

Great Expectations, Harsh Realities

The Plight of LGBTI+ Refugees in Thailand

An Exploratory Study, June 2020



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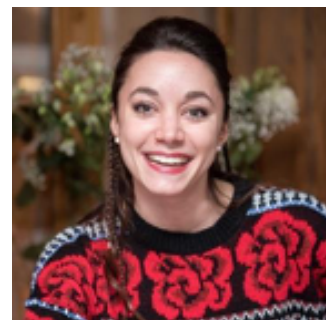
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About the Researcher

Clélia Compas is a doctoral researcher specialised in queer migration studies at the University of Sussex. With a focus on Southeast Asia, she explores the ways in which sexual orientation and gender identity impact migration processes, from the decision to migrate to the modes of integration at destination. Clélia was a Programme Advisor on LGBTI+ migration in Asia for Equal Asia Foundation from September to December 2019.



About the Equal Asia Foundation

Equal Asia Foundation (EAF) is registered in the Netherlands with a Secretariat based in Bangkok, Thailand. It is an innovation incubator focusing on SOGIESC inclusion in Asia. EAF was set up to advance SOGIESC inclusive and appropriate SDG engagement in Asia. Its work is anchored on feminist and human rights principles. It was established to address the SOGIESC communities' practical and strategic needs across a range of development issues in Asia.



EAF's mission is to address blind spots in SOGIESC programming by partnering and co-creating solutions with community organisations in the region. The Foundation incubates innovations for inclusion and supports communities in accessing resources in order to accelerate successful models on the ground. EAF also collaborates with donors, policymakers, government bodies, businesses, academics and UN agencies to build a more woke ecosystem around these issues.

The foundation is committed to developing an architecture of partnership and solidarity, that truly fosters learning and innovation.

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Last but not least, we would like to thank the Equal Asia Foundation Board and our international and regional advisors for their support of the secretariat's work - especially our work with LGBTI+ refugees in the region.

Note from the Executive Director



I am incredibly proud to share with you Equal Asia Foundation's first publication. With this report, we have turned a corner in our work with refugees by documenting the condition and circumstances of LGBTI+ refugees, an invisible and vulnerable community living with us in this City of Angels and around Thailand. This report is a distillation of voices from across the refugee and LGBTI+ rights ecosystem and an urgent call for empathy and action.

When I set out to found Equal AF, I scoured the LGBTI+ movement to look for blind spots in its quest for greater inclusion of LGBTI+ persons. I also dug deep into my own life experiences. I confronted a part of me that I haven't discussed with many people - partly because I cannot remember much of it, but also because it is so painful. The experience traumatised me so much that I possibly put it away in some dark recess of my mind. You see, I was a refugee too. For those of you who remember the first gulf war, the dominant narrative excludes the stories of thousands of migrants who were displaced and who had to make a long and arduous journey back home. I was 11. What I do remember is watching burning buildings, the fright on my parents' faces, people standing in long queues for bread, a flickering image of a man hung by the neck from a crane, days of bumpy rides through deserts, sleeping in tents in refugee camps, shivering on the floors of airports, and memories of my family struggling to make a new life from the ashes of a once charmed one.

When I focused on what I thought the organisation should do, I leaned heavily on my own trauma and how I cope today. Like many of our siblings who leave all that is familiar to them to seek safety elsewhere, we carry that experience into our later life. As much as I want us to find solutions for LGBTI+ refugees in Thailand and the region, a part of me wants to find healing for myself.

Equal AF's journey began with the objective of testing innovations that addressed the exclusion of LGBTI+ persons in the region and transferring this knowledge and capacity to organisations on the frontlines. There are several LGBTI+ organisations in the region working to deepen inclusion, and I have had the good fortune to work with some of the very best.

However, it is clear that many fall through the cracks - our elderly, our migrants and refugees, our young people who self harm and commit suicide and our financially and economically vulnerable. At Equal AF we are resolved to work at the intersection of all our rights. It is where these rivers meet that innovation is meaningful and the call for radical collaboration becomes all the more urgent.

I am grateful that we had Clelia come to us to collaborate on this report. It is a testament to her commitment to our community and her hard work. This report is a glimpse into the breadth and depth of unfinished business of our work with LGBTI+ refugees, migrants and asylum seekers. It is also a clarion call for the kinds of intersectional partnerships we need to develop to make a difference.

Exactly one year to this day, I remember an event we held at the Australian Embassy in Thailand to celebrate Pride and the journeys that our refugee siblings make so that they can have a better life in another country. Towards the end of the evening, a bold Egyptian transgender woman stood up and shared her story of separation, pain, longing and hope. None of 150 people in that room left without being inspired by her resilience, her will to live and more importantly, her hope for the LGBTI+ community. I join my story to hers, and the millions of refugees, LGBTI+ or otherwise, invite you to be part of the solution and be inspired to make this world Equal AF.

Ryan Figueiredo

Founder and Executive Director
June 20, 2020
Bangkok, Thailand

Foreword



On 1 July 2019, along with Volker Türk, UNHCR's Assistant High Commissioner for Protection, I issued a statement urging States and other actors involved in refugee protection to recognize the unique vulnerability and specific needs of lesbian, gay, bisexual, transgender, intersex and gender diverse asylum-seekers and refugees. The reason was simple: LGBTI+ persons are exposed to immeasurable levels of violence and discrimination in all corners of the world. While in many cases the possibility of asylum in the light of well-founded fear of persecution is the only alternative to the certainty of suffering and the near certainty of death, the plethora of systemic inequalities that exists at the intersection of sexual orientation and gender identity and status as migrant, asylum seeker or refugee exacerbates the risk of other human rights violations.

For example, as they flee discrimination and violence at home, LGBTI+ persons are at particular risk of violence, abuse and exploitation at the hands of immigration officers, traffickers and smugglers. Stigma and discrimination strongly discourage migrants, internally displaced persons, asylum seekers, refugees and migrant workers from disclosing their sexual orientations and gender identities, which may raise particular obstacles for those wanting to present claims for asylum, particularly if the persecution against them was based on their sexual orientations and gender identities in the first place.

LGBTI+ migrants in an irregular situation may be even more vulnerable to harassment, violence and exploitation, as their migratory status may prevent them from seeking redress for the abuse and human rights violations they have endured. Migration detention is particularly harmful, as LGBT migrants in detention for irregular entry and stay may be subjected to social isolation and physical and sexual violence. Those negative experiences may be compounded for trans persons, as they are often detained in wards that do not correspond to their self-identified gender or are kept in solitary confinement for an extended period of time.

In all of these cases, the work of identifying and eradicating violence and discrimination meets the ubiquitous challenge of missing data and evidence in relation to LGBTI+ asylum seekers and refugees.

Against this backdrop, this Exploratory Study on LGBTI+ Refugees in Thailand is a welcome contribution to filling the information gap. Thailand's nature as a global movement hub, its reputation for respect on the basis of sexual orientation and gender identity, and favourable economic conditions ensure its identification as a desirable destination and, as the Exploratory Study concludes, while tens of thousands of asylum seekers and refugees currently live in the country, specific information on their sexual orientation and gender identity (particularly in those cases in which it can be at the origin of discrimination) is seldomly available, which in its turn hinders the possibilities of systematically informing public policy. Where data exists, it reveals significant obstacles in accessing housing, health, employment and education, all key sectors to break the vicious cycle that often condemns LGBTI+ persons to disproportionate representation in the ranks of the poor.

In our 2019 Joint Statement, Assistant High Commissioner Türk and I urged States to recognise the specific needs of LGBTI+ asylum-seekers and refugees and to give them the protection they need. By depicting a landscape in which persist significant challenges to identify and preserve data concerning these persons, populations and communities, and in which there are deep concerns about limitations in access to rights, this Exploratory Study persuasively makes the case for additional research as an essential task in the fulfilment of this recommendation.

Victor Madrigal-Borloz

UN Independent Expert on Protection against
Violence and Discrimination based on SOGI
Washington, DC; 27 May 2020

Acronyms

AIDS	Acquired Immunodeficiency Syndrome
ASEAN	Association of Southeast Asian Nations
CSO	Civil Society Organisation
HIV	Human Immunodeficiency Virus
IDC	Immigration Detention Centre
LGBTI+	Lesbian, Gay, Bisexual, Transgender and Intersex
NGO	Non-Governmental Organisation
ORAM	Organisation for Refugee, Asylum and Migration
RSD	Refugee Status Determination
SGBV	Sexual and Gender-Based Violence
SOGIESC	Sexual Orientation, Gender Identity and Expression and Sex Characteristics
STI	Sexually Transmitted Infection
UN	United Nations
UNHCR	United Nations High Commissioner for Refugee

Terminology¹

SOGIESC terms

Ally	Refers to individuals who support and advocate for a community of which they are not members
Bisexual	An individual who is physically, romantically and/ or emotionally attracted to both men and women
Conversion therapy	A range of dangerous practices that falsely claim to change a person's sexual orientation or gender identity
Deadnaming	occurs when someone, intentionally or not, refers to a person who's transgender by the name they used before they transitioned. You may also hear it described as referring to someone by their "birth name" or their "given name."
Gay	A man who has a physical, romantic and/or emotional attraction to other men
Gender identity and expression	Refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth
Gender dysphoria	The distress a person feels when an individual's gender identity does not align with their sex assigned at birth
Gender reassignment surgery	Surgery that individual may have to alter their genitalia and/or physical appearance with their gender identity. This may include top surgery (surgeries involving the reassignment of a transgender person's body through chest reconstruction) and bottom surgery (surgeries involving the realignment of a transgender person's body through genital reconstruction)
Gender identity and expression	Refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth
Heterosexual	An individual who has a physical, romantic and/or emotional attraction to someone of the opposite sex
Heterosexism	Institutionalized oppression against non-heterosexual individuals and experiences

1 This report primarily uses the same definitions presented in Heartland Alliance's Rainbow response: A practical guide to resettling LGBT refugees and asylees (Heartland Alliance, 2012).

