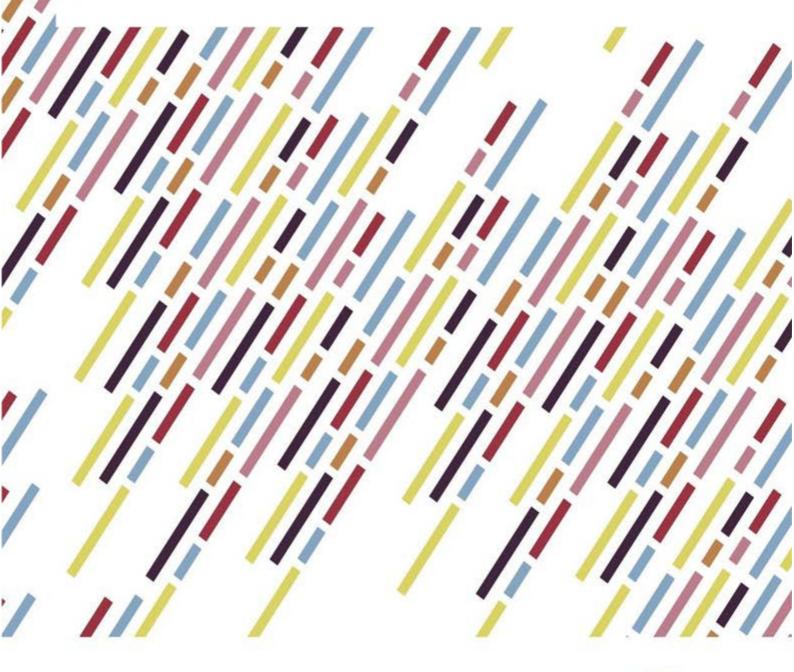
# **DIFFERENT SAFE PLACES**

Mapping of the Institutions who support the threatened LGBTI human rights defenders







This publication was carried out in the framework of the project: "Centroamérica Diversa; Aplicación del Enfoque Basado en Derechos con las organizaciones LGBTIQ+" in fivedifferent Central American countries

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## Written in March 2021

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## **PREFACE**

Arcigay is the main Italian LGBTI organization, reuniting about 70 local committees throughout the country, working as grassroot and impact organizations on a local level. Since 1985 we have been working in order to achieve full equality for LGBTI people in Italy, country that, irrespective of being among the founders States of the European Union, presents a shortfall in regards of the recognition of LGBTI rights. Up until 2016 it was the sole country in Western Europe not having any type of juridical acknowledgment for same sex couples; in the same year the bill introducing Civil Unions for same sex couples was enacted by the government, today Italy is the only Western European country that does not recognize same sex marriages. Despite of the numerous challenges which need to be overcome by the LGBTI community in Italy, today we are proud to be part of the European Union whose Parliament, on the 11<sup>th</sup> of March 2021, declared to be an "LGBT freedom zone" (Parliament declares the European Union an "LGBTIQ Freedom Zone" | News | European Parliament (europa.eu).

In this context, in Italy Arcigay accepted the commitment to face the great challenges,both positive and negative, presented by the interconnectivity that globalization exposes us to From the 1990's, Italy ceased being a country of emigration (mostly towards the American continent and during the 20<sup>th</sup> century towards other European countries) and became a country of immigration. Arcigayis engaged to assist those migrants fleeing from Africa and the Middle East because of the persecutions faced because of their sexual orientation or gender identity, who are eligible for asylum status in our country due to their condition. Furthermore, since 2014 we have desired to amplify our horizons, this resulted in the commitment in international cooperation development. Thanks to the collaboration with the Italian NGO Terranuova and the support of the European Instrument for Democracy and Human Rights (EIDHR), our participation in two cooperation projects with organizations of sexual diversity in Central America is strongly enriching us. It furthermore makes us appreciate the value of activism for LGBTI rights a great deal more as in Italy we perform it, although not without difficulties, but in other parts of the world it might even put your life at risk.

I would like to express my gratitude to the European Commission, to all the partners of the project "CentroamericaDiversa" and to the organizations which shared time and resources in the publication of this paper.

I am very proud that Arcigay has had the opportunity to carry out this study which might represent a useful source of information for the organizations active in promoting sexual diversity in Central America as well as in other parts of the world where the work of the defenders of LGBTI rights is at risk, as well as a reflection source for the international cooperation actors.

Gabriele Piazzoni, National Secretary of Arcigay

## INTRODUCTION

The aim of the present analysis is to underline the difficulties faced by the defenders of human rights of the LGBTIQ+1 community in different parts of the world and describe several defense mechanisms which provide different kinds of support in the case of threatening and dangerous circumstances.

The following topics will be described: the importance of the work of human rights' defenders and the peculiarity of those working in favor of the LGBTIQ+ community, from now onwards will be referred to as HRDs (human rights defenders); the international regulatory framework for the protection of HRDs and LGBTIQ+ HRDs; institutional support mechanisms for HRDs will be presented describing thoroughly the types of provided assistance of several institution with a specialfocus on LGBTIQ+ activists.

By so, the aim of the present study is to contribute to raise the awareness concerning the existing assistance mechanisms for the LGBTIQ+ organizations worldwide by easing the linkage which such institutions through contact information and familiarization with application forms in order to be able to benefit from them.

Nevertheless, the present study will not be limited to the analysis described hereabove, it will focus on the peculiar circumstances of the LGBTIQ+ community as well as HRDs in Central America. A context from which HRDs as well as members of the LGBTIQ+ community are often times forced to escape from. The interviews of the organizations that provide support not only to the threatened HRDs but also to the LGBTIQ+ migrants and refugee applicants, along with the gathered witnesses from those beneficiating of support will allow to come to conclusions which might be applied to regions other than Central America.

<sup>&</sup>lt;sup>1</sup>The acronym LGBTIQ+ stands for Lesbian, Gay, Bisexual, Transgender, Transsexual, Intersex, Queer and other minorities (+) such as asexual, demisexual, pansexual and others.

## Methodology

The information presented in this study is based on primary and secondary sources. Regarding the primary sources, within the framework of the CentroamericaDiversa project, under which this study has been carried out, the information was gathered by the partners of the project. Concerning the secondary sources those were collected through a focus group, that was complemented by semi-structured qualitative in-depth interviews made for the purpose of:

- 1) Deepen the knowledge linked to the operation of the main international mechanisms which can be activated in order to protect human rights defenders of the threatened LGBTIQ+ community.
- 2) Identify and highlight functional practices and witnesses from the Central American region.

Regarding the first group of actors, the following interviews were realized:

WHEN	INTERVIEWEE	ROLE
October 6 <sup>th</sup> 2020	Urooj Arshad	Senior Program Manager,
		Dignity for All: LGBTIQ+
		Assistance Program, FREEDOM
		HOUSE
November 6 <sup>th</sup> 2020	Meerim Ilyas	Deputy Head of Protection,
		FRONTLINE DEFENDERS
November 6 <sup>th</sup> 2020	Sandra Patargo	Protection Coordinator for the
		Americas, FRONTLINE
		DEFENDERS
November 16 <sup>th</sup> 2020	Luciana Peri	Coordinator, EU Temporary
		Relocation Platform Shelter
		Initiatives, PROTECT
		DEFENDERS

Regarding the second group of actors, the following interviews and focus group were realized:

WHEN	WHO	ROLE
September 11 <sup>th</sup> 2020	Focus groupwith	José Ignacio – RDS, Natasha
	Jiménez Mata –	MULABI, Gabriela Redondo –
	Colectivo Unidad	Color Rosa, Britany Monserrat –
	ASPIDH, Carlos Va	ldés - LAMBDA
October 19 <sup>th</sup> 2020	Carlos Valdés	Director, ASOCIACION LAMBDA
		(Guatemala)
October 19 <sup>th</sup> 2020	Fátima Medina	Area of Monitoring and
		Observation, ASOCIACION

		LAMBDA (Guatemala)
October 19 <sup>th</sup> 2020	Gabriela Abigail	Director, Colectivo Unidad Color
	Redondo	Rosa (Honduras)
October 23 <sup>rd</sup> 2020	Dennis Castillo	Director Ejecutivo, IRCA
		CASABIERTA (Costa Rica)
October 23 <sup>rd</sup> 2020	Francisco	Technical Administrative
	Madregal	Manager, IRCA CASABIERTA
		(Costa Rica)
October 24 <sup>th</sup> 2020	Miriam SuazoElvir	Coordinator of FONDO DE
		EMERGENCIA for the protection
		of human rights defenders in
		Honduras

For the completion of the interviews, a <u>data recollecting sheet was elaborated (See Annex 1)</u>

Additionally, in relation to the secondary sources, the study is based on official public information obtained through informs, resolutions and pronunciation of intergovernmental organisms, studies conducted by non-governmental organizations, both national and international, academic investigations; as well as information published by news outlets, all the collected information is related to the general conditions of LGBTIQ HRDs<sup>2</sup> in the Central American region where the present study was conducted in the framework of the project CentroamericaDiversa.

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<sup>&</sup>lt;sup>2</sup>Human Rights Defenders - Declaration on Human Rights Defenders 1998 - UN.

## WHO ARE THE HUMAN RIGHTS DEFENDERS?

A universally accepted definition of a human rights defender (HRD) does not exist, this appellative is, however utilized to describe those people who, individually or along with other people engage in the promotion or protection of human rights. The HRD may deal with any problem concerning human rights, from issues regarding arrests and arbitrary detentions to employment, land and access to healthcare's issues. The HRD can also promote and protect the rights of specific groups: women, children, lesbians, homosexuals, bisexuals, transgenders and intersexuals (LGBTIQ+), people with disabilities, indigenous peoples, refugees, migrants and internally displaced persons, people belonging to religious, ethnic and linguistic minorities. The HRD play an important role in the promotion and protection of human rights on a local, national regional or international level by the collection and diffusion of information and stressing the violation of a given State of its obligations to promote and respect human rights as well as underlining abuses committed by third parties.

Human rights defenders are active all throughout the world. Their work and effort may contribute to provide numerous benefits to their communities, from calling governments to take accountability and fight against impunity to protect vulnerable communities from harm and provide assistance to the victims, including the improvement of economic participation rights. Their work is a fundamental pillar of the international system of human rights in order to guarantee inclusive, secure and prosperous societies.

The work of HRDs and that of civil society organizations might be dangerous. They are, in fact, frequently subject to intimidations, threats, dismissal as well as restrictions to their liberty of movement, expressions, association and reunion. In numerous countries, HRDs are increasingly exposed to violence, harassment, abuses and violations of human rights, including forced disappearances, extra-judicial assassinations, arbitrary arrests and detentions, illegal imprisonment, torture, sexual violence and impartial trials. People belonging to vulnerable and marginalized groups are particularly at risk, including women, LGBTIQ+ people as well as the indigenous ones. As a matter of fact, the challenges and threats faced by female HRDs might be bigger and of different nature compared to male HRDs. Those HRDs with intersectional identities (those belonging to more than one minority, i.e. gay indigenous or marginalized sector, i.e. female migrant) experience higher and more specific risks.

Both in democratic and non-democratic States, various governments try to suffocate civil society and endanger the work of HRDs, both online and offline, this is implemented by the promulgation of new laws and restrictions seeking to limit the full enjoyment of fundamental rights and liberties; by imposing restrictions upon the civil society or social media organization by removing their legal status for example, criminalizing pacific social protests, openly discriminating individuals belonging to vulnerable and marginalized groups; and using increasingly harsh intimidation strategies, illegal and arbitrary surveillance, threats and retaliations.

Actors outside of the governmental apparatus, like enterprises, individuals or groups including organized crimes groups or terrorist groups may also target HRDs due to their work, often times with the consent of the government being it either implicit or explicit. In the case where the activities of private enterprises are doubted by members of the community or in the case where corruption is highly evident, HRDs might be subject to aggressions undertaken in order to silence their opposition and impede their work.

## THE LGBTIQ+ HUMAN RIGHTS DEFENDERS

## **Definition**

The LGBTIQ+ HRDs are those people who act in order to promote and uphold the human rights of lesbians, gays, bisexuals, transgenders and intersexuals (LGBTIQ+)
The LGBTIQ+ HRDs are usually members of the LGBTIQ+ community, nonetheless, it needs to be underlined that they do not necessarily belong to this community.

## Faced risks and challenges

LGBTIQ+ HRDs are regularly submitted to harassment and intimidation, arrest, physical aggression, disrespectful description or representation in social media and on social networks, interference with the legal exercise of their rights, like freedom of speech and reunion. Some get murdered only for doing their job. The LGBTIQ+ HRDs might also face extreme isolation and the lack of political or social support, including from other HRDs.

It needs to be noted that the term LGBTIQ+ encompasses multiple different communities and that the LGBTIQ+ HRDs might encounter different challenges depending on the particular community whose rights they are willing to uphold. The necessities and circumstances of the transgender HRDs might differ significantly from those of gay and lesbian HRDs. Furthermore, a sensibilization towards gender dynamics is necessary: particularly, by carrying out their work, female human rights defenders be them either lesbians, bisexuals or transexuals might face additional threats and risks compared to their male counterparts.

A variety of factors explain the diversity of risks and challenges faced by the LGBTIQ+ HRDs. In this sense, a key factor is the persistence of negative social attitudes towards people of the LGBTIQ+ community. In many countries, the lack of legislation prohibiting the discrimination based on sexual orientation, gender identity or other sexual characteristics, contributes to the continuous social marginalization of LGBTIQ+ people. The negative attitudes towards the LGBTIQ+ community can at times be strengthened by the public influence of certain religious groups or leaders which classify LGBTIQ+ people as unnatural o immoral. In some countries, the acceptance of the LGBTIQ+ "lifestyle" is considered a western concept which is in contradiction with the beliefs and will of the local populations, and this perception brings to a rising hostility towards the LGBTIQ+ HRDs.

The penalizations of homosexual practices are another important obstacle for the LGBTIQ+ HRDs in many parts of the world. Homosexuality is still perceived as a criminal act in almost 70 countries, and it is punishable by death in at least five. The LGBTIQ+ HRDs working in those states where homosexuality is illegal face the specific risk that their work might be suppressed by the state authorities as it is considered a criminal conduct.

Security officers and judges often lack training regarding the circumstances and particular necessities of the LGBTIQ+ HRDs, which makes it more difficult for them to obtain justice when they are assaulted or threatened.

(Source: "Voices at risk: Canada's guidelines on supporting human rights defenders").

## INTERNATIONAL POLICY FRAMEWORK FOR THE PROTECTION OF HRDs

The main international documents and instruments for the safeguard of HRDs include:

- The <u>Universal Declaration of Human Rights</u>, a fundamental document which al UN member States subscribe to.
- The <u>International Human Rights Instruments</u>, included in the International Covenant on Civil and Political Rights and in the International Covenant on Economic, Social and Cultural Rights and their respective monitoring bodies, and
- The <u>Declaration on the Right and Responsibility of individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms</u> (also known as the Declaration of Human Rights Defenders).

