity of LGBT persons.

I. Conceptual framework and scope

1. The humanitarian system is under acute strain. An estimated 305 million people required humanitarian assistance and protection at the start of 2025, driven by record levels of armed conflict and disasters, the frequency and severity of which are exacerbated by climate change.[1] At the same time, humanitarian assistance fell by around 20 percent in 2025 to $33.3 billion, the largest single-year fall on record, leaving the system roughly a third smaller than at its 2022 peak.[2] Appeals were subsequently "hyperprioritized" to target 114 million of the 300 million people in greatest need.[3] These pressures have also prompted reform, including the 2025 humanitarian reset, with its emphasis on life-saving prioritization, simplified coordination and greater devolution to local actors.[4] Despite such reforms, lesbian, gay, bisexual, transgender and other gender-diverse (LGBT) persons continue to face barriers to accessing assistance on an equal basis with others within this strained humanitarian system. In the present report, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity examines how pre-existing discrimination interacts with humanitarian practice to produce those barriers, and what more inclusive responses require of humanitarian actors operating under severe financial and operational constraints.

2. LGBT persons experience acute vulnerability across humanitarian settings, including armed conflict, occupation, disasters, public health emergencies, food insecurity, urban crises, and detention or other closed institutional environments.[5] Crises deepen pre-existing patterns of exclusion, as institutions weaken and social networks break down.[6] The resulting barriers are structural, arising from the interaction of entrenched discrimination with humanitarian and national response systems that often fail to recognize or accommodate diverse sexual orientations and gender identities. As a consequence, LGBT persons may be excluded, or deterred, from seeking, evacuation, shelter, food and non-food assistance, healthcare, livelihood support and protection. In contexts of criminalization or pronounced hostility, the fear of arrest or violence can itself foreclose access to assistance, leaving LGBT persons less visible to humanitarian actors and particularly vulnerable to gaps in response.

3. In the present report, the Independent Expert does not suggest that LGBT persons are invariably the most marginalized population in every crisis, or that their needs should be considered in competition with those of other groups. Who is most at risk will depend on the context, and many of the structural barriers examined are shared, in different forms, by other marginalized populations. A more inclusive humanitarian response should therefore involve identifying who is not being reached

[1] *Global Humanitarian Overview 2025* (United Nations publication, 2024).

[2] Active Learning Network for Accountability and Performance, *Global Humanitarian Assistance Report 2026* (2026).

[3] United Nations, Office for the Coordination of Humanitarian Affairs, "Global humanitarian overview 2025: the cruel math of aid cuts", June 2025.

[4] See https://interagencystandingcommittee.org/humanitarian-reset; and Grand Bargain Ambassadors, "Reckoning and renewal: a future-ready humanitarian system", June 2025.

[5] A humanitarian setting is one in which an event or series of events, such as armed conflict, natural disaster, epidemic or famine, has resulted in a critical threat to the health, safety, security and well-being of a community or other large group of people, such that the coping capacity of the affected community is overwhelmed and external assistance is required. See United Nations terminology database (UNTERM), "humanitarian situation". The present report uses the terms humanitarian setting and humanitarian context interchangeably to refer to such situations.

[6] Rebecca Buxton and Samuel Ritholtz, *The Way Out: Justice in the Queer Search for Refuge* (University of California Press, 2026).

and why, while recognizing both shared barriers and distinct circumstances that may require tailored responses.

4. In humanitarian settings, LGBT persons may face heightened vulnerability because they enter crises with fewer protections than others do. This reflects patterns of discrimination that shape resilience long before a crisis begins. Exclusion from education, employment, housing, healthcare and family life may undermine economic security, while estrangement from family or community can deprive individuals of support networks on which humanitarian responses often rely. During crises, these inequalities can be compounded by response systems built on assumptions about households, identity documents or binary gender categories that do not reflect the circumstances of many LGBT persons, further restricting access to assistance. The cumulative effect may compel some individuals to adopt survival strategies, including survival sex or exploitative work, that increase their exposure to violence, trafficking and ill health. These dynamics are neither uniform nor inevitable. LGBT persons are not a monolithic group, and effective responses must reflect their differing, and sometimes competing, needs as shaped by age, class, ethnicity, disability, HIV status, migration status and the degree of legal and social acceptance.[7] Evidence reviewed for the present report indicates that humanitarian actors have often fallen short of meeting these needs. While general protective norms exist, they have not consistently been translated into operational guidance. Exclusion is frequently generated by the routine operation of humanitarian programming itself. Even where organizations endorse inclusion in principle, legitimate concerns about "do no harm" and operating in high-risk environments can result in institutional avoidance, while LGBT-led community organizations remain peripheral to humanitarian programming. The reforms proposed in the present report are aimed at strengthening the realization of humanitarian action[8] by helping humanitarian actors identify and respond to needs that might otherwise remain overlooked.

5. The implementation of more inclusive humanitarian practice is increasingly constrained by the political environments in which humanitarian actors operate. In some contexts, politically manufactured "moral emergencies" portray LGBT persons as threats to national identity, religion, the family, public morality or security. Many such narratives recast human rights as foreign impositions, legitimizing exclusion from protection systems and increasing the risk of violence. Such scapegoating should be understood as a humanitarian risk factor in its own right.

6. This climate is aggravated by contractions in humanitarian and development funding, placing already strained organizations under further pressure. Funding reductions in 2025 and 2026, together with the increasing political conditioning of aid, have had a profound impact on LGBT populations. As resources contract, humanitarian actors may become less willing or able to identify sexual and gender minorities as populations facing specific risks. Shrinking civic space also limits the capacity of community-led LGBT organizations to respond to crises and document needs. The result is that States, donors and humanitarian actors may increasingly treat inclusion as politically optional rather than as an essential element of protection – even as protection itself is deprioritized within humanitarian action.

7. Notwithstanding these pressures, LGBT-focused organizations and informal mutual aid networks continue to fill the gaps left by formal systems. They identify persons at risk, document discrimination and violence, provide trusted referrals,

[7] See A/HRC/62/46; Graeme Reid and Samuel Ritholtz, "A queer approach to understanding LGBT vulnerability during the COVID-19 pandemic", *Politics and Gender*, vol. 16 (2020); and submissions by Consorcio EDIedu and Foundation ECPAT International.

[8] Humanitarian action is guided by the principles of humanity, impartiality, neutrality and independence, affirmed by the General Assembly and foundational across the sector.

sustain informal protection networks and reach marginalized populations. Where institutional support is absent, they provide shelter, food, financial assistance, evacuation information and emotional support, often serving as primary lifelines. Their work is indispensable, yet it is increasingly imperilled by the current political context. Adequately resourcing these actors is essential to an inclusive humanitarian response.

8. In the present report, the Independent Expert examines the extent to which the humanitarian needs of LGBT persons are addressed within the existing architecture of the global humanitarian system. Building on the mandate holder's previous work on LGBT persons in armed conflict and forced displacement,[9] the following are considered: access to assistance and protection across humanitarian settings, the institutional barriers that impede such access, and the constraints shaping contemporary humanitarian action. The Independent Expert identifies good practices and offers recommendations to States and other stakeholders to strengthen normative and operational frameworks and promote inclusive humanitarian responses that uphold the rights and dignity of LGBT persons.