Homosexual	An individual who has a physical, romantic and/or emotional attraction to someone of the same sex
Homophobia	Hostility, negative attitudes and/or fear directed at lesbian, gay or bisexual (LGB) persons
Intersex	An umbrella term covering differences of sexual development, which can consist of diagnosable congenital conditions in which anatomic, chromosomal or gonadal sexual development is atypical. Intersex individuals may have biological characteristics of both males and females.
Internalized homophobia	The feeling of shame and self-hatred lesbian, gay, or bisexual persons may feel because of their sexuality
Internalized transphobia	The feeling of shame and self-hatred transgender individuals may feel because of their gender identity
Lesbian	A woman who has a physical, romantic and/or emotional attraction to other women
Misgendering	Refers to (someone, especially a transgender person) using a word, especially a pronoun or form of address, that does not correctly reflect the gender with which they identify.
Sex characteristics	The physical and psychological attributes of an individual that are typical of the sex they were assigned at birth
Sexual orientation	Each person's capacity for emotional and sexual attraction to, and intimate relations with, individuals of the same or different gender
Transgender	An umbrella term for people whose gender identity and/or gender expression differs from the sex they were assigned at birth
Transgender woman	A person who was assigned male at birth but identifies as a woman
Transgender man	A person who was assigned female at birth but identifies as a man
Transition	The process in which transgender persons align their physical appearances with their gender identity
Transphobia	Hostility, negative attitudes and/or fear directed at transgender individuals

Queer

An umbrella term encompassing a variety of sexual orientations and gender identities, but excludes heterosexuality. Originally an insult, queer has been reclaimed by some LGBTI+ persons to also refer to political ideologies and sexual or gender expressions not adhering to heteronormativity or the gender binary

Refugee and Asylum terms

Asylum seeker

Someone who is seeking international protection but whose claim for refugee status has not yet been determined.

Refugee

A person “who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country” (UNHCR, 2011)

Refugee status determination (RSD)

The process through which state officials in the country of asylum or the UNHCR determines if an asylum seeker is granted refugee status. This decision is based on international or regional eligibility criteria, national legislation or a UNHCR mandate.

Social network

A group of individuals who share a commonality

Executive Summary

The circumstances and condition of Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI+) refugees in Thailand is not well researched, even by stakeholders who work with refugees and LGBTI+ communities. This lack of information makes these communities invisible and hard to understand. As a result, stakeholders may be prone to assume that LGBTI+ refugees do not exist and thus ignore their specific needs and vulnerabilities. This may impact the application of protections and provision of services that are unique to the refugees' sexual orientation, gender identity and expression, and sex characteristics (SOGIESC).

Equal Asia Foundation conducted desk research and a series of interviews with United Nations (UN) agencies, non-governmental organisations (NGOs), civil society organisations (CSOs), individual contractors and affected communities, to understand the lived experiences of LGBTI+ refugees in Thailand and stakeholders' programme strategies to address their specific needs. The objective was to identify potential protection gaps and develop field-based tools to enhance the identification and protection of LGBTI refugees in the country. We recommend that the findings of this report should be further supplemented by more rigorous research and informed by deeper community consultations.

Like many other Southeast Asian countries, Thailand is not a signatory of the 1951 Convention Relating to the Status of Refugees nor its 1967 Protocol. Instead, refugee issues are regulated by the 1979 Thai Immigration Act, which categorises all undocumented migrants as illegal aliens who are subject to arrest, detention and deportation. These legal and political realities make survival of all refugees in Thailand challenging. In the case of LGBTI+ refugees, these hardships are amplified.

In this research, it was found that LGBTI+ refugees mainly belong to higher socio-economic classes compared to the general refugee population. Most chose to seek asylum in Thailand after having evaluated the national LGBTI+ context and concluded that Thai society was tolerant and accepting of LGBTI+ communities. They then usually flew alone to Bangkok with a valid visa which they subsequently overstayed.

LGBTI+ refugees in Thailand have often experienced emotional and physical trauma back home and arrive in need of psychosocial care and support. Once in the country, they continue to suffer from poor mental health because of inadequate legal recognition and protection. As they struggle to navigate the system, they become increasingly concerned about diminishing financial resources, inability to work legally, difficulty in accessing gender affirming or LGBTI+ friendly healthcare services, and the constant fear of being arrested, detained, and deported. In addition, they often experience social isolation, stigma and discrimination for being LGBTI+ from their own refugee communities.

Given that SOGIESC is not considered during vulnerability screening, the situation of LGBTI+ refugees in immigration detention centres (IDCs) is of particular concern. They are searched without consideration to their gender identity and have to sometimes experience forced nudity. LGBTI-friendly medical care is also very limited in IDC, putting both the physical and mental health of LGBTI+ refugee detainees at great risk during detention.

It is in this context that a number of refugee organisations, UN agencies and other stakeholders are now implementing more LGBTI+ inclusive strategies in their programmes, yet important protection gaps persist. The support provided to LGBTI+ refugees is impaired by refugee organisations' limited understanding of LGBTI+ issues, LGBTI+ organisations' limited understanding of refugee and asylum

issues, as well as a lack of cooperation between the two networks. In addition, due to continued fear, shame or discomfort, LGBTI+ refugees seldom trust stakeholders and rarely disclose their SOGIESC to service providers, perpetuating the population's invisibility. Several gaps in the kind of services provided have also been identified, primarily relating to shelter, medical care and mental health.

Equal Asia Foundation's effort is to deepen our collective understanding of the condition and vulnerabilities of LGBTI+ refugees in Thailand by documenting their experiences. We hope that the good practices and recommendations presented at the end of this report will inspire stakeholders to work collaboratively with each other to design and implement inclusive policies, programmes and services.

Introduction

Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) refugees, also referred to as sexual and gender minority refugees, have evolved in an international legal system that was not originally conceived to protect those fleeing persecution on the basis of sexual orientation, gender identity and expression, and sex characteristics (SOGIESC). In fact, LGBTI+ individuals are not mentioned as a category eligible for refugee status under the terms of the 1951 Convention on Relating to the Status of Refugees and its 1967 Protocol (hereafter Refugee Convention), which gives States the power to determine who is and is not accorded refugee status (UNHCR, 2011a).

Persecution on account of SOGIESC is a relatively undocumented yet frequent reason why people flee their home countries, as consensual same-sex sexual practices and relationships are still criminalized in 70 United Nations (UN) Member States (35%) and 3 jurisdictions which are not UN Member States, 11 of these by implementing the death penalty (ILGA, 2019). Given that persecution may not only be State-sponsored but also socially accepted, many LGBTI+ individuals may feel compelled to seek safety abroad.

Since the mid-1990s, when asylum on the basis of SOGIESC was first granted in the United States, there has been growing attention on the specific needs of LGBTI+ refugees. This has developed alongside the expansion of the legal and social recognition of sexual and gender minority rights in many parts of the world and was supported by the publication of a number of guidelines and declarations. These include the United Nations High Commissioner for Refugees' (UNHCR) Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity (UNHCR, 2008), Guidelines on International Protection No. 9: Claims to Refugee Status based on Sexual Orientation and/or Gender Identity (UNHCR, 2012), and a more practice-oriented guide, Working with Lesbian, Gay, Bisexual, Transgender and Intersex Persons in Forced Displacement (UNHCR, 2011b). They provide important guidance regarding the complexities of claims based on SOGIESC and advice about the barriers that LGBTI+ refugees encounter while accessing protection and recommendations on overcoming them.

Despite these developments and guidance, very little research has been undertaken to document the lived experiences of LGBTI+ refugees, especially in Thailand. Their invisibility may lead stakeholders to assume that LGBTI+ refugees do not exist and thus ignore their specific needs and vulnerabilities.

Through this exploratory report, Equal Asia Foundation documents the lived experiences of LGBTI+ urban refugees in Thailand as well as stakeholders' programme strategies to address their specific needs. The objective was to identify potential protection gaps and develop field-based tools to enhance the identification and protection of LGBTI refugees in the country.

Background

The situation of refugees in Thailand

Thailand has a diverse migratory pattern, making it one of the most complex hubs of human movement in the world. Thailand has experienced dynamic economic growth and significant fertility decline since the late 1980s early 1990s, which led to comparably high pay levels and a significant demand for labour in the country as compared to the rest of the region. As a result, Thailand has transitioned from being a net migrant-sending to a net migrant-receiving country during the 1990s, becoming a prominent destination for labour migration from Southeast Asia (United Nations Thailand Thematic Working Group on Migration in Thailand [UNTWG], 2014).