Main Treaties on Human Rights and Respective Monitoring Bodies		
International Covenant on Civil and	Human Rights Committee	
Political Rights (ICCPR)		
International Covenant on Economic,	Committee on Economic, Social and	
Social and Cultural Rights (ICESCR)	Cultural Rights (CESCR)	
International Convention on the	Committee on the Elimination of Racial	
Elimination of Racial	Discrimination (CERD)	
<u>Discrimination(ICERD)</u>		
Convention on the Elimination of All	Committee on the Elimination of	
forms of Discrimination Against Women	<u>Discrimination</u> <u>Against</u> Women	
(CEDAW)	(CEDAW)	
Convention against Tortute and Other	Committee against Torture (CAT)	
Cruel, Inhuman or Degrading Treatment		
of Punishment(CAT)		
Convention on the Rights of the Child	Committee on the Rights of the Child	
(CRC)	(CRC)	
Convention on the Rights of Persons	Committee on the Rights of Persons	
with Disabilities (CRPD)	with Disabilities (CRPD)	
International Conventions for the	Committee on Enforced	
Protection of all Persons from Enforces	<u>Disappearances</u>	
Disappearance (ICPPED)		
International Convention on the	Committee on Migrant Workers (CMW)	
Protection of All Migrant Workers and		
Member of Their Families(ICRMW)		

The policy framework concerning the safeguard and the support of HDRs is the Declaration on the Right and Responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms adopted by the UN General Assembly in 1998 and often referred to as the <a href="UN Declaration">UN Declaration</a> on human rights defenders. This is the first and foremost instrument of the UN which

affirms that every person has the right to uphold human rights and recognized the importance and legitimacy of the work of HRDs, as well as the necessity of an improved protection mechanism. Although the Declaration is not juridically binding, it collects provisions of juridically binding instruments which are more relevant for the human rights defenders, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Moreover, the Declaration was adopted by consensus by the UN General Assembly which, therefore, represents a clear assumed pledge by all UN member States to respect the rights of HRDs on a national and international level. The declaration does not introduce new rights. Nonetheless, it articulated the existing rights in a manner which facilitates their application to the practical role and situation of HRDs. The declaration envisages specific protections for the defenders, which include: the right to seek protection and the relative enforcement of the rights on a national and international lever, to undertake human rights defense activities individually or in association with others; form associations and nongovernmental organizations; and to request, receive and use resources in order to protect human rights, which included the reception of funds from abroad.

According to the Declaration, the work of HRDs needs to be carried out by pacific activities. The Declaration clearly establishes that the act of upholding human rights is a right and that anyone has the right to promote, develop and safeguard human rights through licit and pacific means. These rights are linked to the right of freedom of expression, association and movement, and to the right of participating in the direction of public affairs enshrined in the ICCPR.

Freedom of expression and association in particular are important rights in order to undertake meaningful work in the sphere of human rights. In 2000, the former Commission of Human Rights of the UN (predecessor of the Council of Human Rights of the UN) established the **mandate** on the situation of HRD (as a special procedure) in order to support the application of the Declaration upon the human rights defenders. As time elapsed a series of resolutions concerning HRDs have been adopted, including the crucial Resolution 25/18 which was introduced on the 28th of March of 2014 by the Council of Human Rights of the UN. In this, the council expresses its concerns regarding the risks faced by the human rights defenders as a consequence of threats, attacks and retaliations, and urges the States to monitor that the laws and national policies support and allow the work of HRDs and for such measure to be in line with the international law on human rights. With this resolution, the Council of Human Rights also decided to renew the mandate of the Special Rapporteur on the situation of HRDs for a three-year period.

Other important resolutions include the historical <u>resolution 68/1815</u> concerning the protection of HRDs adopted in December 2013 by the General Assembly of the United Nations, and <u>Resolution 31/32</u> approved by the Council of Human Rights in April 2016, in which the States are invited to comply with their obligations to protect HRDs tackling economic social and cultural rights and create a safe and supportive environment for them. Another meaningful source is the <u>Resolution of 2017</u> adopted by the General Assembly of the UN in order to commemorate the 20<sup>th</sup> anniversary of the Declaration on the Human

Rights Defenders taking place in 2018 and to outline a series of activities with the aim of encouraging their promotion and implementation. By recognizing the HRDs as an integral part of the civil society as well as the necessity of supportive environments and protection in order to enable all the actors of this group, the recent resolutions and informs of the United Nations address this nexus by recognizing the "fundamental contribution that civil society and the human rights defenders make in promoting human rights", the establishment of a pacific dialogue and the construction of pluralist democracies, the request for all States to comply with their obligation to fully respect and protect civil, political economic, social and cultural rights of all people, online and offline, as appropriate, among others, the right to the freedom of expression and opinion including artistic and creative expression and the right to pacific reunions and free association (A/HRC/RES/38/12).

Source: "GUIDELINES ON SECURITY AND PROTECTION FOR GRANTEES IN THE FIELD", THE NORWEGIAN HUMAN RIGHTS FUND 2020.

"Everyone has the right, individually and in association with other, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels".

UN Declaration on the human rights defenders, article 1.

The <u>special rapporteur of the UN on the situation of human right defenders</u> is responsible for working with countries to support the implementation of the Declaration on human right defenders and collect information about HRDs worldwide. The special rapporteur presents annual informs to the Council of Human Rights and the General Assembly of the UN on specific topics,travels to the selected countries and raises individual cases of concern to the respective governments.

Other relevant actors include the <u>Special Rapporteur on the promotion and protection of freedom of opinion and expression</u>, <u>Special Rapporteur on violence against women</u>, <u>its causes and consequences</u>, <u>Special Rapporteur on the rights of indigenous peoples</u>, <u>Special Rapporteur on extrajudicial summary or arbitrary executions</u>, <u>Independent Expert on sexual orientation and gender identity</u>, as well as the <u>Working group on the issue of human rights and transnational corporations and other business enterprises</u>. The informs concerning the circumstances in different countries produced by these special rapporteurs and independent experts might provide useful information for the missions.

#### **Regional Mechanisms:**

Africa: African Commission on Human and People's Rights – Special Rapporteur on human rights defenders

Americas: <u>Organization of American States – Rapporteurship on Human Rights Defenders</u> and Justice Operators.

Asia: <u>ASEAN Intergovernmental Commission on Human Rights</u>
Europe: <u>Council of Europe – Commissioner for Human Rights</u>

Middle Ease: <u>Arab League – Arab Commission for Human Rights</u>
OSCE: Office for Democratic Institutions and Human Rights

## International policy framework for the protection of LGBTIQ+ people

There are just a few international juridical instruments subscribed by the States on the specific matter of the rights of LGBTI people, in this sense, there are only two significant resolutions issued by the Council of Human Right of the United Nations and approved by the General Assembly; the first one in 2011 and the second in 2014, known as "Human Rights, Sexual Orientation and Gender Identity and Expression".

Among the other documents (perhaps more relevant) on the subject of the rights of LGBTI people, are the principles on the application of the international legislation of human rights in relation to sexual orientation and gender identity, also known as the **Yogyakarta Principles**, these include 29 principles which are meant to be taken into account by the States, in order to guarantee the rights of the LGBTI community. Nevertheless, this document happens to be an optional instrument as it is not binding and is not constituted as a declaration of countries brought together in an international organism.

Even though there are not many international instruments which specifically contemplate the human rights of the LGBTI community, the international organisms issued various documents underlining the fashion in which the main human rights treaties enshrine obligations towards this specific community.

The UN pronounced itself on this regard stressing several obligations of the States in favor of the human rights of LGBTI community:

- Safeguarding the LGBTI community from homophobic and transphobic violence
- Prevention of torture and other cruel, inhuman and demeaning treats against LGBTI individuals
- Depenalization of homosexuality
- Prohibition of the discrimination based on sexual orientation and gender identity
- Respect of the freedom of speech, association and pacific assembly

Source: "Situación de las y los defensores de los derechos humanos de las personas LGBTIQ+ en c. a." – SOMOS CDC, 2020

#### THE SUPPORT SCHEMES FOR THE LABOR OF HUMAN RIGHTS DEFENDERS

As time elapsed, based on the regulatory framework described previously, a wide range of support schemes for HRDs have been introduced. In this paper three relevant mechanisms of the United Nations, the existing guidelines on the support of HRDs and the available support of a selection of specialized organizations will be presented.

It is imperative to underline the existence of national and regional support mechanisms such as the commission and institutions of human rights, and various organizations with relevant specialized knowledge on the topic.

The office of the United Nations High Commissioner for Human Rights (OHCHR) presents a strong focus on human rights defenders. Attention can, in fact, be drawn on three UN special procedures mandate holders which are particularly relevant for HRDs: the <u>Special Rapporteur on the situation of human rights defenders</u>, the Special Rapporteur on the rights to freedom of peaceful assembly and association; and the <u>Special Rapporteur on the promotion and protection of freedom of opinion and expression</u>.

As part of their duty, these Special Rapporteurs elaborate annual informs for the Council of Human Rights of the UN and the General Assembly, and also carry visits to given countries in order to investigate upon the general situation concerning human rights on a national level. Once the visits come to conclusion, an inform on the mission is presented to the Council of Human Rights with the relative conclusions and recommendations. Informal visits can also be carried out in collaboration with the civil society and other relevant actors on the ground.

In addition to the three abovementioned Special Rapporteurs, other mandate holders focusing on HRDs and related issues can be enlisted: the <u>Special Rapporteur on violence against women</u>, its causes and consequences, the <u>Special Rapporteur on the rights of indigenous people</u>, the <u>Special Rapporteur on extrajudicial</u>, summary or arbitrary <u>executions</u>, the <u>Independent Expert on sexual orientation and gender identity</u>, as well as the <u>Working Group on the issue of human rights and transnational corporations and other business enterprises</u>.

## Independent Expert on sexual orientation and gender identity

The Universal Declaration of Human Rights establishes that "all human beings are born free and equal in dignity and rights, without any kind of distinction". However, throughout all the regions of the world, violent and discriminatory acts are committed against people for their sexual orientation or gender identity. In order to address this concern, the Council of Human Right of the United Nations founded the mandate of the Independent Expert on the protection against violence based on sexual orientation and gender identity.

In the **mandate** of the Independent Expert on sexual orientation and gender identity, a study about the forms of improved protection of the peoples suffering violence and discriminations due to their sexual orientation or gender identity is incorporated. The aforementioned can be carried out by the following means:

- Evaluation of the application of the human rights norms,
- Identification of the best practices and the deficiencies,
- Sensibilization on these topics,
- Identification and resolutions of the root causes of violence and discrimination.
- Dialogue and consultation with the States and other pertinent involved parties in order to foster the protection of LGBT people and of different gender,
- Facilitation and endorsement of the presentation of counselling services, technical assistance, fostering of the capacity and international cooperation in order to combat violence and discrimination.

## By fulfilling the mandate, the Independent Expert:

- <u>Transmits urgent appeal and letters of allegation</u> to the State in relation with cases of violence and discrimination of people based on sexual orientation and gender identity,
- Undertakes investigation visits to various countries, and
- Presents thematic reports on the activities of the mandated, patterns, developments and work methodology to the Council of Human Rights and to the General Assembly.

## Support provided by the European Union to human rights defenders

The support of HRDs is among the main priorities of the European Union's human rights foreign policy. The assistance of the EU is based on the UN Declaration on the defender of human rights and has the objective of offering aid and protection. The EU has developed the EU guidelines on Human Rights Defenders (first published in 2004 and reviewed in 2008), which offers a general vision of the role and the aspirations of the EU which have resulted in local strategies for the EU missions in third countries. The directives may have a concrete impact concerning the protection of human rights "on the ground". The intervention of the EU is also envisioned, by its presence in third countries in the eventuality of HRDs finding themselves in danger, practical support and assistance means are offered to these people or organizations. The guidelines confirmed that HRDs are natural and indispensable allies of the EU in the pursue of promotion of human rights as well as the democratization in their respective countries.

The political support granted to the defenders by the EU is upheld by a specific financial aid granted through the <u>European Instrument for Democracy and Human Rights</u>, which

allows the EU to provide the HRDs tangible means in order to work, reinforce their abilities and confer protection. The EIDHR instrument can provide for support in the absence of an established development cooperation, it can also provide for the intervention without express governmental agreement of third countries. It also has the ability to deal with delicate political issues (death penalty, torture, freedom of expression in restricted contexts, discrimination against vulnerable groups) and it can respond to complex and emerging challenges due to its great flexibility in terms of application modes. It can uphold either groups or single individuals who are part of the civil society and defend democracy, as well as intergovernmental organizations implementing international mechanisms for the protection of human rights. The EIDHR works with, for and through the organizations of the civil society and it can provide for small subventions to the defenders of human rights.

Source: "GUIDELINES ON SECURITY AND PROTECTION FOR GRANTEES IN THE FIELD", THE NORWEGIAN HUMAN RIGHTS FUND 2020.

## SPECIALIZED ORGANIZATIONS

There are various international organizations which can provide for different forms of support for HRDs. Depending on the mandate, these organizations can dispense assistance which goes from emergency subventions to security training, protection and urgent procedures. There is also a variety of organizations which are excellent information sources, as they produce meaningful documents and reports on the human rights situation in different parts of the world. Some of them are involved in campaigns and promotion efforts for the accountability of governments where the circumstances are critical, some of these organizations are present in certain countries. Hereunder, you will find a detailed description of those organizations who focus specifically on LGBTIQ+ defenders and whose representants have been interviewed for the present study.



## Brussels, Belgium

https://www.protectdefenders.eu/es/index.html

Contact information to solicit emergency support: <a href="mailto:eg@protectdefenders.eu">eg@protectdefenders.eu</a> Contact information in order to request temporary relocation: tr@protectdefenders.eu

## PRESENTATION OF THE ORGANIZATION

ProtectDefenders.eu is the EU mechanism for the defenders of human rights, established to protect the defenders dealing with uneasy situations throughout the world. It is an independent organization established in order to ease and coordinate the application of the European Union Mechanisms for the Defenders of Human Rights.

ProtectDefenders.eu is leaded by a consortium of 12 NGOs working in the human rights field:

FRONT LINE DEFENDERS (GLOBAL and focus group on Central America)

**REPORTERS WITHOUT BORDERS (GLOBAL)** 

OMCT(GLOBAL)

FIDH(GLOBAL)

RED-DESC(GLOBAL)

**ILGA(GLOBAL)** 

<u>UAF</u>(ASIA, OCEANIA, Middle East and marginalized communities in Europe and North America)

PROTECTION INTERNATIONAL (GLOBAL)

PEACE BRIGADES INTERNATIONAL (projects on the ground in Guatemala, Honduras, Indonesia,

Kenya, Mexico, Nepal, Colombia)

**EMHRF(SOUTH OF THE MEDITERRANEAN SEA)** 

FORUM ASIA(SOUTH, SOUTHEAST AND NORTHEAST ASIA)

**DEFEND DEFENDERS (EASTERN AFRICA)** 

The goal of ProtectDefenders.eu isis to protect defenders at high risk and facing the most difficult situations worldwide by:

- Operating a permanent and <u>rapid response</u> mechanism to provide urgent assistance and practical support to Human Rights Defenders in danger, their families, and their work;
- Managing a <u>programme of temporary relocation</u> for Human Rights Defenders at risk to relocate inside their country, within their region, or abroad in case of an urgent threat;
- Supporting the creation of shelters for HRDs at risk and coordinates an exchange <u>platform</u> for stakeholders working on temporary relocation for Human Rights Defenders, the EU temporary relocation platform;

- Providing training, financial support, accompaniment, and capacity-building to Human Rights Defenders and local organisations;
- <u>Monitoring</u> the situation of human rights defenders, including in the field, and advocates for a protection agenda for Human Rights Defenders at local, regional, and international level:
- Promotes coordination between organisations dedicated to support for Human Rights Defenders, EU institutions and other relevant actors.

## **TYPES OF SUPPORT**

## 1.EMERGENCY SUPPORT

ProtectDefenders.eu provides a rapid and specific response in order to support HRDs in threatening situations (who do not necessitate of a relocation to overcome the threat). The emergency subvention program guarantees that the defenders are enabled to access urgent security measures, with the scope of assuring their protection as well as that of their families and their workplace.

The mechanism offers urgent help 24/7, 7 days a week, to those HRDS who face dangers and imminent threat.