II. International legal framework

9. International humanitarian law and international human rights law together establish a framework of protection applicable to all persons in humanitarian settings without adverse distinction. International human rights law makes these protections explicit through the universal guarantees of equality and non-discrimination contained in instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, as consistently interpreted by United Nations treaty bodies.[10] Regional human rights instruments, including the Charter of Fundamental Rights of the European Union and the Inter-American Convention against All Forms of Discrimination and Intolerance, reinforce these protections.[11] The Council of Europe has further specified these obligations for its States members, affirming that sexual orientation, gender identity, gender expression and sex characteristics fall within the "other status" protected under article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) and recommending that States apply the principles of equality and non-discrimination throughout all phases of crisis response, from preparedness to recovery.[12]

10. In situations of armed conflict, international humanitarian law provides additional protections. Although international humanitarian law does not expressly enumerate sexual orientation and gender identity as protected grounds, its guarantees of humane treatment, non-discrimination, humanitarian assistance, respect for family

[9] A/HRC/59/43 and A/77/235.

[10] See Human Rights Committee, Communication No. 488/1992, *Toonen v. Australia* (CCPR/C/50/D/488/1992); Committee on Economic, Social and Cultural Rights, general comment No. 20 (2009), para. 32; Committee on the Elimination of Discrimination against Women, general recommendation No. 28 (2010), para. 18; and Committee on the Rights of the Child, general comment No. 4 (2003), para. 2.

[11] Charter of Fundamental Rights of the European Union, art. 21; and Inter-American Convention against All Forms of Discrimination and Intolerance, preamble and art. 1 (adopted 5 June 2013). See also Committee on the Elimination of Discrimination against Women, *Flamer-Caldera v. Sri Lanka* (CEDAW/C/81/D/134/2018).

[12] Council of Europe, Committee of Ministers Recommendation CM/Rec(2024)7 on the effective protection of human rights in situations of crisis; and Recommendation CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity.

life and protection from sexual violence apply equally to LGBT persons.[13] Common article 3 of the Geneva Conventions of 12 August 1949 and the Protocols Additional thereto require humane treatment and prohibit torture, cruel treatment, outrages upon personal dignity and sexual violence without adverse distinction.[14] The prohibition of adverse distinction under the Geneva Conventions and customary international humanitarian law applies to discrimination based on sexual orientation and gender identity.[15] International humanitarian and criminal law also prohibit sexual violence against any person; the Rome Statute of the International Criminal Court includes gender-neutral definitions of sexual violence; and international criminal jurisprudence has confirmed that rape and other forms of sexual violence may constitute torture or cruel, inhuman or degrading treatment irrespective of the victim's sex.[16]

11. Outside situations of armed conflict, refugee and displacement law provide complementary protections. The right to seek asylum and the principle of non-refoulement are reflected in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, while the Office of the United Nations High Commissioner for Refugees (UNHCR) has affirmed that persecution based on sexual orientation or gender identity may give rise to refugee status.[17] Internally displaced persons are protected through the Guiding Principles on Internal Displacement[18] and, regionally, by instruments such as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.[19] The 2014 Brazil Declaration and Plan of Action similarly recognized the need to protect LGBT persons in forced displacement and mixed migratory situations due to their heightened vulnerability.[20]

12. The application of international human rights law to persons of diverse sexual orientations and gender identities has been further elaborated through the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity, which interpret established international human rights law as it applies to sexual orientation and gender identity, and through

[13] See A/HRC/59/43 and Norwegian Red Cross and International Committee of the Red Cross (ICRC), *"That Never Happens Here": Sexual- and Gender-Based Violence against Men, Boys and/including LGBTIQ+ Persons in Humanitarian Settings* (2022).

[14] Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention, 1949), common article 3; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Additional Protocol I), art. 75 (2) (b); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Additional Protocol II), art. 4(2)(e).

[15] Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law, Volume I: Rules* (2005), rule 88. See also IHL Centre, *Inclusive IHL: Closing the Gaps in Humanitarian Protection* (2026).

[16] Rome Statute of the International Criminal Court, arts. 7 (1) (g), 8 (2) (b) (xxii) and 8 (2) (e) (vi). See also Norwegian Red Cross and ICRC, *"That Never Happens Here"*, pp. 15–18; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, arts. 1 and 16. International criminal tribunals have confirmed that rape constitutes torture: see International Criminal Tribunal for the former Yugoslavia, *Prosecutor v. Kunarac, Kovač and Vuković*, IT-96-23 and IT-96-23/1-A, Appeals Chamber Judgment (12 June 2002), paras. 150 and 151. For the application of this principle to male and LGBTIQ+ victims specifically, see Norwegian Red Cross and ICRC, *"That Never Happens Here"*, pp. 15–18.

[17] Universal Declaration of Human Rights, art. 14; Convention relating to the Status of Refugees (1951), art. 33; and Protocol relating to the Status of Refugees (1967). See also UNHCR, document HCR/GIP/12/09.

[18] E/CN.4/1998/53/Add.2, annex, principle 4 (1); and General Assembly resolution 78/205.

[19] African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), 2009.

[20] Brazil Declaration and Plan of Action, 3 December 2014.

subsequent United Nations practice,[21] including the establishment of the mandate of the Independent Expert.[22] Institutional guidance has likewise developed. In 2024, the Secretariat of the United Nations adopted its first strategy on protection from violence and discrimination against LGBTIQ+ persons, reaffirming commitments to prevent and address exclusion across all contexts.[23] UNHCR has for more than a decade maintained guidance on the protection of forcibly displaced LGBT persons.[24]

13. Notwithstanding these developments, significant legal and operational gaps remain. Sixty-five States Members of the United Nations continue to criminalize consensual same-sex relations, while many jurisdictions lack legal recognition of same-sex relationships or gender identity.[25] These disparities affect access to humanitarian assistance linked to family status, household composition and identity documentation. Humanitarian actors must also navigate tensions between international obligations and restrictive domestic laws, while "do no harm" has at times been interpreted as a reason to avoid engagement with LGBT persons.[26]

III. Previous United Nations action

14. Violence and discrimination based on sexual orientation and gender identity have received sustained attention across the United Nations system. In its resolutions, the General Assembly has referred to sexual orientation and gender identity in the contexts of extrajudicial executions and democratic elections,[27] while the Human Rights Council, in its landmark resolution 17/19, expressed "grave concern" at violence and discrimination based on sexual orientation and gender identity[28] and requested the United Nations High Commissioner for Human Rights to commission the first United Nations global study on the issue.[29] That report and its 2015 follow-up[30] documented widespread violence, underreporting and impunity resulting from discriminatory laws and practices. Numerous special procedures mandate holders have also addressed sexual orientation and gender identity-related violence and discrimination within their mandates.[31] The Working Group on Arbitrary Detention has consistently held that detention based on the criminalization of consensual same-sex conduct is arbitrary.[32]

15. United Nations engagement has expanded beyond standard-setting to include public advocacy, operational guidance and institutional practice.[33] The Office of the

[21] The Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity (2006) and the Yogyakarta Principles plus 10 (2017).
[22] Human Rights Council resolutions 32/2 (2016), 41/18 (2019), 50/10 (2022) and 59/5 (2025).
[23] United Nations Secretariat Strategy on Protection from Violence and Discrimination of LGBTIQ+ Persons (2024). See also General Assembly resolution 70/1.
[24] UNHCR, document HCR/GIP/12/09; and UNHCR, "Protecting LGBTIQ+ people in situations of forced displacement: stocktaking of UNHCR progress 2021", June 2023.
[25] International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) World Database, available at https://database.ilga.org/en. Statistics on marriage equality and legal gender recognition are drawn from same source.
[26] Humanitarian Advisory Group, "Taking sexual and gender minorities out of the too-hard basket", June 2018.
[27] General Assembly resolutions 57/214 and 76/176.
[28] Human Rights Council resolution 17/19.
[29] See A/HRC/19/41.
[30] See A/HRC/29/23.
[31] See A/79/172, A/79/178, A/79/299 and A/56/156.
[32] A/HRC/4/40/Add.1, para. 19; A/HRC/WGAD/2017/14, para. 51; and A/HRC/WGAD/2021/20, para. 88.
[33] OHCHR, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law* (2012).

