



RAINBOW
RAILROAD

LGBTQI+ FORCED

DISPLACEMENT

BUILDING AN INTERNATIONAL NETWORK



Rainbow Railroad, along with international partners, will build a critically needed long-term platform to support LGBTQI+ persons in forced displacement and to advocate for improved protection outcomes and access to durable solutions.

THE LGBTQI+ FORCED DISPLACEMENT CRISIS

There are nearly 110 million people forcibly displaced worldwide as a result of persecution, conflict, violence, human rights violations and climate disasters.¹ The population of forcibly displaced people worldwide includes LGBTQI+ refugees, asylum seekers, internally displaced people and stateless people seeking protection from discrimination, abuse and persecution.

Currently, 67 countries criminalize same-sex intimacy, and 14 specifically criminalize trans people for their gender identities and expressions.² The vulnerability of LGBTQI+ persons is driven by factors including legal hostility, targeted persecution, and state-sponsored anti-LGBTQI+ crackdowns, which we have seen in countries around the world. Beyond explicit criminalization, broader laws surrounding public decency, marriage, and sex work are often selectively applied to target LGBTQI+ persons. Even where legal protections exist, they do not necessarily translate into effective protection for LGBTQI+ people facing family violence, hate crimes, medical abuse, and employment discrimination.

As a result, LGBTQI+ persons must often flee their countries of origin. However, in transit countries, they continue to experience deprivation and discrimination, including food insecurity, unsanitary and inadequate shelter, violence and threats to safety. LGBTQI+ asylum seekers can also be barred from gaining refugee status, and refugee-serving state and civil society organizations may be unresponsive or actively hostile to LGBTQI+ refugees. Human rights defenders and grassroots organizations are lifelines to those at risk, but often become victims of violence themselves. While some individuals are able to flee, many factors can prevent persecuted LGBTQI+ people from escaping their country, often leaving them internally displaced.

We propose to strengthen the global response to these serious challenges through an International LGBTQI+ forced displacement network which will engage people with lived experience, governments, civil society and academics, in research, advocacy and policy development.

This will build on important disparate civil society initiatives and convenings that have taken place around the topic of LGBTQI+ forced displacement, such as the Forcibly Displaced People's Network Queer Displacements conference and roundtables in Australia,¹ the SOGICA research project that explores the social and legal experiences of asylum seekers across Europe claiming international protection on the basis of their sexual orientation or gender identity expression or sex characteristics (SOGIESC)² and the Williams Institute and the Promise Institute for Human Rights at UCLA School of Law Expert Convening on LGBTQI+ Refugees and Asylum Seekers.³ Research will build the evidence base for advocacy, which will mobilize key actors



to support the development, implementation, and evaluation of new policy solutions. This network will fundamentally alter the landscape by creating a multilateral platform for meaningful participation of people with lived experience, connecting them with policymakers. Policy solutions will empower refugees, civil society and governments to address protection gaps and create more pathways to safety for LGBTQI+ forcibly displaced persons.

THE NEED FOR A DEDICATED COORDINATION MECHANISM

Over the last few years, Rainbow Railroad has been at the forefront of recent convenings where activists and organizations from around the world have signaled an increasing recognition of the need for a dedicated LGBTQI+ forced displacement network. In June 2021, the UN High Commissioner for Refugees (UNHCR) and the UN Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation and Gender Identity (IE SOGI), Victor Madrigal-Borloz, co-convened the 2021 Global Roundtable on Protection and Solutions for LGBTQI+ Persons in Forced Displacement, which resulted in the recommendation to create an LGBTQI+ forced displacement network. More than 600 people participated in the weeks of virtual discussions, signaling the groundswell of interest from grassroots organizations, academics and civil society to build relationships and advance conversations and joint advocacy on the protection of forcibly displaced LGBTQI+ persons.

Rainbow Railroad was a thematic working table co-manager for the Roundtables. We were invited by UNHCR to consult and lead thematic sessions, and played a role in final recommendations related to identifying the lack of coordination amongst civil society and governments to support forcibly displaced LGBTQI+ persons, and proposed solutions including the forced displacement network. The summary conclusions from the roundtable recommend, *inter alia*, to create a “formal global structure, networks, and funding mechanisms by which members of humanitarian, human rights, and allied communities can exchange information, collaborate, coordinate, and hold each other accountable on collectively protecting and supporting LGBTQI+ people in forced displacement and statelessness.” They similarly advise civil society actors to “establish and invest in a robust, centralized, international multi-stakeholder network to regularly share data, research, programmatic best practices, and solutions for LGBTQI+ persons of concern.” UNHCR consulted Rainbow Railroad bilaterally in March 2023 for their ongoing stocktaking exercise tracking the implementation of the Round table recommendations and, in June 2023, our CEO attended a full day workshop in Geneva reconvening the UNHCR working table managers to discuss next steps in following up on the recommendations.