DIRECT LINE +353 (0) 1 21 00 489

SKYPE CALL

ONLINE APPLICATION

The emergency support of Protectdefenders is managed through preexisting emergency subventions programs of its partners <u>Front Line Defenders, FIDH, OMCT, RSF, UAF, EMHRF, Forum Asia</u> and <u>EHAHRDP</u>, who, furthermore, rely on external EU funding for the providence of practical and rapid assistance to the threatened human rights defenders.

## 2. TEMPORARY RELOCATION PROGRAM

The temporary relocation is in some cases considered a necessary measure to protect HRDs, alleviate the enormous pressure they face and allow them to continue with their work.

In case of a pressing threat, ProtectDefenders.eu concedes HRDs subventions for temporary relocations within their own country or abroad. Throughout the relocation period the defenders can rest, search for rehabilitation, cultivate their abilities through training, amplify their international contact network, pursue their work concerning human rights from a safe place and prepare for a safe return home. The program can include families, it can also cover psychosocial empowerment and support activities.

## 3. THE EUROPEAN UNION TEMPORARY RELOCATION PLATFORM

The platform for temporary relocation of the European Union (EUTRP) is a worldwide platform of 68 regional, national, and international organizations (<u>Annex 2 List EUTRP organizations</u>) that participates in HRDs temporary relocation programs.

Its objective is to encounter solutions for critical circumstances for those defenders at risk and therefore to ease and guarantee their temporary relocation on all levels.

The platform encourages all organizations already involved in the relocation of human rights defenders to participate and is contemporarily looking for new stakeholders and potential new receptive organizations, like cities or universities, who are willing to take part in temporary relocation programs.

The activities of the platform include the identification of human rights defenders in need of relocation and granting them a temporary shelter within their own country or region, or elsewhere, if necessary. The platform also offers training on capacity and opportunity building in order to widen its network to the relocated defenders.

The European Union Temporary Relocation Platform <u>website</u> is a portal which brings together all the platform's members constituting a source of information for those actors interested in knowing more about the HRD and how to participate in the temporary relocation initiatives.

## 4. TRAINING

The awareness regarding the risks, threats and hostile situations faced by the HRDs in the daily performance of their work is significantly increasing throughout the world. Therefore, enhancing and fortifying the abilities of the HRDs to face unfriendly environments has become one of the priorities of ProtectDefenders.eu.

In the scope of improving their capacities and addressing the direct requests on the ground, ProtectDefenders.eu is developing a training program to meet the security requirements of HRDs, providing them with specific knowledge and additional protection instruments.

The training emphasizes topics like protection, physical and digital security, the development of security plans and promotion instruments, the evaluation of risks and campaign development strategies, with the aim of reinforcing long term abilities of HRDs when it comes to the pursue of the assessment of risks and knowing how to soften them. Some training courses focus on the psychological support of HRDs working in stressing and repressing environments. The capacity building activities are also comprehensive of aspects regarding the development of financial, managerial, and operational skills. Such aspects are fundamental for the promotion of the security of HRDs on an organizational level, and to increase the sustainability of their labor.

The members of ProtecDefenders.eu benefit from a wide experience when it comes to providing training, elaborating training material and offering counselling on digital security to HRDs, supporting them and advising them worldwide. The members are committed with a long-term capacity building focus, pursuing not only the provision of new instruments, but also guiding them in their respective processes of organizational change.

ProtectDefenders.eu developpes the training and information program in collaboration with its partners Front Line Defenders, FIDH, OMCT, RSF, Forum Asia, EHAHRDP (Defending the defenders), Peace Brigades International, Protection International, ILGA and Red-DESC.

## 5.HUMAN RIGHTS DEFENDERS' ALERT TRACING PLATFORM

It is increasingly frequent that HRDs become targets due to their work in defense of human rights. Their physical security and work ability are, subsequently, often at risk. The **ProtectDefenders.eu** Index is a monitoring platform contributing to the mapping of the abuses committed against HRDs, with the objective of illustrating and giving visibility to the extent of the repression and the pressure faced by HRDs worldwide. Despite the monitoring platform being based on verified public alerts furnished by the members of ProtectDefenders.eu, the alert list cannot be considered complete nor exhaustive in any way. The actual data are much higher and numerous alerts and attacks keep being unreported. On the other hand, this tool does not collect information regarding alerts occurring in EU member states.

For further information: https://www.protectdefenders.eu/es/stats.html

## 6. THE SHELTER INTIATIVES PROGRAM

The intent of this program is to support those human rights defenders who perform their work in the most difficult contexts and are subject to imminent risk, with the scope of guaranteeing their access to integral temporary relocation programs.

The "Shelter Initiatives" program contributes to reinforce and increase the capacity of local and regional relocation programs as well as other initiatives for the temporary relocation of endangered human rights defenders. Their specific objectives are:

- To provide direct material and financial support to new relocation programs and undergoing ones with the aim of developing and reinforcing the ability to offer an effective temporary relocation through the present solicitation.
- To offer counselling and ease opportunities of interaction and exchange among the various initiatives.

This element attempts to complete the work of the international temporary relocation programs by providing support to local and regional initiatives in need of further sponsorship, and that respond in a more specific way to the necessities of human rights defenders in function of the local and regional context. Therefore, it integrates the good practices identified by local entities related to the improvement of the access to support both on the local and regional levels.

Similarly, it takes into account that differences in linguistic, cultural, climatic and distance terms play a fundamental role in the decision of some endangered defenders whether to opt for a relocation or not. By consequence, the reinforcement of local and regional

initiatives is prioritized since importance is given to the: familiarity with the risky context and entourage on a local level, the preservation of close relations with actors working in fields related to human rights in the countries of origin, rapid reaction to emergency situations without having to get into the requirements of interregional visas, and to the offer of close monitoring once the defenders return to their home countries.

For further information contact: <a href="mailto:shelter@protectdefenders.eu">shelter@protectdefenders.eu</a>

## REQUIREMENTS NEEDED IN ORDER TO INITIATE THE SUPPORT PROTECTION

The **emergency helpsubventions** requests for endangered HRDs are examined singularly, considering criteria of identity, situation, and necessity in the following order:

- 1. The requester is a HRD working in favor of human rights, in conformity with the United Nations Declaration on Human Rights Defenders;
- 2. The requester is subject to risk due to the human rights related work;
- 3. The requester is in urgent need of support (the lack of alternative means of support will be evaluated).

No subvention funded by the EU can exceed the value of € 10.000. The various partner organizations can request criteria or apply additional requirements.

The list of eligible activities for financial and material aid for endangered HRD include:

- 1. Physical security;
- 2. Digital security;
- 3. Communication;
- 4. Security training;
- 5. Safe transport and redeployment;
- 6. Juridical support;
- 7. Medical support (including psychosocial assistance and rehabilitation);
- 8. Humanitarian aid:
- 9. Urgent relocation;
- 10. Urgent monitoring, information, and visibility;
- 11. Other

In the case of a **temporary relocation program**, ProtectDefenders.eu accepts applications sent indirectly, in the case of risk, by possible receiving organizations, including the members of the <u>European Union Temporary Relocation Platform</u>, if acting on behalf of a HRD. If necessary, ProtectDefenders.eu can also link the human rights defenders with possible receiving organizations, in the destination country or within the same country, which can provide for daily guidance, as well as the management of funds and reports.

## PROCESS FOR ACTIVATING SUPPORT

To apply for **protection grants**, applicants must fill in the form found on the organisation's website, as well as in this document (Annex 3 Application for temporary relocation Protect Defenders). As the Fund is managed by the partners, the application can be sent to Protectdefenders, which will refer it to the competent partner, or directly to one of the partners (faster procedure, as long as it is clear which partner is the focal point in the region).

It is not necessary to provide details about the threats received, but to answer some questions about the risks in human rights work and about the costs of the security measures proposed to be implemented.

Applicants are also asked to provide 2 references of persons, belonging to organisations or social movements, who know the applicant organisation or person.

The maximum amount that can be requested is €10,500, although the average grant awarded is €3,000.

In case of crisis, defenders can contact ProtectDefenders.eu via the permanent emergency helpline +353 (0) 1 21 00 489



and the secure contact form.

They can also contact ProtectDefenders directly through the following programmes

- FRONT LINE DEFENDERS
- REPORTERS WITHOUT BORDERS
- OMCT
- FIDH
- UAF
- EMHRF
- FORUM ASIA
- DEFEND DEFENDERS

The **temporary relocation programme** is managed by the Protectdefenders Secretariat. The assessment of applications usually takes 1 to 2 months, but in case of emergency, a response will be sent within 5 days.

ProtectDefenders.eu will assess applications on a case-by-case basis by reviewing <u>Grant Application Forms</u> received. However, before relocating HRDs outside their community, priority will be given to preventive measures for personal safety and protection.

Applications must be in accordance with the Grant Application Guidelines.

For more information on the Platform, please contact Guus van Zwoll, Coordinator of the EU Temporary Relocation Platform: gvanzwoll@protectdefenders.eu



**Dublin - Ireland** 

Front Line Defenders |

Contact information for emergency support: <a href="mailto:grants@frontlinedefenders.org">grants@frontlinedefenders.org</a>

## PRESENTATION OF THE ORGANISATION

Front Line Defenders was founded in Dublin in 2001, with the specific aim of protecting HRDs at risk, people working non-violently for some or all of the rights enshrined in the <u>Universal Declaration of Human Rights (UDHR)</u>. Front Line responds to the protection needs identified by HRDs themselves.

Front Line Defenders has its headquarters in Dublin, an EU-focused office in Brussels and field-based staff for each of the regions: Americas, Asia, Africa, Middle East and Europe.

Front Line Defenders provides rapid and practical assistance to HRDs at risk through:

- international advocacy on behalf of HRDs at risk, including emergency assistance to those in immediate danger;
- grants to cover the costs of practical security needs of HRDs;
- security and protection <u>training and resources</u> (materials), including on digital security;
- rest, recuperation and other opportunities for HRDs in situations of extreme stress;
- opportunities for exchange and networking among HRDs, including through the Dublin Platform (every two years);
- the annual Front Line Defenders Award for HRDs at risk (in 2019 focusing on LGBTIQ+ defenders <a href="https://www.frontlinedefenders.org/es/2019-front-line-defenders-award-human-rights-defenders-risk-0">https://www.frontlinedefenders.org/es/2019-front-line-defenders-award-human-rights-defenders-risk-0</a>);
- a 24-hour <u>hotline</u> for HRDs, available in Arabic, English, French, Spanish and Russian.

In emergency situations, Front Line Defenders can facilitate the temporary relocation of HRDs.

## **TYPES OF SUPPORT**

## 1. PROTECTION GRANT PROGRAMME

This programme aims to provide efficient and timely financial assistance to HRDs at risk. Front Line Defenders Protection Grants can be applied to fund improvements in the safety and security of HRDs and/or their organisation, and can be used, for example, to:

- improving an organisation's or individual's physical security, digital security and communications security;
- legal assistance fees for HRDs under judicial harassment;

- medical assistance fees for HRDs who are victims of aggression or who suffer health problems as a result of their peaceful human rights activities (including psychological assistance)
- providing family assistance to HRDs deprived of their liberty or to family members who are at risk due to the activities of HRDs.

Front Line Defenders does not provide funding for:

- · Retroactive grants;
- International organisations;
- Organisations that have applied for or already receive funding for the same purpose from some other source;
- Human rights projects whose focus is broader than the situation of HRDs;
- Costs for HRDs in exile;
- Office running costs, such as salaries and rent;
- Armed security guards;
- Acquisition of vehicles.

In general, grants will not cover 100% of the budget submitted.

In some cases only, Front Line Defenders is able to assist the at-risk defender through outplacement. The purpose of the Front Line Defenders Rest and Recuperation Programme is to enable HRDs to take time out and recharge their energies in a safe environment, while improving their skills so that they can work more effectively when they return home.

The programme has a flexible approach and tries to respond to the needs of the HRDs. Some of these people are hosted in Ireland, others choose a destination closer to home, where they have a particular interest or contacts. Generally these are short stays ranging from one week to three months.

HRDs can take a well-deserved break and escape from the stressful and difficult circumstances in which they work for a short period of time. They can focus exclusively on their health and well-being or spend some quality time with their family. They may also choose to work on a specific project, learn about digital security or improve other skills relevant to their work.

The opportunities given by the Rest and Recuperation Programme are by invitation only and so far one LGBTIQ+ activist is reported to have been a beneficiary of this programme.

## 2. SECURITY TRAINING

The organisation's experience with LGBTIQ+ defenders indicates that many of the requests are for temporary relocation. In the Central American region, where the CentroaméricaDiversa project is being developed, trans women (especially from Honduras) are the ones who usually ask for this type of support.

According to Front Line Defenders representatives interviewed for this study, this fact, and their knowledge of the region, indicates that Central American organisations (as well as those in other regions of the world) lack training in security issues, which means that in front of an emergency situation, evacuation is identified as the only solution. However, both Front Line Defenders and other institutions working on these issues show that temporary relocation in many cases is not a solution. The fact that it is temporary, with support that can last for a few months, means that the relocated defenders will have to return to their place of departure at some point and face the same risks as before.

In response to this analysis and to concerns expressed by HRDs about the difficulties they experience in dealing with risks and threats, Front Line Defenders developed a security and protection training programme.

This programme, which includes workshops, courses, seminars and training resources, aims to facilitate the sharing of skills, knowledge and experiences to provide HRDs with additional information and tools that can assist them in addressing personal and organisational security and protection issues.

**Workshops** for HRDs at risk cover risk assessment, threat analysis, security incident response, digital security (basic level), stress management, production of practical security plans tailored to the particular situation of each HRD, and the development of organisational security plans.

For all training enquiries, please contact the Protection Coordinator: protectiontraining@frontlinedefenders.org

In addition, in 2013 Front Line Defenders established a new initiative to promote digital **security** and protection of HRDs through direct technical support and accompaniment in the implementation of security measures. This initiative aims to enable HRDs to circumvent cyber censorship and improve their digital security in countries where the internet and digital communications are subject to surveillance, monitoring, leaks and blocking or where digital communications are intentionally disrupted. On-the-ground technical support is provided through Digital Security Consultants (DSCs), who provide direct accompaniment to HRDs and organisations working in these challenging environments. DSCs travel and meet with organisations and individuals in order to conduct risk assessments and design and help implement tailored solutions. Specific geographic focuses include the regions of Sub-Saharan Africa, Middle East/North Africa, Former Soviet Union/Central Asia, Latin America and Southeast Asia. Support includes advice on assessing the digital environment in which they work and risk analysis in the particular context. HRDs are empowered with digital security options tailored to their specific situation, practical support and ongoing assistance in the implementation of the chosen security measures. This helps to create a long-lasting effect through more direct involvement in their needs analysis, implementation, monitoring and evaluation in the specific real-life contexts of some of the HRDs working in the most dangerous environments.

## 3. EMERGENCY HOTLINE

The hotline service provides HRD with the option of being attended to in Arabic, English, French, Russian or Spanish by a person able to mobilise prompt international support and action.

Urgent actions may include phone or fax calls to relevant authorities, raising awareness of the case through EU or individual government representatives, practical support for temporary relocation, assistance with medical or legal expenses.

Call the Hotline:





Or send an email through a secure, encrypted channel:

Secure Contact Form

## CONDITIONS FOR ACTIVATING PROTECTION SUPPORT

To apply for protection grants, applicants must fill in the form found on the organisation's website as well as in this document (Annex 4 Grant application form Frontline Defenders).

It is not requested to provide details about the threats received, but to answer a few questions about the risks involved in human rights work and about the costs of the security measures they propose to implement.