United Nations High Commissioner for Human Rights (OHCHR) launched the Free & Equal campaign to promote public understanding of LGBT equality,[34] while 12 United Nations entities issued a joint statement in 2015 calling for an end to violence and discrimination against LGBT persons.[35] United Nations agencies and programmes have increasingly incorporated sexual orientation and gender identity into guidance and programming on detention,[36] health, development,[37] inclusion and data collection.[38] The Security Council has also considered violence against LGBT persons in conflict through Arria-formula meetings addressing extremist violence and the integration of LGBT protection into its work.[39]

16. The United Nations has also increasingly addressed the experiences of LGBT persons in humanitarian settings. The women, peace and security agenda provides one point of entry through its framework for addressing the gendered dimensions of conflict, including its relief and recovery pillar, which relates to the humanitarian needs of lesbian, bisexual and queer women.[40] As part of the mandate, the Independent Expert has examined the heightened risks faced by LGBT persons in armed conflict,[41] public health emergencies[42] and displacement,[43] documenting how pre-existing discrimination compounds vulnerability in crises.[44] In his reports on conflict-related sexual violence, the Secretary-General has likewise recognized that sexual violence affects persons of diverse sexual orientations and gender identities.[45] UNHCR has progressively strengthened guidance[46] on refugee status determination,[47] registration, reception and resettlement for LGBT persons,[48] while the Independent Expert and UNHCR have jointly advanced international discussions on their protection in situations of forced displacement.[49]

IV. How exclusion occurs

17. LGBT persons are routinely excluded from humanitarian assistance and protection because humanitarian systems do not always recognize the circumstances that shape their access to services. Submissions described people being turned away

[34] OHCHR, “The role of the United Nations in combatting discrimination and violence against lesbian, gay, bisexual, transgender and intersex people: a programmatic overview”, 3 April 2017.
[35] International Labour Organization and others, “Ending violence and discrimination against lesbian, gay, bisexual, transgender and intersex people”, September 2015.
[36] *Handbook on Prisoners with Special Needs*, Criminal Justice Handbook Series (United Nations publication, 2009).
[37] OHCHR, “The role of the United Nations in combatting discrimination”.
[38] United Nations Development Programme, “Project brief: LGBTI Inclusion Index”, 26 February 2026.
[39] Graeme Reid and Hannah Pierce-Carty, “Sexual orientation and gender identity”, in *The Oxford Handbook of The UN Human Rights System*, Jared Genser and Zeid Ra’ad Al Hussein, eds. (2026).
[40] Submission by University of Manchester.
[41] See A/77/235.
[42] See A/75/258.
[43] See A/HRC/59/43.
[44] Ibid.
[45] See S/2026/321.
[46] UNHCR, document HCR/GIP/12/09.
[47] UNHCR, “Resettlement assessment tool: lesbian, gay, bisexual, transgender and intersex refugees”, April 2013.
[48] UNHCR, “Working with lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in forced displacement”, 2021.
[49] UNHCR, “LGBTIQ+ persons in forced displacement and statelessness: protection and solutions”, 4 June 2021.

from food and cash distributions, denied entry to shelters, omitted from registration and needs assessments, cut off from continuing medical care, and left without recourse when harmed. Many do not approach humanitarian services at all because they perceive them to be unsafe. The consequences of this exclusion can be existential: in a crisis, exclusion from shelter, food, medical care or protection can be a matter of life and death. Much of this exclusion arises unintentionally through routine systems, including registration procedures, household-based distribution models and gender-segregated facilities, that do not adequately account for diverse sexual orientations and gender identities, thereby restricting access to assistance and protection.[50] The principal challenge is therefore one of implementation rather than law: international humanitarian law already prohibits discrimination, but those guarantees are not consistently reflected in humanitarian practice.[51]

18. For the purposes of the present report, three overlapping forms of exclusion can be identified: self-exclusion,[52] whereby previous experiences of discrimination deter individuals from seeking assistance; programmatic exclusion, arising from the design of humanitarian programmes; and institutional exclusion, through which organizational policies and practices reinforce barriers to inclusion.

A. Self-exclusion

19. Many LGBT persons enter humanitarian settings having previously experienced violence and discrimination because of their sexual orientation or gender identity. Those experiences shape their expectations of humanitarian actors and institutions, leading some to avoid assistance because they anticipate hostility.[53] This dynamic is particularly pronounced where aid may be delivered through institutions perceived as hostile, including some faith-based organizations or State security forces.[54] Faith-based actors are major providers of humanitarian assistance, often with extensive local networks;[55] their role therefore makes inclusive and non-discriminatory access especially important.

20. The manner in which assistance is delivered can reinforce this reluctance. Following a major earthquake, for example, some LGBT survivors chose to remain in precarious conditions rather than seek humanitarian shelter because they feared violence and discrimination.[56] Concealment can further compound exclusion: individuals who hide their sexual orientation or gender identity to move safely through registration, distributions or shelters become less visible in humanitarian assessments. Populations that do not present themselves for assistance may therefore be recorded as populations without needs. The absence of LGBT persons from humanitarian programmes should therefore prompt inquiry into barriers to safe access rather than assumptions that no unmet needs exist.

[50] Submission by ILGA Asia, Pathchola Foundation and Alor Poth; and submission by Noboprobhaat Foundation.

[51] IHL Centre, *Inclusive IHL.*

[52] For the purposes of the present report, “self-exclusion” refers to the decision to avoid humanitarian assistance because previous experiences or reasonable fears of discrimination make access appear unsafe.

[53] Submissions by Geneva Graduate Institute, ReportOUT, PRIDE Centre, Bosnia and Herzegovina, and ILGA Asia et al.

[54] Submissions by Lana Woolf, Noboprobhaat and PRIDE Centre.

[55] Submission by Ordo Iuris.

[56] Submissions by ReportOUT.

