

## **Networks of Care for Displaced LGBTQ+ People: How the United States Can Support LBTQI-led Organizations in Central America and Mexico**

Refugees International and IRCA CASABIERTA

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*PHOTO CAPTION: Members of a gay rights organization hold hands during a protest in front of the Salvadorean congress in San Salvador, El Salvador on April 20, 2009.*

# Introduction

LGBTQ+ people in Central America are often at heightened risk of violence and discrimination, and thousands have fled their home countries in search of international protection. While the United States remains a major destination for displaced LGBTQ+ people, increasingly, more and more LGBTQ+ people on the move are heading to countries within the region to seek protection. Protection systems in the region are improving but need strengthening. LGBTQ+-led organizations in Central America are often leaders in these systems, providing protection, support, and advocacy for and on behalf of LGBTQ+ people in their countries of origin, while on the move, and in their destination countries.

In the Fall of 2021, Refugees International and IRCA CASABIERTA, a Costa Rica-based NGO that is led by and provides services to LGBTQ+ asylum seekers and refugees, conducted fifteen consultation meetings with Central American NGOs in El Salvador, Honduras, Guatemala, Nicaragua, Mexico, Costa Rica, and Panama that are led by and provide services to LGBTQ+ people. The meetings aimed to discuss the challenges that LGBTQ+-led organizations face in their respective countries in providing services to LGBTQ+ people.

The meeting outcomes also provide a roadmap for how the Biden administration can play a key supportive role for organizations in the region. They suggest concrete ways that the United States can support the rights of LGBTQ+ people through its [Collaborative Migration Management Strategy](#), which prioritizes working with international organizations and regional governments to protect marginalized groups. There are also ways to support displaced LGBTQ+ people through USAID's [initiative to empower local organizations](#) in El Salvador, Guatemala, and Honduras to address the drivers of forced displacement. While access to asylum and other legal pathways to the United States are of critical importance, it is also important for the U.S. government to support responsibility sharing in the region that focuses on the protection of high-risk groups. The Biden administration's executive orders and issuance of new policies present an opportunity for the U.S. government to meaningfully invest in protection in the region for LGBTQ+ people on the move.

*Key Terms<sup>1</sup>:*

**Gender identity:** A person's sense of being masculine, feminine, or other gendered.

**LGBTQ+:** Acronym for "lesbian, gay, bisexual, transgender, and queer".

**Non-binary:** A gender variant person whose gender identity is neither male nor female, is outside a binary gender frame.

**Intersex:** An umbrella term describing people born with reproductive or sexual anatomy and/or a

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<sup>1</sup> Terms from from the GLAAD Media Reference Guide, <https://www.glaad.org/sites/default/files/GLAAD-Media-Reference-Guide-Tenth-Edition.pdf>

chromosome pattern that falls outside the male/female binary.

**Transgender:** An umbrella term for people whose gender identity and/or gender expression differs from what is typically associated with the sex they were assigned at birth.

**Trans:** Used as shorthand to mean transgender or sometimes to be inclusive of a wide variety of identities under the transgender umbrella.

## Threats to LGBTQ+ People in Central America and the Importance of LGBTQ+ Civil Society Organizations

From Mexico to Panama, LGBTQ+ people face distinct threats and challenges. In migrant sending countries like [Guatemala](#), [Honduras](#), [El Salvador](#), and [Nicaragua](#), many LGBTQ+ people are displaced because of violence, discrimination, and insecurity that threatens their lives and well-being. In countries like Panama, Guatemala, and Mexico, LGBTQ+ people on the move are at [heightened risk](#) of robbery, assault, murder, and kidnapping because they often travel alone, without a smuggler or guide, and because they may be more visible targets to criminal groups or corrupt authority figures. Once arriving to the destination countries, like Costa Rica, Mexico and, increasingly, Panama, LGBTQ+ people may find relative safety, but still face additional barriers to accessing international protection and integration, which accounts for the different needs of LGBTQ+ people.

Local organizations staffed and led by LGBTQ+ people are [integral to the well-being and even the survival](#) of displaced LGBTQ+ individuals. These organizations allow LGBTQ+ people to connect broader support networks, provide specialized services that account for the different needs of LGBTQ+ people, provide for basic needs like food, clothing, and hygiene materials, and offer safe spaces free from discrimination. LGBTQ+-led organizations also account for important advocacy efforts in their respective countries and push for more inclusive policies towards displaced people in the region.