Applicants are also asked to provide two references of persons, belonging to organisations or social movements, who know the applicant organisation or person.

The maximum amount that can be applied for is €10,500, although the average grant awarded is €3,000.

## PROCESS FOR ACTIVATING SUPPORT

Applications can be submitted, either by an organisation or by an individual HRD, in the following languages: Arabic, Russian, English, French, Spanish, Farsi, Portuguese and Chinese.

After submitting the application, Front Line Defenders may contact the HRD or the organisation to request additional information. It is not recommended to lobby in favour of any application. All applicants will receive a written response, whether the application is accepted or rejected. The average response time is a few days to a week, with priority given to the most urgent cases.

Groups or individuals receiving a grant are required to submit a short report with copies of all original receipts for expenses at a later date. If for any reason the project does not take place or receives funding from other sources, the grant must be returned to Front Line Defenders, as it cannot be diverted to another purpose. Front Line Defenders will be able to verify that the same grant has not been awarded by another international source. If the report, including all original receipts, is not received upon completion of the project, the applicant will be required to return the funds awarded and will not be eligible to apply for any further grants in the future.





**Washington DC - USA** 

https://freedomhouse.org/

Contact information for emergency support: info@dignityLGBTIQ+.org

## PRESENTATION OF THE ORGANISATION/PROGRAMME

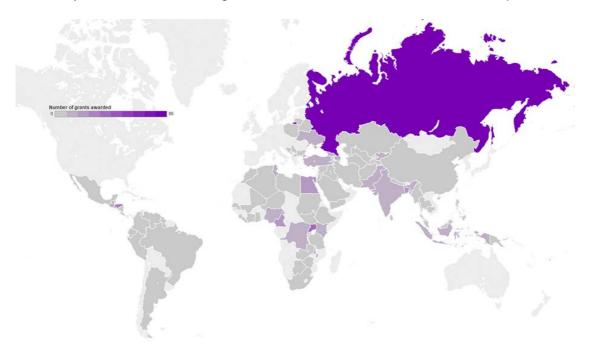
The <u>Dignity for All: LGBTIQ+ Assistance Program</u> is a consortium of eight leading human rights and LGBTIQ+ organisations, which provides emergency funding, advocacy campaign support and security training assistance to activists and civil society organisations (CSOs) who are under threat or attack because of their work in defence of LGBTIQ+ rights.

The consortium is composed of the following organisations:

NAME	GEOGRAPHICAL AREA	CONTACT INFORMATION
Arab Foundation for Freedoms and Equality (AFE)	MIDDLE EAST AND NORTH AFRICA	MahdyCharafeddine, info@afemena.org
Equipo de Trabajo en Sexualidades y Géneros ( <u>AKAHATÁ)</u>	LATIN AMERICA	Fernando D'Elio, fdelio@akahataorg.org

CREA	CENTRAL AND SOUTH ASIA	Sunita Kujur, skujur@creaworld.org
FREEDOM HOUSE	GLOBAL	Urooj Arshad, arshad@freedomhouse.org
SYNERGIA - Initiative for Human Rights	GLOBAL	Matthew French, contact@synergiaihr.org
European Region of the International Lesbian, Gay, Bisexual, Trans, and Intersex Association (ILGA EUROPE)	EUROPE	Bjorn Van Roozendaal, bjorn@ilga-europe.org
OUTRIGHT ACTION INTERNATIONAL	GLOBAL	MariaSjödin, hello@outrightinternational.org
UHAI- the East African Sexual Health and Rights Initiative	EAST AFRICA	MukamiMarete, mukami@uhai-eashri.org StellahBosire, stellah@uhai- eashri.org

Since 2012, Dignity for All has awarded emergency assistance grants to HRDs and civil society organisations in 95 countries and territories, providing emergency financial assistance to LGBTIQ+ activists and organisations at risk so that they can continue or resume their work. Dignity for All also provides support for short-term advocacy campaigns responding to threats or attacks against LGBTIQ+ activists, organisations and communities. Finally, Dignity for All provides security training so that activists and CSOs can carry out their work taking into account the risks and how best to protect themselves.



Source: freedomhouse.org

Dignity for All receives contributions through an international donor group made up of various governments, corporations and independent foundations that support the human rights of LGBTIQ+ people.

## TYPOLOGIES OF SUPPORT

The Programme provides 3 main types of support:

- 1. Emergency assistance
- 2. Grants
- 3. Training on security issues

## 1. DIGNITY'S EMERGENCY ASSISTANCE

It provides HRDs and civil society organisations, who face threats due to the human rights work of LGBTIQ+ people, with small short-term emergency financial support to address urgent needs. The support includes, but is not limited to:

- Medical expenses (including psychological support)
- Legal representation
- Prison visits
- Trial monitoring
- Family support
- Security and equipment replacement
- Other types of urgent expenses

In the first half of 2020, funds were allocated for 70 emergency cases worldwide.

# <u>2. DIGNITY SECURITY, OPPORTUNITY, ADVOCACY AND RAPID RESPONSE</u> GRANTS (SOAR)

SOAR grants provide CSOs working in unstable contexts with urgent short-term funding for rapid response. The grants are intended to provide local CSOs with resources to counter initiatives that put the community at risk, such as proposed or recently enacted legislation, government or third party repression, increased levels of violence or other

emerging dangers. They can also support advocacy campaigns that respond to opportunities to advance the defence and promotion of LGBTIQ+ rights. Grants are flexible and can help CSOs to address:

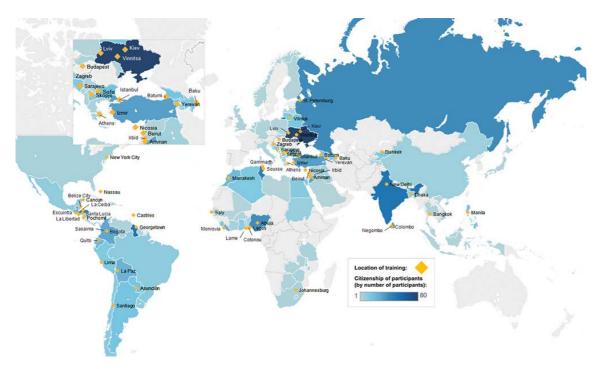
- Proposed or recently passed legislation
- Sudden government measures
- Increased levels of violence
- Unexpected openings in civil society space
- Urgently needed security assistance and security capacity building
- Other emerging opportunities or dangers
- Security assessment and training

## 3. TRAININGS ON SECURITY ISSUES

Dignity Consortium partners conduct preventive security trainings and workshops designed to:

- enhance the security and protection capacity of HRDs, organisations and the LGBTIQ+ community;
- build awareness, knowledge and skills to assess and mitigate risks;
- develop and implement security plans.

As a result of these trainings, CSOs and HRDs increase their security awareness, develop security plans and work to keep themselves and their communities safer from threats. Participants return home equipped with a better understanding of how to prevent and defend against attacks.



Source: freedomhouse.org

## CONDITIONS FOR ACTIVATING SUPPORT

Activists and civil society organisations (CSOs) who have suffered attacks or threats because of their work in the field of LGBTIQ+ rights are eligible to apply for assistance from the Dignity for All programme. Activists are people who work peacefully to promote and protect human rights and fundamental freedoms. A civil society organisation is an established group of two or more activists working together in the field of human rights. An organisation does not need to be formally registered to be eligible to apply for assistance, but it must be able to document at least six months of activism. In the case of advocacy campaigns, Dignity for All will also be able to provide support to community members who are not activists but who have been affected either by participating in a campaign or by being victims of what the campaign seeks to counter.

To be eligible for <u>emergency assistance</u>, applicants must be under attack because of their work on behalf of LGBTIQ+ individuals or communities and be able to demonstrate a history of LGBTIQ+ activism. The emergency situation must have occurred at the latest in the last 3 months prior to the application.

An **emergency** is an urgent need for assistance to respond to threats or attacks against activists and CSOs because of their work. Factors considered are: the timing of the events, whether activists or CSOs are facing prosecution or legal proceedings, security risks, loss of equipment and/or property, injury or imprisonment, among others.

## **ELIGIBILITY CRITERIA**

Civil society organisations and HRDs that are under attack or face imminent danger because of their LGBTIQ+ human rights work are eligible for assistance.

## WHAT CONSTITUTES AN EMERGENCY?

An emergency is a situation that poses an **immediate risk arising from LGBTIQ+ human rights work**. It takes into account the need, the urgency, the level of significant security risk at the time and the threat of injury or imprisonment or other legal proceedings. Similarly, the request for support has to be related to the type of emergency (e.g. if threats are reported in the neighbourhood, temporary relocation may be requested).

Eligibility checklist for emergency assistance:

- 1. civil society organisations or HRDs working in the field of LGBTIQ+ human rights;
- 2. Recent urgent threat related to LGBTIQ+ work;
- 3.A significant and ongoing security risk;
- 4. Cases are verifiable and have solid references.

#### PROCESS FOR ACTIVATING SUPPORT

Applications for emergency assistance should be sent to info@dignityLGBTIQ+.org and can be submitted in English, Arabic, French, Farsi, Portuguese, Russian, Spanish (lac@dignityLGBTIQ+.org), Turkish, Swahili and Arabic.

The application and assessment process consists of 2 stages.

## STAGE 1

In the first stage, applicants must provide a summary description of the emergency situation, including detailed information describing why emergency assistance is needed.

The review process consists of an independent verification of the information provided by the applicant, through an international and a local reference, competent in the geographical area from which the request originates. Regional specialists may contact the applicant, using the most secure means possible.

## STAGE 2

Once the situation has been clearly defined, applicants can complete and submit a full application form. It will also be necessary to indicate reference contacts, at least 1 locally and 1 internationally, who know the applicant and can support their application.

All applications are reviewed to determine whether the eligibility criteria (described above) are met and whether the funds requested are justified by the type of emergency and local costs. The assessment process can take an average of two weeks, depending on the speed at which the information arrives and the possibilities for verification.

It should be noted that the regional specialists have established networks in the regions from which most of the requests originate and useful contacts with civil society organisations.

The regional specialists' network of contacts with other international emergency mechanisms allows them to check in advance whether other mechanisms have received a request for the same emergency situation, in order to avoid duplication of assistance.

To apply for a <u>SOAR grant</u>, please contact Freedom House or a Dignity Consortium member organisation working in your region with a proposal for any urgent, short-term advocacy or security initiative designed to have a significant impact on the human rights of LGBTIQ+ people. Requests should include the type of activities they plan to undertake, timeframe of the campaign and a detailed budget. Dignity for All does not provide long-term programmatic assistance.

To request <u>training on security issues</u>, civil society organisations can contact a Dignity Consortium member organisation to discuss security options that may be available to them.

Below is a selection of organisations and a brief description of their mandates. Please note that the list below is not exhaustive.

Agir Ensemble pour les Droits de l'Homme (AEDH) is an international solidarity organisation committed to the defence of human rights through partnerships with local associations in the South and East. AEDH supports activities on the ground, strengthens the capacity of local actors and helps HRDs in danger. In addition to supporting organisations on the ground, AEDH can provide emergency funding for HRDs at risk and engages in advocacy and lobbying, including "urgent actions", legal actions and participation in solidarity networks.

Amnesty International (AI) is an independent global movement that seeks to expose and stop human rights violations committed by governments, but also human rights violations committed by non-governmental entities, corporations and other non-state actors. Al's main focus is campaigning to stop human rights violations and protect individuals, but the organisation also engages in advocacy with intergovernmental organisations and human rights organisations. Al also has some programmes offering protection to human rights defenders, but with limited scope. Al's Brave campaign encourages people to speak out for those who speak for us all. Amnesty International - Stand Up for the Brave AI also has an aid programme that provides funding for assistance such as legal support, emergency flights, living costs, observation equipment or security of evidence to HRDs and victims of human rights violations in emergency situations. Amnesty International - Defend the Brave - website: BRAVE - Amnesty International

The Association for Women's Rights in Development (AWID) is a global, feminist association working for the realisation of gender justice and women's human rights worldwide. AWID serves to support, resource and strengthen women's rights organisations to help them be more effective in their struggle, strengthen the voices and impact of women's rights advocates, organisations and movements. AWID also produces relevant publications on topics such as women human rights defenders, movement building, feminist monitoring and funding. AWID has staff working in 15 countries and focuses on certain priority areas: economic justice, resources for women's rights, challenging religious fundamentalisms, women human rights defenders and young feminist activism.

The Women Human Rights Defenders International Coalition (WHRDIC) is a network that supports and protects women human rights defenders worldwide. The Coalition has 35 members from around the world, ranging from local grassroots organisations to large, international organisations. WHRDIC has an Executive Committee and operates through three Working Groups: Documentation and Capacity Building; Advocacy; and Urgent Responses.

The International Federation for Human Rights (FIDH) is an independent international NGO with more than 170 member organisations defending all civil, political, economic, social and cultural rights set out in the Universal Declaration of Human Rights. FIDH acts in the legal and political arena for the creation and strengthening of international instruments for the protection of human rights and for their implementation. FIDH's actions include urgent reactions (both public and confidential), international research, trial observation, advocacy missions, political dialogue, advocacy, litigation and public awareness campaigns.

<u>Urgent Action Fund</u> provides rapid response grants in response to security threats to women, transgender activists and HRDs.



## **Asia Forum for Human Rights and Development**

Membership of the Forum for Human Rights and Development Asia (FORUM-ASIA) is open to independent, non-profit, non-partisan, non-violent, non-governmental civil society organisations working in the field of human rights and human development in Asia. The FORUM-ASIA Human Rights Defenders Programme aims to strengthen the protection of HRDs in Asia. The objectives of the programme include: providing a regional platform for the exchange of ideas among HRDs in Asia; promoting the role and rights of HRDs under the UN Declaration on Human Rights Defenders; coordinating the participation of HRDs in the establishment or development of national human rights institutions in their countries; and providing urgent assistance and protection for HRDs at risk. The programme includes a protection plan for HRDs under which they can apply for temporary resettlement support, other urgent assistance and trial observation. FORUM-ASIA convenes the Asian Regional Human Rights Defenders Forum (ARHRDF). FORUM-ASIA website: https://bit.ly/2QAv0YI FORUM-ASIA - Human Rights Defenders Programme - website: https://bit.ly/39ajXvM FORUM-ASIA - Human Rights Defenders Protection Plan - website: www.forum-asia.org

Contact information: <a href="mailto:hrd@forum-asia.org">hrd@forum-asia.org</a>

Human Rights Watch (HRW) is an independent international organisation working as part of a movement to defend human dignity and advance the cause of human rights for all. HRW defends the rights of people around the world by investigating abuses, exposing the facts widely, and pressuring power holders to respect rights and ensure justice. HRW has researchers on the ground in various parts of the world, and regularly publishes reports and news from different countries and regions.

<u>International Cities of Refuge Network</u> provides refuge for writers and artists at risk, promotes freedom of expression, defends democratic values and promotes international solidarity.

<u>Lifeline</u>, through Freedom House and Front Line Defenders, provides small, short-term emergency grants to civil society organisations threatened for their human rights work. These grants can help with security costs, medical expenses, legal representation, prison visits, trial monitoring, temporary relocation, equipment replacement and other emergencies. Canada provides financial support to Lifeline.



The <u>Observatory for the Protection of Human Rights Defenders</u> is a joint programme of the International Federation for Human Rights (FIDH, see above) and the World Organisation Against Torture (OMCT, see below). The collaboration is based on the complementary approach of the two organisations and their respective NGO networks. The Observatory provides emergency protection to human rights defenders on the ground (urgent interventions, international missions, material assistance and other forms of protection); cooperates with national, regional and international intergovernmental protection mechanisms; mobilises the international community and the media as agents of

protection for HRDs. Each year, the Observatory publishes a global report highlighting the most serious obstacles and threats faced by HRDs.

