Safeguarding LGBTQI+ refugees in Eastern Europe

LGBTQI+ safeguarding risks and needs assessment in Poland, Romania and Moldova

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Contents

Acronyms

CSO	Civil Society Organisation
LGBTQI+	Lesbian, gay, bisexual, transgender, queer/ questioning, intersex
NGO	Non-governmental organisation
SEA	Sexual exploitation and abuse
SOGIESC	Sexual orientation, gender identity and expression, and sex characteristics

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We hope that this report can give insight into the much-overlooked issue of safeguarding risks facing LGBTQI+ refugees, and provide evidence and guidance to support donors, humanitarian actors, and researchers to accelerate efforts to safeguard LGBTQI+ refugees in Eastern Europe, and those affected by war and humanitarian crises in any context.

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Summary

Safeguarding risks in humanitarian assistance are rooted in the abuse of power by the perpetrator over the survivor - where those involved in providing services and delivering aid can cause harm to affected populations or put them at risk of harm. Individuals facing multiple forms of inequalities are at greater risk of being targeted for violence, abuse and discrimination. They may also encounter barriers to accessing services and reporting the abuse (if they wish to do so). This includes lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons who face increased safeguarding risks and barriers to accessing services due to structural inequalities and discrimination against people with diverse sexual orientation, gender identity and expression, and sex characteristics (SOGIESC).

This report explores the safeguarding risks faced by LGBTQI+ refugees from Ukraine when they access humanitarian assistance. It seeks to understand the current safeguarding awareness and practices among LGBTQI+ organisations working in the refugee response to the war on Ukraine. The report is based on interviews with 10 LGBTQI+ organisations across Poland, Romania and Moldova. The interviews focused on their understanding and observations of safeguarding risks that LGBTQI+ refugees face in their context. They also focused on identifying good safeguarding practices in these organisations – both in terms of protecting LGBTQI+ refugees from harm and in terms of providing a safe and inclusive workplace for LGBTQI+ staff and volunteers working in the organisations.

LGBTQI+ people in Poland, Romania and Moldova live in highly conservative and patriarchal environments, with persisting negative attitudes against people with diverse SOGIESC. The countries provide very few legal protections for LGBTQI+ people, with the exception of Moldova which has seen recent progress in terms of protecting LGBTQI+ rights. LGBTQI+ organisations in the three countries provide important services and support to LGBTQI+ people. These include legal services, psychological support, financial support, and community events, as well as advocacy for LGBTQI+ rights to be recognised and respected. When the war on Ukraine broke out in February 2022, several LGBTQI+ organisations adapted their operations and begun providing services to LGBTQI+ refugees fleeing from Ukraine. This includes providing accommodation, establishing hotlines, translating information about LGBTQI+ inclusive services into Ukrainian, providing psychological support, and ensuring access to hormone therapy for transgender and non-binary refugees.

Respondents from interviewed LGBTQI+ organisations identified multiple safeguarding risks from their work with LGBTQI+ refugees. These include discrimination and risk of outing by non-LGBTQI+ actors providing humanitarian assistance, including in shelters and

housing centres. As a result, some LGBTQI+ refugees have chosen not to seek assistance or they access humanitarian services but try to hide their SOGIESC. While LGBTQI+ dedicated spaces and services were recognised as providing safer environments for LGBTQI+ refugees, there is also a risk of discrimination, harassment and violence within these spaces. Respondents also identified the risk of human trafficking and sexual exploitation, including from LGBTQI+ people in the host community and abroad who offer for example accommodation, but who may seek to sexually exploit LGBTQI+ refugees. Other safeguarding risks are related to external health service providers. They may pose a risk to LGBTQI+ refugees when they do not have training on SOGIESC, as well as potential data protection risks associated with collecting and storing LGBTQI+ refugees' personal data.

In addition to safeguarding risks, the research also identified other risks that LGBTQI+ refugees face in host communities, in their families, and from employers. These include the risk of financial exploitation, risks of discrimination and violence in public places, and risks related to lack of legal protection for same-sex families. It was also noted that trans people are at particular risk of harm and discrimination due to the lack of legal gender recognition and limited options for safe and suitable accommodation. Organisations also noted the precarious situation of LGBTQI+ youth, who can be at risk of violence and abuse from their families and often face additional barriers to contacting LGBTQI+ organisations.

The research revealed a variety of good practices that LGBTQI+ organisations employ to mitigate risks to LGBTQI+ refugees and staff of LGBTQI+ organisations. The strategies and practices put in place are not always formalised or conceptualised as safeguarding practice, but demonstrate some important elements of safeguarding. At the same time, some organisations agreed that they need to strengthen safeguarding procedures, or create them from scratch, and acknowledged the need to increase their knowledge in safeguarding.

The good practices put in place include having a code of conduct or ethical code, conducting reference checks of staff, and providing internal staff training on how to work with LGBTQI+ refugees. Providing safe and inclusive housing options for LGBTQI+ refugees by establishing LGBTQI+ specific accommodation and LGBTQI+ specific services was one of the main responses implemented by the majority of interviewed organisations. Some organisations have developed policies and rules to prevent discrimination within the shelters. Some have established reporting mechanisms that LGBTQI+ refugees using the shelters and other services can use. Another measure implemented by several organisations to reduce risk of harm to LGBTQI+ refugees is to provide safe referrals to non-LGBTQI+ actors. This is done by only referring LGBTQI+ refugees to service providers which have undergone training on SOGIESC and who they trust to be able to provide safe and inclusive services. LGBTQI+ organisations also shared different data protection

procedures to keep LGBTQI+ refugees' personal data safe, as well as strategies to support safe onward journeys for LGBTQI+ refugees who move on to other countries.

Several organisations also had policies and procedures on how to create a safe and inclusive workspace, and demonstrated that duty of care is taken very seriously. This included having a range of internal staff policies in place. Examples were shared of how organisations seek to protect the physical and mental safety and wellbeing of staff and volunteers.