## Common Challenges for LGBTQ+-led Organizations from Mexico to Panama

The situation for LGBTQ+-led organizations varies distinctly by country, as do their roles in the region depending on whether they are in countries of origin, transit, destination,

and/or some combination of each. While each country context is unique, there are meaningful commonalities that are important to highlight as they can provide a guide to crafting regional policy solutions. This section outlines broad challenges LGBTQ+ organizations face in providing services to displaced LGBTQ+ people.

## **Funding for Local Organizations**

A major challenge for all the local organizations consulted is the lack of resources for services like legal support, health care, and safe spaces for LGBTQ+ people. In northern Central American countries, leaders noted that money was disbursed through governments, which could often not be trusted to fund their organizations. They also noted that U.S. financial support was disbursed through implementing partners who received the bulk of the funds and channeled only small amounts to local organizations. While most of these organizations acknowledged that they were too small to receive the same levels of funding as government contractors, they can absorb more than what they currently receive, which would help them expand their organizations. They are also able to receive capacity-building resources such as trainings and technical exchanges that would allow them to be better positioned to carry out their work.

In countries like Costa Rica and Panama, representatives were less concerned with corruption, but felt that the international community largely ignored their needs because their countries were seen as stable and middle-income. They stated that it was extremely difficult to keep their organizations financed without more support from the international community, but that funding is prioritized for northern Central American countries. Indeed, the United States announced in April 2021 that [\\$310 million](#) USD will go to northern Central American countries for development and migration related assistance. In comparison, Costa Rica received around [\\$8 million](#) for programs for migrants in the country.

Nicaraguan representatives were most concerned with receiving money not tied to the government. The Nicaraguan state supervises any international funding that goes to local organizations. Because of these restrictions, these leaders underscored how difficult it was for non-governmental organizations in Nicaragua to receive international funding. They were also concerned with relinquishing personal information to the government, as NGOs receiving international funds [must be registered by the government](#). Guatemala and Honduras have passed similar laws, and El Salvador may implement a law that mandates a 40 percent tax on foreign funding.

The resource constraints severely limit the reach of organizations, and many were only able to service a small number of LGBTQ+ people on a day-to-day basis. Many organizations stated they would like to expand their operations to include shelters (for those who do not have them), increase staff members, and offer a broader range of services, but a lack of funding limited them from expansion. Given that these organizations are so crucial to the well-being, safety, and success of displaced LGBTQ+ people, it is essential that they receive the sufficient funds to carry out these programs

in a sustainable manner.

### **LGBTQ+ Rights Defenders Targeted**

Another major point of concern for leaders of LGBTQ+ organizations in the region is the risks that they and members of their organization face in carrying out their work. Many leaders had colleagues or friends who had been assaulted or murdered due to their work. The leaders expressed worry that they would not be able to continue their work, fearing they might be “next.” These risks were most notable in El Salvador, Guatemala, Honduras, and Nicaragua.

One organization in Honduras stated that according to their own investigations, eight out of every ten LGBTQ+ individuals they interviewed wanted to flee Honduras because of security issues. Representatives in Honduras also stated police violence against leaders in their organizations was of particular concern as well as prosecution for human rights violations. According to the [Coalition Against Impunity](#), a group of civil society organizations that work against impunity, there is a “police policy of frequent threats, arbitrary arrests, harassment, sexual abuse, discrimination, torture and cruel or degrading treatment.” As a result, many vulnerable activists are reluctant to ask for protection, for fear that contact with the police would expose them to greater security risks or reprisals. In one week in 2021 in Guatemala, [three LGBTQ+ people](#), two transgender women and one gay man, were killed—including a prominent activist for a trans rights organization. Founders of organizations in El Salvador and Nicaragua sought international protection in another country due to violence.

In Nicaragua, while LGBTQ+ people face heightened levels of violence and discrimination in society, one of the primary concerns from representatives of organizations is the persecution of activists by the Ortega regime and the heightened violence LGBTQ+ activists face. Nicaraguan LGBTQ+ activists opposed to the government are often [targeted](#) by elites, pro-government supporters, and the police and face serious political repression. LGBTQ+ Nicaraguans who are jailed often [face harsher punishments](#) than non-LGBTQ+ people. Organizations had difficulty operating publicly out of fear of discrimination or persecution.