B. Programmatic exclusion

21. Programmatic exclusion arises where the design of humanitarian assistance does not adequately account for the circumstances and protection risks of LGBT persons. Humanitarian assistance is frequently organized around household-based models that may exclude same-sex couples and other family arrangements outside prevailing definitions of the household.[57] Documentation requirements may prevent transgender and gender-diverse persons whose identity documents do not correspond with their appearance from accessing assistance.[58] Shelters and camps organized along a strict gender binary may also leave them without safe accommodation,[59] while relief items assembled around gendered assumptions may fail to meet essential needs.[60] Food and cash assistance are particularly vulnerable to these forms of exclusion where eligibility depends on household registration or community gatekeepers. Submissions described LGBT persons being unable to register because they were estranged from their families, living in hiding or excluded from legally recognized household structures.[61] Denied assistance through these channels, some are left to meet basic needs through survival sex or exploitative labour, with consequences for safety and health that endure well beyond the crisis itself.[62]

22. Assessments and targeting frameworks rarely consider how sexual orientation and gender identity affects access to assistance, leaving LGBT persons largely invisible when needs are translated into programming.[63] Where concerns related to sexual orientation and gender identity are addressed, they are frequently confined to protection rather than integrated across sectors such as shelter, food security, water and sanitation, or health.[64] Services on which many LGBT persons rely, including protective community safe spaces that provide social support and mental health benefits, may consequently be treated as discretionary and be among the first to be cut.[65] This is particularly concerning because protection itself, despite system-wide commitments to its centrality, is being further deprioritized as resources contract.[66]

23. Data practices may further entrench exclusion when registration systems recognize only binary sex markers or define households solely through legally recognized family relationships. Such approaches can obscure sexual orientation and gender identity-related protection risks and render LGBT persons statistically invisible.[67] At the same time, visibility is not simply a matter of collecting identity data. Gathering information on sexual orientation and gender identity without

[57] Submissions by Woolf, Caribe Afirmativo, Nazariya, Outright International and Asociación Ciudadana Acceder.

[58] Submissions by Colombia Diversa, Caribe Afirmativo, Bosnia and Herzegovina, and Outright International.

[59] Submissions by Woolf and Asociación Ciudadana Acceder.

[60] Humanitarian Advisory Group, “Taking sexual and gender minorities out of the too-hard basket”.

[61] Submission by Nazariya.

[62] Submissions by Geneva Graduate Institute and PRIDE Centre. See also International Rescue Committee, *Cycles of Displacement: Understanding Exclusion, Discrimination and Violence against LGBTQI People in Humanitarian Contexts* (2021).

[63] Submissions by PRIDE Centre, Nazariya, Noboprobhaat, Woolf and Outright International.

[64] Submission by Juan Carlos Pacheco.

[65] Submissions by PRIDE Centre and Nazariya; see also Edge Effect and others, *The Only Way Is Up* (2021); and Outright International, *Leaving No One Behind Means Starting at the Back of the Line: LGBTIQ Inclusion in Humanitarian Settings* (2025).

[66] Inter-Agency Standing Committee, “Protection in humanitarian action”, October 2016; and UNHCR and Global Protection Cluster, “Annual report on the centrality of protection in humanitarian action 2022”, November 2023.

[67] Submissions by Woolf, Brazil and The Institute of Chartered Financial Analysts of India University.

appropriate safeguards may expose individuals to harm, particularly in contexts of criminalization or pronounced hostility. Data collection should therefore be limited to situations of demonstrable necessity, protected by strict confidentiality safeguards, and undertaken with the meaningful participation of affected communities.[68] More fundamentally, access to assistance and protection should not depend on disclosure: in hostile environments, the goal is not to make LGBT persons more visible to the system, but to make the system safer and more accessible to them.[69]

C. Institutional exclusion

24. Institutional exclusion arises where humanitarian organizations refrain from engaging with LGBT persons because of perceived operational risks, including assumed risks to LGBT people themselves. While some risks are genuine, others may be insufficiently examined, including the assumption that LGBT persons are safest when left alone. The evidence reviewed suggests that exclusion more often reflects limited awareness, institutional caution and reluctance to address sexual orientation and gender identity in politically sensitive environments than overt hostility.[70] Organizations operating under donor restrictions or in contexts of criminalization or State repression may avoid identifying LGBT persons in programming or discussing their concerns, which prevents the trust-building necessary for safe access to assistance before crises occur.[71] The resulting protection gaps are often left for affected communities to address themselves.[72]

25. Humanitarian organizations routinely operate in dangerous and politically sensitive environments without treating risk as a reason to withdraw from serving other vulnerable populations. That reasoning is less consistently extended to LGBT persons.[73] Where engagement does occur, it may itself become a source of harm, particularly when driven by prejudice. Submissions describe LGBT persons being turned away from distributions, evicted from shelters, stripped of identity documents by officials administering assistance or exposed to arrest where aid is channelled through State authorities in criminalizing contexts. These risks are compounded by the absence of confidential complaint mechanisms and, in some jurisdictions, mandatory reporting requirements for sexual and gender-based violence that may expose survivors themselves to prosecution.[74]

26. Institutional assumptions about gender further reinforce exclusion. Humanitarian programming frequently adopts a gender framework centred on women and girls within heterosexual family structures, with analysis focused primarily on gender-based violence.[75] This may overlook the wider gendered impacts of crises on lesbian,

[68] Submissions by Woolf, ILGA Asia et al., and University of Edinburgh.

[69] Submission by Zoku Space. See also UNHCR, “Working with lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in forced displacement”.

[70] Outright International and Edge Effect, *“They Know What We Don’t”: Meaningful Inclusion of LGBTIQ People in Humanitarian Action* (2024); Norwegian Red Cross and ICRC, *“That Never Happens Here”*; and Ilaria Michelis, “Later is a cis-hetero patriarchal time zone: narratives of resistance to LGBTQI+ inclusion amongst humanitarian practitioners”, *Journal of Refugee Studies* (2023).

[71] Submissions by PRIDE Centre, ReportOUT, Woolf, Observatorio Venezolano de Violencias LGBTIQ+, and Noboprobhaat.

[72] Submissions by PRIDE Centre, ODI Global Humanitarian Policy Group, Nazariya and ILGA Asia et al.

[73] ODI Global Humanitarian Policy Group, “Gender, power and principles in humanitarian action”, March 2022.

[74] Submissions by Woolf, Legal Initiative, Caribe Afirmativo and Noboprobhaat.

[75] Submissions by PRIDE Centre, Woolf, Bosnia and Herzegovina, Nazariya and ILGA Asia et al. See also ODI Global Humanitarian Policy Group, *“*Gender, power and principles”.

bisexual and queer women, gay and bisexual men, and transgender and gender-diverse persons, as well as the needs of same-sex partners and chosen families, the networks of mutual support formed outside legally recognized family ties. Experts consulted for the present report also observed a shift in policy and funding away from gender understood in terms of social norms and power relations towards a narrower focus on the protection of women and girls, potentially leaving many LGBT persons outside gender-responsive programming.[76]

27. In practice, engagement with LGBT persons is frequently carried out by gender-based violence specialists, whose expertise often provides the principal entry point for LGBT inclusion. This contribution should be recognized and built upon, without substituting for responsibility across the wider response.[77] Recent Inter-Agency Standing Committee policy provides a foundation on which to build. The Committee's 2024 policy on gender equality and the empowerment of women and girls in humanitarian action[78] applies an expansive understanding of gender that recognizes the diverse needs and capacities of women, girls, men and boys, and extends beyond binary conceptions of gender to include persons with diverse sexual orientations, gender identities and expressions, and sex characteristics. The policy applies this understanding across several priority areas, including participation in humanitarian coordination and decision-making, access to funding, representation in gender working groups, and country-level planning. Realizing these commitments will require ensuring that sexual orientation and gender identity are addressed within this broader understanding of gender, rather than solely through initiatives focused on women and girls. The Inter-Agency Standing Committee gender accountability framework provides an important mechanism to support the implementation of these commitments.[79]

28. Institutional exclusion reinforces both self-exclusion and programmatic exclusion, completing a cycle in which those most in need of protection are also the least likely to receive it.