Many organisations expressed that safeguarding is an important priority for them. All interviewees demonstrated an understanding of the issue and why safeguarding is critical for organisations involved in the response to the war on Ukraine. Many organisations, especially those without existing safeguarding policies, expressed interest in developing such policies or adapting existing ones to their work with refugees, as well as taking part in other support and training related to safeguarding. Among the organisations that expressed less interest in safeguarding support, limitations included that organisations are operating at maximum capacity to respond to the crisis and have limited capacity to address safeguarding further. Alternatively, they felt that their current safeguarding policy and practice sufficiently address the risks facing LGBTQI+ refugees. For non-LGBTQI+ actors, who share the responsibility to protect LGBTQI+ refugees from harm, LGBTQI+ organisations believed that lack of awareness and time can be barriers to engaging on the topic of LGBTQI+ inclusive safeguarding.

Despite the challenging circumstances that LGBTQI+ organisations in the region face, such as being constrained by resource and time limitations, several expressed interest in doing further work on safeguarding. They shared their ideas for how LGBTQI+ safeguarding can be strengthened and supported across the humanitarian response. The report puts forth recommendations in four areas:

Partner with local LGBTQI+ organisations – they are best placed to lead on strategies to advance LGBTQI+ inclusive safeguarding and have an in-depth understanding of local contexts for LGBTQI+ rights.

1. **Tailor the safeguarding support to the needs and capacity of LGBTQI+ organisations** – this includes recognising the high workloads in many LGBTQI+ organisations who are active in the refugee response, and adapting the formats and timing of resources and support accordingly.

Support learning exchange on LGBTQI+ inclusive safeguarding – this can include networking opportunities and spaces for collective support and exchange of experiences and practices with other LGBTQI+ organisations on safeguarding.

2. **Advance LGBTQI+ inclusive safeguarding in the humanitarian sector as a whole** – lastly, it is crucial to recognise that safeguarding LGBTQI+ populations in humanitarian emergencies, as well as LGBTQI+ staff working in these emergencies, is everyone's responsibility. All organisations must step up action to prevent harm from occurring to LGBTQI+ refugees in humanitarian emergencies.

Introduction

Since the start of Russia's war on Ukraine on 24th of February 2022, governments, non-governmental organisations (NGOs), civil society organisations (CSOs), faith-based organisations and volunteers across Eastern Europe have mobilised to welcome and offer support to refugees and displaced people from Ukraine. Whilst these efforts are welcomed, the crisis and its response present various safeguarding risks – where those involved in providing services and delivering aid can cause harm to refugees or put them at risk of harm. This includes harm that may be intentionally or unintentionally inflicted by staff, volunteers and contractors involved in responding to the crisis, and harm that may be caused by the ways projects and services are designed and operate. Organisations must take action to prevent this harm from occurring.

This report focuses on the safeguarding risks and barriers faced by lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) refugees from Ukraine who face increased risk of harm due to structural marginalisation and oppression of people with diverse sexual orientation, gender identity and expression, and sex characteristics (SOGIESC). This is a much-overlooked issue in humanitarian contexts and response, including in the response to the war on Ukraine. It is unknown how many LGBTQI+ refugees have left Ukraine since the start of the war. However, we know that LGBTQI+ individuals are among the over 8 million refugees that were registered across Europe in May 2023 (**UNHCR, 2023**).

Safeguarding definition

Safeguarding means preventing and responding to harm to people in the delivery of development and humanitarian assistance. These harms include but are not limited to sexual exploitation and abuse (SEA), physical violence, bullying, harassment, discrimination and denial of services during the delivery of aid. The Safeguarding Resource and Support Hub Eastern Europe understands safeguarding as taking all reasonable steps to prevent harm from occurring both to the recipients of aid and to people delivering it, and responding appropriately when harm occurs.

Who is this report relevant to?

Many LGBTQI+ organisations in Eastern Europe swiftly shifted into humanitarian assistance to support LGBTQI+ refugees coming from Ukraine. Some LGBTQI+ refugees will seek services and support primarily through them, while others will access assistance through organisations which are not focusing on LGBTQI+ rights and populations – and some a combination of both. Therefore, this report is relevant to all types of organisations and actors working in the response to the crisis – LGBTQI+ organisations and non-LGBTQI+ focused organisations alike. All actors engaged in the humanitarian response share the responsibility to provide assistance on the basis of the humanitarian principle of non-discrimination, and in ways that uphold the rights and dignity of those affected by a crisis (Sphere Association, 2018).

Why is LGBTQI+ inclusive safeguarding needed?

There are several safeguarding risk factors to consider in a humanitarian crisis. At the core of these are the misuse of power and privilege – where those inflicting harm abuse their position of power to exploit or cause harm to those with less power. Such power imbalances are shaped by a range of factors, including people's sex, age, race and ethnicity, disability, national identity, socioeconomic status, and SOGIESC – and the co-existence of multiple characteristics as explained by the concept of intersectionality1. Whilst intersectionality is increasingly recognised and used as an analytical framework in safeguarding work, there is little evidence that organisations are considering the specific safeguarding risks and barriers faced by LGBTQI+ programme participants and those accessing humanitarian assistance.

Methodology

This report is based on data collection2 and country-level analysis in three countries in Eastern Europe – Poland, Moldova and Romania. The interviews and analysis were led by researchers from Poland, Romania and Ukraine, with experience working for LGBTQI+ rights. A total of 10 interviews with representatives of local LGBTQI+ organisations that are responding to the refugees were conducted. This included six organisations in Poland, three in Romania, and one in Moldova. The number of organisations were selected to reflect the different sizes of the LGBTQI+ movements in each respective country, where Poland has the largest number of LGBTQI+ organisations and groups. The organisations were identified through the researchers' existing networks in the LGBTQI+ movements and through snowballing methodology. The organisations were selected to include those

[1] See this **How-to note on Intersectionality and Safeguarding** by the global Resource and Support Hub.
[2] Interviews were conducted in January and February 2023.

representing the diversity of LGBTQI+ community members. The number of LGBTQI+ organisations in the region working with Ukrainian LGBTQI+ refugees is limited; as such, the report includes the majority of these organisations in the three countries.