World Organisation Against Torture The World Organisation Against Torture (OMCT) is an independent coalition of international NGOs fighting against torture, summary executions, enforced disappearances and all cruel, inhuman or degrading treatment. OMCT ensures the dissemination of urgent interventions received from members of the SOS-Torture Network and other partner organisations around the world in order to prevent serious human rights violations, protect individuals and fight impunity. It also submits individual communications and alternative reports to UN mechanisms. OMCT provides urgent medical, legal and social assistance to victims of torture.



#### **Peace Brigades International (PBI)**

making space for peace

Protects and supports HRDs, including LGBTIQ+ HRDs (2019 report) through international presence, including: physical presence, accompaniment and observation, public relations, advocacy, networking, reporting, building international support networks, capacity building. As it has a policy of neutrality, it does not directly intervene with support for HRDs in the countries where it operates, nor does it provide financial support.

<u>Protection Internacional(PI)</u> supports individuals, organisations, networks and communities whose right to defend human rights is being violated through threats, judicial harassment, stigmatisation or other forms of repression. PI joins HRDs in defining protection tactics and their implementation; establishes protection services in countries or regions where defenders are at particular risk in order to accompany processes to improve HRDs' capacity to manage their own security; researches good practices PI also advocates for States to fulfil their obligation to protect HRDs through effective public policies using the UN Declaration on Human Rights Defenders and other international, regional or national standards.

<u>ServicioInternacional de Derechos Humanos El ServicioInternacional para los Derechos Humanos (ISHR)</u> is an independent, non-governmental organisation dedicated to promoting and protecting human rights. ISHR supports HRDs, strengthens human rights systems and leads and participates in coalitions to promote human rights change. ISHR's support to HRDs includes intensive training, capacity building, advocacy advice and technical assistance.

#### THE PROJECT CENTROAMERICA DIVERSA



The Inter-American Commission Rights has recognised that people with diverse or non-normative sexual orientations, gender identities and gender expressions, or whose bodies vary from the binary female and male body standard, live in contexts where physical. psychological and sexual violence is frequent; their political incidence is scarce; their claims before the justice system face a framework of impunity, and "barriers to have proper access to health, employment, justice, and political participation".

The Commission has also observed that,

in the Americas, violence, prejudice, stereotypes, and intolerance prevent lesbian, gay, bisexual, trans and intersex (hereinafter LGBTI) people from fully exercising all their human rights, as well as from developing their life projects with autonomy, dignity, and free from all forms of discrimination.

Indeed, the lack of recognition and subsequent human rights violations perpetrated against LGBTI people have specific and negative repercussions on the enjoyment and exercise of all their human rights, including their civil, political, economic, social and cultural rights. This situation of violence forces LBGTIQ HRDs and many activists to move to other countries in order to protect their lives. In this context, the project CentroaméricaDiversa: "Application of the Rights-Based Approach with LGBTIQ+ organisations in five Central American countries" is being developed in the framework of the European Instrument for Democracy and Human Rights (EIDHR), which is implemented in consortium between the Italian NGOs TERRA NUOVA and ARCIGAY, together with the Central American NGOs: RDS from Nicaragua, CUCR from Honduras, ASPIDH from El Salvador, LAMBDA from Guatemala and MULABI from Costa Rica.

The CentroaméricaDiversa project, with the aim of strengthening the work of defending the human rights of LBGTIQ people, produced this document containing a mapping of the institutions that support LBGTI human rights defenders under threat, as an activity in compliance with **Result 1**: Crisis management capacities created for LBGTI human rights defenders and their organisations, and support for the adoption of preventive security plans and emergency mechanisms for relocation or transfer to temporary shelters.

#### The Central American context for LGBTIQ+ human rights defenders

Central American countries recognise the human rights of all people regardless of their sexual orientation, gender identity and gender expression in their political constitutions and in the international treaties they have ratified.

In recent years there has been progress at this level: State bodies have been created (ombudspersons, directorates or procurators' offices for sexual diversity) to protect the rights of the LBGTIQ population; anti-discrimination policies have been approved in the Salvadoran public administration and in the public and labour spheres in Nicaragua; articles of the Honduran Penal Code have been reformed to establish that "it is an aggravating circumstance of the crime to commit it with hatred or contempt on the grounds of sexual orientation or gender identity"; Guatemalan transgender people can put their chosen name on their identity card and have access to comprehensive health care, including hormone therapy services for sex or gender affirmation; **Costa Rica** has recognised equal marriage in 2020 and has taken measures to combat discrimination against LBGTIQ people, through Executive Decree n. 40422. 40422.

Although Costa Rica is the country with the greatest progress in the region in terms of recognition of the rights of LGTBI people, it still faces challenges in terms of the application of these norms by state officials, on the one hand; on the other hand, there is a lack of support and protection for the work of LGTBI HRDs.

Despite these normative successes, the situation of LBGTIQ people has not had a real advance in terms of access to rights, remaining a situation of violence and discrimination that makes the region, not only one of the most unequal and violent in the world (the digital newspaper El Faro based on official data as of 30 November, indicates that for 2018, in El Salvador, Honduras and Guatemala, the homicide rates in the region are higher than in the rest of the world, Honduras and Guatemala, the homicide rates per 100,000 inhabitants are 51, 40 and 23 respectively, when the United Nations System establishes that a society already suffers an "epidemic of violence" above 10 homicides per 100,000), it also has the highest levels of impunity for the systematic violation of the human rights of the LBGTIQ population.

According to the Inter-American Commission on Human Rights, "bias-based violence is a social phenomenon, which is directed against specific social groups, such as LGBT persons, has a symbolic impact, and sends a message of generalised terror to the LGBT community. The IACHR considers that violence against intersex persons is a form of prejudicial violence against bodily diversity and socially accepted male and female bodies. It should be noted that there are no reliable records, however, the IACHR reported based on its "Registry of Violence" that in 15 months there have been 594 murders of LBGTIQ people in the Americas, mostly in Central America. The Centro de Documentación y Situación Trans de América Latina y el Caribe (CEDOSTALC), in its 2016-2017 regional report "Waiting for Death", shows that 53% of the rapes occurred in Central America.

It is undeniable that the countries that make up the northern triangle of Central America (Guatemala, El Salvador and Honduras), are the States that concentrate the highest rates of violence in the Central American region, an issue that is not alien to LGTBI people.



País	Víctims	Sexual orientation or gender identity	% in relation to previous year
Honduras	34	Gay (19), Mujeres trans (9), Lesbianas (6)	+36%
Guatemala	24	Gay (10), Mujeres trans (6), Lesbianas (3), Sin determinar (5)	+60%
El Salvador	9	Mujeres trans (8), Gay (1)	-35,7%
Total	67	67	

As can be seen in the table, during 2019 El Salvador was the only country in the Northern Triangle that observed a reduction in murders of LGTBI persons. In all cases, it is gay men and trans women who are the main victims (Source: "Situation of LGBTI human rights defenders in c. a." - SOMOS CDC, 2020).

Although it is difficult to obtain a complete picture of rights violations in northern Central America, it is possible to access evidence that shows that LGBTIQ+ people have more restrictions in access to basic services such as health and education, as well as in access to employment; they experience rejection from society, communities and their families; and there is an absence of legal frameworks to protect and guarantee their basic rights.

This situation of violence and insecurity becomes more serious towards the HRDs of LGBTIQ+ people, being forced to move to other security zones in the country and/or other countries. In this regard, in addition to the reality of defenders in Honduras, El Salvador and Guatemala, who have been displaced for years to preserve their lives, the phenomenon in Nicaragua has been added since 2018, due to the situation of violence and repression that has arisen.

The study entitled "Regional Research", carried out in 2016, within the framework of the project "Centroaméricadiferente: Derechos Humanos para LBGTI, Derechos Humanos para todos y todas", indicates that the main violations of the human rights of LGBTIQ+ people are in the areas of the following rights: the right to life, access to justice, health, education and work; in other words, the main areas for being able to live a dignified life. The perpetrators include public institutions and the media.

In this regard, the IACHR has mentioned that there has been an increase in attacks against HRDs related to sexual orientation and gender identity; further noting that HRDs who identify as LGBTIQ+ and who work to protect and promote the human rights of this group "...face alarming levels of vulnerability to violence created by the intersection of their sexual orientation and/or gender identity, their role as defenders and the causes they defend" (IACHR, 2017, p.41-42).

In Nicaragua, which used to be considered a "quieter and safer" country for LGBTIQ+ people compared to El Salvador, Honduras or Guatemala, since 2018 the situation of human rights defenders and organisations has become more precarious, with increased violence, discrimination and persecution against them because of their work and, in part, because they have led protests against the current government. According to one international organisation, in Nicaragua, HRDs working on sexual and reproductive rights, as well as those fighting against violence against women and girls, have been particularly harassed by forces sympathetic to the government (Front Line Defenders, 2020), so much so that the team of the Nicaraguan partner organisation of the Central America Diversa project had to be evacuated at the end of 2020 to neighbouring El Salvador. No State body or legal instrument was identified in Nicaragua to support the work of HRDs, nor is there any information that there is any mechanism for their protection or support from the government for the exercise of their work. The State institution in charge of human rights in Nicaragua is the Office of the Human Rights Ombudsman (PDDH); within this, there is the Office of the Special Ombudsman for Sexual Diversity, in charge of working for the rights of LGTBI persons; however, no recent actions carried out by this body have been identified.

On the contrary, there is a law passed in Nicaragua in 2018 (known as the Anti-Terrorism Law), which has been used to limit the defence of human rights. This law has criminalised protesters by accusing them of terrorism, as well as shutting down several organisations working in the defence of human rights, accusing them of "financing terrorism" (Front Line Defenders, 2019).

Also in **El Salvador**, despite a discouraging context for the defence of LGTBI rights, there is no legislation that criminalises hate crimes (crimes of prejudice), investigation protocols for this type of act, or laws for the protection of human rights defenders in general. As a strategy for the protection of LGBTI human rights defenders, the organisations have carried out a more articulated and organised work, oriented towards accompaniment through the establishment of support networks (Source: "Situation of LGBTI human rights defenders in c. a." - SOMOS CDC, 2020).

In contrast to Nicaragua and El Salvador, in Guatemala and Honduras, state protection mechanisms do exist as a measure to guarantee the security of HRDs.

Although there is no single protection mechanism in Guatemala, the Presidential Commission on Human Rights (COPREDEH), the Vice-Ministry of Interior, and the Public Prosecutor's Office have internal divisions responsible for the protection of HRDs and for analysing patterns of attacks in order to adopt measures aimed at addressing their structural causes. In 2008, the Ministry of Interior created the Instancia de Análisis de Ataques Contra Defensores de Derechos Humanos with the objective of determining and analysing patterns of attacks against HRDs. However, over time, the Instance was institutionally dismantled and no longer has the necessary resources to guarantee the effective protection of HRDs. In 2018, a protocol for the investigation of crimes committed against HRDs was approved, which is considered by Amnesty International as an important step to address impunity in cases of attacks against HRDs (source: Americas: Status of protection mechanisms for human rights defenders, Amnesty International, 2018). In any case, in the face of a threat, LGBTIQ+ HRDs in Guatemala often take autonomous self-protection initiatives, which may be informal mechanisms that some organisations have in place to protect themselves in situations of risk, or simply fleeing (source: organisation LAMBDA).

In **Honduras**, the Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators, known as the Protection Law, was adopted in 2015 and was seen as a positive step towards guaranteeing the security and protection of HRDs, making Honduras the only country in the Central American region to have a specific and unique law and mechanism to provide protection to HRDs at risk. However, civil society organisations in Honduras have mentioned to Amnesty International that the system still has a strong police approach to protection measures, which does not guarantee the effective participation of civil society in the different phases of decision-making in relation to the protection of HRDs, and in the adoption of measures to fight impunity in cases of attacks and threats against them (source: Americas: situation of protection mechanisms for human rights defenders, Amnesty International, 2018).

In this regard, it is worth highlighting the testimony of Gabriela Abigail Redondo, Director of the AsociaciónColectivo Unidad Color Rosa (Honduras), who benefited from the state mechanism five years ago in the face of the serious threats she was receiving, which consisted mainly of patrolling the area of the office, without constituting a comprehensive protection service. The state protection mechanism also provides legal advice and support in identifying international protection mechanisms.

It was in this way that Gabriela, after suffering arbitrary detention and the persecution, threats and assaults she was experiencing, received support from the state mechanism to request support from the Dignity for All programme, which brought Gabriela to Spain. However, this was not the first time Gabriela had to leave her work in defence of LGBTIQ+rights and flee the country, as two years ago she received support from Frontline Defenders to seek refuge once in the United States and a second time in Panama.

On all these occasions, Gabriela reports that she did not want to take the opportunity to stay because she felt uprooted from her context, from her activism and also for fear of repercussions against her family.

Also, this testimony could demonstrate that these international mechanisms sometimes constitute a short-term solution, but do not solve the problem in the long term, as the support after a while runs out and the HRDs have to return to their country.

Furthermore, in the focus group held with the Central American partners of the Central America Diverse project, the problem of the time taken to evaluate the requests submitted

to international cooperation and the complexity of the process were highlighted, elements that make it difficult to respond to the need for a rapid response to an emergency situation. For these reasons, it is considered very important, on the one hand, to provide training on security issues organised by the same organisations that provide support mechanisms in the event of an emergency, and on the other hand, to create or strengthen national mechanisms for the protection of HRDs, such as the one that exists in Honduras, which is presented below.

#### The experience of Honduran civil society in the protection of human rights defenders.

Since 2013, the Emergency Fund for the Protection of Human Rights Defenders in Honduras has been an emergency resource that provides financial support for activists, leaders and human rights organisations. Its creation is an initiative that arose in response to the difficult security context faced by human rights defenders.

By using the category of imminent risk, we refer to the situation faced by some defenders who are under threats, attacks, arrests, criminalisation and harassment; a situation that is a direct consequence of their work as human rights defenders and which requires immediate protection intervention, with the central objective of increasing their capacities, reducing their vulnerabilities, reducing or dissuading serious harm to their personal integrity and freedom or that of their close family members, in order to guarantee the exercise of human rights defence and the protection of their lives.

The organisations that will form the Coordinating Committee of the Fund are the Committee of Relatives of the Detained and Disappeared in Honduras (COFADEH), the Centre for Women's Studies in Honduras (CEMH), and the Reflection, Research and Communication Team of the Society of Jesus (ERIC).

During 2020, a total of 45 applications have been approved, supporting up to 75 HRDs, as one accompaniment case may involve one or several victims. The Fund manages an annual budget for the support of HRDs of between 50 and 60 thousand euros.

Specialised attention is not provided to the LGBTIQ+ population, which is one of the issues that the Fund wants to strengthen, and in this sense one of the partner organisations, C Libre (Committee for Free Expression) began a project last year, financed by AECID, which goes in this direction.

#### **TYPES OF SUPPORT**

The Procedural Guide establishes that the Emergency Fund for the Protection of Human Rights Defenders in Honduras may grant one or more of the following types of temporary assistance:

- Temporary displacement to a safe place.
- ♣ Basic subsistence expenses of the applicant (food, temporary housing rental, local transport, clothing and personal items for emergency use), and in justified cases of his/her immediate family group.
- ♣ Emergency medical, psychosocial and hospitalisation care.
- Procurement of institutional security measures. In exceptional cases, protection measures may be procured for the housing of the HRD, provided that the HRD chooses not to relocate from his or her place of work.
- Capacity and skills building in protection and security at personal, family and institutional levels.
- ♣ Basic communication such as mobile phone recharges, phones, basic internet, rechargeable phone batteries.
- Medical, drug and laboratory fees for HRDs infected with highly infectious diseases or suffering health problems as a result of their human rights

- activities, including monitoring in health emergencies. and/or exposed to contagious situations.
- ♣ Assistance with the purchase of biosecurity equipment for the HRD and their family in case of infection due to their work. Or being in judicial preventive and/or administrative detention.

