

PROTECTION OF LGBTIQ+ PEOPLE IN THE CONTEXT OF THE RESPONSE IN UKRAINE



●●●● BACKGROUND

Since 24 February 2022, over 14 million people have been forcibly [displaced internally](#) and [across international borders](#) as a result of the armed conflict in Ukraine, while thousands of civilians still remain in areas directly exposed to the armed hostilities.

Despite the fact that sexual diversity is not outlawed in Ukraine, lesbian, gay, bisexual, transgender, intersex, queer and other diverse identities (LGBTIQ+) have long remained under stigma and subject to a widely spread negative perception by the vast part of the Ukrainian society. Even before the war, there had been instances of hate speech, discrimination, harassment and abuse of LGBTIQ+ people in Ukraine, on the basis of their real or perceived sexual orientation, gender identity, gender expression and/or sex characteristics (SOGIESC). For this reason, the LGBTQ community refrained from public appearances and related advocacy campaigns – resulting in the community being prone to isolation and marginalization.¹

In situations of forced displacement and armed conflict, individuals who are LGBTIQ+ have the same rights and basic needs as other displaced and affected persons. Nonetheless, they are often at heightened risk of exclusion, exploitation, violence and abuse, and encounter distinct protection risks because of their real or perceived SOGIESC. These challenges often add numerous barriers to accessing humanitarian assistance and services such as safe accommodation, appropriate health care, gender-based violence (GBV) prevention and response services, education and livelihoods opportunities. Due to the perception that LGBTIQ+ do not conform to prevailing sociocultural norms, they may be excluded from traditional support networks among displaced and host communities. Barriers are especially acute for transgender persons whose gender identity does not match their official identity documents.² **It is therefore important that humanitarian actors and service providers understand and address such risks through tailored programmes to ensure LGBTIQ+ persons in displacement and/or affected by the war in Ukraine enjoy equal rights.**

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●●●● KEY PROTECTION CONCERNS FOR LGBTIQ+ PEOPLE IN UKRAINE

- **Safety (Physical and Mental)** – LGBTIQ+ and gender-diverse people are vulnerable to acts of stigmatization, harassment and violence from both armed combatants and civilians in the context of the armed conflict.³ Since the war started, there have been reports of cases of attacks against LGBTIQ+ activists, human rights defenders and shelters in Ukraine.⁴ Moreover, the LGBTIQ+ population in Ukraine has experienced heightened levels of fear and anxiety about the exposure to violence and trauma – which in the case of LGBTIQ+ people experiencing the same it is noted the need to provide non-discriminatory and safe access to psychosocial support.⁵
- **Access to accommodation:** In cases where relatives moved in together and have to share a small space as a result of relocation, tensions and conflict increase due to lack of understanding or acceptance of the sexual orientation and gender identity of LGBTIQ+ persons.⁶ Where reception and collective centers are gender segregated, LGBTIQ+ may face barriers to choose the housing option that they believe is safest for them. Transgender people may also experience challenges to access shelters and services based on their self-identified gender identity if their documents do not match. Intersex people also might face challenges in accessing gender segregated shelters due to their sex characteristics. The need exists to arrange safe shelters for LGBTIQ+ people who arrive to safer areas of Ukraine and transit cities.⁷
- **Inaccurately documented gender identity** – Many transgender people and some intersex people in Ukraine do not have identification documents with gender markers accurately matching their gender identity. In the context of the war, it is particularly problematic for transgender and intersex women who are still often marked as having male gender. They have been therefore refused to pass internal checkpoints or to exit Ukraine, since following their identity documents, they fall under the martial law and military mobilization of men between 18-60.⁸
- **Gender-based Violence (GBV)** – LGBTIQ+ persons often experience different forms of GBV, including human trafficking, and the risk is likely exacerbated by the context of armed conflict and before, during, and after forced displacement. In particular, it is worth noting that in the context of emergencies there may be particular challenges for LGBTI individuals in accessing protection from police or security personnel due to discrimination.¹
- **Access to Healthcare** – LGBTI individuals have reported discrimination in health care institutions and breaches of patient confidentiality - regarding both sexual orientation and, where applicable, HIV status. In the context of the war, LGBTIQ+ encounter limited supply of HIV medication⁹, unavailability of hormone therapy treatments for transgender and intersex persons, as well as limited access to sexual health services due to the prejudices of medical staff.¹⁰ HIV positive LGBTI individuals may face additional stigmatization, or even denial of treatment. Despite the efforts of LGBTIQ+ organizations to facilitate access to hormone therapy through assistance from neighboring countries, the process is complex, expensive and unpredictable.¹¹
- **Access to Livelihoods** – LGBTIQ+ people face narrowing livelihood opportunities and financial difficulties on their way to relocate to safe areas.¹² LGBTIQ+ IDPs may experience double discrimination due to their IDP status as well as sexual orientation. They may be fired from work once their sexual orientation or gender identity is revealed.