This report synthesises the findings from the country-level analysis. In order to maintain confidentiality, findings and quotes are not attributed to participating organisations or individuals. However, the organisations which wished to be recognised appear with their name in the acknowledgements. The draft report was shared with the participating organisations for validation of the findings.

The purpose of the research was to identify safeguarding risks facing LGBTQI+ refugees in the countries in focus, and to understand the current safeguarding awareness and practices among LGBTQI+ organisations working in the refugee response. This included identifying good practices in terms of protecting LGBTQI+ refugees from potential harm, as well as in terms of providing a safe and inclusive workplace for LGBTQI+ staff and volunteers in the organisations.

Limitations

An important limitation of the research is that safeguarding incidents in general are underreported due to several reasons. These include stigma, fear of repercussions or not being believed, lack of a reporting mechanism – or lack of awareness and/ or trust in reporting mechanisms where these exist. These concerns are exacerbated for marginalised groups including LGBTQI+ people who may fear disclosure of their SOGIESC, or extortion or blackmailing attempts if they tell someone about a safeguarding incident or concern. Consequently, it is not surprising that very limited data exists on safeguarding incidents facing LGBTQI+ people, including LGBTQI+ refugees fleeing Ukraine.

This report builds on LGBTQI+ organisations' observations and reflections of safeguarding risks that LGBTQI+ refugees face in their contexts. The fact that the key informants have not received or heard about many actual safeguarding incidents affecting LGBTQI+ refugees in their interaction with the humanitarian response system does not mean that incidents are not taking place. Learning from past humanitarian crises, we can and should assume that safeguarding incidents, including sexual exploitation and abuse (SEA), are taking place and that LGBTQI+ refugees are at heightened risks due to the multiple and intersecting forms of oppression to which they are subjected.

Another limitation to note is that despite the fact that the interviews sought to understand how safeguarding risks affect different populations in the diverse LGBTQI+ refugee community, many safeguarding risks were described in general terms, with limited consideration for how the risk may affect refugees with diverse SOGIESC. Where possible, the report highlights how lesbian, gay, bisexual, transgender, queer, and intersex people

are affected by particular safeguarding risks. However, the report generally discusses risks affecting 'LGBTQI+ refugees', but would like to note that risks are shaped by the interplay of different, overlapping forms of discrimination. For example, women with diverse SOGIESC may experience heightened risk due to intersecting gender-based and SOGIESC-based discrimination.

Safeguarding risks facing LGBTQI+ refugees from Ukraine

Understanding the contexts

The regional report looks at three countries on the border with Ukraine: Poland, Romania, and Moldova. Poland and Romania are members of the European Union; while Moldova (along with Poland and Romania) is a Member State of the Council of Europe. This section explores the legal and social environment for LGBTQI+ rights in the country. It provides an overview of the state of the countries' LGBTQI+ movements and what response has been put in place by LGBTQI+ organisations that were interviewed.

Legal environment

The Republic of Moldova is a country with a population of 2,615,000. It is situated between Ukraine and Romania. Compared to Poland and Romania, it appears to have the best legal climate for the LGBTQI+ community. Discrimination in Moldova is illegal in all contexts. The law prohibiting discrimination in the workplace and within employment includes a definition of sexual orientation and gender identity (SOGI) (ECOM, 2022). The overall legal framework of the Republic of Moldova partly defines the terms of discrimination, sexual orientation and gender identity.

Poland, a country of 38 million inhabitants, provides LGBTQI+ persons practically no legal protection. The only exceptions are found in the labour law, which ensures protection on the premises of sexual orientation and gender (not gender identity). Criminal law codes on hate crimes lack the prerequisites of SOGIESC. The situation in Romania, a home for 19 million people, is similar. Romania does not have explicit legal protection for LGBTQI+ people based on their sexual orientation or gender identity and there is no legal protection for a same-sex family.

Moldova has seen recent progress in terms of protecting LGBTQI+ rights. In 2012, the Law on ensuring equality was adopted where sexual orientation was mentioned as grounds for protection from discrimination. In 2022, the law was updated and both sexual orientation

and gender identity appeared in its first chapter where general dispositions are described. The same year, some legal provisions on crimes and speech motivated by prejudice were implemented. “Sexual orientation and gender identity” were listed among other protected criteria regardless of whether the crime was committed against the person possessing such protected characteristics or their property, or property associated with them, or against the person who might be supporting or associated with persons possessing such protected characteristics, or such association being real or perceived as real. Also in 2022, changes to the criminal code were introduced, equating the penalty for same-sex rape with rape committed by someone of the opposite sex of the survivor. Nevertheless, there is still room for improvement: neither legal gender recognition for trans people nor access to marriage equality is enshrined in Moldovan law.

In 2022, the movement towards protecting LGBTQI+ rights went in the opposite direction in Romania. Several bills have been introduced in Parliament that would criminalise speaking about sexual orientation and gender identity to minors. The bills called “gay propaganda” laws are similar to those introduced in Russia and Hungary.3

In Poland, the situation has remained unchanged and there is currently little political will to protect LGBTQI+ rights. Legal gender recognition for trans people, namely changing the legal gender marker in identity documents, has been possible in Poland since the 1990s. However, this process implies meeting several requirements. These include undergoing psychological and psychiatric diagnosis, "irreversible changes" that are not clearly defined, and for the transgender/non-binary person to sue their parents or legal guardian for having wrongly assigned their sex on the birth certificate. Most medical and health procedures related to the transition are not covered by the National Health Fund. Poland offers no legal provisions that permit same-sex partnerships or same-sex marriage. Marriage certificates obtained outside Poland are not recognised in Poland and Registry Offices refuse to transcribe these relationships and marriages.