It is estimated that close to 4 million migrant workers live in Thailand. They constitute 5.9% of the Thai population, recorded at over 69 million (UNTWG, 2019). Despite numerous immigration management mechanisms, tightened immigration policies and recurring regularization efforts from the Thai Royal Government (Chalamwong et al., 2012), the number of migrants who enter the country irregularly and work illegally remain significant, estimated to be somewhere between 1-2 million (UNTWG, 2019).

In addition, Thailand has received tens of thousands of refugees and asylum seekers fleeing conflict and persecution in their home countries (UNTWG, 2019). While the term asylum seeker and refugee are often used interchangeably, they manifest unique legal designations. An asylum seeker is someone who is seeking international protection but whose claim for refugee status has not yet been determined. In contrast, a refugee is defined by the Refugee Convention as someone who “... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it ...” (UNHCR, 2011a). For simplicity, in the report the word refugee is used to refer to both asylum seekers and refugees, regardless of their refugee status.

As of March 2020, 98,326 refugees were residing in Thailand (UNHCR, 2020). Although the large majority (93,227) come from Myanmar and live in nine designated camps along the Thai-Myanmar border, in recent years a growing number of people from non-neighbouring countries have come to Bangkok to seek asylum. These refugees do not live in camps and thus are commonly referred to as urban refugees² (Campbell, 2006). Primarily coming from Pakistan, Vietnam, the Palestinian territory, Syria, Somalia, Sri Lanka, Iran, China, Iraq, Cambodia, Nigeria, Democratic Republic of Congo, and Egypt, they usually enter the country

2 By definition, the term urban refugee refers to the geographical space of the asylum seeker/refugee and not to their legal status. The term is commonly used in countries which operate refugee camps (Campbell and Landau, 2006)

through regular channels, that is, they fly to Bangkok with a temporary tourist visa which they subsequently overstay (Kulvmann, 2017; Mathew and Harley, 2014). However, like all Southeast Asian countries except the Philippines and Cambodia, Thailand is not a signatory to the Refugee Convention, which has grounded the foundation of international law by covering the legal status of refugees in their country of asylum, including the human right principle of non-refoulement³, as well as the obligations of and cooperation between signatory states and UNHCR (Kulvmann, 2017).

Thailand's position on refugees is a reflection of the broader refugee protection landscape in Southeast Asia, as the region lacks a regional instrument for refugee identification and protection such as the 1989 Cartagena Declaration on Refugees or the 1974 African Union Convention on Refugees (Stevens, 2018). Furthermore, even though the Association of Southeast Asian Nations (ASEAN) Human Rights Declaration enshrines the right to seek and receive asylum, ASEAN Member States are known for controversial push backs and refoulements of refugees (Amnesty International, 2017). Thai authorities believe that consenting to the Refugee Convention would lead to financial obligations for Thailand as well as a rise in the number of refugees arriving in the country (Davies, 2006).

As a result, refugee issues in Thailand are regulated using the 1979 Thai Immigration Act, which categorises all undocumented migrants as aliens (illegal) who can be subject to arrest, detention and deportation (Kulvmann, 2017). Without legal and political recognition from the Thai government, refugees therefore fall into the broad category of irregular migrants, which includes a heterogeneous group of displaced persons as well as migrants who leave their home countries in the hope of better livelihood opportunities abroad (Palmgren, 2013). Though refugees can register with UNHCR to obtain UN refugee status that entitles them to resettlement in a third country, this process generally takes several years. In addition, neither asylum seeker certificates nor refugee status documentations are recognised by the Thai government (JRSASIA, 2010).

This lack of legal and administrative framework leaves refugees in Bangkok in a very precarious situation, regardless of their UNHCR status. Although the Thai Royal Government and UNHCR informally agreed to authorise refugees registered with UNHCR to remain in Thailand until the closure of their case, fear of arbitrary arrest and house raids by the police, which can lead to indefinite detention in immigration detention centres (IDCs), deters many from any activity outside of their home (Kulvmann, 2017).

Bribes to avoid being taken to IDCs are not uncommon, putting additional financial strain on a refugee population who already lack livelihood resources. To survive, many are employed in precarious and underpaid jobs in the informal economy. Within this system, they are at risk of exploitation and abuse with no formal access to legal assistance.

3 Art. 33(1) of the 1951 Convention Relating to the Status of Refugee and its 1967 Protocol defines non-refoulement as the obligation of States not to “expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” (UNHCR, 2011a)

As opposed to camp-based refugees, urban refugees live in individual accommodations, but without valid documentation they face significant challenges in finding housing. They also do not have legal rights to access basic public services, such as health care and education (Stevens, 2018). These dire living conditions and insecurities are exacerbated by the recent adoption of the Royal Ordinance on Foreign Workers Management. This legislation imposes increased penalties for employers and landlords who are found hiring or leasing property to illegal migrants (Auethavornpipat, 2017).

Commonly perceived as security risks and scapegoats by the Thai population, refugees are socially ostracised and tend to live a reclusive life (Mathew and Harley, 2014; Muntarbhornm, 2004). This isolation often impacts both the refugees' mental and physical health. In his study with Pakistani urban refugees, Kulvmann (2017) notes that most suffer from depression due to exile-related stress factors. He also reported cases of being overweight, diabetes and hypertension, which are generally caused by a sedentary lifestyle and a poor diet because they could not afford quality food and their inability to go out to eat (Kulvmann, 2017).

As pointed out by Palgrem (2013), the Bangkok flood in 2011 illustrates the extreme vulnerability and isolation of refugees as well as the sporadic availability of assistance to them. Even though relief centres for flood evacuees were set up by the Thai Royal Government across Bangkok, their access was restricted to only those with official documentation. Refugee communities impacted by the disaster were left unsupported and had to fend for themselves. Although UNHCR, non-governmental organisations (NGOs) and civil society organisations (CSOs) step in to fill the protection gap left by the government, this assistance is rather scarce and insufficient. Additionally, only those with UN refugee status can access formal assistance from UNHCR and its implementing partners.

Refugees develop intricate social ties and networks of support within specific communities to access shelter, work, information and assistance in response to the shortfalls in official humanitarian assistance (Stevens, 2018). However, social interactions among refugees and the networks that they establish differ from individual and community, resulting in unequal connections to social networks and humanitarian assistance (Palgrem, 2013). For instance, some rely on their savings to live in Bangkok while others don't have any. Many depend on relatives, friends and people from their diaspora who have already settled in Bangkok while others turn to the limited contacts they have to try to access basic forms of subsistence. Nevertheless, what is common to all informal networks is that they are organised in order to meet their needs. Social interactions are used as a means to navigate through Thailand's criminalizing immigration framework and survive in the absence of official assistance (Palgrem, 2013).

Understanding the plight of LGBTI+ refugees

In Thailand, LGBTI+ refugees might represent a significant population given the queer attractiveness of the country as compared to their home countries where they might experience social and institutional violence. Bangkok is home to one of the biggest gay scenes in the world and has become a leading destination for gay tourism from across the globe (OCHA, 2012). Nevertheless, according to a recent report from UNDP and USAID (2014), contemporary Thailand is embedded in contradictions, that is, one where the Royal Thai Tourism Authority intends to convey the image of Thailand as a 'gay paradise' but where LGBTI+ communities still encounter multidimensional discriminations, especially at school and the workplace (ILO 2014; UNDP and ILO, 2018; UNESCO, 2015). Therefore, it would be more accurate to say that Thai society is tolerant rather than accepting of LGBTI communities, as long as they "remain within certain social confines" (UNDP and USAID, 2014: 7).

On the other hand, among the countries and territories that still criminalise same-sex sexual practices and relationships are Pakistan, the Palestinian territory, Syria, Somalia, Nigeria, Uganda, Sri Lanka, Iran, Iraq, Myanmar, and Egypt (ILGA, 2019), which also happen to be the main countries of origin of Bangkok's refugee population. State-sponsored homophobia and transphobia constitutes only a small part of the anti-LGBTI+ persecution across the globe. Abuses by non-State actors, such as family members, neighbours, schoolmates, community members and others, are widespread and persistent in many countries. Governments only increase the effects of these abuses when promoting and enforcing discriminatory laws (Mendos, 2019). As a result, severe persecution and discrimination from both State and non-State actors force many to flee their homes in search of safety, security and greater acceptance abroad.

The intersection of being both LGBTI+ and a refugee in Thailand is largely ignored in research. This lack of understanding is concerning, considering that various reports on LGBTI+ refugees elsewhere in the world show specific needs and vulnerabilities and thus require appropriate support from stakeholders (Freeman, 2018). According to the Organization for Refugee, Asylum and Migrants (ORAM), LGBTI+ refugees are among the most vulnerable people in the world and confront significant barriers when seeking to secure international refugee protection (Organization for Refuge, Asylum & Migration [ORAM], 2013). Having escaped violence and persecution in their home countries – often without the support of their families or communities – they commonly face even further discrimination, social exclusion and violence in their countries of transit or asylum, perpetrated by both State and non-State actors.

