



Submission for the UN IE SOGI's Call for Input:

Protection Against Violence and Discrimination Based on Sexual Orientation and Gender Identity in Relation to Forced Displacement



Background

Rainbow Railroad (RR) is an international NGO headquartered in Toronto and New York, providing direct support to at-risk LGBTQI+ persons to access pathways to safety. Since 2014, we have received over 55,000 requests for help from individuals in over 190 countries facing persecution due to their diverse sexual orientation, gender identity and expression, or sex characteristics. In collaboration with a global network of grassroots organizations and human rights defenders in crisis-affected contexts, we have facilitated access to safer locations for over 2,300 people since our founding in 2006.

In 2024, RR received 13,431 requests for help (RfHs). Between 2016 and 2023, RfHs increased exponentially year over year, peaking at 15,352 people requesting help in 2023. The data demonstrates accelerating LGBTQI+ forced displacement as a consequence of (a) broader geopolitical crises disproportionately impacting LGBTQI+ persons, and (b) crises explicitly targeting LGBTQI+ persons, including ad hoc state crack-downs on LGBTQI+ individuals and civil society as well as the introduction and enforcement of anti-LGBTQI+ laws. In 2023, the top region of origin for RfHs was South-Central Asia, with 70% of those requests coming from Afghans as a result of intensifying anti-LGBTQI+ persecution following the Taliban takeover of Afghanistan in 2021.¹ Between 2022 and 2023, RfHs from Sub-Saharan Africa increased by 31%, with Uganda accounting for 41% of all requests from the region. This increase followed the signing of the Anti-Homosexuality Act which criminalized same-sex relations along with LGBTQI+ activism and advocacy in the country.²

In recent years, RR has witnessed a steady rise in laws and policies that specifically target LGBTQI+ individuals, even as many countries have made meaningful strides toward inclusion in their legal and policy frameworks. For example, Ghana

passed the 2024 Human Sexual Rights and Family Values Bill, criminalizing LGBTQI+ advocacy, while Russia expanded its 2013 “gay propaganda” law in 2022 to ban any public expression of LGBTQI+ identities. These laws reflect a broader wave of state-sponsored repression driven by the global anti-gender movement.³ The influence of anti-gender rhetoric, funding, and policy has produced a rising tide of legislative changes that undermine a broad spectrum of rights affecting LGBTQI+ people, contribute to democratic backsliding,⁴ and lead to increased instances of forced displacement.⁵

At the same time, anti-asylum sentiment is increasing, with notable backtracking by countries of asylum on refugee protection and resettlement. In January 2025, within 24 hours of taking office, President Trump signed an executive order suspending the U.S. Refugee Admissions Program, halting the processing of refugees already approved for resettlement, and leaving displaced LGBTQI+ individuals stranded in precarious conditions.⁶ In addition, the administration issued a sweeping executive order that seeks to dismantle crucial protections for transgender people, denying the validity of gender identity and instructing federal agencies to recognize only two sexes, male and female, fixed at birth.⁷ This move threatens access to essential services and legal recognition for transgender individuals, including LGBTQI+ refugees. Furthermore, the U.S. State Department paused a significant portion of foreign aid spending, halting critical services to refugees worldwide, including those already resettled in the U.S.⁸ These policy changes have exacerbated the vulnerabilities of LGBTQI+ forcibly displaced persons (FDPs), who rely on asylum and third-country resettlement as life-saving protection options, particularly in transit and displacement contexts where LGBTQI+ identity, association, expression, or intimacy are criminal-

ized. In 2023, fewer than 5% of refugees in need of resettlement actually received it.⁹

These developments are compounded by the increasingly hostile practices of private actors, including airlines, which further complicate the already precarious journey of LGBTQI+ asylum seekers seeking refuge. In 2023, RR analyzed 52 cases of at-risk LGBTQI+ people who were prevented from crossing an international border by plane between 2018 and 2023. Due to carrier sanctions, which are financial and legal penalties by states against airlines who transport asylum seekers, RR found that airline officials routinely – and often arbitrarily – deny boarding to LGBTQI+ people suspected of having an intent to seek asylum, even when they meet the formal entry requirements of transit and destination countries. Some of Europe’s largest airlines have developed screening practices to deny boarding to passengers deemed potentially ‘inadmissible’ by destination countries. RR has published data documenting how these practices frequently rely on homophobic, transphobic, and racist heuristics to select those for boarding denial. Carrier sanctions, and the resulting arbitrary denial of boarding by private actors, severely impede access to asylum and pose a foreseeable risk of refoulement.¹⁰