V. Why exclusion persists

29. The exclusions documented in the previous section are sustained by rationalizations that justify omitting LGBT persons from humanitarian programming or deferring their inclusion: that humanitarian assistance is inherently identity-neutral; that attention to sexual orientation and gender identity is a luxury in resource-constrained crises; and that inclusion is too difficult or too dangerous in contexts of criminalization or repression. None withstands scrutiny.

A. "Crisis affects everyone": impartiality misread as identity-blindness

30. A common rationalization holds that, because humanitarian assistance is provided on the basis of need without discrimination, there is no reason to identify LGBT persons, or to consider sexual orientation and gender identity. The evidence reviewed suggests that this reasoning mistakes the formal universality of

[76] Expert round table, 6 July 2026.

[77] Ibid.

[78] Inter-Agency Standing Committee, "Gender equality and the empowerment of women and girls in humanitarian action", January 2024.

[79] Inter-Agency Standing Committee, "IASC gender accountability framework 2024–2028", December 2024.

humanitarian protection for its equal enjoyment in practice.[80] Several submissions describe a widespread assumption that aid delivered in accordance with humanitarian principles necessarily reaches all those in need, including sexual and gender minorities.[81] More broadly, institutional research has concluded that the humanitarian system "has historically operated within a heteronormative framework that significantly compromises its ability to see, much less address" the protection risks of LGBT persons in crisis.[82]

31. Impartiality is often invoked to justify an identity-blind approach on the assumption that recognizing particular groups would conflict with non-discrimination. Yet impartiality both prohibits adverse distinction and requires assistance to be prioritized according to need. That obligation cannot be fulfilled without identifying who is most at risk and the barriers to assistance. Failing to reach marginalized populations is itself a failure of impartiality; proactive inclusion is therefore a requirement of humanitarian principles, not an exception to them.[83]

B. "A luxury we cannot afford": inclusion treated as secondary to core humanitarian business

32. A further rationalization accepts that LGBT persons may face distinct risks but treats responding to them as a discretionary addition that strained humanitarian operations cannot prioritize. Submissions describe inclusion as secondary to the "core" tasks of food, water and shelter, and among the first considerations to be abandoned as resources contract.[84] Yet services treated as non-core may themselves be life-saving: interruptions to antiretroviral therapy and gender-affirming care can pose direct risks to life, including instances in which refugees discontinue treatment for HIV because medication cannot be taken without food, with fatal consequences reported in one such case.[85] Research among Rohingya refugees likewise found that humanitarian organizations did not systematically assess the needs of LGBT persons, reflecting a perception that these needs fell outside core priorities and lacked dedicated funding.[86]

33. This hierarchy is amplified by the current funding contraction and the humanitarian reset's emphasis on narrowly defined "life-saving assistance". This reasoning is self-reinforcing. Once LGBT needs are treated as peripheral, they go unfunded; once unfunded, they disappear from assessments; and once absent from assessments, they are assumed not to exist.[87] One study of 15 humanitarian and refugee response plans across Africa found that none referred to sexual and gender minorities, while references in earlier iterations of two plans had been removed.[88] The study linked this invisibility more broadly to the absence of strategies for addressing the barriers faced by LGBT persons within ostensibly universal programming.

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[80] Submission by PRIDE Centre.

[81] Submissions by ODI Global Humanitarian Policy Group and ReportOUT. See also ODI Global Humanitarian Policy Group, "Gender, power and principles"; Michelis, "Later is a cis-hetero patriarchal time zone"; and Norwegian Red Cross and ICRC, *"That Never Happens Here"*.

[82] Submission by ODI Global Humanitarian Policy Group.

[83] ODI Global Humanitarian Policy Group, "Towards more inclusive, effective and impartial humanitarian action", May 2022.

[84] Submissions by Woolf, PRIDE Centre and ReportOUT. See also Edge Effect and others, *The Only Way Is Up*; and Outright International and Edge Effect, *"They Know What We Don't"*.

[85] Submissions by PRIDE Centre, Nazariya and IFCAI University.

[86] Submission by Noboprobhaat. See also Edge Effect and others, *The Only Way Is Up*.

[87] Submissions by Outright International, ODI Global Humanitarian Policy Group and Woolf.

[88] Submission by PRIDE Centre.

C. “It can’t be done here”: criminalization and “do no harm” as grounds for inaction

34. A third rationalization holds that, where same-sex relations or gender non-conformity are criminalized or socially proscribed, engagement would expose beneficiaries and staff to legal and physical risk. “Do no harm” is therefore invoked to justify avoidance. While these risks are genuine, concerns about visibility have too often hardened into a blanket justification for inaction.[89] The critical distinction is between context-specific caution and wholesale disengagement. As was observed in one practitioner study, organizations often step back not because safe engagement is impossible, but because they lack the tools, training and partnerships to undertake it.[90] Concern that engagement may be perceived as political and inconsistent with neutrality can further reinforce inaction.[91]

35. Practitioners invoke criminal laws to justify inaction, but the legal basis for this caution can be overstated. Most laws criminalizing consensual same-sex conduct prohibit intimate conduct rather than access to humanitarian assistance.[92] More recent laws targeting the “promotion” of or “propaganda” related to homosexuality may create additional constraints, but their scope is often narrower than assumed and would not necessarily prohibit essential humanitarian services.[93] Any assessment of such constraints should be grounded in expert legal advice rather than assumptions.

36. A related concern is that assisting LGBT persons promotes “Western” values and is therefore incompatible with neutrality. Contributors observed that local LGBT communities seeking assistance did not regard protection from violence or access to humanitarian relief as foreign impositions. This framing instead treats LGBT persons as outsiders when they are part of the communities concerned.[94] Neutrality requires humanitarian actors to refrain from taking sides in hostilities; it does not require silence in the face of violence and discrimination, or inaction on politically sensitive issues.[95]

37. Inclusion remains achievable even in hostile environments through context-appropriate measures, including confidential referral pathways, partnerships with trusted community organizations, adapted registration and documentation procedures, staff training and other safeguards that reduce unnecessary exposure. The proposition that nothing can be done reflects not the absence of viable approaches but a failure to invest in the partnerships, expertise and practices needed to implement them.[96]

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[89] Submissions by ReportOUT, Institute of Gender, Law, and International Justice (IGLIJ), Woolf, and ODI Global Humanitarian Policy Group. See also Michelis, “Later is a cis-hetero patriarchal time zone”.

[90] Edge Effect and others, *The Only Way is Up.*

[91] Submissions by ReportOUT.

[92] Michelis, “Later is a cis-hetero patriarchal time zone”; and expert round table, 25 June 2026.

[93] Submissions by National Gay and Lesbian Human Rights Commission (Kenya) (NGLHRC), Noboprobhaat, ComingOut, ODI Global Humanitarian Policy Group, IGLIJ and ILGA Asia et al.

[94] Michelis, “Later is a cis-hetero patriarchal time zone”; and expert round table, 25 June 2026.

[95] Submissions by ReportOUT. See also ODI Global Humanitarian Policy Group, “Gender, power and principles”; and Myfanwy James, “Humanitarian fables: morals, meanings and consequences for humanitarian practice”, *Third World Quarterly*, vol. 43, No. 2 (2022).

[96] Submissions by Inclusive Bangladesh, Noboprobhaat, PRIDE Centre and Universidad Central de Chile.