LGBTI+ refugees can face abusive arbitrary arrests, harassment and discrimination from government officials, who often deny them adequate police protection (UNHCR, 2015). It is not uncommon for LGBTI+ refugees to face inappropriate or insensitive questioning at different stages of the refugee status determination (RSD) process. They can also face intolerance, victimization and violence by the local population in countries of transit or asylum (UNHCR, 2015), making integration into local society difficult. Some LGBTI+ refugees have also experienced harassment by other refugees, even by their own family members who may also be forcibly displaced (UNHCR, 2015). Therefore, in addition to facing xenophobia and discrimination from government authorities and local communities, many LGBTI+ refugees feel the need to hide their SOGIESC for fear of greater mistreatment due to perceived homophobia or transphobia, even from within their own refugee communities.

Discrimination from both these quarters explained above impacts LGBTI+ refugees' capacity to develop social and community ties, resulting in extreme isolation and exclusion. Therefore, many conceal their identity because they fear being cut off from the little support available or having their SOGIESC revealed to the communities from which they fled (Human Rights First, 2012; ORAM, 2012).

While living in anonymity and isolation is frequently perceived as the safest option for many LGBTI+ refugees, without networks of support, meeting their basic needs becomes even more challenging (ORAM, 2013). When unable to find employment, some resort to sex work to survive, which puts them at risk of sexual and gender-based violence (SGBV) and sexually transmitted infections (STIs).

Many also find it difficult to secure housing and fear eviction if their landlords, family or housemates become aware of their SOGIESC (ORAM, 2012). Some face obstacles when accessing basic health care due to prejudice and abuse from health care providers (ORAM, 2012). Many are also scared to approach the police for protection and, even when they do so, rarely receive the appropriate response to their complaints of harassment or violence (ORAM, 2011).

Within IDCs, LGBTI+ refugees are at a heightened risk of violence and discrimination by both authorities and detainees. They may face inadequate vulnerability screenings, non-gender appropriate searches, forced nudity, verbal and psychological abuse, physical and sexual violence, physical isolation, solitary confinement and an overall lack of medical care (International Detention Coalition, 2016). LGBTI+ detainees' vulnerabilities are often made worse by countries' one-size-fits-all immigration detention model where persons are detained regardless of their circumstances and protection needs (Association for the Prevention of Torture & United Nations High Commissioner for Refugees, 2014).

As a result of this marginalization and discrimination in key aspects of life, LGBTI+ refugees often live unstably in countries of transit or asylum. Addressing LGBTI+ refugees' specific needs and vulnerabilities requires appropriate programming from stakeholders. ORAM's global survey of NGOs' attitudes towards LGBTI+ refugees reveals that many organisations working with refugee communities are unaware of the existence of these individuals or their specific needs (ORAM, 2012). Only a few organisations have the tools appropriate to investigate LGBTI+ individuals' identities and circumstances. Organisations often adopt a 'blind' approach to SOGIESC, wrongly assuming that these issues are not relevant to their clients' protection needs. Some even express discomfort or even negative views while dealing with this issue, which affects their ability to support these people. In this context, LGBTI refugees often perceive NGOs as unwelcoming and therefore hide their identities from them. In turn, NGOs tend to believe that these people do not exist, leading to a vicious cycle of silence and invisibility (ORAM, 2012).

Methodology

This study was designed and conducted by Equal Asia Foundation to develop a preliminary understanding of the situation of LGBTI+ urban refugees in Thailand. We also wanted to study how stakeholders' programme strategies address the specific needs of LGBTI+ refugees. The objective was to identify potential protection gaps and develop field-based tools to enhance the identification and protection of LGBTI+ refugees in the country. Particularly, we explored the links between LGBTI+ support networks and those specialised in migration and asylum issues.

A desk research on the condition of LGBTI+ and refugee communities in Thailand was conducted and complemented with an extensive literature review of the situation of LGBTI+ refugees across the world. This allowed the researcher to identify stakeholders in Bangkok relevant to the study, who were then solicited for interviews and referrals. From October to December 2019, 11 semi-structured qualitative interviews were conducted with staff members from UN agencies, NGOs, CSOs, and independent consultants working with refugee communities in Bangkok. A total of 27 individuals were interviewed, including protection officers, psychologists, service providers, case workers, refugee status determination lawyers, and academics. All interviews followed thematic questions and were audio recorded. Once interviews were completed, the data was compiled for analysis to document the living conditions of LGBTI+ refugees, determine patterns in protection gaps, identify best practices, and develop some recommendations.

As the researcher did not have the opportunity to interview any LGBTI+ refugee directly, she overcame this challenge by offering them the possibility to write letters describing their living conditions in Thailand. With the help of stakeholders, five letters were collected. These documents were fully anonymised to ensure confidentiality and safety before being analysed and incorporated into this report. A number of visits to IDC were also carried out in order to better understand detention conditions. Immigration detention officers were not interviewed during these visits.

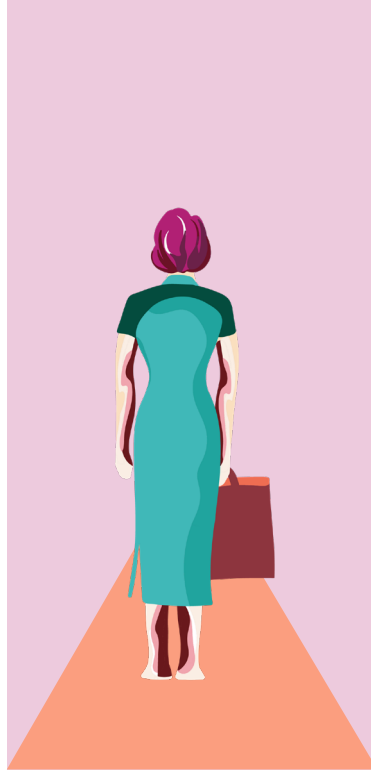
Due to budget and time limitations, this report provides baseline information and should be complemented with more extensive research. We focused on LGBTI+ urban refugees in Bangkok and thus do not document the experiences of LGBTI+ refugees within the nine designated refugee camps on the Thai-Myanmar border. Additionally, while interviews were carried out with stakeholders specialising on refugee or LGBTI+ issues, further research should elicit more direct interviews with LGBTI+ refugees in order to discover how to best serve this population.

Findings

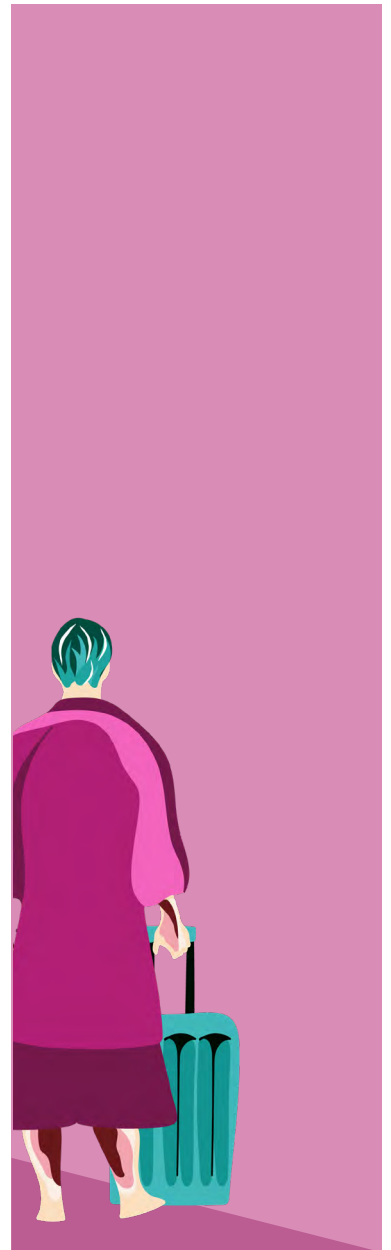
1 Population Profile



2 Surviving in the city



3 Protection Gaps



1

Population Profile

Interviews indicated that Thailand currently has 30 LGBTI+ refugees registered with the UNHCR who have claimed asylum based on their SOGIESC. These persons come from numerous countries, including Afghanistan, China, Iran, Iraq, Mongolia, Nigeria, Pakistan, the Palestinian territory, Russia, Somalia, Syria, Turkey and Uganda. The majority have already been granted UN refugee status while others are still in the process of refugee status determination (RSD). They usually belong to a higher socio-economic class compared to the general refugee population and fly to Bangkok with a valid visa which they subsequently overstay.

Additionally, there are a number of LGBTI+ individuals who came to Thailand to claim asylum on grounds other than their SOGIESC. However, this population is difficult to estimate because information on SOGIESC is rarely collected during the RSD process or by service providers working with refugee communities. When it is collected, this information is confidential and thus not publicly available. Also, these individuals tend to remain very closeted and do not self-identify. This may be due to the fact that most come to Thailand with their families or other members of their communities, who they are not out to. As stated by an interviewee, “the few who find the courage to come out are often the breadwinners of the family, ... [suggesting that] these people can come forward more easily because they are in charge of the household while the other family members may not have the same opportunity.”