In exceptional cases (in addition to one of the above seven measures), the Committee can justifiably approve the replacement of equipment or minimum tools for the continuity of the work of HRDs, when this has been stolen or destroyed as part of the attack for the work they carry out.

When a case requires mobilisation from the place of origin, priority is given to internal relocation within Honduras, and ultimately to a Central American country or other destination. This is done with the intention of avoiding uprooting and distancing them from their advocacy work.

HRDs who are internationally displaced must be supported by a local organisation, which is contacted by the requesting organisation; this creates a safe environment for HRDs and creates the conditions for them to continue their work from another space.

The maximum period for which support can be granted is three months, however, this can be extended for a further month by decision of the Committee.

#### CONDITIONS FOR OBTAINING SUPPORT

The requirements for obtaining support from the Fund are based on the following principles ("SISTEMATISATION OF GOOD PRACTICES. LESSONS LEARNED" Emergency Fund for the Protection of Human Rights Defenders in Honduras, 2017):

#### **Delimitation of beneficiaries**

The Fund only benefits HRDs who are vulnerable and at risk because of their work. This does not mean that family members cannot benefit from the action.

#### Urgency

The accompaniment actions are provided to HRDs who are under threats, attacks, detentions, criminalisation processes, harassment, smear campaigns, attacks on their institutional assets; situations that require urgent protection intervention.

#### **Duration**

The support is for a maximum of three months for each case. If, extraordinarily, the defender faces several events at different times, the Coordinating Committee will assess whether a second support can be provided.

#### **Sustainability**

The measures are intended to be sustainable for the defender, his or her organisations and family. Although it is not recorded in any document how this sustainability in terms of security is carried out or suggested, interviews with beneficiaries and their representatives show that the fund requires a security, supervision and follow-up plan in order to make the disbursement.

#### **Equality and equity**

The fund does not discriminate on the basis of gender, ethnicity, social status, sexual identity, religion, or political affiliation. The coordinating committee has the power to employ a differentiated approach and make use of positive discrimination in cases of

greater risk or vulnerability, according to the context and the right defended by the defenders.

#### Complementarity

The support provided by the Fund can be reinforced or complemented by support from other protection funds with which it has been coordinated.

#### Confidentiality

All sensitive information about beneficiaries is handled under a strict policy of confidentiality, which does not mean secrecy of information.

#### **Collegial decisions**

The response to each request for support is the product of collective discussions and decisions. The Coordinating Committee is made up of three organisations: ERIC, COFADEH and CEMH, initially, and as of 2015 C-Libre joins the coordinating committee.

#### **Autonomy**

The Coordinating Committee's decisions are autonomous; the donors who contribute to the fund do not exert pressure to influence the Committee's decisions.

#### **Ongoing adaptation**

The nature of the accompaniment actions is constantly adapting in direct relation to the context and new patterns of attacks against defenders.

#### PROCESS FOR ACTIVATING SUPPORT

Contact between the potential beneficiary HRD and the Fund can be made in the following ways:

- 1) The person gets in touch directly to the Coordinating Committee of the Fund. In this case, the Fund studies the file and, if it finds elements of risk in the information provided, refers the applicant to a competent organisation to draw up a security, supervision and monitoring plan, to administer the grant and to carry out the accounting settlement.
- 2) The person approaches the Committee through an organisation.

The Procedural Guidance states that all applications must be made with the support of an organisation, which is in charge of documenting the case, making the formal application, and in case of approval of the support, they are also in charge of the accounting settlement of the amount received and monitoring the security condition of the beneficiary. The objective of this rule goes beyond the fact that the applicant organisation monitors the execution of the allocated budget; the intention is that direct monitoring is carried out to guarantee the sustainability of security. In this way, there is no need to give visibility to the name of the HRD and the whole organisation takes responsibility for the security of its activists.

All requests for support to the Protection Fund should be channelled in writing through a locally recognised human rights organisation.

The organisation must make the request in the previously established format, and must be accompanied by the following documents:

- Description of the requested support needs;
- Plan for accompaniment and monitoring of HRDs;
- Budget with the amount requested;
- The application must be signed by the organisation's management, or in urgent cases by another person with the capacity to assume institutional responsibilities.

When applying for support from the Fund, the organisation acquires the following responsibilities:

- Prepare the application in the established format and endorse it with the signature of the organisation's management;
- Prepare a risk analysis;
- Compile the supporting documentation for the case: photocopy of the applicant HRD's identity card, documents that show his/her leadership and work as a HRD, copy of complaints lodged with any governmental and/or non-governmental body;
- Draw up an Accompaniment and Monitoring Plan.

If the Committee approves the application, the cheque corresponding to the approved amount will be made out to the applicant organisation, which is responsible for the accounting settlement of the amount received.

The Fund evaluates the applications received within a maximum of 72 hours. Cases of extreme urgency will be dealt with as soon as possible within 24 hours ("GUIDE TO PROCEDURES FOR CASE MANAGEMENT EMERGENCY FUND FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS IN HONDURAS", Emergency Fund for the Protection of Human Rights Defenders in Honduras, 2017).

Contact emails to request support:

Fondoproteccion803@gmail.com Proteccion19@riseup.net

Annex 5 Emergency Application Form Honduras Protection Fund

#### IMPACT OF VIOLENCE AGAINST LGBTIQ+ PEOPLE ON FORCED DISPLACEMENT

The characteristics of migration and forced displacement in the Central American region, together with the lack of comprehensive and systematic statistical data, make it difficult to assess the impact that violence against LGTBIQ+ people may have on their decision to flee their countries and seek asylum.

For many of them, the only mechanism for self-protection is internal displacement, or crossing borders and seeking refuge in other countries, especially the United States or Mexico (although not all people who are forcibly displaced seek refuge, sometimes for lack of knowledge of their rights or other reasons).

In recent years there has been a significant increase in the number of people leaving their countries; although the causes are multiple and complex, the levels of violence and insecurity - related to the upsurge in organised crime - are among the most accredited reasons.

In conjuntion with the increase in migratory flows, the number of asylum seekers, refugees and other people in need of international protection has also risen, not only in Mexico, but also, albeit with more modest figures, in Guatemala.

The lack of data and the culture of impunity surrounding crimes committed against LGTBIQ+ people do not allow us to calculate the impact that violence and discrimination against these people have on their decision to leave their country. Most attacks against LGTBIQ+ people are not investigated and there is very little data on how they affect the perceived safety of other LGTBIQ+ people around them.

Transgender people, and in particular transgender women, are indicated as the most atrisk groups in all three countries. It is also hypothesised that gangs use violence against LGTBIQ+ persons as "initiation" rites (Gómez Arévalo 2017). A specific group at risk of violence are defenders of LGTBIQ+ rights, as pointed out by the UN Special Rapporteur on the Situation of Human Rights Defenders.<sup>3</sup>

The structural nature of discrimination and exclusion of LGTBIQ+ persons places them, often from an early age, in a cycle of poverty due to lack of access to services, opportunities and social benefits. This exclusion often begins in their own families and close communities. Many of the LGTBIQ+ people interviewed for this study, and almost all of the transgender women, reported situations or episodes of violence and exclusion within the family and in close circles (such as the neighbourhood or school). Although it may ultimately be other episodes of violence that push them to leave the country (such as gang attacks or extortion), intra-familial violence and early exclusion in close circles have a significant effect on the conditions of displacement of LGTBIQ+ people.

According to UNHCR (the United Nations Refugee Agency), 88% of LGBTIQ+ asylum seekers from the north of Central America (corresponding to the countries of Guatemala, Honduras and El Salvador, in its acronym NCA) suffered sexual and gender-based violence in their country of origin.

<sup>&</sup>lt;sup>3</sup> End of mission statement by Michel Forst, UN Special Rapporteur, visit to Honduras, 29 April - 12 May 2018 <a href="https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23063&LangID=S">https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23063&LangID=S</a>. Also in the IACHR report on criminalisation of human rights defenders (IACHR 2015c).

The social isolation caused by the exclusion and rejection by family or close communities leads persecuted LGBTIQ+ people to flee alone or to seek refuge in peer groups. In the case of transgender women in particular, this leads to high visibility, allowing them to be easily identified during displacement.

Exposure to violence and structural discrimination - i.e. not as individual incidents but as a social pattern of rejection of non-normative sexual orientations and identities - also leads to a high mobility of LGTBI people with international protection needs compared to other groups. For LGTBI people or those identified as such, both the destination and transit countries are generally hostile places where violence, fear of violence and discrimination, including homophobic or transphobic micro-practices, lead them to decide to leave points of assistance in search of greater security, often paradoxically running great risks, including risks of sexual exploitation and trafficking for sexual exploitation.

In the case of LGBTIQ+ persons, international protection mechanisms exist: under the 1951 Convention relating to the Status of Refugees, which locates them as belonging to "a particular social group"; and the Yogyakarta principles which establish the right to seek and obtain asylum if fleeing persecution related to sexual orientation or gender identity.

NCA States have been reluctant and protracted in designing and implementing measures that provide guarantees of protection, assistance and access to justice for LGBTIQ+people.

NCA States have been reluctant and procrastinate in the design and implementation of measures that provide guarantees of protection, assistance and access to justice for the LGBTIQ+ population.

On the civil society side, the efforts of LGBTIQ+ organisations have made significant progress in advocacy to advance the protection and guarantee of their rights. However, the humanitarian sector has little capacity to provide a differentiated response to the specific needs of LGBTIQ+ people, particularly during displacement.

Despite this, many documents recognise the importance of **differentiated assistance to LGBTIQ+ people** that aims to address the specific risks faced by this population in the exercise of the right to asylum, at various stages of the process and in various fields. For example, the threats, assaults, punishments, violence, detention and possible deportation without respecting the principle of non-refoulement faced by LGTBIQ+ persons must be taken into account.

(Source: Study on the situation of LGTBI people from Northern Central America with international protection needs in Guatemala and Mexico, Spanish Agency for International Development Cooperation, 2018).

Faced with frequent rejection and discrimination in places of reception, some Central American organisations highlighted shelters as one of the priority needs for the LGBTIQ+ population.

In El Salvador, the organisation CONCAVIS TRANS shelters trans women in street situations, but there is no specialised shelter for displaced LGBTIQ+ people (UNHCR, Shelters and Safe Spaces, 2019). A similar good practice exists in Guatemala and will be presented in detail below.

An important self-protection mechanism to highlight are the networks built by transgender women and LGBTIQ+ organisations in general. Through these networks, LGBTIQ+ individuals and families open their doors to displaced persons from the community to shelter them and prevent them from having to spend time in shelters without further protection. There are reports of transgender people and gay men who have been travelling in groups or caravans for several years as a security measure, the "CaravanaArcoíris" (source: Panorama de violencia y protecciónenelnorte de Centroamérica, REDLAC, 2019).

Two existing good practices in assisting LGBTIQ+ migrants and asylum seekers are those of the LAMBDA Association in Guatemala, which intercepts migratory flows from Central American countries to the north in their attempt to reach the United States, and IRCA CASABIERTA in Costa Rica, a reception country for Nicaraguan and other migrants, as will be presented below.

#### Good practices: safe house for LGBTIQ+ migrants in Guatemala

**LAMBDA** is an LGBTIQ+ partner organisation of UNHCR, the United Nations Refugee Agency, in Guatemala, where it works in processes that minimise all forms of violence against the LGBTIQ+ community, promoting the defence and promotion of the community's rights before the State and society.

The Sin Raíz diagnosis<sup>4</sup> showed in its conclusions that LGBTIQ+ people are expelled from their family, educational and religious nucleus, and this generates a modification in the dynamics of life of many people, from their early years, by forcing them to grow up in a street situation and by increasing their vulnerability from childhood. In addition to the above, there is invisibilisation and stigmatisation of LGBTIQ+ people, which fosters exclusion in the health, education, access to justice and work systems. In addition to the above, people who work daily with people in transit in Guatemala often have no information about LGBTIQ+ people and are unaware of their realities, which makes them invisible as people in need of international protection.

In 2012, UNHCR issued guidelines clearly stating that refugee status should be granted to LGBT and intersex persons who allege a well-founded fear of persecution".<sup>5</sup> However, the struggle for respect and equality in practice is a process that requires training, good practice and respectful treatment of LGBTIQ+ refugees and ensuring that LGBTIQ+ people on the move in Guatemala can access the minimum rights and services that all people have access to, in safe spaces free from stigma and discrimination, where LGBTIQ+ people feel safe to come and spend the night, is a challenge.

That is why LAMBDA Works together with UNHCR Guatemala to ensure that LGBTIQ+ people on the move in Guatemala can access the minimum rights and services to which all people have access, in safe spaces free from stigma and discrimination, where LGBTIQ+ people feel safe to come and spend the night.<sup>6</sup>

Therefore, **minimum standards** were established and good practices identified so that LGBTIQ+ people can access support services from institutions working with people on the move in Guatemala.

The minimum standards respond to 4 main needs:

- 1. Creation of safe spaces, meaning by that term spaces free of stigma and discrimination, with rules of coexistence and where personal integrity is safeguarded.
- 2. Training and capacity building
- 3.Data collection

4. Access to psychosocial health services for LGBTIQ+ people on the move.

5.Access to justice for LGBTIQ+ people on the move

**LAMBDA's Safe House** is a space that meets the minimum standards mentioned above and has been operating since March 2020, thanks to the collaboration of UNHCR.

<sup>&</sup>lt;sup>4</sup> LAMBDA Guatemala and United Nations High Commissioner for Refugees (UNHCR) "Sin raíz: Diagnóstico Situacional de las Personas LGBT en Situación de Desplazamiento", 2017;

<sup>&</sup>lt;sup>5</sup> OHCHR Free & Equal campaign fact sheet, June 2014 Prepared with the support of the Organization for Refuge, Asylum & Migration (ORAM), www.oraminternational.org.

<sup>&</sup>lt;sup>6</sup> Minimum standards of differentiated care for LGBTI people on the move in Guatemala. UNHCR - Asociación Lambda, 2016

To date it has attended to 120 cases, despite the pandemic and restrictions on the movement of people, as a preventive measure, and has hosted 27 people, whose characteristics are presented below:

Población atendida en espacio seguro de LAMBDA	Cantidad
Gais	12
Lesbianas	3
Bisexuales	0
Trans mujeres	6
Trans hombres	1
Cisgénero	5
Total	27

#### WHO DOES IT SERVE?

There are 4 categories of people who can find refuge in LAMBDA's shelter:

- 1. LGBTIQ+ population in transit, including in that term people who are in a situation of internal displacement, international flight and deportees.
- 2. Persons at risk
- 3. Returnees
- 4. Asylum seekers, i.e. those persons who have submitted an application in which they claim to be refugees, due to the persecution they suffer in their country of origin, and are waiting for a decision to be taken on their application.

#### HOW TO BE HOSTEDINTO THE SHELTER?

LAMBDA provides the service, but is not responsible for the risk analysis of the person requesting shelter, but only for the preparation of the case, which will be assessed by risk analysts from other actors within the UNHCR Safe Spaces Network, of which LAMBDA is a member. LAMBDA's social work unit provides advice and analysis of the risk level of the situation and of the person's request, as cases are usually referred by people who are already familiar with this type of service.

This process implies that the applicant could be assigned to a different safe house, even in another country.