Wars and armed conflicts in other parts of the world confirm that cases of persecution, threats, sexual violence and 'corrective rape' against lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTQIA+) persons increase during violent escalations. Thus, the protection and safety of people with different sexual orientations and gender identities, as well as an appropriate response to such cases of discrimination and violence, is necessary in this context. It is important to recognize intersecting vulnerabilities in Ukrainian society where LGBTQIA+ people among the Roma minority, for example, might be at particular risk.

UN Women and CARE International, Rapid Gender Analysis of Ukraine, 4 May 2022.



¹ “Integrating LGBTI inclusive Gender Based Violence risk prevention, reduction and mitigation in the context of war in Ukraine”, ILGA, May 2022.

●●●● RECOMMENDATIONS

Ensure inclusive programming, advocacy and responses

- **Collect data** that is disaggregated by sex, gender, age and disability, as well as data relating to specific protection needs, risks and barriers LGBTIQ+ persons face, to ensure that specific vulnerability factors and risks are considered in further GBV risk prevention and mitigation cycle. Develop databases, forms and other tools that are inclusive to all the diversities and ensure that data is collected in a confidential and sensitive manner.
- **Map presence and reach out to LGBTIQ+ organizations** and community-based groups to learn about their work, priorities and their specialized services; as well as to sensitize them to the particularities of protection of IDPs.
- **Establish specific LGBTIQ+ reception and registration measures** for safe identification and support, such as gender-neutral options on registration forms, special hours and days for LGBTIQ+ to register or mobile registration. Make sure that persons not wishing to self-identify are not forced to do so, especially in situations where they may be at risk.
- **Encourage the active participation of LGBTIQ+ individuals in programmes** and activities at individual or collective level in a manner that preserves their safety; avoid creating programmes that exacerbate their isolation.
- **Ensure specialized LGBTIQ+ shelters and centers are linked to the humanitarian system** and actors aiming at enhancing support to LGBTIQ+ persons and their participation in the distribution of humanitarian aid and of medication to other LGBTIQ+ communities.
- **Include staff from different genders and backgrounds.** Use LGBTIQ+ friendly visibility materials (e.g. through the display of a rainbow flag, naming LGBTIQ+ people among those you are supporting in leaflets, and making referral pathways to local LGBTIQ+ organisations visible).
- **Address barriers to safe and equal access for LGBTIQ+ persons to social services and programmes**, livelihoods opportunities, capacity building and empowerment, and education services, among others.
- **Resource mobilization** should include funding opportunities for LGBTI led organizations as they are often first point of contact for many GBV survivors from LGBTI community.
- **Raise awareness** of the situation of LGBTIQ+ affected by the war in Ukraine, including risks, gaps, needs, opportunities and capacities in order to promote full access to their rights and services and integral protection.
- **Advocate for equitable and non-discriminatory provision of services to LGBTI individuals by humanitarian actors, civil society organizations, Government and law enforcement agencies.** Because transgender IDPs may face additional difficulties accessing services due to discrepancies between their appearance and identity documents, humanitarian actors should include this issue in their trainings for state service providers, and advocate for the re-issuing of documents for transgender IDPs.

Create Safe Spaces

- **Ensure that staff providing assistance to IDPs and the conflict-affected population are sensitive to the concerns of LGBTI people**, including training to identify protection risks, respectful use of terminology and communication and to assure that confidentiality will be respected. Staff providing distributions of humanitarian assistance need to be aware that sometimes documents of transgender and intersex persons may not match their appearance. Organizations should take all necessary steps to prevent LGBTI discrimination by their staff;
- **Respect individual preferences and privacy.** Because of the stigma involved, people may be unwilling or unable to identify as LGBTI, but may still face persecution due to their appearance, conduct, or relationships. Others may not be open about their identity, especially with new people. This is particularly true for LGBTI IDPs, who may have been afraid of being open even with family and friends. Organizations should respect individuals' preferences and not make assumptions about their identity or impose labels.

GOOD PRACTICES IN UKRAINE

During the war, founders of LGBTI+ shelters in Lviv host both those who do and do not belong to the LGBTI community. Residents are immediately informed that they can meet transgender people in the shelters. "This is great because ... we have retained our educational function. Ordinary Ukrainians have the opportunity to spend the night with LGBT people in the same room, cook with them and get a positive experience from such coexistence."