VI. The political environment

38. The humanitarian situation of LGBT persons cannot be understood apart from the political environment in which crises unfold. In the materials reviewed, three mutually reinforcing forces were identified: the instrumentalization of morality to cast LGBT persons as threats to the social order; the withdrawal and political conditioning of humanitarian and development funding; and the contraction of civic space, which weakens the LGBT-focused organizations on which affected communities most rely. Together, these forces shape the conditions under which inclusive humanitarian response is possible.

A. The instrumentalization of morality and public order

39. The materials reviewed included descriptions of LGBT persons being targeted through narratives of morality and public order by State and non-State actors.[97] Politically manufactured "moral emergencies" portray them as threats to national identity, religion, the family, public morality or security.[98] These mobilizations of interests are characterized as bringing together hostility towards LGBT persons and gender equality with xenophobic, anti-immigrant and racist narratives that recast human rights as foreign impositions and generate moral panic around the visibility of LGBT persons and education on gender identity, sexual orientation and sexual health.[99] The materials reviewed also include reports of LGBT persons being blamed for natural disasters, illustrating how existing prejudice may be mobilized during periods of crisis and armed conflict.[100]

40. These campaigns function as a humanitarian risk factor by legitimizing exclusion from protection systems and increasing the risk of violence. They also shape political and institutional responses to crises by influencing who is regarded as deserving of protection. Across diverse contexts of political transition, armed conflict and occupation, such narratives have been accompanied by attacks on minority communities, morality-based enforcement and the use of anti-LGBT rhetoric as an instrument of political control.[101]

B. The withdrawal and political conditioning of funding

41. Reductions in funding and the political conditioning of aid are reshaping the humanitarian landscape for LGBT persons, representing a direct threat to their inclusion in humanitarian responses.[102] The specific effects on LGBT-focused organizations must therefore be understood within the broader contraction of humanitarian financing.

42. In the submissions, recent donor policies are described as a "triple threat" that eliminates direct programming, conditions the activities of implementing partners and subpartners and characterizes work on the rights of trans people as "gender

[97] Submissions by Edinburgh Napier University, ComingOut, Association of Reintegration of Crimea (ARC), Legal Initiative, Inclusive Bangladesh, Noboprobhaat, ILGA Asia et al., ReportOUT, Bosnia and Herzegovina, NGLHRC and Zoku Space.

[98] Feminist Internet Research Network and Association for Progressive Communications, *Queer Resistance: Online Gender-Based Violence against LGBTQIA+ Ethiopians* (2026).

[99] Submission by Edinburgh Napier University.

[100] Submissions by ReportOUT, ILGA Asia et al. and Woolf.

[101] Submissions by ARC, ComingOut, ODI Global Humanitarian Policy Group, Outright International, Universidad Central de Chile and Noboprobhaat.

[102] Submissions by PRIDE Centre, ReportOUT, Outright International and ILGA Asia et al.

ideology”.[103] Analysis indicates that recent donor conditioning practices require foreign recipients to comply across activities, including those financed by other donors, extending the effects of this conditioning beyond directly funded programmes.[104]

43. The operational consequences have been immediate. Stop-work orders forced LGBT organizations and their partners to suspend programmes, dismiss staff, halt documentation and advocacy and turn away beneficiaries, with a majority of surveyed organizations across dozens of countries laying off staff or ceasing operations altogether.[105] Some LGBT-focused organizations reportedly lost up to 90 percent of their funding.[106] In the health sector, funding reductions disrupted life-sustaining services, including HIV-prevention and antiretroviral treatment.[107] Funding contraction also reshapes humanitarian practice. In the submissions, organizations are described as retreating to “neutral” programming that does not account for the specific needs of LGBT persons, while donors become increasingly reluctant to support work perceived as politically sensitive.[108] The effects extend beyond individual programmes, reducing the capacity and willingness of humanitarian actors to identify LGBT persons facing heightened risks, support community-based protection and sustain the civil society organizations through which many crisis-affected LGBT persons access assistance.

C. The contraction of space for LGBT-led civil society

44. The shrinking of civic space is an additional humanitarian concern. LGBT-focused organizations frequently perform functions that formal humanitarian systems cannot readily perform, including identifying persons at risk, documenting violence, providing trusted referrals, sustaining informal protection networks and reaching people who avoid official systems because visibility itself may expose them to violence or prosecution. Yet surveillance, deregistration, prosecution, funding losses and donor risk aversion increasingly constrain the organizations best placed to reach crisis-affected LGBT persons. The materials reviewed document the closure and dissolution of LGBT organizations across a range of settings, eliminating networks through which many LGBT persons access protection and essential services.[109]

45. Civic-space restrictions also reshape the conduct of mainstream humanitarian actors. Repressive laws, heightened surveillance and “propaganda” legislation may lead organizations to avoid explicit reference to LGBT persons or suspend activities for fear of political or legal retaliation. Such measures can have a chilling effect even where they are not rigorously enforced, as humanitarian actors may pre-emptively comply or overcomply to avoid scrutiny. As a result, entire populations may disappear from needs assessments and response plans.[110]

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[103] Submissions by ReportOUT.

[104] PAI, “Explaining the unexplainable: the expanded global gag rule”, March 2026.

[105] Outright International, “Defunding freedom: impacts of U.S. foreign aid cuts on LGBTIQ people worldwide”, February 2025, in which it was reported that, among 125 initial respondents across 59 States Members of the United Nations, 72 respondents in 35 countries had laid off staff or stopped programmes entirely following United States stop-work orders.

[106] Submission by PRIDE Centre.

[107] Physicians for Human Rights, *Wasted Investments, Looming Crisis: The Impact of U.S. Global Health Funding Cuts on HIV in South Africa* (2026); and Physicians for Human Rights, *On the Brink of Catastrophe: U.S. Foreign Aid Disruption to HIV Services in Tanzania and Uganda* (2025).

[108] Submissions by ReportOUT and Brazil.

[109] Submissions by the Observatorio Venezolano de Violencias LGBTIQ+, Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos, China Rainbow Observation and NGLHRC.

[110] Submissions by ReportOUT, PRIDE Centre, Noboprobhaat and ILGA Asia et al.

46. Taken together, these pressures heighten risks for LGBT persons while reducing the capacity of those best placed to assist them, narrowing the availability and the reach of humanitarian protection.[111]

VII. Community-led protection and localization

47. The actors best placed to reach LGBT persons in crises are often local, LGBT-focused community networks. Where formal humanitarian providers are absent or distrusted, LGBT persons frequently turn to social networks and mutual aid organizations.[112] These groups often serve as the first point of contact and as de facto humanitarian responders, providing emergency shelter, food, psychosocial support, legal assistance and trusted referrals. Their effectiveness rests on relationships of trust that enable them to identify and support people whom formal humanitarian systems cannot safely reach.[113]

48. The very characteristics that make these organizations effective also render them largely invisible to the formal humanitarian system. They are excluded from coordination and decision-making despite performing essential protection functions.[114] Humanitarian actors may also hesitate to engage organizations they perceive as insufficiently neutral because of their advocacy, while partnership requirements may press community organizations to conform to the priorities of the formal system.[115] As a result, the networks best able to reach marginalized LGBT communities are often the most precarious. Funding reductions and restrictions on civil space disproportionately affect these organizations, so that the loss of a single small group may eliminate the only trusted route through which LGBT people can access assistance.[116]