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It was reported that several refugees from Southeast Asian countries who came to Thailand with their families are now separated from them because their parents found out about their SOGIESC. It is assumed that this group of LGBTI+ refugees primarily come from countries like Myanmar, Vietnam, Cambodia, China, Lao PDR or Japan, but very little is known about them.

2

Surviving in the City

Over the past years, a significant number of refugees registered with UNHCR in Thailand, including LGBTI+ individuals, have been resettled to third countries such as Canada or the United-States. This pull factor draws others to come to Thailand to register here with the hope of being then resettled elsewhere. However, while resettlement is often the top priority for most refugees in Bangkok, it is not always the case for LGBTI+ individuals. Many made the decision to seek asylum in Thailand after having evaluated the national LGBTI+ context and concluded that Thai society was tolerant and accepting of LGBTI+ communities. Many have even travelled to Thailand for a holiday and analysed Thai openness to LGBTI+ issues before deciding to seek asylum here. Thus, although the majority still wish to be resettled, some do not see Thailand as a country of transit but rather as the country where they would be happy to start their new life. There were even reports of a transgender refugee who was resettled to a Western country but would like to come back to Bangkok because she found that integration as a transgender woman was easier in Thailand.

Though several organisations provide legal support to refugees to assist them with their asylum claim and the RSD process, it was reported that LGBTI+ refugees who claim asylum based on SOGIESC tend to request this support less than the general refugee population. This is because their cases are usually less complicated to solve as many come from the Middle East or countries where LGBTI+ status is stigmatized as religiously or culturally unacceptable.

Similarly, given that LGBTI+ refugees often come from relatively wealthier backgrounds, they tend to have better means to support themselves than the general refugee population. They therefore seldom turn to service providers for financial assistance. For instance, it was reported that a lesbian refugee who was granted a scholarship to go to university in her home country flew to Bangkok with those funds after her family found out about her sexual orientation. She has been relying on this money to survive ever since.

Despite all this, survival in Bangkok is not easy. In addition to the struggles commonly encountered by most refugees in Thailand regardless of their identities, LGBTI+ individuals also have specific vulnerabilities related to their SOGIESC. Most went through SOGIESC-related traumatic experiences in their home countries, including internalized homophobia or transphobia, torture, forced conversion therapies or family violence, abuse and murder attempts. As a result, they often arrive in Thailand in need of psychosocial support.

Once in the country, they continue to suffer from poor mental health because of inadequate legal recognition and protection. Refugees' lack of right to work greatly limits their capacity to sustain themselves, forcing many to seek work in the informal economy. While the general refugee population are employed in dangerous manual labour such as construction, LGBTI+ refugees tend to work near LGBTI+ neighbourhoods in gay nightclubs, massage parlours, and

beauty and nail painting salons. They are also musicians, tailors, hairdressers, private English teachers, personal physical trainers, and dog walkers. It was implied during interviews that some might resort to sex work but this is not yet recorded officially.

Given that LGBTI+ refugees often come from relatively privileged backgrounds, went to university and sometimes were business owners in their home countries, this downward social mobility is likely to impact their mental wellbeing. For instance, it was reported that several LGBTI+ refugees decided to be repatriated to their home countries because they felt that they would have more livelihood opportunities there, despite the criminalising national LGBTI+ context.

The constant fear of being arrested and sent to IDC prevents many from leaving their house. An interviewee stated, “when they leave the house they never know if they will be able to come home”. Currently, there are over 300 refugees in IDC, including some LGBTI+ individuals.

“ When they leave their house, they never know if they will be able to come home. ”

SOGIESC is not taken into consideration during vulnerability screening, thus their situation is of particular concern. LGBTI+ detainees are searched without consideration to their gender identity and have to sometimes experience forced nudity. To determine whether a transgender refugee should be detained in the male or female cell, immigration detention officers are reported to check the individual’s genitals. In many cases, if a transgender woman has not undergone gender reassignment surgery, she will be placed in a male cell and asked to cut her hair. This situation further exposes transgender detainees to risks of physical, sexual and psychological violence from both immigration detention officers and their cellmates. Examples of abuses that were brought up during data collection include beating, humiliation and insults. As one transgender woman refugee wrote in her letter, “It is difficult for me to shower because the men in my cell do not let me enter the bathroom with them.”

“ It is difficult for me to shower because the men in my cell do not let me enter the bathroom with them. ”

LGBTI-friendly medical care is very limited in IDC. Detainees’ ability to testing and treatment of HIV/AIDS and other STIs is restricted. Hormone replacement therapy and other treatments associated with gender affirming care are also prohibited. In this context, both the physical and mental health of LGBTI+ refugees are at great risk during detention, given that “the denied ability of someone with gender dysphoria to continue hormone therapy can have medical implications ranging from depression to near death” (International Detention Coalition 2016).

There were reports of several detained transgender women refugees whose transitions were abruptly interrupted and their facial hair reappeared, causing them critical psychological distress. A letter collected from a transgender refugee in an IDC stated, “I know a transgender woman who lost her mind here. She was slapping herself every time she was seeing her hairy face in the mirror. I need to be careful to not lose my mind like her.”

“ I know a transgender woman who lost her mind here. She was slapping herself every time she was seeing her hairy face in the mirror. I need to be careful to not lose my mind like her. ”

Even outside the IDCs, LGBTI+ refugees in Thailand suffer from severe social isolation and are excluded from within their own communities. This makes survival even more challenging for them. Unlike other refugees, who commonly receive financial support from their close ones who stayed back home, most LGBTI+ refugees have limited, if any, relational ties upon arrival. This is because their families or communities of origin are often the ones they had to run away from. It was reported that several LGBTI+ refugees fled their home countries after their families had found out about their SOGIESC and attempted to kill them. Some even had their families send people to Bangkok to find and kill them in order to make them pay for the shame they brought on the family.

Without family support, LGBTI+ refugees also face strong discrimination from their own refugee communities in Bangkok. To avoid losing support from their refugee communities, many feel compelled to conceal their SOGIESC, even from service providers. As one psychologist stated, “It takes time for them to disclose they are SOGIESC. They usually do so after several sessions, once some trust is established.” Interviewees also explained that refugees who reveal their SOGIESC explicitly request that this information remains strictly confidential, as they fear that their refugee communities will find out and marginalise them.

To deal with this ostracism, LGBTI+ refugees develop several alternative networks of support. Even though they only represent a relatively small group of individuals, they recently organised themselves as a community seeking peer support and information. For instance, they recently created an online chat group of LGBTI+ refugees from diverse countries of origin to help them connect with each other more easily and share information related to LGBTI-related services, food donations, job or housing opportunities, or advice on local transportation. It was also reported that a transgender refugee has been maintaining a Facebook page where she provides information and assistance to LGBTI+ refugees from all over the world. In the letters collected, most LGBTI+ refugees expressed a desire to get more involved in the LGBTI+ refugee community and help their peers. As written on one of the letters, “I want to do more for my community.”

“ It takes time for them to disclose their SOGIESC. They usually do so after several sessions, once some trust is established. ”

LGBTI+ refugees strongly rely on the local communities, especially the local LGBTI+ communities. It has been observed by several interviewees that LGBTI+ refugees tend to have more Thai friends or life partners than the general refugee population. They are often LGBTI+ themselves and are therefore able to help LGBTI+ refugees find LGBTI-friendly jobs or accommodation. They also teach them Thai culture and language. It was reported that some LGBTI+ refugees have been hosted and sometimes even financially supported by their Thai LGBTI+ friends or life partners until they were able to find a sustainable solution for themselves.

“ I used to go to Pattaya often to check on a transgender refugee who was living there but she recently moved back to Bangkok after she recieved threats from people from her country of origin living in Pattaya. ”

This research found that Pattaya is a particularly appealing place for LGBTI+ refugees. They reportedly decided to move to this coastal city because they hoped to rely on and benefit from the strong LGBTI+ community living there. However, most of them had to come to Bangkok because they faced difficulties finding a job in Pattaya and the majority of the service providers supporting them are based in the capital city. Going to Pattaya also did not always protect them from discrimination and abuse from their own communities. As explained in one interview, “I used to go to Pattaya often to check on a transgender refugee who was living there but she recently moved back to Bangkok after she received threats from people from her country of origin living in Pattaya.”

3

Protection gaps

There is considerable room to improve service provision for LGBTI+ refugees in Thailand, which is greatly limited by Thailand's criminalising immigration framework. Recently, the UNHCR and the Royal Thai Government have been working together to create a national screening mechanism (Bangkok Post, 2020). This development would result in the transfer of the RSD process from the UNHCR to the government, as is the case in many other countries. Though it is unclear what status will be granted to the persons officially recognised as refugees, there is a hope that this would lead to a more protective and supportive environment.

Stakeholders working with refugee communities have started to acknowledge the difficult situation of LGBTI+ refugees in Thailand and have begun to develop strategies and programmes specific to the needs of these individuals. The most important programme identified during this research is the formation of a peer support group for LGBTI+ refugees to come together regularly. The objective of this pilot project is to strengthen the LGBTI+ refugee community by creating a safe space where they feel secure to open up and share their personal experiences, concerns and needs. A Facebook chat group was also created for them to stay in touch online and exchange information easily. At the time of data collection this group had gathered only twice and included participants from five different countries of origin. They were either gay men or transgender women, though it was reported that lesbian and intersex refugees also expressed the desire to participate to the next meetings. This shows a great interest in the project on the part of the LGBTI+ refugee community. It is hoped that the group will continue to meet regularly and attract more participants.