Safeguarding access to asylum in third countries is especially important for LGBTQI+ asylum seekers, for whom local integration or voluntary repatriation may not be possible. In 2023, community rejection was the primary safety concern among individuals requesting help from Rainbow Railroad.¹¹ Of those who disclosed safety concerns, 78% reported community rejection, while 29% reported community violence.¹² Returning LGBTQI+ refugees to hostile communities is not tenable. In transit, LGBTQI+ asylum seekers often encounter barriers to accessing the same support available to their non-LGBTQI+ counterparts. The majority of the world’s asylum seekers are hosted in countries where LGBTQI+ identities, relation-

ships, association, or expression are criminalized to varying degrees.¹³ Many LGBTQI+ asylum seekers face prolonged stays in these transit countries where they frequently endure compounded persecution from host governments, civil society, families, and other displaced persons.

In 2021, Rainbow Railroad and ORAM interviewed 58 LGBTQI+ asylum seekers in Kakuma Refugee Camp and Kalobeyei Integrated Settlement. Notably, participation in livelihood programming available to all asylum seekers, refugees, and members of the host community was low among LGBTQI+ asylum seekers. 68% of participants who were neither enrolled in vocational training nor in income-generating activities, cited stigma and violence towards LGBTQI+ persons as their reason for their disengagement. Over 45% of respondents reported relocating from their allocated shelters to alternative accommodations due to constant abuse from neighbors. 83% of respondents had experienced physical violence, with 87% of assaults attributed to fellow refugees in the camp.¹⁴ The protracted displacement context in Kenya is a striking example of the difficulties of local integration as a viable durable solution for many LGBTQI+ refugees in contexts of criminalization and severe stigmatization.

The combined pressures of rising anti-LGBTQI+ and xenophobic sentiment, restrictive legislation, dwindling third-country resettlement opportunities, and the challenges of local integration and voluntary repatriation leave LGBTQI+ FDPs with few viable options. Addressing these challenges requires tailored solutions for LGBTQI+ FDPs, including, for example, dedicated resettlement pathways, expanded South-South relocation options, and stronger multi-stakeholder coordination to address their unique protection needs in both emergency and protracted displacement contexts.

LGBTQI+-Specific Pathways to Resettlement

For many LGBTQI+ FDPs, third-country resettlement is the only viable long-term protection option, and several successful pilots and best practices have emerged in recent years to create dedicated pathways for LGBTQI+ asylum seekers.

In 2019, Canada announced the Rainbow Refugee Assistance Partnership (RRAP), a private sponsorship program allowing LGBTQI+ civil society organisations to identify refugees, and connect them with volunteer groups.¹⁵ Canada expanded RRAP slots in response to crises in Afghanistan (2021), Ukraine (2022), Uganda (2023), and other crisis situations. This program successfully mobilizes LGBTQI+ domestic citizens in actively supporting resettlement for LGBTQI+ refugees.¹⁶ Despite Canada's historic leadership in LGBTQI+ refugee resettlement, its commitment is waning. The 2025 Canada Immigration Levels Plan includes cuts to the Private Sponsorship of Refugees (PSR) program, reducing opportunities for LGBTQI+ refugees and signaling a broader retreat from resettlement commitments.¹⁷

After the Taliban seized control of Afghanistan in 2021, Rainbow Railroad partnered with the U.S. and Canada on a refugee-sharing agreement to resettle 247 Afghans through a referral from the U.S. Special Envoy for the Human Rights of LGBTQI+ Persons.¹⁸ This coordinated effort enabled the swift evacuation of LGBTQI+ asylum seekers in urgent need of protection. Notably, it was one of the rare instances where public policy directly supported LGBTQI+ internally displaced persons (IDPs). The initiative also underscored the critical role that designated point persons, such as Railroad partnered with Canada to refer and reset-

tle over 600 Afghans and their family members.¹⁹

In 2023, these crisis-specific policies led to a referral partnership with the Government of Canada, which empowered Rainbow Railroad to directly refer at-risk LGBTQI+ refugees as Government-Assisted Refugees (GARs). This program offers 250 non-country-specific slots per year, providing flexibility to mobilize and respond as crises occur.²⁰ The partnership is unique in that it enables Rainbow Railroad to directly refer LGBTQI+ asylum seekers from its internal case system, rather than requiring individuals to first have refugee status recognized by UNHCR. LGBTQI+ individuals in the global refugee system often face multiple layers of exclusion, limiting their access to refugee status determination (RSD), and exposing them to biased decision-making that lacks a SOGIESC-sensitive lens, leading to unjust denials.