Social attitudes

LGBTQI+ people in all three countries of the region live in highly conservative and patriarchal cis-hetero environments. Surveys in Moldova show that LGBTQ+ persons are a stigmatised minority group, with some rights on paper but discrimination and violation of rights persist (ECOM, 2022). For example, 64% of respondents of a national survey said they would "exclude" LGBT people from Moldova (cited in Grejdeanu, 2022). LGBTQI+ people face discrimination both from society and public authorities. Discrimination on the

[3] See Mutler, A. (2020) **“First Russia, then Hungary, now Romania is considering a ‘Gay Propaganda’ law”**, RadioFree Europe, June 26th 2022, for an overview of the history of these laws

grounds of sexual orientation is widespread and advocated by public figures both in the political and religious spheres.

In a World Value Survey (2017-2020), 54% of Romanians and 28% of surveyed people in Poland stated that they would not want a homosexual person as their neighbour (World Value Survey, 2017-2020a). Furthermore, 75% of surveyed people in Romania and 52% in Poland stated that homosexuality is not justifiable (World Value Survey 2017-2020b).

In Poland, the respondents described social attitudes towards LGBTQI+ as a dichotomy that makes the further development unpredictable and potentially hostile towards LGBTQI+ people:

> "Polish society actually goes to two opposite directions, like, part of the society is becoming more accepting, but part of Polish society is getting more and more transphobic and homophobic".

National LGBTQI+ movements

The first LGBTQI+ organisation in Moldova was created in 1998. For a long time, it was the only existing LGBTQI+ organisation in the country. However, this has recently changed with two more organisations having been established. These focus primarily on community organising and awareness raising, while the older organisation is leading on work related to the protection and promotion of rights, lobbying and advocacy. This organisation also runs social and health programmes for LGBTQI+ people. Each year it organises a pride event. The first Moldova Pride march was held in 2013 and gathered around 100 people, which had increased to around 500 participants in the 2022 pride march – the biggest so far (Ciurca, 2022).

Currently, Romania has at least 10 LGBTQI+ NGOs who advocate for LGBTQI+ people's rights and organise Pride marches. Most of the organisations focus on the whole of the community. They offer legal services, psychological support, financial support and community events. Only a few organisations identify as lesbian or trans organisations, led solely by LGBTQI+ women and trans activists. The first Pride march in Romania took place in 2005 in Bucharest. It has continued annually, with the most recent gathering reaching up to 15,000 participants. In 2017, Cluj-Napoca became the second city in Romania to host a Pride march.

In Poland, there are several dozen non-governmental organisations working for the LGBTQI+ community and over a dozen informal groups. The oldest LGBTQI+ NGO in Poland is 25 years old. There are two organisations that operate strictly for transgender and non-binary people in the country. There is one organisation working for intersex people. There are a few organisations and groups that are strictly involved in advocacy and political

action with most involved in providing support and assistance to LGBTQI+ persons. In recent years, there has been an increase in organisations and informal groups being established outside the cities in smaller towns or small urban centres. The first Equality Parade[4] took place in Warsaw in 2001. There were over 50,000 attendees in 2019 and over 100,000 in 2022, with 29 Equality Marches across the country.

Responding to the war on Ukraine

As of May 2023, there were 8,240,289 Ukrainian refugees registered across Europe. Poland has welcomed 1.6 million refugees, while Moldova has recorded 108,000 and Romania has registered 131,000 refugees (UNHCR, 2023).

The interviewed LGBTQI+ organisation in Moldova started working with refugees on the second day of the war, February 25th, 2022. On February 27th, the organisation opened a hotline that operated 24 hours a day/ 7 days a week for LGBTQI+ refugees from Ukraine. This was a phone number linked to different messaging services. A few days later, they opened a shelter specifically for Ukrainian LGBTQI+ refugees. They also provided hormone therapy for transgender refugees. As of November 2022, the organisation in Moldova had provided help for over 200 LGBTQI+ refugees from Ukraine.

Most LGBTQI+ organisations in Poland offering help and support for LGBTQI+ refugees from Ukraine are organisations operating in the largest urban centres. They provide care and psychological support, as well as help in finding a safe place to stay, help in finding employment, and help for transgender and non-binary people in hormone therapy and starting or continuing transition. Most organisations translated information about their activities and services into Ukrainian to make it accessible for Ukrainian LGBTQI+ refugees.

Safeguarding risks facing Ukrainian LGBTQI+ refugees

The LGBTQI+ organisations in Poland, Romania and Moldova identified multiple safeguarding risks from their work with LGBTQI+ refugees. The identification of risks came both from actual incidents and risks that they anticipated due to their experiences, but had not necessarily observed nor heard about first-hand.

Discrimination and risk of outing by non-LGBTQI+ actors

Interviewees in Moldova and Romania spoke about the fear of discrimination while seeking assistance from humanitarian actors and forced "outings" (where a person's SOGIESC is disclosed without their consent) as risks. As a result of this fear, some LGBTQI+ refugees

[4] In Poland, the equivalent of Pride parades are called 'Equality Parades'.

have chosen not to seek assistance at all, or they access humanitarian services but try to hide their SOGIESC.

In Romania, interviewees specifically mentioned the risk of exclusion from shelters or housing centres based on their SOGIESC. This has led to Ukrainian LGBTQI+ refugees concealing their sexual orientation and identity while seeking assistance.

Risks in non-LGBTQI+ specific/ inclusive housing

The LGBTQI+ organisations identified several risks specifically associated with housing. When organisations initially responded to the influx of refugees, there were few LGBTQI+ specific housing options available. LGBTQI+ refugees were put up in general hostels and with families who did not necessarily have an awareness of LGBTQI+ refugees and their needs. Organisations in Poland and Romania identified that this posed safeguarding risks, because the host families were not vetted, and it could not be guaranteed that people staying in the same hostels as LGBTQI+ refugees would be accepting of LGBTQI+ people and would not hold homophobic and transphobic views.

Another risk is the lack of appropriate accommodation for trans, non-binary, and intersex refugees in government-run facilities. In Poland, in the state-run Help Centres, the place of accommodation is only assigned based on the sex markers in identity documents. It does not consider the needs and wishes of refugees with diverse gender identities.