Despite stakeholder's recent efforts to implement more inclusive programme strategies, several gaps in protecting LGBTI+ refugees still remain. One important reason why LGBTI+ refugees cannot access certain services is because they do not always disclose their SOGIESC to staff members. As a result, stakeholders may presume that the refugees they support are not LGBTI+, a situation that can lead to inadequate vulnerability assessments and referrals. During interviews, most stakeholders estimated that only a small share of the actual LGBTI+ refugees they work with disclose their SOGIESC to them. One organisation even claimed that no refugee ever disclosed their SOGIESC to them. Nearly all of them expressed concerns about not knowing how to provide a better environment to make individuals feel safe to come out.

Stakeholders also expressed uncertainties about the extent of information related to a refugee's SOGIESC they could share with their colleagues and other organisations. This issue concerned them because they were aware that sharing such information could potentially help them better address the needs of these individuals. As an example, Even though

UNHCR carries out regular individual home visits to all LGBTI+ refugees claiming asylum based on SOGIESC in order to identify their needs and develop appropriate responses, stakeholders predicted that many LGBTI+ individuals have fallen through the cracks due to their nondisclosure. Several interviewees explained that they always ask a refugee's consent before sharing information about their SOGIESC with other staff members. This good practice is discussed in the report's recommendations.

“ Although in principle organizations provide support to refugees without discrimination, in reality the majority of the people providing assistance only have a little understanding of LGBTI+ issues, a situation that can prevent many LGBTI+ refugees from approaching the organisation as they may think that the organisation is discriminating. ”

Most stakeholders interviewed admitted that they were not fully aware of the measures that can be taken to best serve the LGBTI+ refugees who have disclosed their SOGIESC to them. They were also confused about the appropriate and inappropriate terminology used when talking about SOGIESC. Only a few refugee organisations have an LGBTI+ focal point who can be consulted for support or advice, while the majority have never received training on LGBTI+ issues. The few staff members who were knowledgeable about the topic explained that they acquired this expertise during previous academic and professional experiences. As stated in one interview, “Although in principle organisations provide support to refugees without discrimination, in reality the majority of the people providing assistance only have a little understanding of LGBTI+ issues, a situation that can prevent many LGBTI+ refugees from approaching the organisation as they may think that the organisation is discriminating.”

This organisational shortcoming has resulted in LGBTI+ refugees reportedly feeling disrespected by some staff members in the past. Some examples of this include insensitive questions about sexual preferences and misgendering, such as using the pronouns he/him when referring to a transgender woman instead of she/her.

The risk of misgendering and deadnaming is often heightened in organisations that employ refugees as interpreters, especially when these interpreters come from communities where LGBTI+ individuals are stigmatised. Several stakeholders expressed concerns about their interpreters' limited understanding of LGBTI+ issues and use of correct terminology. They were afraid that this could lead to appropriate terminology getting lost in translation. When this occurs, it often leads LGBTI+ refugees to wrongly assume that the organisation is not open to and inclusive of LGBTI+ communities.

When using an interpreter, discussions related to LGBTI+ issues can become even more sensitive and complex if the interpreter expresses discomfort about the issue. During discussions with stakeholders, the presence of interpreters may also influence the behaviour of LGBTI+ refugees because they may experience feelings of shame, fear, stigma or be concerned about confidentiality, especially if the interpreters belong to the community that they fled.



She came to us to seek help because she was being harassed by other members of her etho-racial community, so we decided to send her to one of these safe houses.

Even though most stakeholders lacked training on LGBTI+ issues, they also recognised that they do not do enough to foster dialogue and cooperation between refugee and LGBTI+ organisations. It was encouraging to note that several stakeholders reportedly refer LGBTI+ refugees to LGBTI+ community clinics that provide LGBTI-specific healthcare and counselling services. However, this practice was limited to a few organisations as a number of interviewees were not aware of any LGBTI+ organisations in Thailand, or the kind of services they provide for LGBTI+ individuals.

Some interviewees reported occasions where LGBTI+ organisations did not have sufficient knowledge of refugee and asylum issues to adequately address the needs of the LGBTI+ refugees who reached out to them. For instance, it was reported that a transgender refugee felt that the staff members of the LGBTI+ community clinic she went to did not adequately understand her needs due to their limited knowledge of the refugee context in Thailand. During a meeting with several LGBTI+ organisations, some interviewees explained that even though they are regularly contacted by LGBTI+ refugees on their online support platform, they usually refer them back to refugee organisations because they do not work directly with refugee communities and only have a limited understanding of asylum issues. This situation is problematic for several reasons. When LGBTI+ individuals turn to LGBTI+ organisations, they are likely to seek help or advice about issues related to SOGIESC. However, if this LGBTI+ organisation does not work with refugees and refers them back to refugee organisations there is a risk that their concerns will remain unaddressed.

Most refugee organisations expressed a strong desire to work more closely with LGBTI+ organisations. They recognised that a collaboration between the two networks could increase their knowledge and improve the quality of the services they provide. Several gaps related to shelter, medical care and mental health have also been identified. Though Bangkok has several safe houses for refugees to seek emergency and temporary shelter, there is none specifically for LGBTI+ refugees. As one stakeholder stated, “She [an lesbian refugee] came to us to seek help because she was being harassed by other members of her community, so we decided to send her to one of these safe houses.” The lack of LGBTI+ safe houses is problematic because in regular safe houses an LGBTI+ individual may continue to experience prejudice and harassment.

Although some refugee organisations arrange or fund medical care for refugees, they usually only reimburse treatments for life threatening illnesses, paediatric care for children, medical care during pregnancy, immunisation, testing and treatment for HIV/AIDS, tuberculosis and STIs, and for trauma related to SGBV. If refugees would like reimbursements for other treatments, they need to justify that these are life-threatening. Hormone therapy for transgender refugees are not funded by refugee organisations. At the time of the study,

LGBTI+ community clinics could only waive service fees on a case by case basis, subject to funding availability. Thus, these medical treatments are often inaccessible for many transgender refugees who cannot afford them.

While a number of refugee organisations provide psychosocial counselling, only a few have psychologists who reported to have sufficient understanding of LGBTI+ issues to provide LGBTI-specific psychological support. Interviewees recognised that it was more of them should be able to provide such support given that LGBTI+ refugees experience additional stressors besides those in common with the general refugee population and that many may not disclose their SOGIESC.

Conclusion

This study shows that LGBTI+ refugees in Thailand are a vulnerable minority within the refugee community and that their condition is not well understood. This dearth of information is further complicated by the fact that these refugees do not always disclose information about their SOGIESC, even to service providers.

Most stakeholders who were interviewed recognised that they were not doing enough to support LGBTI+ refugees in Thailand but expressed a deep desire to engage more with this population, build their capacity and work closely with LGBTI+ organisations.

We hope that both refugee and LGBTI+ organisations will find this report useful to help them cooperate with each other more, mutually build capacities, collect critical SOGIESC-related data that will inform strategies and services, and fill the gap of responding to the needs of this community.



Recommendations

Equal Asia Foundation has developed some broad recommendations to help stakeholders better address the needs of LGBTI+ refugees in Thailand. We hope this may contribute to a more visible and supportive ecosystem for LGBTI+ refugees in the country and inform regional programmes. We also hope that these findings and recommendations can bring together the different actors in the refugee and LGBTI+ movements.

As a follow up to this report, we hope to convene a multi-stakeholder consultation. The output of this consultation will be the development of detailed interventions for research, advocacy, capacity building and direct action.

Legal Framework

We encourage stakeholders to continue their advocacy efforts to close the gap in the legal framework for refugees in Thailand. Continued cooperation between the UNHCR and Royal Thai government is essential. We hope that soon, they will be able to set up a national screening mechanism that is inclusive and creates a safer and more protective environment for all refugees in the country.

Research

We recommend that more research is conducted to document the condition of LGBTI+ refugees in Thailand. This would help stakeholders to better identify and address the needs of these individuals.

Trainings

To ensure that all stakeholders have the competency to adequately interact with and support LGBTI+ refugees, we recommend that all staff members working for refugee organisations receive sensitivity and cultural awareness training on LGBTI+ issues.

Basic training on refugee and asylum issues should also be provided to LGBTI+ organisations' staff members. This would increase their ability to identify the needs of LGBTI+ refugees who reach out to them and make appropriate referrals.

Collaboration

Greater cooperation between refugee and LGBTI+ organisation is essential to develop more inclusive and efficient programming and services, based on LGBTI+ refugees' feedback. Together they can better support LGBTI+ refugees to access appropriate healthcare services, safe spaces, and non-discriminatory employment.

To facilitate this cooperation, a list of the different refugee and LGBTI+ organisations as well as the main services they provide can be found in Appendix I of this report.