In 2023, only 10% of individuals seeking RR's assistance from outside their country of citizenship had UNHCR-registered refugee status, while 73% had no legal status — lacking any temporary or permanent immigration status in their current location. This marked a sharp increase from 2022, when 53% were undocumented, with notable increases among Afghans in Pakistan, Ugandans in Kenya, and Iranians in Türkiye. Without legal status, these individuals face immense barriers to accessing pathways to safety.²¹ To uphold the right to seek asylum, refugee advocates and states must address the systemic challenges that LGBTQI+ asylum seekers face in obtaining legal documentation.

A key best practice across these pathways is that they leverage the unique expertise of an LGBTQI+ civil society organization to access LGBTQI+ FDPs, who are often excluded from traditional humanitarian entry points.

In 2023, the U.S. launched the Welcome Corps initiative, adapting many strengths of the Canadian private sponsorship model, including its LGBTQI+-inclusive approach, to the American context. This program saw the recruitment of LGBTQI+ volunteer groups to provide resettlement and social integration support to newly arrived LGBTQI+ refugees. Welcome Corps also included a component which allowed organizations with expertise in refugee resettlement, such as Rainbow Railroad, to refer urgent cases of LGBTQI+ refugees for resettlement in the U.S.²² As of January 2025, this program has been halted by President Trump.

However, even as some pathways expand, many LGBTQI+ individuals, especially internally displaced persons (IDPs) face insurmountable barriers due to the lack of robust protection measures for those who remain in their countries of origin. With the exception of the 2021 U.S.-Canada Afghan refugee-sharing agreement, the existing LGBTQI+ refugee pathways discussed above exclude IDPs. In 2023, 62% of Rainbow Railroad's requests for assistance came from individuals still in their home countries, underscoring the urgent need for long-term pathways to safety for IDPs.²³ Many of the highest-need countries are also where Rainbow Railroad faces the greatest challenges in providing relocation support, and in some cases, is unable to intervene at all. In 2023, 20 countries were identified as having no viable routes to safety for at-risk LGBTQI+ individuals who were internally displaced.²⁴ While resettlement policies for IDPs remain rare, there is precedent. Canada's now-repealed Source Country Class program once provided resettlement options for individuals in refugee-like situations

displaced within their own countries, signaling a principled "shift toward protection."²⁵ Its elimination in 2011 left a critical gap in legal protection for IDPs.²⁶

Some states discreetly facilitate humanitarian pathways for LGBTQI+ IDPs facing targeted persecution during anti-LGBTQI+ crackdowns, helping them access resettlement. Humanitarian visas for Human Rights Defenders (HRDs) also provide a critical lifeline for LGBTQI+ activists trapped in high-risk environments. However, these pathways often fall short — either offering only temporary protection without a route to permanent resettlement or requiring permanent relocation without an option for short-term refuge for those who wish to continue their human rights work in their countries of origin once conditions improve.²⁷ To be truly effective, these mechanisms must be flexible and responsive to real-world conditions.

Despite the challenges that many face before and during relocation,²⁸ many LGBTQI+ refugees report feeling more hopeful after resettlement. In interviews conducted by Rainbow Railroad, 91% of individuals who had relocated to a third country reported improved personal safety.²⁹ While complementary pathways expand access for LGBTQI+ FDPs, they remain inadequate in addressing the scale of the global displacement crisis. Current policies resettle only a fraction of those in need. These pathways serve as stopgap measures while states and the UN humanitarian system must work toward broader reforms to ensure LGBTQI+ persons in need of asylum are not left behind.

South-South LGBTQI+ Resettlement Pathways

While it is critical for all states to uphold their international obligations to maintain asylum, countries in the Global North are increasingly enacting anti-refugee and anti-LGBTQI+ policies. In response, LGBTQI+ civil society organizations (CSOs) across the Global South are mobilizing to address the growing forced displacement crisis. These CSOs are building regional networks to establish new in-transit support systems and relocation pathways for LGBTQI+ FDPs.

In November 2023, Mi Casa Fuera de Casa - Chapter Quito convened a summit in Ecuador, bringing together Latin American organizations working on LGBTQI+ forced displacement. The event, organized by LGBTQI+ CSOs from across the region, included representation from 10 countries and several international NGOs. The summit led to the formal launch of the Regional Network for Human LGBTQ+ Mobility, with eleven organizations signing on.³⁰ At a follow-up convening in Mexico in 2024, additional LGBTQI+ organizations, state representatives, and international organizations joined the regional network.