Interviewees in Panama stated that they were “made invisible” and “ignored” by authorities when they tried to contest harmful practices like the gendered curfews. They also indicated that race and class were intertwined with levels of discrimination that LGBTQ+ people faced in the country, so Black, indigenous, and poor LGBTQ leaders were at greater risk of mistreatment and marginalization than whiter, wealthier counterparts.

### **Heightened Risks for Transgender People**

Another challenge which emerged in the discussions with LGBTQ+ organizations in the region was the vulnerabilities for trans people, especially trans women, and the need for programming that was tailored to transgender people’s specific needs.

Trans people faced [heightened violence](#) in countries of origin and while on the move. Even in destination countries with lower rates of violence, trans people faced higher rates of violence and discrimination. Organizations stated that trans individuals were often more visible and therefore easier to be targeted for hate crimes. Trans women were particularly targeted due to cultural stereotypes and stigma around femininity and the heightened rates of gender-based violence that women typically face. Civil society organizations noted that documentation was a large point of concern, particularly in countries where there were no laws allowing changes to identity cards that matched gender expression—which is the case in all the countries except Costa Rica. As a result, it is especially difficult for trans people to find employment, and many are forced into sex work to cover their basic needs.

### **COVID-19 Pandemic**

Representatives noted that the secondary effects of the COVID-19 pandemic, (such as curfews, business closures, shrinking economies, etc.) limited LGBTQ+ people's ability to find dignified work and limited the capacity of civil society organizations to provide services.

The pandemic forced many LGBTQ+ people into more precarious work environments and pushed many into the informal sector. In the case of many displaced people from northern Central American countries who are in other countries in the region, obtaining decent work in host countries has [long been a challenge](#) as levels of education is generally lower for people from Guatemala, Honduras, and El Salvador. Interviewees stated that some LGBTQ+ people resort to sex work if they are unable to find formal employment, but that even sex work was difficult to find during the pandemic, leaving many with few options to earn money.

In some cases, the pandemic put people at risk of harm from authorities, for example in Panama, where men and women were designated [different days that they could leave their homes](#) during the pandemic. These rules put many LGBTQ+ people, especially gender non-conforming and transgender individuals, at risk of being punished by police for violating public health measures. In El Salvador, representatives stated that while homicide rates had gone down, many LGBTQ people were trapped inside their homes with their aggressors during the pandemic, making it difficult for them to escape family violence.

Due to the increasing precarity that LGBTQ+ people faced during the pandemic, it was essential that organizations continue their operations to support members of their community in a time of great need. However, members of these organizations were also subject to resource constraints and discriminatory gender policies that made it difficult to operate at full capacity. Most organizations did not receive COVID-19 relief or recovery funding.

## **Lack of Safe Spaces and Shelter**

At a macro level, shelter capacity for migrants and asylum seekers is limited throughout [Central America](#) and [Mexico](#). However, there are even fewer shelters that cater to the specific needs of LGBTQ+ people, and those that do are often understaffed and underfunded. In the case of Costa Rica and Panama, there are no shelters that cater specifically to LGBTQ+ needs. Mexico's LGBTQ+ shelter network is more robust, but services vary widely by state.

Shelters are commonly run by church-led organizations or small NGOs that are resource constrained or may [discriminate against LGBTQ+ individuals](#). In interviews conducted by IRCA CASABIERTA and Refugees International, individuals stated that religious shelters "would never truly accept LGBTQ+ people." They also noted that shelters sometimes would not help trans women, claiming they were not "real women" and therefore could not stay in women's shelters. Others stated that LGBTQ+ people were [kicked out of shelters](#) for engaging in sex work outside of the shelter at late hours. In some cases, LGBTQ+ people are stopped from entering shelters or forced to remain in [communal areas](#) during the day, or in sex-segregated sleeping areas where LGBTQ+ people can face harassment or mistreatment from other migrants. In some cases, organizations stated that there would be one designated room for LGBTQ+ people, where every LGBTQ+ person was placed, regardless of gender identity or comfort level.

Shelter management and personnel who are not familiar with the needs of LGBTQ+ people sometimes receive training on these issues from organizations like UNHCR. These trainings are important, but representatives suggested they should be done together with local organizations that advocate for LGTBQI rights. Additionally, there is a pressing need for psychosocial support in shelters and services for victims of sexual and gender-based violence. While some shelters offer these services, resources and technical capacity may be limited, with staff not trained on specific LGBTQ+ needs.