Inclusive environment

Several measures can be taken to create an environment in which LGBTI+ refugees feel safe to disclose their SOGIESC. Most importantly, when SOGIESC is unknown it is best not to conclude how the refugee identifies. While asking refugees outright about their SOGIESC is inappropriate and may upset or scare them, stakeholders are responsible for creating a safe and supportive environment that fosters acceptance within the wider refugee community.

Some ways of creating an inclusive environment for LGBTI+ refugees to feel safe and have open conversations about SOGIESC could include displaying multilingual posters, brochures featuring a rainbow flag or symbol, etc. Staff members should also be sensitised about the harmful impacts of LGBTI-centred jokes, misgendering, deadnaming, inappropriate or derisive gendered language and stereotyping.

Stakeholders are encouraged to share LGBTI-specific and LGBTI-friendly opportunities and services in large group settings or events. They should also include discussions on LGBTI+ issues during the workshops they provide to newly arrived refugees. The importance of integrating LGBTI-appropriate services within existing practices is based on the knowledge that any refugee may be LGBTI+. This would allow all LGBTI+ refugees to access these services, even those who do not wish to disclose their SOGIESC. It would also help them to perceive service providers as inclusive and welcoming to LGBTI+ communities.

Data collection

We encourage stakeholders to adjust their registration forms and all other relevant processes for the collection of biodata to ensure that they are appropriate to the issues of LGBTI+ refugees. Importantly, documents should be sensitive to gender identity and should include gender-neutral options.

Confidentiality

When LGBTI+ refugees disclose their SOGIESC, it is essential to ensure that this information remains confidential. This is important to secure trust in the staff members or stakeholders who they come out to. Demonstrating to LGBTI+ refugees that staff members protect their privacy and confidentiality would allow them to be more comfortable to share personal information and seek LGBTI-specific support.

When a stakeholder believes that an LGBTI+ refugee may benefit from another stakeholder brought into confidence, they should always ask the refugee's consent in order to share this information. When refugees agree for this information to be shared, we recommend that the stakeholder gives them the choice to tell them themselves.

It is important that stakeholders never inform other members of the refugee community about an individual's SOGIESC, as this could put this person at great risk of discrimination, exclusion, and even physical, psychological and sexual abuse.

Interpreters

It is essential that stakeholders who work with interpreters ensure that they recruit interpreters who are sensitive and sympathetic to the plight of LGBTI+ refugees.

All interpreters should undergo training to review confidentiality policies to make sure that the privacy of LGBTI+ refugees is respected. It is particularly important when the interpreters come from the same refugee community as the LGBTI+ individual. Disclosure of refugees' SOGIESC to other member of the community could put them at heightened risk of discrimination, exclusion, and even physical, psychological and sexual abuse from their own community.

Given that various LGBTI+ terms may not be easily translated into some languages, it is important to verify that interpreters are able to still effectively communicate SOGIESC concepts.

Safe Spaces

We recommend that stakeholders establish safe spaces created and designed for LGBTI+ refugees. These could include social support groups for LGBTI+ refugees, special days/times for LGBTI+ refugees to register or hold interviews, or an LGBTI-specific hotline that address inquiries from LGBTI+ refugees. Providing these safe spaces is essential for reducing isolation and increasing self-esteem, social support, resilience, and sense of security.

LGBTI-friendly network

We recommend that refugee and LGBTI+ stakeholders work together to establish a network of LGBTI-friendly legal, medical and mental health professionals to whom LGBTI+ refugees can be referred. This list should be made easily available in the safe spaces dedicated to LGBTI+ refugees.

Housing

We recommend stakeholders to implement a “scattered housing” approach, with shelter options for LGBTI+ refugee cases separate from where other refugee populations live.

Stakeholders are also encouraged to set up separate safe houses where only LGBTI+ refugees can seek refuge and temporary shelter. These safe houses should have brochures that provide information about LGBTI-specific and LGBTI-friendly services. The LGBTI+ refugee community would be strengthened as these houses would provide them a safe place where they can seek help and meet with other LGBTI+ refugees.

Healthcare

Stakeholders should refer LGBTI+ refugees to LGBTI-friendly medical and mental health professionals. When this is done, LGBTI+ refugees are more likely to trust the medical staff treating them and get LGBTI-appropriate care and treatment that they need.

Given that LGBTI+ refugees experience stress factors specific to their SOGIESC and that many do not disclose their SOGIESC, access to LGBTI-appropriate mental health services should be a standard for all stakeholders providing mental health care to refugees.

Since access to gender-affirming integrated healthcare can greatly improve mental health and reduce psychological distress caused by dysphoria, it is recommended that stakeholders add these services to the list of treatments that they systematically reimburse.

Although we recommend that LGBTI+ individuals are not put into detention centres, if they are, access to LGBTI-sensitive medical care should be made easier and treatments associated with gender affirming care should be authorised, as to make sure that every transgender detainee can access them.

Detention

We believe that there are no reasonable modes of detention for LGBTI+ refugees. Thus, we urge Thai authorities to establish a special bail consideration for LGBTI+ individuals in IDC and to consider alternatives to detention.

Social campaign

Stakeholders are invited to develop social campaigns that increase public awareness of and foster positive attitudes about refugees to Thailand. A more welcoming environment would make survival easier for all refugees in the country, including LGBTI+ individuals.

Annex I:

List of Organisations Providing Services for Refugees and/or LGBTI+ Persons

Note: This is a non-exhaustive list. All phone numbers are written for calling within Thailand.

Organisation	Mission or Services Provided	Contact Information
APCOM	APCOM works to improve the health and rights of gay men, other men who have sex with men and LGBTI+ people across Asia and the Pacific. It has recently launched its first city-based HIV Testing Campaign	<p>☎ 02-399-1145</p> <p>✉ apcom@apcom.org</p> <p>📍 48 Soi Udomsuk 13, Bangna-Nua, Bangna, Bangkok 10260, Thailand</p>
Asia Pacific Refugee Rights Network (APRRN)	Does not provide any direct services to refugees in Thailand but is engaged in advocacy around legal aid, developing national legislation, alternatives to detention, livelihoods and the right to work to create a better protection environment for refugees. APRRN further aims to strengthen the capacity of civil society and refugee communities in Thailand through training, workshops and consultations.	<p>☎ 02-234-2679</p> <p>✉ info@aprrn.info</p>
Asian Muslim Action Network (AMAN)	Previously supplied emergency food assistance to Rohingya refugees in Cox's Bazaar	<p>☎ 02-913-0196</p> <p>📍 House 1562/113, Soi 1/1 Mooban Pibul, Pracharaj Road, Bangkok 10800, Thailand</p>
Asylum Access Thailand (AAT)	Legal assistance and advice for asylum seekers on the refugee status determination process and issues arising in pursuing their refugee applications	<p>☎ 02-513-5228; 094-498-2500; 097-001-3043</p> <p>✉ thailand@asylumaccess.org</p> <p>📍 1111/151 Ban Klang Muang (Between Soi Ladphrao 23-25), Ladphrao Road, Chankasem, Chatuchak, Bangkok 10900, Thailand</p>

Organisation	Mission or Services Provided	Contact Information
Bangkok Rainbow Organisation	Bangkok Rainbow Organisation is a community-based NGO that provides free condoms, counselling, health education and access to free AIDS testing for LGBTI+ individuals.	<ul style="list-style-type: none"> ☎ 02-618-5168 🌐 www.bangkokrainbow.com/en/contact 📍 Phradipat Soi 18, Khwaeng Samsen Nai Khet Phaya Thai, Bangkok 10400, Thailand
Bangkok Refugee Centre (COERR)	Medical, psychosocial, educational and financial assistance for refugees	<ul style="list-style-type: none"> ☎ 02-512-5632, 02-512-5633, 02-512-5634, 02-512-5519, 086-010-4117 (Medical Hotline), 081-750-4081 (SGBV Hotline) ✉ coerrbangkok@coerr.org 📍 167/1 Ratchadapisek 36, Yeak 19-9 (Soi Sang Chan), Ratchadapisek Road, Lat Yao Sub-district, Bangkok 10900, Thailand
Being LGBTI in Asia and the Pacific	Being LGBTI in Asia and the Pacific is a regional programme (partly funded by the United Nations Development Programme) aimed at addressing inequality, violence and discrimination based on SOGIESC, and promotes universal access to health and social services. They collaborate with various governments, CSOs and other stakeholders.	<ul style="list-style-type: none"> ☎ 02-304-9100 ✉ aprc.th@undp.org; registry.th@undp.org 📍 United Nations Development Programme, 3rd Floor United Nations Service Building, Rajdamnern Nok Avenue, Bangkok 10200, Thailand
Calvary Baptist Church	Conducts outreach to the refugee community by visiting detainees in IDCs and providing monthly food assistance	<ul style="list-style-type: none"> ☎ 02-251-8278 ✉ mchapp@iname.com; carriegchappell@gmail.com 📍 88 Soi Pha Suk, Khlong Toei, Bangkok 10110, Thailand
Caritas Bangkok	Supports the process of returning refugees to their country of origin, emergency financial assistance in the case that the head of household is detained in an IDC, financial support for education, skills trainings, Thai language classes and financial support for food supplies at Holy Redeemer Church	<ul style="list-style-type: none"> ☎ 026-813-8468 ✉ fr.pairat@caritasthailand.net; caritasthailand@cbct.net 📍 122/11 Nonsi soi 14 (Soi Naksuwan), Chong Nonsi Sub-district, Yannawa District, Bangkok 10120, Thailand