Beyond the Roundtables themselves, we also continue to collaborate closely with the other co-sponsor of the Roundtable, the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (IE SOGI). We have submitted formal briefs towards numerous IE SOGI reports and initiatives, including on the impact of

¹ <https://fdpn.org.au/queer-displacements/>

² <https://www.sogica.org/en/>

³ <https://williamsinstitute.law.ucla.edu/publications/lgbtqi-refugee-convening/>



conflict on LGBTQI+ persons, the intersection between freedom of religion and belief and LGBTQI+ persons, and a briefing we provided on the impact of Title 42 on LGBTQI+ asylum seekers at the Mexico-US border in preparation for his field mission.

Addressing the needs of forcibly displaced LGBTQI+ people was also central to the World Pride Copenhagen 2021 Human Rights Forum, another key forum which demonstrated the need for a platform to facilitate ongoing dialogue and collaboration on protection solutions. This three-day Human Rights Conference was organized by a diverse consortium of global LGBTQI+ stakeholders that brought together over 1,000 LGBTQI+ rights defenders and activists. Rainbow Railroad was the lead international partner for the conference and co-organized and moderated the plenary session, “The Landscape for LGBTI+ Refugees and Forced Migration - Global Issues and Solutions.” The International Advisory Board for the Forum included representatives from ILGA World and Dignity Network Canada. Rainbow Railroad holds key leadership positions in both organizations.

In 2023, Rainbow Railroad also attended World Pride in Sydney, Australia and participated in a number of regional conferences including the **Queer Displacements Conference** (QDC) hosted by the **Forcibly Displaced People Network** (FDPN). The FDPN supports LGBTQI+ people seeking asylum, refugees and migrants from non-Western countries to be safe in Australia. FDPN is established to promote human rights and inclusion of LGBTQI+ persons in forced displacement through peer support and strengthening services and policy responses. Rainbow Railroad also participated in the **Human Rights Conference** (HRC) hosted by **Sydney WorldPride**. World Pride served as an important touchpoint to advocate for addressing forced displacement in the broader LGBTQI+ rights movement.

Rainbow Railroad is able to take on these roles because we are deeply connected with grassroots LGBTQI+ organizations around the world, as we partner with local civil society organizations on emergency travel support, cash assistance, subgrants, crisis response, information services and referrals and complementary pathways.

Since 2019, Rainbow Railroad has formally partnered with over 50 organizations engaged in work with the LGBTQI+ community; these organizations are headquartered in 24 countries, and many of them work regionally as well.

As one of the few LGBTQI+ refugee support organizations providing direct services and working internationally, Rainbow Railroad has unique insights into the state of global LGBTQI+ rights. Having received nearly **10,000 requests for help from individuals in over 130 different countries in 2022**, our case management system provides us direct access to critical insights about the needs and experiences of LGBTQI+ refugees.

Rainbow Railroad has also engaged state governments to prioritize the needs of 2SLGBTQI+ persons in forced displacement. Rainbow Railroad currently participates in the Equal Rights Coalition (ERC), an intergovernmental body of 42 member states dedicated to the protection of the rights of 2SLGBTQI+ persons. Rainbow Railroad holds key leadership positions on both the National Laws and Policies and International Diplomacy working groups of the ERC, and in April 2022, in partnership with Global Affairs Canada, Rainbow Railroad led an ERC webinar on advancing the rights of 2SLGBTQI+ refugees. In addition to discussing our work and experience, we platformed three of our global civil society partners: Upper Lift Minorities (Kenya), Kyiv Pride (Ukraine), and AMAL (Argentina). Attendance at this event included cross-sector engagement from 24 government officials, 36 civil society advocates, and 3 representatives of multilateral institutions.



In September 2022, Rainbow Railroad attended the ERC conference in Buenos Aires. Rainbow Railroad also recently presented the findings of its **2022 Annual Report**, Understanding the State of Global LGBTQI+ Persecution, at a UN event hosted by the Permanent Mission of Canada to the United Nations, with representatives from 22 countries in attendance. Panelists included the former UN Independent Expert on SOGI, UNHCR, Outright International, and a notable refugee activist.

Rainbow Railroad works closely with UNHCR through ongoing collaborations with headquarters, and regional, branch, and field offices across several critical areas of our work, including:

- a. complex case support and refugee status determination (RSD)**
- b. access to registration and other documentation**
- c. coordination on LGBTQI+ inclusion in UNHCR interventions, and**
- d. international civil society consultations.**

We regularly correspond with UNHCR field offices and regional offices regarding individual cases, and are also in contact with UNHCR Geneva colleagues, particularly from the Division of International Protection, Community Based Protection staff and RSD colleagues. We would invite UNHCR colleagues to participate in and join all the events in this project, from alerting Geneva, NYC, and regional staff regarding events if they are able to travel, to inviting country offices to join events which we hold in their area of responsibility, where they can serve in roles including facilitation and soliciting feedback on UNHCR thematic areas and policies.

