

Navigating the Intersection of Displacement and SOGIESC

Justice
For Sisters



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Justice for Sisters

Justice for Sisters is a human rights group working towards meaningful protection, promotion, and fulfilment of human rights of lesbian, gay, bisexual, transgender, intersex, queer (LGBTIQ+) and gender diverse persons in Malaysia.



ASEAN SOGIE CAUCUS

ASC is a legally registered human rights organization that works for the advancement of the human rights of LGBTQIAN+ persons in the Southeast Asian region. It conducts capacity development, and organizational accompaniment to ensure that LGBTQIAN+ persons and communities effectively influence human rights mechanisms. Since its founding in 2011, ASC has collaborated with more than 500 LGBTQIA+ organizations, and collectives from ASEAN. In 2021, ASC obtained a Special Consultative Status from the UN ECOSOC.

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This report comprises case studies presented during a panel discussion, titled, **Navigating the Intersection of Displacement and SOGIESC** on 24th May 2025, moderated by Michelle Fong, UNHCR and additional research by Justice for Sisters. The discussion was part of the ASEAN Peoples' Conference, a civil society conference held in conjunction with the ASEAN Summit chaired by Malaysia. This report includes contributions by Sai Kham La, Abdul Hakim, Megan Steven, Roxanne Omega-Doron.

Compiled by:

Kamal A. K., Nemo Young

Additional research:

thilaga

Edited by:

Tham Hui Ying and thilaga

Layout design:

Breena Au

Cover Illustration:

Zariq Rosita-Hanif

Overview

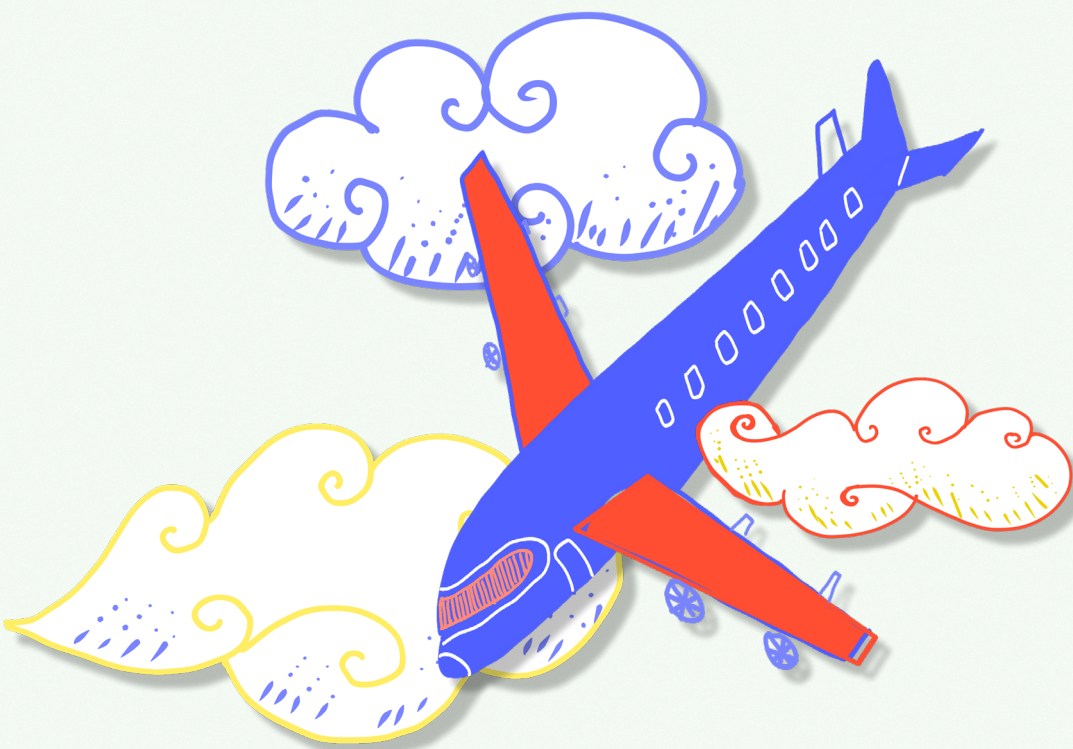
Internal and external displacement among LGBTIQ and gender diverse people is a widespread yet underdocumented phenomenon in Southeast Asia, contributing to the invisibility of the issue across the region. Displacement may occur due to a wide range of factors, such as, family abuse, violence by state actors, discriminatory laws and policies, social exclusion, conflicts and the climate crisis.