Transgender refugees risk violence inside reception centres and state refugee centres due to the negative attitudes of staff towards transgender people. For example, one organisation shared the case of a trans woman who was denied full refugee status and directed to a state refugee centre where people who had "illegally" crossed the Polish border are detained:

> "She was placed in the men's compartment according to her legal gender (sex assigned at birth) marker on the documents, not according to her gender identity. She was not given adequate information regarding her legal situation, and she was denied access to a lawyer and an interpreter in the state refugee centre. Her continuity of treatment was also disrupted as hormonal therapy was not provided for her".

The lack of legal gender recognition and absence of suitable and safe accommodation options for trans, non-binary and intersex people may lead to the risk of harassment and violence, including sexual violence in shared accommodation:

> "One (risk) is gender identity, and I think here we have the biggest risks when it comes to safeguarding. The first example that I gave you is that transgender men are put in with (cis) women, and the other way around, transgender

> women are put in shelters with (cis) men, where it can come to rape and abuse, many things can happen."

The risk of harassment, discrimination and violence against transgender people in shelter settings has been noted in other studies. For example, a survey conducted in the US found that seven out of ten transgender respondents who stayed in a shelter in the past year reported some form of mistreatment, such as being harassed, sexually or physically assaulted, or being kicked out from the shelter (**James et al., 2016**).

Discrimination in LGBTQI+ spaces

While LGBTQI+ dedicated spaces and services were recognised as providing safer environments for LGBTQI+ refugees, there is also a risk of discrimination, harassment and violence within these spaces. Due to limited space and resources, LGBTQI+ refugees are sometimes grouped together. They have to share limited space which can lead to risks of harm and potential conflicts, because LGBTQI+ people are very diverse and include people of different background, identities, views and beliefs. Organisations in Moldova, Romania and Poland observed this happening. One respondent highlighted conflict between gay and lesbian refugees, or cis and trans people who stayed in the same shelters:

> "The shelters consist of one apartment with two bedrooms for all the LGBTQI+ refugees, whether they are cis, trans, men or women. Everyone is lumped together. In one of the shelters, a gay man incited conflict with the lesbians that forced the organisation to acquire beds in a hostel to ensure the lesbians' safety away from the gay man."

In Poland, one organisation highlighted that trans people are at particular risk of such incidents, including risks within shelters for LGBTQI+ refugees, and that those providing shelter need to manage these risks carefully:

> "LGBT shelters must be well aware that something transphobic can happen, and an LGB person can be a perpetrator (of violence) towards a trans person. So, that's the thing, that trans people are also less understood within the broader LGBT community."

Human trafficking and sexual exploitation

In Romania, organisations noted that LGBTQI+ refugees face a range of protection risks when arriving in country, including the risk of human trafficking and gender-based violence. Respondents in Poland recognised that lesbian and bisexual women in the community face specific risk as women – for example, the risk of trafficking for sexual exploitation.

An organisation in Poland shared their experience of being contacted by LGBTQI+ people in the host community, offering to "help" accommodate LGBTQI+ refugees from Ukraine in their homes who may have been looking for sex. The Polish organisation identified the risk of sexual exploitation or sexual violence that this can lead to:

> "The first thing that comes to my mind is a man who filled out the form, we called him to ask him if he still can accommodate a refugee and he said 'yes, but I would like to meet this man, hopefully a young man, for a coffee, to see if there is a chemistry between us'. I was, like, wow, that's great, but thank you. Of course, we crossed him automatically off the form."

This risk of sexual exploitation also came from people outside the country where organisations have had people contacting them from the UK and the Netherlands with similar offers of "help" to accommodate LGBTQI+ refugees. One organisation shared the case where someone in the UK contacted a Polish organisation asking to be put in touch with "a young Ukrainian boy".

Risks related to referrals to external health services

In Moldova and Romania, health care specialists were also identified as potential risks of discrimination. Romanian organisations highlighted cases of mistreatment of Ukrainian trans refugees by Romanian hospital authorities based on their gender identity. In Moldova, one organisation directs refugees only to LGBTQI+ friendly specialists who have gone through trainings on sexual orientation and gender identity provided by the organisation, avoiding referrals to health care providers who could harm LGBTQI+ people when they seek health services.

Data protection risks

LGBTQI+ organisations recognised the potential risks associated with collecting and storing LGBTQI+ refugees' personal data. The data could be used to target and harm LGBTQI+ refugees if it ended up in the wrong hands. These risks include the risk of the organisation's data being hacked, their equipment stolen and leaking the personal data of LGBTQI+ refugees to extort them. However, no such incidents have been reported.

Other risks facing LGBTQI+ refugees

In addition to safeguarding risks, where the risk of harm comes from individuals and organisations involved in the delivery of humanitarian assistance, the interviews also revealed a range of other risks that LGBTQI+ refugees face in host communities, in their families, and from employers. Trans people, lesbian and bisexual women, LGBTQI+ youth,

and LGBTQI+ refugees with more visible SOGIESC were identified as being at particular risk of discrimination and violence.

Risks of financial exploitation

Interviews gave examples of financial exploitation that LGBTQI+ refugees faced, including being forced to pay for a service before receiving it, for example when looking to rent a room or an apartment. There was also mention of difficulties in employment, especially for young LGBTQI+ women, including employers' refusal to pay wages, or solicitation of sex as a condition for receiving their wages.

Risks facing trans people

As noted earlier, trans people face a high risk of discrimination and harm when trying to access humanitarian assistance and services due to the lack of legal gender recognition and limited options for safe and suitable accommodation and other assistance for trans people. The absence of trans-specific health services for trans refugees, such as access to hormone therapy, was highlighted in Moldova and Poland. In Romania, organisations also mentioned hormone shortages for trans people.

Risks in public spaces

In Romania, LGBTQI+ individuals face discrimination and violence based on their SOGIESC on the streets, in shops, and in contact with individuals who are not connected to LGBTQI+ organisations. It was noted that the risk is specifically targeting individuals' LGBTQI+ identities and visibility of SOGIESC diversity, and not on the basis of being refugees. As such, LGBTQI+ refugees are at risk of facing similar discrimination and violence from the general public that LGBTQI+ people in that country are at risk of.