Organisation	Mission or Services Provided	Contact Information
Center for Asylum Protection (CAP) Thailand	Legal and protection assistance, workshops for new arrivals and durable solutions, country conditions research, advocacy, translation and interpreting assistance	<p>☎ 02-116-0405, 02-116-0406</p> <p>✉ info@capthailand.org</p> <p>📍 40/32 Soi Inthamara 8 Suthisan Road., Samsen Nai Sub-district, Phayathai District, Bangkok 10400, Thailand</p>
Courageous Kitchen	Cooking skills, food assistance and small-scale financial assistance	<p>☎ info@courageouskitchen.org</p> <p>📍 3068 Sukhumvit Rd, Khwaeng Bang Chak, Phra Khanong, Bangkok 10260, Thailand</p>
Desi LGBTQ Helpline for South Asians	Free, confidential hotline run by trained South Asian LGBTI+ peer support volunteers. Available for advice on anything from family to faith to coming out, helping callers find community and putting callers in contact with any other professionals that might be beneficial to them	<p>🌐 www.deqh.org/contact-us.html</p> <p>☎ (001) 908-367-3374</p> <p>✉ deqh.info@gmail.com</p>
Equal Asia Foundation (Equal AF)	Equal Asia Foundation designs and tests solutions that advance LGBTI+ inclusion and supports community organisations who work toward a more equitable future for all.	<p>☎ 02-120-9496</p> <p>✉ admin@equalaf.org</p> <p>📍 Room 309, 3rd Floor 219/2, Asoke Towers Soi Asoke, Sukhumvit 21 Road North, Klongtoey, Watthana, Bangkok 10110, Thailand</p>
Foundation for Sexual Rights and Justice (For-SOGI)	NGO created by activists to promote and protect the human rights of LGBTI+ individuals. This includes co-operating with other charities and social work, treatment and research in the prevention of AIDS	<p>☎ 02-868-4344</p> <p>✉ forsogi.thai@gmail.com</p> <p>📍 No. 4 Soi Phet Kasem 24, Pak Khlong Phasi Charoen Sub-district, Phasi Charoen District, Bangkok 10160, Thailand</p>
Glory to God Church	Previously helped Vietnamese refugees with housing and hospital bills	<p>📍 Huai Chorakhe Sub-district, Mueang Nakhon Pathom District, Nakhon Pathom 73000, Thailand</p>

Organisation	Mission or Services Provided	Contact Information
Holy Redeemer Church Bangkok	Food and clothes assistance	<p>☎ 02-651-5251</p> <p>📍 123/15 Ruamrudee Soi 5, Wireless Road, Ploenchit Sub-district, Pathum Wan District, Bangkok 10330, Thailand, 10330</p>
Jesuit Refugee Service (JRS)	Casework assistance, educational scholarships, psychosocial counselling, emergency shelters and need-based financial assistance to asylum seekers	<p>☎ 084-427-4136</p> <p>✉ louie.bacomo@jrs.net; programme.director@jrs.or.th</p> <p>📍 43 Phahonyothin Road, Soi Rachawithi 12, Victory Monument, Phayathai 10400, Thailand</p>
Life Raft International	Financial and educational assistance and food support for vulnerable cases in IDCs	<p>☎ 064-808-6877</p> <p>✉ chris@liferaftinternational.org; contact@liferaftbkk.org</p> <p>📍 Bangna Trad Soi 37, Parkland Bangna, Bangkok 10260, Thailand</p>
Love Pattaya	Lesbian society based in Pattaya offering informational guides and a variety of services	<p>☎ 081-423-2281</p> <p>✉ MayNie@LovePattaya.com</p> <p>📍 29/8 M.4 Cg Residence, Banglamung, Chonburi 20260, Thailand</p>
M-Cab Thailand	M-CAB Thailand is dedicated to reducing the spread of HIV, including reducing stigma and discrimination associated with HIV and LGBTI+ men and transgender women.	<p>✉ mcab.msm2015@gmail.com</p>
Mplus Thailand	Mplus is a leading organisation and expert in the prevention of HIV/AIDS and sexually transmitted diseases and sexual health. Their main goal is to carry out various activities to prevent HIV in MSM.	<p>☎ 086-919-4840; 086-919-3432</p> <p>✉ mplus.foundation@gmail.com</p> <p>📍 M Plus Foundation, No. 142 Soi Chomchan, Chiang Mai-Hot Road, Pa Daet Subdistrict, Mueang District, Chiang Mai Province 10110, Thailand</p>

Organisation	Mission or Services Provided	Contact Information
Purple Sky Network Foundation	Purple Sky Network is devoted to better health, well-being and equal rights for LGBTI+ people in the Greater Mekong Sub-region. They are a regional network of LGBTI+ and MSM national networks and organisations.	<ul style="list-style-type: none"> ☎ 02-259-3734 ✉ rapeepun@purplesky.asia 📍 23/6 Soi-Napasap 2, Sukhumvit 23, Klongton, Klongtoey, Bangkok 10110, Thailand
Rainbow Sky Association of Thailand	Rainbow Sky Association of Thailand aims at helping high-risk persons with appropriate health services, counselling and HIV testing.	<ul style="list-style-type: none"> ☎ 027-316-5323 (ext. 102) ✉ info@rsat.info 📍 No. 1 and 3, Soi Ramkhamhaeng 97/2, Ramkhamhaeng Road, Hua Mak Subdistrict, Bang Kapi District, Bangkok 10240, Thailand
Sangsan Anakot Yawachon Development Project (Sangsan)	Sangsan is an ethnic minority and indigenous LBTQ feminist-led organisation who focus on empowerment and social change through education.	<ul style="list-style-type: none"> ✉ sangsanngo@gmail.com
Satthachon Foundation for Education and Orphans (Yateem TV)	Previously offered food, medical supplies and education to Syrian refugees	<ul style="list-style-type: none"> ☎ 02-934-3495 ✉ satthachon@hotmail.com 📍 48/48 Soi Ladprao 114, Phlapphla Subdistrict, Wang Thonglang District, Bangkok 10310, Thailand
Silom Community Clinic	A clinic providing rapid HIV testing, personalised counselling, testing and treatment of sexually transmitted infections as well as HIV pre-exposure prophylaxis (PrEP) services	<ul style="list-style-type: none"> ☎ 02-644-6290 📍 12th floor, Hospital for Tropical Diseases, Ratchawithi Road, Ratchathewi, Bangkok 10400, Thailand
Sisters Foundation	A community that supports transgender women and has a clinic that offers sexual health and HIV testing to LGBTI individuals. Free checks available Monday-Friday from 13:00-19:00	<ul style="list-style-type: none"> ☎ 03-303-5367; 085-699-3233 📍 417/64-65 Soi Arunothai, Klang, Pattaya, Pattaya City, Bang Lamung District, Chon Buri 20150, Thailand

Organisation	Mission or Services Provided	Contact Information
St. Michael's Church	Food assistance	<p>☎ 02-521-1408, 02-972-4989, 084-021-9485</p> <p>📍 Phahon Yothin 69/4 Alley, Anusawari, Bang Khen, Bangkok 10220, Thailand</p>
Tangerine Clinic	Bangkok's first transgender-specific sexual health clinic. Services provided by the clinic include, but are not limited to, general health check-ups, psychosocial support and counselling, hormone administration and monitoring, vaccination for hepatitis B and human papillomavirus, testing for HIV and other sexually transmitted infections.	<p>☎ 02-253-0995</p> <p>📍 104 Ratchadamri Road, Bangkok 10330, Thailand</p>
Thai Youth Action Program Foundation (TYAP)	NGO operating in Northern Thailand supporting youth to address and educate them on issues surrounding HIV/AIDS, gender identity, sexuality and sexual education	<p>☎ 086-654-5144</p> <p>✉ tyapmail@gmail.com</p>
Tzu Chi Foundation	Financial assistance, medical assistance, in-kind support, daily massage and haircut services	<p>☎ 023-281-1613</p> <p>📍 316 Chaloem Phrakiat Rama IX, Prawet Soi 32-34, Bangkok 10250, Thailand (in front of Suan Luang Rama IX Park)</p>
United Nations High Commissioner for Refugees (UNHCR)	Process refugee status determination cases, oversees resettlement and guarantees safe spaces for refugees in host countries	<p>☎ (41) 22-739-8111 (automatic switchboard)</p> <p>📍 United Nations High Commissioner for Refugees, Case Postale 2500, CH-1211 Genève 2 Dépôt, Suisse</p>
Young Pride Club	Young Pride Club is a youth organisation and social club advocating for LGBTI+ rights and running queer-friendly events in Chiang Mai	<p>☎ 083-581-6868; 097-924-8715</p> <p>✉ contact@youngprideclub.com</p> <p>📍 146/82 Tonkham 2 Road, Thasala, Mueang City, Chiang Mai 50000, Thailand</p>

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LGBTIQ+

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