For displaced LGBTIQ and gender diverse people in ASEAN where they often navigate contexts that criminalise or exclude them both for their SOGIE and displaced status, the challenges are compounded. This intersection of vulnerabilities leads to exclusion from protection mechanisms and a lack of access to essential services and support.

Those who are displaced due to humanitarian crises face heightened risks as they confront both the dangers of crisis situations and the barriers of entrenched discrimination. With state systems overstrained and under immense pressure, marginalised populations often fall through the cracks and may even be systemically excluded by discriminatory practices and policies.

Across the region, LGBTIQ-affirming support services within disaster response and humanitarian relief remain underdeveloped at best, and non-existent at worst. Additionally, structural barriers faced by LGBTIQ and gender diverse people, such as a lack of legal gender recognition (LGR), discrimination, violence, harassment and extortion due to their sexual orientation, gender identity and gender expression (SOGIE), further deepen exclusion and insecurity. Overlooked, underserved or unaccommodated for, they depend on community organisations to step in to fill the gaps left by institutions.

This report draws on four case studies from across ASEAN, which together highlight recurring patterns of exclusion, invisibility, and systemic discrimination among displaced LGBTIQ and gender diverse people. While the specific contexts differ, the commonalities point to structural barriers that persist throughout the region—particularly the lack of legal protections and inadequate humanitarian responses. These patterns highlight the urgent need for ASEAN-level action to promote inclusive protection frameworks and ensure that displaced LGBTIQ and gender diverse people are recognised and supported across all member states.

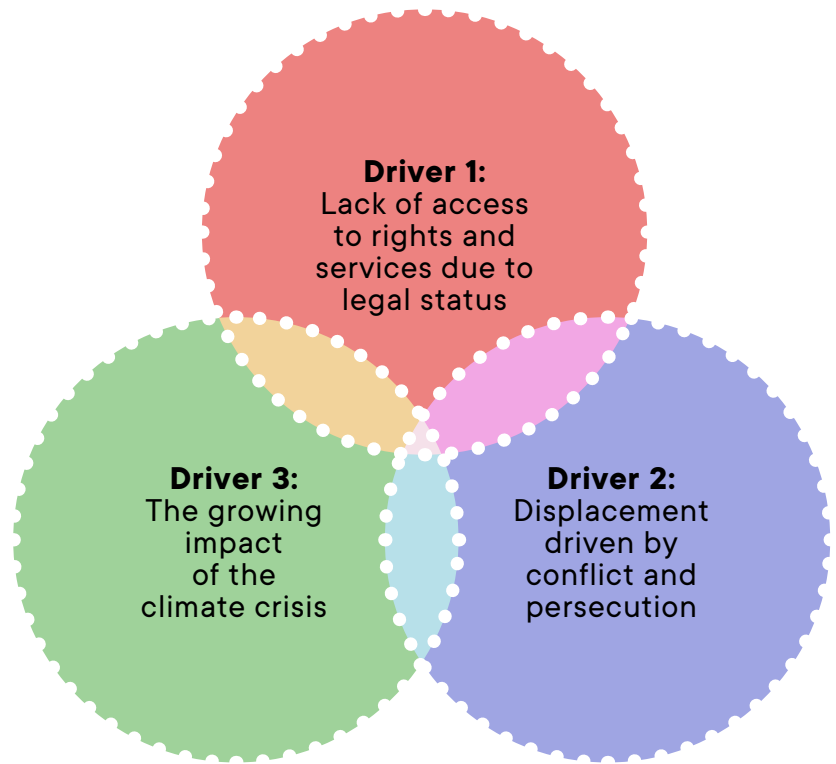


Status of LGBTIQ and gender diverse displaced people in ASEAN

The challenges highlighted above unfold within a broader ASEAN context, where displacement and protection remain politically sensitive and unevenly addressed. The ASEAN Community Vision 2045, which replaces the ASEAN Blueprint 2025, envisions a “Resilient, Innovative, Dynamic, and People-Centred ASEAN.” It aspires to a Southeast Asia that is a zone of peace, freedom, and neutrality, underpinned by shared commitments to security, stability, democracy, human rights, and social justice. While this vision projects inclusivity and respect for diversity, realities on the ground tell a different story with some ASEAN member states having made strides in advancing human rights of LGBTIQ and gender diverse people, while others witnessed increasing restrictions, criminalisation, and social exclusion. For displaced LGBTIQ and gender diverse people, these regressive trends deepen vulnerabilities and compound the risks they already face.