Risks facing LGBTQI+ youth

For LGBTQI+ adolescents, there is a risk of violence and abuse from their families. They also reported economic abuse, which was harmful because young people are usually dependent on their families. One organisation in Moldova noted that there are generally no mechanisms for reporting family violence. There is often no way for LGBTQI+ youth to easily contact LGBTQI+ organisations and ask for help.

Lack of legal protection for same-sex families

One organisation in Poland noted the lack of legal protection for same sex couples and equal treatment when it comes to securing legal stay in countries - if only one person has a

Ukrainian passport, for example. The issue is relevant for the whole region, because the legal situation for same-sex couples in all three countries is tenuous.

Safeguarding practices and needs

LGBTQI+ organisations' safeguarding practices

Understanding and navigating risks of discrimination, harassment and violence is not new to LGBTQI+ organisations in the region. The strategies and practices that they have in place to keep LGBTQI+ beneficiaries and staff safe are not always formalised or conceptualised as safeguarding practice. Organisations interviewed showed different levels of awareness of safeguarding risks and safeguarding practice, but many demonstrated a variety of good practices to mitigate risks to their clients. This section documents existing practices used by LGBTQI+ organisations to keep LGBTQI+ refugees safe from harm, as well as measures that have been put in place to safeguard and promote the wellbeing of internal staff and volunteers in the LGBTQI+ organisations. It also outlines areas of support and development identified by organisations themselves.

Existing practice and measures to safeguard LGBTQI+ refugees

Many organisations already have in place an ethical code, or code of conduct. However, very few organisations had clear policies with written defined safeguarding policies to protect LGBTQI+ refugees from harm by staff and/or volunteers or to safeguard staff and volunteers. Some organisations based their work with LGBTQI+ refugees on existing policies and procedures, which contained elements of safeguarding, but did not update these or develop specific policies for their work with refugees. Some organisations agreed that they need to strengthen safeguarding procedures, or create them from scratch, and acknowledged the need to increase their knowledge in safeguarding.

Providing safe and inclusive services

Providing safe and inclusive housing options for LGBTQI+ refugees arriving in their countries by establishing LGBTQI+ specific accommodation and LGBTQI+ specific services was one of the main responses implemented by the majority of organisations. This responded to an identified risk of discrimination, bullying, harassment, and violence against LGBTQI+ people in common shelters for refugees from Ukraine. One organisation described it as follows:

> "The main idea behind the opening of these shelters was to create a safe space in order to reduce the risks of discrimination and violence that LGBTQI+ people may face in general refugee accommodation centres".

Some LGBTQI+ organisations developed policies to prevent discrimination inside their shelters. In Moldova, a set of rules for people staying in the premises was developed. Those arriving at the shelter agreed to comply with them during the time they received housing and other assistance. In Romania, an organisation developed internal procedures and contracts that all beneficiaries of their services had to sign. In Poland, an organisation explained that they have written policies that LGBTQI+ refugees staying in their accommodation must sign:

> "When the people come to a flat, they don't need to pay for the flat, obviously, but they need to sign the contract. And the contract is a form of regulation saying how long they can stay in the flat, and what the rules of the flat are. For example, when are the quiet hours, when to use the kitchen, how to share the bathroom, everything. So, this is the one that is written down."

This included prohibiting the use of alcohol and drugs in the office and apartments to reduce the risk of violence. Another policy many organisations used to keep their housing premises safe was to not allow the posting of any photos or information about the locations of the shelters online.

Providing safe referrals to non-LGBTQI+ actors

Organisations took steps to orient non-LGBTQI+ organisations on LGBTQI+ rights and inclusion to address potential risks related to referring LGBTQI+ individuals. In Moldova and Romania, organisations offer training on sexual orientation and gender identity for staff members of non-LGBTQI+ focused organisations, specifically those working with refugees. LGBTQI+ organisations hope that directing LGBTQI+ refugees only to LGBTQI+ friendly specialists, who have undergone training on sexual orientation and gender identity, will reduce safeguarding risks associated with service provision. One of the organisations in Romania described their large network of trusted specialists (e.g. lawyers, doctors and psychologists) who are LGBTQI+ friendly and who can offer regular and dedicated services to LGBTQI+ individuals.

Internal staff training and human resources policies

In all countries, organisations put a lot of effort into training their own staff on how to work with LGBTQI+ refugees. One organisation described how they would only assign staff

members who had experience of working with LGBTQI+ communities to working with the refugee population:

> "Our staff works with LGBTQI+ people all the time. All the employees who work with LGBTQI+ refugees were already employees of the organisation. All the people who worked on the hotline, who directly provide services to refugees, were consulted. They are trained, experienced and qualified, and we have developed certain internal documents in order to protect people inside the shelter itself, so that no one could discriminate against any other group; no type of violence, harassment, abuse, or discrimination is allowed in our spaces".

In one of the Polish organisations, staff and volunteers were trained by an expert in the field of transgender and non-binary issues to prevent risk of harm by the staff towards these groups who face heightened levels of discrimination.

In Romania, one of the LGBTQI+ organisations conducts reference checks and has a code of conduct that each new staff member and volunteer must sign. One of the organisations had also connected with other LGBTQI+ humanitarian NGOs in Greece to learn about best practices regarding establishing an LGBTQI+ shelter for refugees. As a result, the organisation adjusted their shelter to accommodate the refugee population.

Reporting mechanisms

Among the organisations interviewed, procedures in place for reporting safeguarding incidents varied. Some drew upon their existing procedures working with LGBTQI+ people in the country, some developed information specifically for refugees to report incidents, and others lacked reporting mechanisms altogether. One organisation in Romania integrated information on how to report incidents and concerns into their hosting contracts set up with LGBTQI+ refugees receiving assistance. This included contact information for several designated staff members and offered several options for reporting. An organisation in Poland similarly set up a system to provide refugees with the contact information of several people in the organisation that they can connect with:

> "[LGBTQI+ refugees] have contacts for three people. In case if someone's crossed the line, they knew they can contact those persons, so there were different people to contact. Not only, obviously, the person who's responsible for the flats, but especially as he's responsible for flats, he couldn't be the only contact person, right? Because if he violated [someone] then those people would need another contact in order to tell us about his behaviour."