## **Role of Religion**

Interviewees were very concerned about the impact on LGBTI rights resulting from [rise and political influence of very conservative religious movements, often from evangelical community](#). While some religious organizations are at the forefront of providing care to displaced LGBTQ+ people, the increasing role of religiously based anti-LGBTQ+ sentiment in government is a challenge. Organizations were particularly focused on [anti-LGBTQ+ policies](#) and rhetoric from politicians, particularly at the federal level, which fuels discrimination and negative perceptions of LGBTQ+ people, noting that there is no will for the authorities to protect and respect trans people.

Activists and LGBTQ+ organizations are at the forefront of pushing for political, social, and economic inclusion in their respective countries, but are often dismissed or excluded by evangelical politicians who are against making necessary changes for LGBTQ+ rights. In recent years there has been a growing percentage of ultra-

conservative political parties in national legislatures in many countries in Central America. This increased representation gives them greater power to create policies that repress LGBTQ+ with little pushback.

## **Healthcare**

Representatives from LGBTQ+-led organization stated that providing healthcare for displaced LGBTQ+ people was difficult in many contexts. While healthcare for LGBTQ+ individuals is of course not limited to HIV care or reproductive health, these two elements were of top concern for representatives of civil society organizations. For displaced people in transit or arriving in host countries, navigating foreign health systems posed additional challenges. It is clear that displaced LGBTQ+ individuals in transit outside their countries of origin need to be accompanied by LGBTQ+-led and international organizations if they are to access essential healthcare.

The majority stated that navigating health systems to receive HIV medication and other health services can be very difficult for a multitude of reasons, including discrimination, lack of information regarding available services, lack of documentation (especially for people in transit), or limited capacity of social programs to provide low cost or free services. While in many countries the law bars discrimination in the provision of health services, discrimination does exist, and civil society must serve as advocates and interlocutors for LGBTQ+ people seeking health services.

## **Support for Integration Services for LGBTQ+ Asylum Seekers and Refugees**

Mexico, Costa Rica, and increasingly, Panama are countries of destination for displaced LGBTQ+ people. In 2021, Mexico for the first time surpassed [100,000 asylum claims](#) in one year, and the asylum system is under significant strain. Since 2018, Costa Rica has received over [106,000](#) applications for refugee status. According to the U.S. State Department, the Panamanian National Office for Refugees (ONPAR) has a backlog of more than [15,000 cases and usually approves only 1 percent of asylum requests](#). While each country's asylum and refugee systems vary greatly—Costa Rica's being the most advanced while Panama's is quite undeveloped—civil society representatives from each country stressed the importance of integration for asylum seekers and refugees.

One representative in Costa Rica noted that it was crucial for organizations in host countries to have support providing the “trilogy of development,” which is access to work, healthcare, and education. Limited formal employment opportunities were one of the biggest barriers to integration that LGBTQ+ people face because of discrimination, lack of identity documents, and in many cases, challenges in the asylum system that delays people's access to other key documents, like paperwork that secures access to visas or identity cards. For example, representatives interviewed by Refugees International and IRCA CASABIERTA indicated that Panama is a country to which many LGBTQ+ asylum seekers would want to go, given its economy and safety. However, it is very difficult to obtain status or work in the country. Only displaced people who obtain refugee status have the [right to work](#) in Panama. One organization mentioned the case of

a trans woman who waited two years to receive refugee status, but who had still not received a work permit. The bureaucracy of Panama's protection system and the recent increases in asylum requests mean that applying for protection in Panama is not a viable option for most LGBTQ+ people.

In Mexico, the level of available services for LGBTQ+ asylum seekers and refugees varies greatly between the different regional states according to LGBTQ+ organizations. For instance, organizations noted that Mexico City will authorize medical services to LGBTQ+ asylum seekers and migrants living with HIV, but these services are not always available in more rural states. Civil society organizations have several good practices for attending to the need of LGBTQ+ asylum seekers, including [follow up for individual asylum cases](#) to ensure they have access to rights, work, and knowledge of their case. Yet, problems of funding and capacity persist for programs like these, particularly in poorer states.