Tymur Levchuk

Cofounder of Fulcrum – the organization which [opened LGBTI friendly shelters in Lviv](#)

- **Humanitarian staff should communicate that the organization is a safe space** and be able to refer LGBTI persons to relevant community organizations, protection partners and service providers, as appropriate.
- **Seek out and create safe, confidential and effective referral systems** and partnerships, including through peer support groups and the development of standard materials such as SOPs, posters and audio-visual materials.
- **Advocate for inclusive treatment by medical and healthcare professionals.** Organizations should create relationships with medical professionals and centers to whom LGBTI IDPs can be referred. Health actors must also understand the different ways in which LGBTI people and particularly trans women and men experience violence, and ensure that health staff are adequately trained to meet the needs of all trans survivors.
- **Facilitate links between LGBTI IDPs and the wider LGBTI community.** Whenever appropriate, LGBTI IDPs should be introduced to LGBTI persons and organizations in the host community to help them establish a support network in their area of displacement.
- **Consider that scattered-site housing mechanisms** work better in certain contexts than communal ‘safe houses’ for LGBTI persons. Allow trans, intersex and non-binary people to choose the housing option that they believe is safest for them. Consider allowing trans and intersex residents the ability to sleep near safe and well-trained night staff to lower the risk of assault and harassment.

Ensure accountability to the affected population

- **Consult with LGBTIQ+ persons** to identify barriers to their participation and decide together which participation methodologies and opportunities work best for them, e.g. organizing meetings in a different location. Be sure to assess needs from an AGD perspective and avoid grouping all LGBTIQ+ individuals in one discussion, e.g. consider gender breakdown as a minimum. Where appropriate and without putting them at greater risk, encourage the representation of LGBTI people and/or organisations and ensure they are consulted on the safe design of shelters.
- **Design targeted identification and outreach measures** to ensure that LGBTIQ+ persons are afforded fair access to protection and assistance programmes, e.g. through LGBTIQ+ support networks.
- Ensure that LGBTIQ+ individuals are well informed about their rights.
- **Ensure that there is two-way communication with LGBTIQ+ persons** via their preferred channels of communication and that multiple options are provided for communicating with people with different needs. Consult with LGBTIQ+ persons to identify challenges in accessing feedback and response mechanisms and act on the feedback of LGBTIQ+ persons - validate their experiences and adapt interventions in a way that respects their safety, dignity and rights.
- **Provide LGBTIQ+ persons with space in which to meet safely**, discuss their concerns, or celebrate who they are.
- **Engage LGBTIQ+ persons in GBV prevention**, risk mitigation and response, including information dissemination, community mobilization, support and rehabilitation, including prevention of violence, GBV and human trafficking;

USEFUL GUIDANCE AND RESOURCES

UNHCR. [Need to Know Guidance: Working with Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Persons in Forced Displacement](#), 2021; [Tip sheet on applying the UNHCR age, gender and diversity policy to LGBTIQ+ persons](#), 2021.

UNHCR and UN IE SOGI. [2021 Global Roundtable on Protection and Solutions for LGBTIQ+ People in Forced Displacement – Summary Conclusions](#). 07-29 June 2021.

[“Ukraine: Protection of LGBTI and Gender-Diverse Refugees Remains Critical – UN Expert”](#), Press Release, OHCHR, 22 March 2022

UN Women and CARE International, [Rapid Gender Analysis of Ukraine](#), 4 May 2022.

ILGA-Europe, [“Ukraine War: LGBTI People in the Context of Armed Conflict and Mass Displacement”](#), April 2022; “Integrating LGBTI inclusive Gender Based Violence risk prevention, reduction and mitigation in the context of war in Ukraine”, May 2022; [“Medications Needed by Trans and Intersex People”](#), April 2022; [“Five Easy Things Humanitarian Aid Actors Should Do to Ensure LGBTI Refugees of War Are Not Left Behind”](#), March 2022

[“Precious shelter during the war. Ukrainian human rights organization Fulcrum organized shelters in Lviv for LGBTQ people and others”](#), QUA, 13 April 2022.

[Report of the Independent Expert on Protection against Violence and Discrimination Based on Sexual Orientation and Gender Identity](#), HRC, 27 April 2020; [“Religious Belief and National Belonging in Central and Eastern Europe”](#), Pew Research Center, 10 May 2017

Inter-Agency Standing Committee (IASC), [Guidelines for Gender-Based Violence Interventions in Humanitarian Settings](#), 2015; [The Gender Handbook for Humanitarian Action](#), 2018

IPPF, [LGBTIQ+ Inclusion in Humanitarian Action: LGBTIQ+ vulnerabilities and capabilities in crises](#), 2019

Women’s Refugee Commission, [Addressing Sexual Violence against Men, Boys, and LGBTIQ+ Persons in Humanitarian Settings](#)

The Norwegian Red Cross (NorCross) and ICRC, [“That never happens here: Sexual and gender-based violence against men, boys, LGBTIQ+ people”](#), 2022