Some organisations had reporting mechanisms in place for staff and volunteers, but not for LGBTQI+ refugees. Overall, most of organisations lacked anonymous and confidential reporting options.

Data protection

Several organisations showed great awareness of risks associated with data protection and the importance of managing and storing LGBTQI+ refugees' personal data in safe ways. However, the extent to which organisations had clear and documented procedures varied. In Poland, one organisation described how they followed the principle of collecting the minimum amount of sensitive personal data from beneficiaries for their internal purposes (in this case, passport number and preferred name but not necessarily their legal name). They never shared any names or identifying information with other actors, including international humanitarian organisations with which they collaborate. The information is stored as a hard copy, not in digital form, and is locked in a safe place with other sensitive documents:

> "I'm aware that this is not the safest way to do, but we had to work out a mechanism to put a risk to minimum."

Another organisation described how they use cloud services to store information which only people in the organisation working specifically with refugees have access to. Personal data is never transferred by insecure channels, and all the paperwork is kept in a separate folder that only one person has access to. In addition, all phones used to communicate with LGBTQI+ refugees are stored in the office and never leave the premises of the organisation.

Supporting onward journeys

Some LGBTQI+ refugees in Moldova, Poland and Romania stay in these countries for shorter periods before they move on to other countries. To minimize the risk that LGBTQI+ refugees will be exploited when traveling further outside the country, an organisation in Poland collaborates with LGBTQI+ organisations in other countries. They advise LGBTQI+ refugees to only go through trusted organisations and not private persons when seeking help with accommodation and other types of support abroad:

> "So, when somebody said, for example, I want to go to Germany, we were contacting organisations in Germany, and we knew, when those people come to Germany they don't end up, you know, being, sex workers. These are the procedures. I think this is important that we were never send people to private addresses. And we were also warning people from that, because there

> are many people who are on chats, and they say 'oh, you know, I've met this cool couple. They live in the UK and they want to 'adopt' me', and this was said by a 19 year old guy. I said, well, you are an adult, but I wouldn't do it. Like, that's your life, I can't force you to stay in Poland, but maybe we can work out another situation? Maybe I can contact an organisation from the UK and that would be better for you and safer for you. Instead of, you now, going to two cool guys in the UK, and you don't know what would happen, you don't know these people."

A safe and inclusive workplace

Several of the organisations interviewed in the region had policies and procedures that covered how to create a safe and inclusive workspace. While not all of this is documented in formal safeguarding policies, several organisations shared examples that demonstrate how they take duty of care very seriously. They showed strong commitment to creating a safe and inclusive workplace for staff and volunteers. For example, one organisation described their anti-corruption policy, conflict-of-interest policy, volunteer policy, and policy against abuse of power. They also had an ethical code which set out the values and principles by which the organisation operates. They put extra effort into internal communications and well-being of their staff members:

> "We organise general organisational meetings and retreats annually, where we discuss the problems of internal communications, conflict situations, and so on. And there is a psychologist within the organisation that people can go to. There is a wellness assessment of employees, where, among other things, there are questions related to the atmosphere in the team and any conflict situations."

Similarly, an organisation in Poland included 'transparent, specific and frequent communication between the staff' in their safeguarding policy.

One of the organisations described that when they saw increasing security tensions in their context, they put in place urgent measures to protect their staff by sending them to a neighbouring country for a week until the security situation had improved. This shows a strong commitment to duty of care.

An organisation in Romania described how they considered staff wellbeing as a prerequisite for the long-term quality and sustainability of their work. They created and implemented a Mental Health Day policy for staff and volunteers to be taken whenever needed without repercussions. This is particularly important as LGBTQI+ staff of the organisations not only face stress at work and are at risk of vicarious trauma from working with people who have experienced high levels of trauma, but also live in contexts where

they may themselves be at risk of discrimination, violence and abuse, which can lead to so-called 'minority stress'[5].

Areas for support and development

Many organisations expressed that safeguarding is an important priority for them. All interviewees demonstrated an understanding of the issue and why safeguarding is critical for organisations involved in the response to the war on Ukraine, especially when working with individuals from marginalised groups. Many organisations, especially those without existing safeguarding policies, expressed interest in developing such policies or adapting existing ones to their work with refugees, as well as taking part in other support and training related to safeguarding.

Other organisations expressed less interest in developing their safeguarding work further, because they felt that they have limited capacity to prioritise safeguarding work in the current circumstances given they are operating at maximum capacity to respond to the ongoing crisis. A few organisations felt that their existing safeguarding policy and practice sufficiently address the risks facing LGBTQI+ refuges in their context and had already undergone training and processes to establish their safeguarding frameworks.

For many organisations, their ability to develop safeguarding policies and ensure consistent safeguarding training for their staff was primarily a question of resources, including access to specialised knowledge, time, and human and financial resources. In the initial and most critical phase of the humanitarian response, organisations recognised that they struggled to dedicate time and resources to establishing safeguarding policies and reporting mechanisms. However, as the response unfolded and safeguarding risks were observed, some organisations said that they had realised the need to prioritise safeguarding.

Non-LGBTQI+ civil society

While this research focused on LGBTQI+ CSOs' understanding of the safeguarding risks facing LGBTQI+ refugees and documenting their existing practice to addressing these risks, the interviewees also reflected on non-LGBTQI+ actors' roles in safeguarding LGBTQI+ refugees. This included opportunities and barriers to engaging humanitarian and government actors on the topic of LGBTQI+ inclusive safeguarding.

[5] Minority stress is different from the types of stress faced by people in their everyday life – minority stress specifically originates from the excess stress that LGBTQI+ people may experience due to prejudice, discrimination and violence, and can lead to physical and mental health disparities.