49. Localization is widely recognized as an important direction for humanitarian reform, but expert contributors caution that it is often misunderstood. They distinguish between localization that resources organizations already embedded in affected communities and approaches that transfer responsibility without the funding, training, psychosocial support and security measures needed to carry it out safely.[117] The latter shifts risk and burden rather than resources. Genuine localization enables refugee and LGBT-focused organizations to operate alongside mainstream humanitarian actors on equitable terms. The appropriate model is context-specific: in some settings, this means bringing LGBT-focused organizations into formal coordination structures; in hostile contexts, it may require supporting parallel or community-based structures through which assistance can be channelled safely.[118] Consortium arrangements can allow informal organizations to share referral networks, coordinate activities and access funding collectively without each having to meet requirements designed for larger institutions.[119] Country-based pooled funds likewise hold potential for both localization and inclusion, but this requires accessible

[111] Submissions by ComingOut, ARC, PRIDE Centre, Outright International, Colombia and ReportOUT.
[112] Submissions by Brazil, Woolf and IFCAI University.
[113] Submissions by Brazil and PRIDE Centre.
[114] Submissions by ReportOUT and Nazariya.
[115] ODI Global Humanitarian Policy Group, "Gender, power and principles"; and expert round table, 25 June 2026.
[116] Submissions by Nazariya and Woolf.
[117] Ibid.
[118] Submissions by Brazil and Foundation ECPAT International.
[119] Expert round table, 25 June 2026.

eligibility processes, clear guidance and outreach to LGBT-focused organizations.[120] A regional network of 16 organizations across 12 Latin American and Caribbean countries illustrates this model in practice, providing coordinated legal, psychosocial, health, shelter and advocacy support to approximately 21,000 displaced, refugee and migrant LGBT persons each year.[121]

VIII. Good practices

50. In the materials reviewed, a range of practices are identified through which humanitarian and public institutions have sought to reduce barriers to assistance and protection for LGBT persons. While evidence on their effectiveness remains uneven, several common features emerge. Most approaches do not require the creation of parallel systems for LGBT persons. Instead, they adapt existing systems to recognize diverse family structures, gender identities and protection risks, while introducing targeted measures where standard procedures continue to produce exclusion. The Inter-Agency Standing Committee guidelines on gender-based violence offer a useful model: just as humanitarian actors are directed to assume that gender-based violence is occurring and to act accordingly without awaiting prevalence data, they should assume that LGBT persons are present in every crisis-affected population and may face heightened risks.[122]

51. A first set of practices concerns registration, documentation and access to services. In Mexico,[123] migration authorities allow individuals to identify particular protection risks through designated channels and to be referred to specialized services or accompanied through administrative procedures. Colombia[124] has taken steps to recognize diverse families and transgender migrants within regularization procedures, while Brazil[125] waives eligibility interviews for certain LGBT asylum applicants from countries where they face imprisonment or the death penalty. These examples demonstrate how routine administrative procedures can be adapted to reduce barriers without requiring individuals to disclose more information than is necessary for their protection. Other examples show how relatively modest adaptations to ordinary humanitarian practices (including anonymized assessments, private channels for participation, adaptations to sleeping and sanitation facilities that increase privacy,[126] and cash delivery methods[127] that reduce identification and public exposure) can widen access without requiring separate systems.

52. A second area of good practice concerns safe access, referral and accountability. In Kenya,[128] organizations have established private reporting channels and safe

[120] ODI Global, “Country-based pooled funds … the key to unlocking localized funding, or just another blunt instrument?”, 5 March 2026; and expert round table, 6 July 2026.

[121] Submission by Red Regional por la Movilidad Humana LGBTIQ+ de América Latina y el Caribe.

[122] Inter-Agency Standing Committee, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing Risk, Promoting Resilience and Aiding Recovery* (2015), p. 2.

[123] Submission by Mexico.

[124] Submission by Colombia Diversa.

[125] Submission by Brazil.

[126] UNHCR, “Working with lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in forced displacement”; European Union Agency for Asylum, *Practical Guide: Applicants with Diverse Sexual Orientations, Gender Identities, Gender Expressions and Sex Characteristics – Reception* (2024).

[127] Edge Effect, *“We Don’t Do a Lot for Them Specifically”: A Scoping Report on Gaps and Opportunities for Improving Diverse SOGIESC Inclusion in Cash Transfer and Social Protection Programs during the COVID-19 Crisis and Beyond* (2021).

[128] Confidential submission.

accommodation for LGBT refugees. Brazil [129] has developed procedures for responding to imminent violence against LGBT persons, together with guidance on incident reporting, data collection and the placement of LGBT persons in detention according to self-identification and safety. Such measures are most effective when accompanied by trained staff, confidentiality safeguards and accessible complaint mechanisms. They illustrate how protection can often be strengthened through procedural adaptations rather than separate systems of assistance. Civil society-led emergency referral pathways offer a complementary model. One organization's queer-informed vulnerability assessment, developed with a State resettlement programme, resulted in more than 20,000 requests for assistance received in 2025 and the referral of over 450 individuals for expedited resettlement, more than 150 of whom have since relocated to safety.[130]

53. The evidence also underscores the importance of continuity of essential services. In Colombia,[131] community centres and comprehensive care facilities provide combinations of legal, psychosocial, educational and livelihood support, while both Mexico[132] and Colombia[133] have developed health protocols or clinical guidance responsive to the needs of transgender persons. Bosnia and Herzegovina and Brazil[134] have supported dedicated LGBT shelters in vulnerable areas. These examples reinforce a broader finding of the report: services that may appear specialized or peripheral to conventional humanitarian planning can be essential to health, safety and survival. An inclusive response therefore requires identifying the services on which affected populations already depend and providing for their continuity during crisis. Some of the strongest examples are grounded in participation and partnership with affected communities. In Fiji, LGBT communities have participated in disaster planning and response, while informal community networks provided information, solidarity and safe accommodation following a major cyclone.[135]

54. The gender and sexual minorities constituent group of the Sendai Stakeholder Engagement Mechanism of the United Nations Office for Disaster Risk Reduction has similarly called for LGBT inclusion to be mainstreamed in disaster risk reduction under the Sendai Framework for Disaster Risk Reduction 2015–2030, noting that evacuation and shelter systems based on heterosexual, cisgender assumptions may deter LGBT persons from using formal emergency services.[136] Elsewhere, partnerships have brought community organizations into referral systems and protection coordination, while dedicated working groups have created channels for LGBT organizations to provide technical input, coordinate with humanitarian actors and influence response planning.[137] The 2018 Pride in the Humanitarian System consultation brought together more than 100 civil society representatives from the Asia-Pacific region and produced a consultation report and a community-led call to

[129] Submission by Brazil.
[130] Submission by Rainbow Railroad.
[131] Submissions by Caribe Afirmativo and Colombia.
[132] Submission by Universidad Nacional Autónoma de México.
[133] Submissions by Colombia.
[134] Submissions by Bosnia and Herzegovina and Brazil.
[135] Gender in Humanitarian Action, Asia and the Pacific Working Group, "Integrating gender into humanitarian action: good practices from Asia-Pacific 6", December 2017; and Edge Effect, *Down by the River: Addressing the Rights, Needs and Strengths of Fijian Sexual and Gender Minorities in Disaster Risk Reduction and Humanitarian Response* (2018).
[136] Submission by Sendai Stakeholder Engagement Mechanism of the United Nations Office for Disaster Risk Reduction.
[137] Protection Cluster Ukraine, Quarterly Newsletter, No. 2, June–September 2024, p. 3; Outright International and Edge Effect, *"They Know What We Don't"*, pp. 76 and 77; and Edge Effect and others, *The Only Way Is Up*, p. 47.