LGBTQI+ CSOs are also developing new, sustainable resettlement pathways, with pilot projects underway in Argentina and South Africa. These initiatives have shown early success in creating locally driven, durable solutions and completing initial cases of South-South relocation and resettlement.³¹ However, these efforts are being led by severely underfunded LGBTQI+ CSOs, which are filling critical gaps in the global forced displacement response. To scale these initiatives and ensure their long-term viability, LGBTQI+ civil society requires sustained collaboration and investment from the broader UN humanitarian coordination system.³²

Multi-stakeholder Coordination on LGBTQI+ Forced Displacement

In 2024, Rainbow Railroad launched the Queer Forced Displacement Initiative (QFDI) to establish an international multi-stakeholder network aimed at advancing protection and solutions for forcibly displaced LGBTQI+ people. The network, once launched, will serve as a sustained platform for individuals with lived experiences of forced displacement, grassroots LGBTQI+ organizations, researchers, international organizations, and government stakeholders to collaborate to improve access to protection and durable solutions for LGBTQI+ FDPs. The QFDI also serves as a platform for mobilizing coordinated response efforts at the early onset of crises affecting LGBTQI+ communities.³³

The QFDI builds on several years of multilateral organizing on LGBTQI+ forced displacement. The 2021 IE SOGI-UNHCR Global Roundtable on Protection and Solutions for LGBTQI+ Persons in Forced Displacement produced 33 recommendations, including calls for the creation of an international multi-stakeholder network to coordinate a global response to the challenges faced by LGBTQI+ FDPs.³⁴ Follow-up discussions in 2023 reinforced the urgency of such an initiative.³⁵ In 2024, the UN Summit of the Future Side Event on LGBTQI+ Crisis Response highlighted the need for enhanced multilateral coordination, including initiatives like the QFDI.³⁶

As of February 2025, the QFDI has facilitated multi-stakeholder roundtable discussions in Mexico and South Africa, with additional consultations planned throughout 2025 in other key transit countries for LGBTQI+ FDPs, including in the East and Horn of Africa and Great Lakes region, the Europe region, and the Asia-Pacific region. Early insights from these roundtables indicate that LGBTQI+ FDPs are increasingly vulnerable to the rise of anti-LGBTQI+ and anti-refugee policies in multiple regions. Key themes emerging from these discussions include the necessity of centering the voices of individuals with lived experiences of forced displacement in policy-making, as well as the importance of state, international, and multi-lateral bodies partnering with LGBTQI+ civil society organizations to enhance protection outcomes for LGBTQI+ FDPs. The QFDI is a critical mechanism for bridging the gap between LGBTQI+ forcibly displaced persons — who are systematically excluded from traditional humanitarian protections — and the global refugee protection system.

Recommendations

For states, international organizations, and multilateral bodies:

1. Strengthen partnerships with LGBTQI+ civil society by funding and supporting organizations with direct access to LGBTQI+ forcibly displaced persons (FDPs) to enhance protection, service provision, and advocacy efforts.
2. Establish and expand dedicated LGBTQI+-specific resettlement pathways, including government-assisted and private sponsorship programs, to ensure sustainable and long-term protection solutions.
3. Develop targeted resettlement pathways for LGBTQI+ internally displaced persons (IDPs), recognizing that many remain at extreme risk within their countries of origin and require urgent solutions.
4. Implement flexible protection pathways for LGBTQI+ Human Rights Defenders (HRDs), offering both short-term emergency relocation and long-term resettlement options based on individual protection needs.
5. Hold states accountable for failing to meet international resettlement commitments, and that undermine access to asylum, including carrier sanctions and externalized border enforcement measures that disproportionately impact LGBTQI+ asylum seekers.
6. Increase funding for LGBTQI+ civil society organizations and regional networks to strengthen in-transit support systems and develop durable South-South resettlement pathways.
7. Appoint and empower Special Envoys on LGBTQI+ issues within key states and multilateral bodies to coordinate international responses to LGBTQI+ forced displacement.
8. Strengthen crisis response mechanisms by integrating LGBTQI+ protection into broader humanitarian frameworks, ensuring that LGBTQI+ FDPs are not overlooked in emergency response planning.
9. Expand multilateral coordination efforts, including investing in mechanisms such as the Queer Forced Displacement Initiative (QFDI), to enhance knowledge-sharing, capacity-building, and policy development across international actors.
10. Ensure meaningful participation of LGBTQI+ persons with lived experiences of forced displacement in the design, implementation, and evaluation of domestic and cross-border policies affecting LGBTQI+ FDPs, prioritizing intersectional and community-led approaches.

Notes

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²⁷ Ibid.

²⁸ Although the narratives shared are diverse, from grappling with the prolonged asylum processes in Canada to confronting racism in Germany, a recurring theme emerged: while welcomed for their queer identities, LGBTQI+ people who are relocated often experience discrimination or harm due to their racial or national identity. Even in States with legal protections for the LGBTQI+ community, safety for LGBTQI+ persons is a relative experience impacted by the many intersections of an individual's identity.

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