LGBTQI+ organisations in Romania mentioned a lack of awareness of LGBTQI+ issues by state institutions and general refugee service providers. In Moldova, the LGBTQI+ organisation was negotiating with international humanitarian organisations to conduct educational programmes for local staff. Meanwhile, the organisation noted potential gaps and obstacles:

> "The problem will be finding time. It will be very difficult for people to find the time to set aside for this training. Therefore, the training that we, for example, offer now – they are done within the framework of projects, so people know that this is a donor who gives them money for certain work. And most likely, they will feel obliged to take part in such training. But this new way, most likely, there will be very little interest. Not because people are not interested, but because they simply cannot find time for this".

In Poland, another problem identified was the possible resistance of non-LGBTQI+ actors and an unwillingness to make their services LGBTQI+ inclusive. LGBTQI+ organisations pointed out that non-LGBTQI+ organisations may perceive adapting their services to be trans-inclusive as difficult and requiring a lot of effort. They were concerned about lack of readiness on the part of both staff and other beneficiaries to do so, and saw more risks than benefits to it.

Recommendations

Despite the challenging circumstances, such as being constrained by resource and time limitations that LGBTQI+ organisations in the region face, several expressed interest in implementing further work on safeguarding. They shared their ideas for how LGBTQI+ safeguarding can be strengthened and supported across the humanitarian response. These are reflected below, alongside the authors' recommendations based on the findings of the research. The recommendations are relevant for donors, humanitarian organisations and partners, civil society and researchers who are looking to contribute to advancing LGBTQI+ inclusive safeguarding in their respective sectors and programmes.

1. Partner with local LGBTQI+ organisations

Actors that are seeking to work on LGBTQI+ inclusive safeguarding in humanitarian emergencies should partner with local LGBTQI+ organisations, ensuring that their responses are LGBTQI+ led and draw upon their expertise of the situation facing affected LGBTQI+ populations. This includes in-depth knowledge of the legal, social and political environment affecting LGBTQI+ people, which is crucial for understanding how risk factors play out in local contexts.

LGBTQI+ organisations are also best placed to lead on strategies to advance LGBTQI+ inclusive safeguarding, whether in their own organisations or in the broader humanitarian system. Where specialised safeguarding expertise is required, safeguarding experts and LGBTQI+ organisations should work in partnership with each other, creating opportunities for mutual learning and exchange.

Interviewees in all three countries mentioned the importance of deep understanding of local contexts for LGBTQI+ rights, and the importance of partnership principles and learning:

> "I think, it has to be based on the situation of the country where you are located, it goes strongly with the law and the legal situation of the country. I think, it should cooperate closely with the local LGBTQI+ organisations, in order to also learn from them. Because we can learn from them when it comes to safeguarding, but they can also learn from us how the situation is like in this country."

One organisation stressed that partnering with local LGBTQI+ organisations is particularly important when seeking to engage with non-LGBTQI+ actors on LGBTQI+ inclusive safeguarding, because they have the legitimacy and right expertise to work on LGBTQI+ issues in the context:

> "I think it's very important that if you do any kind of training, then do it in partnership with local LGBTQI+ organisations that these other organisations know – so that it would not be someone who comes from outside, then most likely there will be fear and rejection of this as something foreign, something unknown. If, let's say, you offer them some kind of training and say that it is in partnership and consultations with us, then most likely, they will be much more open than if you don't."

2. Tailor the support to the needs and capacity of LGBTQI+ organisations

Several organisations welcomed further support and access to resources on safeguarding, such as that provided by the Safeguarding Hub Eastern Europe. They highlighted that a range of formats for this support could be useful, including webinars, online and in-person and resources in different formats and relevant languages. The important point is that these are tailored to the needs and capacity of LGBTQI+ organisations. This involves considering, for example, the time and resource constraints and high workloads of staff and volunteers in organisations, especially in times of ongoing emergency response. LGBTQI+ organisations in the region are often understaffed. Many rely on part-time staff

and volunteers, which sometimes means that a lot of their work takes place after regular working hours. Some organisations recognised that these circumstances impact their ability to develop safeguarding practices and policies. This should be taken into account when planning safeguarding training and other support and resources.

3. Support learning exchange on LGBTQI+ inclusive safeguarding

Organisations in Poland and Moldova highlighted the need for networking and spaces for collective support and exchange of experiences and practices with other LGBTQI+ organisations on safeguarding. This includes cross-border exchange to learn from other LGBTQI+ organisations in the region, such as the example of the Greece-Romania exchange. They thought that this could be particularly valuable for smaller organisations located outside capital cities and geographical centres, whose access to resources is often even more limited.

> "Some organisations may have some very good and well-established internal procedures, but it is important and interesting for them to learn about the experience of others. Someone may have good practices, but no good documents".

Donors and partners can support this by providing funding and logistical support. They can play a convening role while listening carefully to LGBTQI+ organisations' needs and priorities for such spaces and initiatives.

4. Advance LGBTQI+ inclusive safeguarding in the humanitarian sector

Safeguarding LGBTQI+ populations in humanitarian emergencies, as well as LGBTQI+ staff working in these emergencies, is everyone's responsibility. This report explores safeguarding risks facing LGBTQI+ refugees from the perspective of local LGBTQI+ organisations and focuses on the safeguarding practices of LGBTQI+ organisations in Eastern Europe to learn from their knowledge and experience. However, LGBTQI+ inclusive safeguarding is not the sole responsibility of LGBTQI+ organisations. It is a shared responsibility among all humanitarian actors, because LGBTQI+ people are everywhere – among every affected population with which organisations work, and among their own staff and volunteers. As such, all organisations can and should contribute to preventing all types of harm from occurring in the delivery of humanitarian aid and services. These are some suggested starting points:

- Understand the underlying risk factors contributing to safeguarding risks affecting LGBTQI+ people by adapting an intersectional perspective – see for example this **How-to note on Intersectionality.**
- Engage with local LGBTQI+ organisations to understand more about the particular risks facing LGBTQI+ people in your context. **A non-exhaustive list of LGBTQI+ organisations worldwide can be found here.**
- For comprehensive guidance on how to make your organisation's internal safeguarding work LGBTQI+ inclusive, see this **Pocket Guide on Safeguarding LGBTQI+ Individuals working in CSOs.**

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