### **Internally Displaced People**

Finally, several people interviewed mentioned the issue of internal displacement for LGBTQ+ people. In Honduras, [a law recognizing internal displacement](#) was presented before congress in 2019 but has yet to be approved, and virtually no mechanisms exist to track internal displacement, let alone disaggregate that data to determine those who were displaced because of their sexual orientation or gender identity. Some organizations helped to internally relocate LGBTQ+ persons who were victims of violence, but such specialized programs are rare and receive little funding from government or international donors. Guatemalan representatives stated that there are very few organizations that attend specifically to displaced LGBTQ+ people, and that they service a broad set of LGBTQ+ people, including internally displaced Guatemalans, returned Guatemalans, and displaced people transiting through Guatemala from other countries. The diverse array of needs overextends the organizations.

## **Conclusion**

Displaced LGBTQ+ individuals are often at higher risk of violence and persecution and need support. Including LGBTQ+ people in regional protection plans ensures that systems in the region are more robust and inclusive of diverse needs. Civil society organizations, particularly those led by LGBTQ+ individuals, are leading the way in providing meaningful, inclusive, and lifesaving services to displaced LGBTQ+ people, but they need resources and more inclusive policies to continue the work they do. The Biden administration's executive orders and issuance of new policies presents an opportunity for the U.S. government to meaningfully invest in protection in the region for LGBTQ+ people on the move. This should not supplant the U.S. government's own international obligations to provide asylum to those who qualify, but it would signal a commitment to prioritizing the protection of communities at risk that are being

neglected in regional migration management.

## Recommendations

*To the U.S. Agency for International Development (USAID):*

- The U.S. Agency for International Development should utilize its new Centroamérica Local Initiative program to invest directly in LGBTQ+-led organizations in northern Central American countries to provide support to LGBTQ+ people to prevent forced displacement and support returnees and internally displaced people. This initiative should ensure that a substantially larger amount of funds go to local organizations. It should also provide capacity-building support to smaller NGOs.
- While engagement in northern Central America is critically important, this report demonstrates that Mexico and the rest of Central America could greatly benefit from funding for local organizations. A new strategy should also include transit and host countries like Mexico, Panama, and Costa Rica.
- Recognizing that funding to Nicaragua poses several challenges, USAID's regional activities do [provide HIV assistance](#) to Nicaragua. These programs should be scaled up and partnered with LGBTQ+-led organizations, which can better disseminate information and accompany LGBTQ+ individuals looking to access these services.
- When providing COVID recovery funding, include targeted support to LGBTQ+-led organizations that provide services to displaced people. Provide specific funding for expansion of LGBTQ+ job training and job matching programs for LGBTQ+ returnees and IDPs.

*To the U.S. Department of State:*

- Under the Collaborative Migration Management Strategy, prioritize funding for LGBTQ+-led shelters and provide funding for organizations that give training to non-LGBTQ+ specialized shelter workers.
- Provide support to programs that specialize in integration, including job programs, legal aid services, psychological support, and health services for LGBTQ+ asylum seekers and refugees in Costa Rica, Panama, and Mexico.
- Support improving Panama's protection system through the Comprehensive Regional Protection and Solutions Framework (its Spanish acronym is MIRPS).
- Urge northern Central America governments to adopt internal displacement laws and support programs that identify and relocate internally displaced LGBTQ+ people.

*To International NGOs:*

- Expand and sustain partnerships with LGBTQ+-led organizations when providing tailored services to LGBTQ+ people. Programs and policies that are designed for

LGBTQ+ displaced people can be designed with the input of LGBTQ+-led local groups, and these groups can assist in providing services to LGBTQ+ people through partnerships.

- Conduct yearly trainings for staff members from LGBTQ+-led organizations to increase staff knowledge and capacity to respond to needs of displaced LGBTQ+ people.

*To Regional Governments:*

- Change identification laws to allow LGBTQ+ asylum seekers and refugees to be able to have their identify documents reflect their chosen name and gender identity to reduce police discrimination, expand employment opportunities, and promote inclusion.
- Explicitly recognize and ensure that all LGBTQ+ individuals enjoy basic human rights against discrimination and other abuses, as outlined in the UN Charter, the Universal Declaration of Human Rights, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, and other human rights instruments and obligations.
- Create more opportunities for LGBTQ+ leaders to participate in the formation of migration policies within a given country, including but not limited to nominating LGBTQ+ members in key positions in government and inviting LGBTQ+-led civil society organizations to participate in consultation meetings when forming government strategies around displacement issues.