action.[138] These experiences demonstrate that organizations already embedded in affected communities should have a role in the design, coordination and implementation of humanitarian responses.[139]

55. Finally, inclusive practice depends on institutional capacity and accountability. Staff training, operational guidance, non-discrimination policies and tools that incorporate diverse sexual orientations and gender identities can help move inclusion from individual discretion into routine practice, as can measures to foster inclusive workplaces for LGBT staff.[140] The evidence suggests, however, that training is most effective when combined with sustained engagement with affected communities and concrete changes to procedures, funding and coordination. Good practice thus lies in creating systems capable of identifying exclusion, adapting to different needs, and assessing and adjusting their approach when assistance does not reach those at risk. Meaningful inclusion also depends on humanitarian culture: the power dynamics and attitudes within agencies and across the sector. Discriminatory or judgmental attitudes among service providers are a documented barrier to access. Efforts to change institutional practice must therefore reach all levels of an organization, from directors to receptionists and drivers, who are often the first point of contact for people approaching an agency.[141]

IX. Recommendations

56. **States bear the primary responsibility for protecting the rights of LGBT persons before, during and after humanitarian crises. The Independent Expert recommends that States:**

(a) **Repeal laws criminalizing consensual same-sex conduct and laws or policies that discriminate against LGBT persons or restrict the registration, funding or operation of organizations serving them;**

(b) **Prevent arbitrary arrest, detention, torture, ill-treatment, sexual violence and other forms of violence against LGBT persons; investigate violations promptly and independently; prosecute perpetrators without discrimination; and ensure effective protection for victims, witnesses and human rights defenders;**

(c) **Respect the rights to privacy, family life and freedom of expression, association and peaceful assembly, including by preventing surveillance, online targeting, forced outing and other practices that expose LGBT persons to harm;**

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[138] Devikara (Prim) Devakula and others, *Pride in the Humanitarian System Bangkok 4–7 June Consultation Report* (2018).

[139] For other toolkits and guides on sexual orientation and gender identity inclusion in humanitarian contexts, see Edge Effect and others, “Diverse SOGIESC rapid assessment tools: to assess diverse SOGIESC inclusion results in humanitarian contexts”, July 2021; United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and World Health Organization, “Measuring gender-based violence: data collection and evidence on violence based on sexual orientation, gender identity, gender expression and sex characteristics”, June 2025; Unión Afirmativa y Clúster de Protección de Venezuela, *Guía sobre protección de personas LGBTIQ+ en la acción humanitaria en Venezuela* (2023); and Inter-Agency Standing Committee, *The Gender Handbook for Humanitarian Action* (2018).

[140] Gender in Humanitarian Action Asia and the Pacific Working Group, “Integrating gender into humanitarian action”; and United Nations Secretariat Strategy on Protection from Violence and Discrimination of LGBTIQ+ Persons (2024).

[141] ODI Global Humanitarian Policy Group, *Sex, Health and Rights in Displacement and Humanitarian Response: Crises upon Crises in Lebanon and Beyond* (2023).

(d) **Uphold obligations under international refugee, human rights and humanitarian law, including non-refoulement, and ensure that humanitarian assistance is provided without discrimination;**

(e) **Ensure that disaster management, humanitarian response, recovery and resilience policies identify and address the needs of LGBT persons across all phases of crisis, including through confidential complaints mechanisms, staff training and meaningful consultation with affected communities;**

(f) **Remove unnecessary legal and administrative barriers to accessing assistance, including by simplifying documentation requirements, facilitating legal gender recognition and recognizing same-sex partners and chosen families where relevant to registration, family reunification and access to assistance;**

(g) **Ensure uninterrupted access to essential healthcare, including HIV treatment, hormone therapy and other medically necessary care, without discrimination or inappropriate information-sharing with law enforcement;**

(h) **Support and adequately resource LGBT-focused organizations, including community-based and informal groups, and remove barriers that prevent them from receiving domestic or international funding.**

57. **States and humanitarian actors share responsibility for ensuring that humanitarian systems reach LGBT persons in practice. The Independent Expert recommends that States and international humanitarian actors:**

(a) **Integrate the needs of LGBT persons into needs assessments, humanitarian response plans, standards, operational guidance and programming across all relevant sectors, including protection, health, shelter, food security, water and sanitation, and asylum;**

(b) **Incorporate the experiences of LGBT persons into existing humanitarian, development and disaster-risk-reduction frameworks, including the humanitarian-development-peace nexus, the Sendai Framework, the women, peace and security agenda and the 2030 Agenda for Sustainable Development;**

(c) **Ensure that LGBT persons have equitable access to services for survivors of gender-based and conflict-related sexual violence;**

(d) **Collect and use data only where necessary to improve protection, applying strict safeguards for confidentiality, informed participation and risk mitigation, while recognizing that the absence of data should not be interpreted as evidence of an absence of need;**

(e) **Identify and address barriers that prevent LGBT persons from accessing humanitarian assistance, including through contingency planning, confidential referral pathways and accessible complaints mechanisms;**

(f) **Recognize community-led and LGBT-focused organizations as essential humanitarian partners by integrating them into coordination structures and providing sustained, flexible funding, training, security support and meaningful participation in planning, implementation and monitoring;**

(g) **Monitor implementation jointly with affected communities to ensure that commitments to inclusion are translated into operational practice.**

58. **The Independent Expert recommends that international humanitarian actors:**

(a) **Apply the principles of humanity, impartiality, neutrality and independence in ways that ensure assistance reaches LGBT persons whose needs might otherwise remain overlooked;**

(b) **Review policies, assessment tools, registration systems, eligibility and targeting criteria, and operational practices to identify and remove barriers affecting LGBT persons, including those arising from household-based models, and provide staff with appropriate training and guidance;**

(c) **Where legal or operational risks arise, seek context-specific legal and protection advice rather than treating criminalization or "do no harm" as grounds for avoiding engagement with LGBT persons;**

(d) **Provide clear, management-level guidance confirming that partners may continue work on the inclusion of LGBT persons, in order to counter self-censorship and overcompliance with donor restrictions;**

(e) **Ensure continuity of essential services, including HIV treatment, gender-affirming care where available, mental health support and safe referral pathways, and monitor the effects of funding reductions on LGBT populations;**

(f) **Build long-term, equitable partnerships and strengthen coordination with local and LGBT-focused organizations, including through consortium models and flexible funding arrangements that strengthen local capacity while sharing expertise and referral networks;**

(g) **Support and resource peer-support networks, safe spaces and other community-based protection mechanisms, and document barriers to humanitarian access to support evidence-based advocacy and accountability.**

59. **The Independent Expert recommends that donors:**

(a) **Restore and protect humanitarian funding, ensuring that financial contractions do not disproportionately affect marginalized populations, including LGBT persons;**

(b) **Provide flexible, multi-year funding for LGBT-focused organizations and community-based emergency-response mechanisms;**

(c) **Encourage inclusive humanitarian programming through funding criteria, monitoring and reporting that assess whether marginalized populations are being reached;**

(d) **Invest in the organizational capacity, security and long-term sustainability of local LGBT organizations, including informal and emerging groups;**

(e) **Use their leverage as contributors to country-based pooled funds to make those funds accessible and inclusive for LGBT-focused organizations, including through clear eligibility guidance, simplified application requirements and training on how to apply.**