There are no established eligibility criteria, but there are exclusion criteria, such as having committed a crime, or other types of crimes.

#### WHAT KIND OF SERVICES ARE PROVIDED AT THE SHELTER?

The LAMBDA Shelter is an open space, where guests can come and go (depending on recommendations), which can accommodate up to 24 people.

The shelter provides accommodation, food, medical, psychological, legal and social work services (social insertion at the level of work or self-employment and training), accompaniment for documentation (work permits, passports for undocumented migrants), connectivity, training (self-managed workshops).

Unlike other safe spaces, there are no time limits on the benefit of such services, as in the case of LGBTIQ+ people, social insertion is more complicated, so the duration is related to the person's ability to find insertion possibilities.

### LAMBDA social work contact

1. Name: Alejandro Morales / Ami Hernández

2. Role: Social Worker

3. Email: <a href="mailto:rigo.almo@gmail.com">rigo.almo@gmail.com</a> / <a href="patzypatzan@gmail.com">patzypatzan@gmail.com</a>

4. Telephone n.: (+502) 23 09 - 68 25

5. Address: 23 calle 0-15 zona 1 Albergue LAMBDA

6. WhatsApp: Alejandro Morales (+502) 3046 - 3790 / Ami (+502) 4744 - 1514

7. Time: from Monday to friday – from 8AMto 5PM, local time

## Photographs of safe space LAMBDA Shelter for LGBTIQ+ people













#### Costa Rica's experience in the reception of LGBTIQ+ migrants

#### THE MIGRATION OF LGBTIQ+ PEOPLE TO COSTA RICA

Costa Rica is a receiving country for migrants coming mostly from Nicaragua, Colombia, El Salvador, the United States and Panama, among 35 other nations of the world. In the country, there are close to half a million foreigners registered in 2020, which represents 10% of the country's population. The General Directorate of Migration and Aliens, in its Refugee Unit, estimates that there will be approximately 100,000 accumulated refugee applications by 2020.

According to the United Nations International Organisation for Migration, at least 4% of this population is LGBTIQ+ ("EstudioPreliminar de FlujosMigratoriosMixtosNicaragüensesApril 2018 - June 2019", International Organisation for Migration in Costa Rica). Historically, migrant populations, as refugees, live in situations of poverty and rejection, which are aggravated by humanitarian crises such as the HIV/AIDS pandemic. Situations that are exacerbated in LGBTIQ+ populations.

LGBTIQ+ people arrive in Costa Rica not only fleeing misery - as do many of the migrants who arrive in the country - but also for reasons related to their survival, as their lives are in danger, as they are persecuted for their sexual orientation and identity, as well as for their work in the defence of LGBTIQ human rights.

According to the study: "Needs of LGBTIQ+ populations in forced displacement in Costa Rica" (IRCA CASABIERTA, 2019) these people come, in particular, from countries where they are victims of gang groups, "social cleansing" and even the armed forces. Their rights are violated through extortion and slavery, in some cases being used to carry out illicit tasks, under threat of death to their closest circle, partners, family and friends.

Additionally, persecution and domestic violence in some cases involves forced marriages or being locked up so as not to "shame the family". According to data from IRCA CASABIERTA, the majority of these populations who are victims of violence in their country of origin come to Costa Rica from El Salvador (40%), Honduras (30%), Venezuela (20%) and Nicaragua (10%).

The northern countries of Central America, including Guatemala, Honduras and El Salvador, is the region that expels the largest number of LGBTIQ+ people; however, due to Guatemala's proximity to Mexico and the United States, it is perceived that the Guatemalan migrant population or those seeking refuge in Costa Rica is smaller than that of Honduras and El Salvador.

This context of violence and mistreatment in the northern region of Central America transcends the episodes of threat, to the point of quantifying alarming figures for hate crimes motivated by sexual orientation or gender identity, a situation that exposes sufficient reasons for forced displacement in the Central American region. Poverty is an issue that cuts across forced displacement from different angles. It is clear that the situation in Nicaragua and Venezuela has placed their inhabitants in a clear vulnerability in relation to essential services for survival, such as food and health, for example; in the case

of people with HIV, who are denied the right to health and the medication necessary for life, migration is the alternative and continues to be forced by the particular circumstances that characterise this condition.

It is important to pay particular attention to the past and current situation of the influx of Nicaraguans to Costa Rica, since for reasons of history between the two countries and their proximity, Nicaragua is one of the countries with the largest number of migrants to Costa Rica. Initially, this situation was due to employment opportunities, however, recent political and economic conditions have led to a significant increase in the number of refugee applications, exponentially increasing this population in Costa Rica.

A similar situation characterises the Venezuelan people, according to the UN, as of April 2019, there are 3.7 million Venezuelans who have left their country, of which a significant percentage are in Costa Rica. The LGBTIQ+Q migrant population from Venezuela has a different profile compared to the Central American population (Qualitative Analysis: "Needs of LGBTIQ+ populations in forced displacement - Costa Rica", IRCA CASABIERTA 2019).

Costa Rica included the sexual orientation and gender identity of the refugee applicant population as part of the elements of vulnerability in the analysis for refugee status, established since 2015 in the national migration policy. Likewise, within the legal framework, the change of name in transgender and intersex populations has been recognised as elements to be discussed in migration matters. Despite the fact that public migration policy recognises persecution of LGBTIQ+ populations as an indicator for acquiring refugee status, there are still gaps in this area that limit access to this right for the affected populations. According to some testimonies of LGBTIQ+ people who entered Costa Rica requesting refuge, they were afraid to mention their sexual orientation, as they thought this could be counterproductive in the analysis process to grant them refugee status, as they were unaware of the existence of the regulations.

According to the study: "Needs of LGBTIQ+ populations in forced displacement in Costa Rica", LGBTIQ+ migrant populations arrive in the country with little information about their rights to seek refuge. This is largely due to their low level of education, which makes them victims of labour exploitation and administrative bureaucracy, stereotypes, prejudices and phobias, both on the part of public officials and some members of the public.

This situationcauses several obstacles that prevent them from accessing basic services such as education, health, housing and work, which threatens the enjoyment of their human rights ("Autodiagnóstico: Mi sala de redacción y la orientación sexual e identidad de género", IRCA CASABIERTA 2020).

#### THE EXPERIENCE OF IRCA CASABIERTA

In this context, the "Instituto sobre Refugio LGBTIQ+ para Centroamérica", known by its acronym IRCA CASABIERTA, is a non-governmental organisation that operates from Costa Rica and is linked to a number of organisations and agencies at the Central American level. IRCACASABIERTA is a non-profit organisation that generates advocacy, research, training, essential services, and promotion and development aimed at improving the quality of life

and opportunities for LGBTIQ+ populations in forced migration and seeking refuge in Central America.

IRCA CASABIERTA wants to eradicate LGBTIQ+ populations, who sufferedforced displacement in Costa Rica, experience double and even triple stigma, a phenomenon also called intersectionality, confluence or point of union of different forms of oppression and discrimination, among them xenophobia, aporophobia or rejection of the poor and homolesbo-bi-trans-inter phobia (Guide for journalists and communicators "A comprehensive approach to the human rights of LGBTIQ+ populations in forced displacement", IRCA CASABIERTA, Costa Rica 2020).

Although according to the International Organization for Migration (IOM), of the 100,000 people who requested refuge in Costa Rica in 2020, between 4 and 6,000 are LGBTIQ+ people, IRCA estimates that their number could reach up to 10,000 people.

40% of the population IRCA is serving is made up of HIV-positive people, 75-80% gay men, 10-15% are trans women, 1% are trans men.

This population comes into contact with IRCA thanks to the articulation that it has with other organisations in Central America, thanks to word of mouth among people from the LGBTIQ+ community and through messages on social networks.

WhatsApp: +506 8448 7128

email: info@ircacasabierta.org , irca.casabierta@gmail.com

website: <a href="https://ircacasabierta.org/">https://ircacasabierta.org/</a>

#### SUPPORT TO LGBTIQ+ MIGRANTS IN COSTA RICA

IRCA is dedicated to the accompaniment of LGBTIQ+ migrants to Costa Rica, through:

- an introductory analysis process to identify the situation of the person and their needs
- support in the bureaucratic process for the <u>asylum application</u> or legal documentation to reside in the country
- accompaniment to obtain scholarships
- psychological support
- support for basic accommodation and food needs

Regarding accommodation, the State does not have specific shelters for asylum seekers and the UNHCR in Costa Rica and its partner organisations have had houses to accommodate migrants and refugees, but without differentiated attention for LGBTIQ+ people. Furthermore, there is a perception that international organisations dedicated to refugees and migrants have a certain resistance to providing differentiated attention.

The demand for differentiated attention stems from the risk of discrimination that the LGBTIQ+ population may suffer from their nationals, who often share the same exclusionary and discriminatory cultural patterns towards sexual diversity that caused them to flee the country. For example, in one of these shelters a transgender woman suffered discrimination, being the last one to be able to eat. In the face of this demand for differentiated attention, there is a perception that there is some resistance or lack of

knowledge in providing differentiated assistance to the LGBTIQ+ population and people with HIV in emergency situations.<sup>7</sup>

However, IRCA CASABIERTA has made strategic alliances with solidarity organisations that provide support services to foreigners.

It has also signed agreements with solidarity dormitories for homeless people and people with addiction problems (which can be used in emergency situations). It also has some resources for renting rooms.

In relation to food, it has an agreement with the National Food Bank, which provides a certain amount of food per month, with a current capacity of 50 to 100 people per day.

#### REFUGE FOR LGBTIQ+ PEOPLE IN COSTA RICA

In relation to the asylum application, IRCA advises on the process, guiding applicants in the preparation and conduct of the interviews that decide on the case.

The issue of violence and persecution suffered in the country of origin is fundamental to receive the approval of the application. Testimonial evidence is considered as valid proof, but it is better to have evidence (complaints, photographs, etc.).

Interviewers usually ask 7 to 9 questions in a period of one hour.

Before the covid-19 pandemic, the time needed for the resolution of the application was 3 to 6 months. During this time, the applicant's status in the country remains regular. If the answer is positive, within 3 to 5 years one can apply for permanent status or naturalisation.

If the answer is negative, there is a court within Migration to appeal or, alternatively, the person, whose application for refugee status has been denied, can apply for another immigration status (permanent, temporary for some condition, characteristic, occupation).

<sup>&</sup>lt;sup>7</sup> Unfortunately, approaching these organisations to include their work and vision for this study has not been successful.

#### **CONCLUSIONS**

The two good practices that have just been presented are just two examples of the self-protection mechanisms that civil society organisations have organised to provide support to threatened HRDs or people from the LGBTIQ+ community who are escaping situations of constant violence and discrimination, in the face of the inaction of the States that should protect them and the inability of international cooperation to support all the cases that would be needed due to different factors (limited budgets, time taken to evaluate the cases, lack of coordination with grassroots organisations).

There are many initiatives in different parts of the world that offer hope to people from the LGBTIQ+ community, becoming places of salvation for many, despite the risks to which those who dedicate themselves to this essential humanitarian service are often exposed. Significant in this regard is the documentary <u>Welcome to Chechnya</u> by David France, which received the Audience Award for Best Documentary in the Panorama section of the Berlinale and the Jury Prize at Sundance. This documentary follows a group of activists who risk their lives to help victims of the repressive anti-LGBTQ movement in the Russian republic of Chechnya escape and save themselves.

Also the Central American context, the region in which the project "Central America Diverse: Applying a Rights-Based Approach with LGBTIQ+ organisations in five Central American countries", in the framework of which this study has been carried out, is characterised by high rates of violence towards the LGBTIQ+ community, especially towards those most visible, i.e. HRDs and transgender people.

In the face of threats and violence, flight is the most immediate option and the migration of Central American LGBTIQ+ people northwards (United States via Mexico) and southwards (Costa Rica) demonstrates that intergovernmental refugee and migrant organisations are aware of the issue but are not prepared to provide care on the ground, which needs to be differentiated for LGBTIQ+ persons, due to the additional vulnerability to which they are also exposed during the migration process and insertion into a new society, because they are LGBTIQ+. This is where civil society is playing a fundamental role, as demonstrated by the experiences of the LAMBDA Association in Guatemala and IRCA CASABIERTA in Costa Rica.

On the other hand, the interviews conducted and testimonies collected, both from representatives of organisations providing support to HRDs at risk, and also from beneficiaries of these mechanisms, show that leaving the country should be the last option for a HRD, since at some point the support of these mechanisms ends and the person has to return to their place of origin, where they would probably face the same situations as before. Therefore, it is important to provide security training to LGBTIQ+ organisations, so that they can prevent and recognise risk situations and possible mitigation actions in time.

At the same time, the experience of Honduran civil society demonstrates the importance that, at national or regional level, it is the same organisations that, faced with the lack of State action, despite international obligations to protect HRDs, or faced with the inefficiency of existing State mechanisms (in Guatemala and Honduras), organise a type of rapid and structured response that goes beyond the informal networks that are activated at the time of an emergency.

We hope that, as in the case of Honduras, international cooperation can support these types of initiatives and that these conclusions can also inspire other regions of the world to move towards societies free of homo-lesbo-bi-trans-inter-phobia.

#### **ANNEXES**

## ANNEX 1\_ Data collection sheet

Date ......

NAME OF THE INSTITUTION				
Legal headquarters				
website				
Focal points in the world				
Contacts to apply for support	•			
Name of the interviewed persone	Position:			
1. TIPOLOGIES C	OF SUPPORT			
2. REQUIREMEN	TS TO RECEIVE SUPPORT			
3. PROCESS TO A	ACTIVATE THE SUPPORT			
4. COUNTRIES WHERE SUPPORT HAS BEEN PROVIDED AND AMOUNT ALLOCATED				
5. ADDITIONAL INFORMATION				

## Annex 2\_ List EUTRP organizations

	EUTRPMembers				
1	AfricaHumanRightsNetworkFoundation (AHRN) Shelter CityTanzania				
2	Agencia Catalana CooperacióDesenvolupament (ACCD)				
3	Agir Ensemble pour les droits de l'Homme (AEDH)				
4	AmnestyInternational				
5	Art, Rights & Justice – Hildesheim University				
6	Artists at Risk(AR)				
7	Artist Safety.net				
8	Asian Forum for Human Rights and Development FORUM- ASIA				
9	Basque Government, Victims and Human Rights Directorate				
1 0	Centre for Applied Human Rights, University of York				
1 1	Chinese Human Rights Defenders (CHRD)				
1 2	Civil RightsDefenders				
1 3	City of Malmo				
1 4	ComissióCatalanad'AjudaalRefugiat(CCAR)/ComisiónEspañoladeAyudaal Refugiado (CEAR)-Catalunia				
1 5	Comisión Española de Ayuda al Refugiado (CEAR)-Euskadi				
1	Council for At-Risk Academics(CARA)				
1 7	Defend Defenders (East and Horn of Africa HRDs Project)				
1 8	Defenders in Dordrecht (DiD)				
1 9	Defenred Project, La Masiega Association				

2	Diakonia				
2	European Centre for Press and Media Freedom (ECPMF)				
2 2	EuropeanExternalActionService (EEAS) / EU				
2	European Instrument for Democracy and Human Rights (EIDHR) / European Commission				
2 4	Euro-Mediterranean Foundation of Support to HRDs (EMHRF)				
2 5	EuroMed Rights (Former Euro-Mediterranean Human Rights Network - EMHRN)				
2 6	ExilAssociation				
2 7	Fédération Internationale pourlesDroitsHumains(F IDH)				
2 8	FreedomHouse				
2 9	Front Line Defenders				
3	Fundacion Acceso (Shelter City Costa Rica)				
3 1	FundacionMundubat				
3 2	Gulf Centre for Human Rights(GCHR)				
3	Hamburg Foundation for Politically Persecuted				
3 4	Human Rights HouseTbilisi				
3 5	Humanists International (Former IHEU)				
3 6	International Arts Rights Advisors(IARA)				
3 7	Institute of International Education (IIE)				
3 8	INFORM - Human Rights Documentation Centre				

3 9	International Cities of Refuge Network (ICORN)
4	International Commission of Jurists
4	Justice and PeaceNetherlands
4 2	Kazakhstan International bureau for human rights and rule of law
4 3	Institut für Auslandsbeziehungen(IFA)
4	Ministry of Foreign Affairs of the Czech Republic, Transition Promotion Programme
4 5	Ministry of Foreign Affairs of Finland
4	Ministry of Foreign Affairs of the Netherlands
4 7	National Endowment for Democracy (NED)
4 8	OMCT
4 9	TheOfficeforHumanRightsoftheMinistryofForeignAffairs,EuropeanUnio nand Cooperation(Spain)
5 0	Open Society Foundations
5 1	PENAmerica
5 2	PEN International
5	People in Need
5 4	ProgramaSomosDefensores
5 5	Protection International
5	Prague Civil SocietyCentre
5 7	Réseau des Défenseurs des DroitsHumains en AfriqueCentrale (REDHAC)
5 8	Reporters sans frontières (RSFBerlin)

5 9	Scottish Human Rights Defender Fellowship Scottish Government / University of Dundee
6	Southern Africa Human Rights Defenders Network (SAHRDN)
6	Urgent Action Fund (UAF)
6 2	Scholars at Risk Network – New York University
6	Truth Hounds (Shelter City Georgia)
6	UDEFEGUA
6 5	Un Ponte Per
6	Yaku
6 7	Zimbawean LawyersHR
6 8	ProtectDefenders.eu

#### Annex 3\_ Application for temporary relocation\_ProtectDefenders

#### Grant application form for temporary relocation

Please, read carefully the guidelines of the Temporary Relocation Programme, available on our website, before filling out the application.