Additionally, last year our Head of Programs spoke on a panel at the UNHCR Annual Tripartite Consultations on Resettlement (ATCR) in Geneva on LGBTQI+ refugee issues, and we attended for the second year in a row in 2023, where our Head of Impact moderated a panel on best practices in integrating refugees with diverse needs, including LGBTQI+ refugees. We are active members in the Global Refugee Sponsorship Initiative (GRSI), a joint initiative of UNHCR, the Government of Canada, Open Society Foundations, the Giustra Foundation, and University of Ottawa Refugee Hub. Through our membership in Refugee Council USA (RCUSA), Rainbow Railroad is also actively involved in preparing for the UNHCR Global Refugee Forum in Geneva this December.

We consider that our strong and ongoing connections with UNHCR and the UN IE SOGI, as well as our deep roots within the global LGBTQI+ movement, equip us to serve a convening role in these initial consultations to move forward this recommendation from the Roundtable.

THE GOALS OF AN LGBTQI+ FORCED DISPLACEMENT NETWORK

Rainbow Railroad will leverage our contacts with key stakeholders with expertise in global refugee assistance and LGBTQI+ rights to join with partners in holding a series of conferences and convenings which will map out the structure and goals of an LGBTQI+ forced displacement network. Through consultation and discussion with states, civil society, academics and people with lived experience, we will mobilize, build support and further refine this concept through active dialogue. Holding convenings in global south countries in different regions will facilitate participation from grassroots organizations and regional actors.



By establishing a centralized, international, multi-stakeholder network, stakeholders will be able to better coordinate response efforts to crackdowns and crises faced by the LGBTQI+ community. The independent network will elevate the protection needs of LGBTQI+ forcibly displaced persons and generate policy solutions. The network will also coordinate advocacy, research and policy development to help inform government responses to advance the rights of LGBTQI+ persons. These goals will complement activities taking place within the wider humanitarian and refugee protection system, for example, by providing a space for follow-up on Global Refugee Forum pledges related to LGBTQI+ asylum seekers and refugees.

Rainbow Railroad, along with international partners, seeks to undertake core research, advocacy, and policy development activities to:

1. support people with lived experience and grassroots actors working with forcibly displaced LGBTQI+ people to engage with local, regional, and international partners to share their expertise and collaborate with researchers, policy-makers, and protection actors on program and policy design, and;
2. support academics and policy researchers to identify and elaborate key content areas for the network to focus its work and engagement;

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2. support academics and policy researchers to identify and elaborate key content areas for the network to focus its work and engagement;
3. support networking and policy development opportunities between persons with lived experience, civil society organizations (CSOs), international organizations (IOs), international non-governmental organizations (INGOs) and state and non-state protection actors to create a set of commitments in a multi-stakeholder declaration.



We intend to produce action-oriented policy recommendations that actors at various civil society, state, government and multilateral levels could implement. Open communication and sharing of these recommendations with UN bodies will be key. We are currently engaged in expanding our existing relationship with UNHCR and have an active application for ECOSOC status as well as plans for increasing engagement over the next year with UN fora including the LGBTI Core Group through our New York office. We will also closely involve the UN IE SOGI who co-sponsored the 2021 Roundtable along with UNHCR.

To achieve these ambitious goals, Rainbow Railroad will carry out a number of specific research, advocacy and policy development activities.

RESEARCH

Rainbow Railroad will undertake the following research activities:

- Establish and hire a two-year Fellow (an LGBTQI+ researcher from the Global South to expand research, identify research gaps, and deepen global research networks and resources.)
- Coordinate an academic symposium in the global south bringing together academics, policy researchers, and people with lived experience to identify gaps in research, propose new areas for investigation, and develop policy solutions.

ADVOCACY

Rainbow Railroad will undertake the following advocacy activities:

- Organize and conduct one-day roundtable events in five transit countries) to strengthen linkages between local and regional CSOs to enhance joint advocacy.
- Organize and conduct one-day in-country roundtable events with key state protection actors from Canada, USA, Netherlands, Spain, France and Germany operating regionally in five transit countries (South Africa, Argentina, Mexico, Lebanon and Pakistan) to encourage collaboration between civil society, international NGOs, and state protection actors, and build the foundations for the network.

POLICY DEVELOPMENT

Rainbow Railroad will undertake the following policy development activities:

- Organize and conduct one-day roundtable events in five transit countries involving host states, local CSOs, and people with lived experience.
- Organize and hold a three-day conference in the global south bringing together academics and researchers, state actors, human rights defenders, local CSOs, INGOs, and LGBTQI+ persons with lived experience of forced displacement.
- Draft a multi-stakeholder declaration for signature by conference participants, outlining a common research, policy, and advocacy framework to collaborate on improving protection outcomes and durable solutions for LGBTQI+ people in forced displacement.
- Establish the framework for an international multilateral network to support the ongoing needs of LGBTQI+ persons in forced displacement. This work will be taken up by a global Secretariat, formed following the conference.