The full application consists of i) application form and ii) a budget form.

All sections are mandatory. Please, insert all the requested information.

Applications can be submitted by either a potential host organization or institution, the individual human rights defender concerned, or a third party.

Please send the completed application to tr@protectdefenders.eu

It is possible to communicate with the Secretariat of ProtectDefenders.eu via encrypted email (PGP). If you believe encrypted e-mail is necessary and do not know how to use PGP encryption, do not hesitate to contact us for our PGP key or download the PGP from the key server <a href="http://pgp.mit.edu">http://pgp.mit.edu</a> [please search for "TR@protectdefenders.eu"].

If you want to send us the document encrypted, but do not have the software, please look at the following websites:

General information about Digital Security:

https://www.digitaldefenders.org/digitalfirstaid/

https://www.apc.org/en/irhr/digital-security-firs-aid-kit

Information on emailing encrypted

https://securityinabox.org/en/guide/gpg4usb/windows

1. The human rights defender
1.1 Name:
1.2 Surname:
1.3 Date of birth (Day/Month/Year):
1.4 Gender:
1.5 Organisation (if appropriate):
1.6 Address:
1.7 Country of origin:
1.8 Country of residence (if different):
1.9 E-mail address / phone number:
1.10 Jitsi or skype ID:
1.11 Please inform us of any security concerns or preferences regarding communication:
1.12 How did you learn about ProtectDefenders.eu?:
2. The host organisation
2.1 Name of organisation/ institution:
2.2 Contact person:
2.3 Address:
2.4 Country:
2.5 E-mail address:
2.6 Phone number, Jitsi or Skype ID:
2.7 If the host organization is not a member of the EU Temporary Relocation Platform please provide details of their experience of hosting Human Rights Defenders at risk: (Answer)

- 3. Background and motivation
- 3.1 Description of the human rights activities of the proposed Human Rights Defender (Please attach links to website or press articles when available):

#### (Answer)

3.2 Description of the security context or risks/threats that prompted the request, and any other relevant information (Please attach links to website or press articles when available):

#### (Answer)

3.3 Why do you think that a temporary relocation is the best strategy to mitigate the situation of risk? Have you considered other options? If so, which ones?

#### (Answer)

- 4. Description of the proposed temporary relocation
- 4.1 Country of relocation and why selected: (Answer)
- 4.2 Visa/ stay permit context. Specific visa plan for the human rights defender: (Answer)
- 4.3 Security plan for moving to relocation place: (Answer)
- 4.4 Provide a description of the overall programme for this relocation and planned activities (such as advocacy activities to relevant stakeholders, research, training / study, etc.): (Answer)
- 4.5 Planned security training (if any) in relation with the relocation: (Answer)
- 4.6 Will the Human Rights Defender be able to continue with his/ her activities whilst relocated?:(Answer)
- 4.7 Is anything planned to support the family of the Human Rights Defender / Is that needed?:(Answer)
- 4.8 Have other organisations been approached for additional funding? Please explain8: (Answer)

<sup>&</sup>lt;sup>8</sup> If you have applied to other funding, you are still eligible for our support. This information will help us to ensure a good coordination with all the actors involved in your case.

4.9 What is the expected impact of this relocation on i) the human rights defender and ii) their community?:(Answer)

#### 5. Duration

ProtectDefenders.eu promotes temporary relocation of an average duration ranging up to 6 or 12 months. In exceptional circumstances however, support for relocation can be renewed or a longer period of relocation can be considered.

- 5.1 Please indicate the duration, in months:
- 5.2 Indicative start and end dates (DD/MM/YYYY DD/MM/YYYY) of the planned relocation:
- 6. Return phase and sustainability of the relocation
- 6.1 Please, describe how the process of returning to home country is foreseen. Considering that the relocation supported under this scheme is intended to be temporary, please provide i) a possible time-frame for return to home country, ii) a strategy of how to support security measures/plans in the context of a return: (Answer)
- 6.2 In case return to the country is not possible for the Human Rights Defender, how would you proceed?:(Answer)
- 7. Budget
- 7.1 Amount of funding requested (in EURO €):
- 7.2 Additional sources of funding to support the relocation:
- 7.1 Budget form

Fill out the budget form using the Excel template provided and submit it in attachment to this application form

7.1.1 I hereby confirm that the budget form is attached to this application (Y / N):

#### 8. References

8.1 Reference 1

Please provide contact details of at least two references who could support the request. These references have to be well established within the human rights community in the area where you live, your region, country or internationally and know about your human rights work and the risks and threats that you face as a result of your activities. Please provide phone numbers, as they are of particular relevance for referencing purposes and to speed the process.

Name:
Organization:
E-mail address:
Phone number, Jitsi or Skype ID:
8.2 Reference 2
Name:
Organization:

F-mail address:

Phone number, Jitsi or Skype ID:

#### 9. Consent

Please confirm you have read, understood, and agreed to the ProtectDefenders.eu privacy and data protection policy.

• Write "yes" to confirm:

I accept the processing of my data for the purposes of this request, in accordance with the privacy and data protection policy of ProtectDefender.eu<sup>9</sup> (without express validation to process your data, ProtectDefenders.eu will not be able to process the application).

<sup>&</sup>lt;sup>9</sup> I hereby understand and agree that Fondation Internationale pour les Défenseur des Droits de l'Homme (hereinafter, ProtectDefenders.eu) and any ProtectDefenders.eu staff may use my name, surname, address, CV, biographical information, contact details, references, and every other personal data based on Article 4(1) of the General Data Protection Regulation (hereinafter, GDPR) that I may introduce on this form, including special categories of personal data under article 9 of the GDPR, for the sole purpose of assessing the request including in this form according to the internal procedures of ProtectDefenders.eu. The information processed by ProtectDefenders.eu is used in the frame of its privacy policy. Personal data collected will be retained for up to 5 years after termination of the processing activity. ProtectDefenders.eu may use, collect, process and transfer your abovementioned personal information outside Europe, included but not limited, to the United States, via secured systems and with complete confidentiality and in strict respect of the applicable laws, in order to fulfil the goals and guidelines of ProtectDefenders.eu according to the

Write "yes" to consent to the processing of your data:

Please submit the completed application to tr@protectdefenders.eu

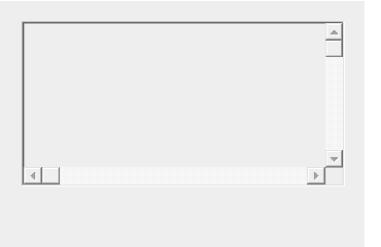
#### Annex 4\_Grant application form\_Frontline Defenders

**Encrypted Online Security Grant Application Form** 

You can submit your Security Grant application online. Just answer the questions below in the box provided. When you have answered all the questions press submit and the application will sent sent directly to Front Line Defenders.

After submitting your application a Front Line Defenders staff member will contact you. Please ensure that the method of contact you are providing is secure and that it is OK to be contacted in that way to discuss the application further. If you feel that contact with Front Line Defenders may put you at risk we suggest that at minimum you use a secure computer, safe internet connection and open a separate, new email account and provide this address in the application instead. For further information see: Keep your online communication private (https://securityinabox.org/en/communication/private-communication/) and Communicating with Others (https://ssd.eff.org/en/module/communicating-others).

Contact details of the applicant, and must include full name, organisation, address of organisation, phone number and email, and the name of the person accountable to Front Line Defenders for the organisation.



What security risks are you facing? (Please include details of the most recent security incidents that have led you to apply for this grant)



What do you want to do and how would the proposed grant make a difference to your security and reduce the risks you face?



What results do you expect? Is there a way to measure whether it has made a difference? (this will be what we expect to be covered in your report on the grant in addition to original receipts for purchases)



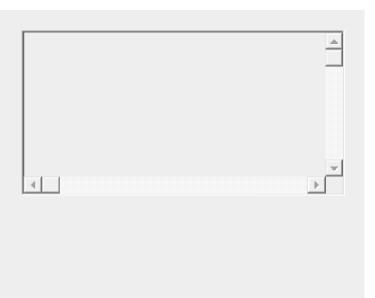
Give a precise breakdown of costs for each requested item / measure. (Where applicable provide quotes. Note that Front Line Defenders may ask to see various quotes and / or may propose alternative options)



Give a concise outline of your group/organisation to include its aims, previous activities, membership, organisational structure, financial structure, work with other groups or networks.



In order for us to assess this application, please give contact details (name, organisation, phone, email) for at least two referees who are well known within the human rights community in your country or internationally, and who know your work.



Applications can also be sent by post or email to:
Front Line Defenders
Avoca Court
Temple Rd
Blackrock
Co. Dublin
A94 R7W3
Ireland
Email: grants@frontlinedefenders.org

## Annex 5\_Emergency ApplicationForm\_HondurasProtectionFund

LasorganizacionespuedensolicitarapoyodirectamentealFondodeEmergenciaparalaProteccióndelasDefensoras /esde Derechos Humanos, o una organización o individuo puede proponer una petición a favor de unaorganización.

Estoy elaborando esta petición a fav	or de mi organización .	☐ SÍ	NO	
De lo contrario:		$\square$		
¿Está elaborando una petición a favo Su Nombre	or de otra organización u otra persona?		SÍ	NO
Nombre de su organización Direcció	n Completa:			
No.deteléfono <u>:</u>	Correo electrónico:			<u> </u>
SitioWeb	Fecha deincorporación:			<u></u>
Fecha de presentación de la s	<mark>olicitud:</mark>			
Datos generales de la organización	o de la persona beneficiaria:			
Nombre de la Organización o	de la persona			
Beneficiaria:				
Persona de contacto:				
Dirección completa:				
No. de teléfono :	Correo electrónico:			
Sitio Web:				
En caso de ser organización No. PersoneríaJurídica (no iindispensable)				

TRAYECTORIA DE LABOR DEFENDIENDO LOS DERECHOS HUMANOS Y RESUMEN DE LAS AMENAZAS

Conteste las siguientes preguntas <u>lo más detalladamente que sea posible</u>.

1. En caso de ser organización: Objetivos de la Organización y poblaciónbeneficiaria.

Objetivos de la Organización	Población beneficiaria
1.	
2.	
3.	

#### LA SOLICITUD DEBE IR ACOMPAÑADA DE LA SIGUIENTE INFORMACION

- 2. Breve información porque la organización está presentando la solicitud al fondo de emergencia.
- 3. Análisis de la situación del riesgo de la defensora/o
- 4. Denuncias interpuestas ante el ministerio público o instancias de derechos humanos (si se han hecho)
- 5. Cuáles son los planes de la organización o de la persona para continuar su labor de defensa de derechos humanos durante la situación de emergencia? ¿Y después de la emergencia?

El Plan de acompañamiento propuesto es:					
¿Ha solicit		nización o la persona asistencia de otra fuent	e <u>para</u>		
SÍ	respon∈ ⊠NO	der a esta emergencia? En este caso, complete losiguio	ente:		
		-			
Fecha	Organización	Tipo de asistencia solicitada/recibida	Monto		
	MÉTODO	DE DESEMBOLSAR LOS			
	INET OB C	FONDOS			
		dedesembolsarlosfondos? <mark>Identifiquecualquierobstác</mark> <mark>ondos, como leyes locales, y maneras de limitar</mark>			
beneficiario y/o le	os que ayudan en latransfer	encia.			
	Nombre delbanco:	Direccióncompleta:			
Código SWIFT:					
Nombre dela cuenta:		Número de la cuenta(Cheques):			
Banco interme	ediario(si corresponde):	CódigoSWIFT:			
¿Los fondos pasarán a través de una persona u organización intermediaria? En este caso:					
Si es una persona	Si es una persona:Nombrecompleto:Teléfono:				

ı				
	Si es unaorganización:Nombre:	Persona de co	ntacto:	
	Puesto:			
	Nombres y Apellido de la o el Director de la			
	Organización: No. De personería (no indispensable):			
	Dirección completa:			
	<u>Co</u> rreoelectrónico:	No	o. deteléfono	
RE	EFERENCIAS OBLIGATORIAS			
Nombre por lo menos dos (2) organizaciones o personas referentes quienes conocen de cerca el trabajo de defensa de la organización y los riesgos y amenazas que enfrenta actualmente como resultado de sus actividades de defensa. Nombre referencias que no pertenezcan a la organización beneficiaria ni a la organización referente y que estén conocidas dentro de la comunidad nacional o internacional de los derechos humanos.				
PRIMERA REFERENCIA:				
Organización : Persona de contacto: Puesto:				
Dirección completa: Correo electrónico_				
No. de teléfono: Relación a beneficiario:				
SEGUNDA REFERENCIA:				
Or	rganización:			
Pe	ersona de contactoPı	uesto:	Dirección completo	
٠,	orros alcotránico: No do taláfono			

Relación a beneficiario

InformaciónAdicional:Anexar alapresentesolicitud;ladocumentacióndeapoyoparalasituacióndelbeneficiarioyun resumen de los acontecimientos que lo obligan a solicitar apoyo. La solicitud para asistencia. La documentación puede incluir: cartas de apoyo, artículos de periódicos, fotos, documentoslegales.

Aquí detalle de presupuesto solicitado X 3 meses

Tipo de apoyo	Sub Total	Total x 3 meses

La solicitud debe venir firmada por el director /a y sellada por la organización que presenta la solicitud

El fondo no emite cheques a nombre de defensores/as

Los cheques se emiten a nombre de la organización que presenta la solicitud ydeposita a la cuenta de dicha organización, los recursos economicos aprobados paraacompañar al defensor/a



















# centroamérica diversa

Aplicación del Enfoque Basado en Derechos con las organizaciones de cinco países de Centroamérica Código: EIDHR/2019/410-622