Other project activities include generating and sharing research findings, such as summary reports from the symposium, roundtables and conference. This will enhance accountability and transparency, and create materials that can be used for advocacy and policy development by state protection actors and CSOs. Rainbow Railroad will also produce and disseminate regional advocacy documents to local and regional CSOs to support their advocacy work with local state actors.

In the course of this work, Rainbow Railroad will prioritize the full inclusion of LGBTQI+ persons in forced displacement in all activities and ensure their concerns are incorporated into all aspects of the project. In particular, active consideration of the impacts of forced displacement on transgender persons and cis-gender lesbians, bisexual and queer women and intersex persons will be incorporated into all activities and research, advocacy and policy outcomes identified in the project.

OUTCOMES

In addition to generating lasting research and policy solutions, the network would provide a forum for different actors to mobilize and coordinate humanitarian response efforts in real time when crises occur.

International geopolitical and climate crises, and state-sponsored anti-LGBTQI+ crackdowns in countries such as Afghanistan, Uganda, Ghana, Chechnya, Egypt, and Chad, as a few examples, remain key drivers of LGBTQI+ vulnerability. States, civil society actors, and multilateral institutions must act together to ensure that humanitarian response mechanisms are accessible to the most at-risk LGBTQI+ persons, and collaboration between grassroots actors, UN agencies and other multilateral bodies, and non-governmental organizations would strengthen protection outcomes for LGBTQI+ persons in humanitarian need.

The LGBTQI+ forced displacement network would strengthen collaboration with grassroots actors in crisis-prone environments, and hone mechanisms to quickly identify and protect at-risk LGBTQI+ persons and the people who defend them. The forum would also enable state and civil society collaboration on developing proactive crisis response plans, and supporting the return and reintegration efforts for LGBTQI+ persons in post-crisis settings. Participants would have an opportunity to develop tangible solutions to ongoing challenges in international humanitarian coordination efforts, such as: What temporary and permanent protection measures can be developed to better protect LGBTQI+ human rights defenders facing persecution? How can LGBTQI+ persons fleeing persecution, conflict, or natural disaster be better protected in transit countries? What types of sensitization measures are required to support asylum adjudication bodies to fairly assess LGBTQI+ asylum claims? How can funding for LGBTQI+ humanitarian protection efforts, including civil society-led work, be mainstreamed into broader humanitarian funding?

As the scale of forced displacement grows, transit states, resettlement states, and civil society actors need a space to collaborate on improving durable solutions for LGBTQI+ IDPs, asylum-seekers, refugees, and other forcibly displaced persons. With the growing scale of humanitarian need, climate disaster, and forced displacement, and their disproportionate impact on LGBTQI+ people globally, the LGBTQI+ forced displacement network would provide an institutional space to focus humanitarian action impacting LGBTQI+ lives and organizations in the challenging years ahead.



ABOUT RAINBOW RAILROAD

Rainbow Railroad is an international organization, registered in Canada and the United States, whose mission is to provide solutions for individuals in immediate danger of persecution or violence amidst the global refugee crisis. In partnership with a global network of LGBTQI+ organizations and human rights defenders, we support individuals experiencing violence with temporary relocation assistance to get them out of harm's way, and where necessary, permanent resettlement solutions. Rainbow Railroad has assisted over 7,600 LGBTQI+ individuals at risk since its founding in 2006, including nearly 1,500 persons supported through emergency relocation assistance.

As thought leaders in various international fora, Rainbow Railroad has consistently participated in global convenings focused on forced displacement and LGBTQI+ rights. We hold leadership positions in Refugee Council USA (RCUSA), Council on Global Equality (CGE), the Commonwealth Equality Network (TCEN), and the Equal Rights Coalition (ERC), as well as in various LGBTQI+ civil society fora such as ILGA World, Dignity Network Canada, and From Borders to Belonging. Rainbow Railroad also has deep connections with grassroots LGBTQI+ organizations around the world, as we partner with local civil society organizations on emergency travel support, cash assistance, subgrants, crisis response, information services and referrals and complementary pathways. Since 2016, Rainbow Railroad has formally partnered with over 50 organizations engaged in work with the LGBTQI+ community; these organizations are headquartered in 24 countries, and many of them work regionally as well. Our strong and ongoing connections with UNHCR and the UN Independent Expert on Sexual Orientation and Gender Identity, as well as our deep roots within the global LGBTQI+ movement, mean we are well placed to serve a convening role and help build an International Network on LGBTQI+ Forced Displacement.

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