This report highlights three interrelated themes shaping displacement in ASEAN, each of which has specific consequences for LGBTIQ and gender diverse people: (1) **lack of access to rights and services due to legal status;** (2) **displacement driven by conflict and persecution;** and (3) **the growing impacts of the climate crisis.**

3 drivers shaping displacement in ASEAN with specific impacts on LGBTIQ and gender-diverse people



Firstly, access to rights and services are severely limited for those who lack legal status and/or documentation.

Southeast Asia is home to the largest population without citizenship or nationality, most visibly the Rohingya, who continue to face persecution and systemic exclusion. Statelessness can be attributed to several factors, including redrawing of the state borders due to colonialism, discriminatory policies or legal exclusion based on ethnicity, gender, and other identities, mobile lifestyles of some populations, cross-mobility within ASEAN,¹ conflicts, among others. Despite affecting millions across the region, only the Philippines has acceded to the 1954 Convention related to the Status of Stateless Persons. Meanwhile, no ASEAN member states have acceded to the 1961 Convention on the Reduction of Statelessness. Owing to their lack of legal documentation, stateless people are treated as irregular migrants under domestic laws.

¹ Christoph Sperfeldt, Statelessness in Southeast Asia: Causes and Responses, Global Citizenship Observatory (GLOBALCIT), March 9, 2021 <https://globalcit.eu/statelessness-in-southeast-asia-causes-and-responses/>

Refugees and asylum seekers within this region face a similar predicament as presently, of the eleven ASEAN member states, only three - Cambodia, the Philippines and Timor-Leste - have acceded to the 1951 Refugee Convention or its 1967 Protocol.² Thailand, Malaysia, and Indonesia host significant numbers of refugees yet have not ratified the convention, leaving refugees and asylum seekers without legal status and formal protection.³ Likewise, the protection for asylum seekers and refugees within the ASEAN mechanisms is limited.⁴

Stateless and refugee LGBTIQ people face double invisibility, as they are excluded from rights and services at once both due to their lack of legal status/documentation and based on their SOGIESC. With 1.9 million people living with HIV in ASEAN countries, access to healthcare remains critical, yet inequities persist. 78,000 new HIV infections and 49,000 AIDS-related deaths were estimated the same year.⁵ UNAIDS notes that while new HIV infections and AIDS-related deaths have decreased in the region since 2010, in the Philippines and Malaysia, new infections are on the rise. AIDS-related deaths have also reportedly increased in the Philippines, Indonesia and Lao PDR.⁶ While ASEAN states have committed to ending AIDS by 2030 and renewed their commitments to “reduce inequalities that drive HIV, get on track to end AIDS as a public health threat in ASEAN by 2030, and ensure that government, systems for health and communities in ASEAN are strengthened,

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- 2** European Civil Protection and Humanitarian Aid Operations, Factsheet Thailand, Malaysia, and Indonesia https://civil-protection-humanitarian-aid.ec.europa.eu/thailand-malaysia-and-indonesia_en
 - 3** South East Asia, UNHCR Global Appeal 2012-2013 <https://www.unhcr.org/sites/default/files/legacy-pdf/4ec2310516.pdf>; ASEAN Parliamentarian for Human Rights, Refugee & Migrant Rights <https://aseanmp.org/our-work/refugee-migrant-rights>
 - 4** Sriprapha Petcharamesree, Sovereign States and Refugee Rights Protection in ASEAN <https://doi.org/10.3167/9781805397809>
 - 5** UNAIDS, Ahead of World AIDS Day, ASEAN countries recommit to ending inequalities and accelerating progress to end AIDS, 25 November 2022 https://www.unaids.org/en/resources/presscentre/featurestories/2022/november/20221125_asean_ending-inequalities-AIDS
 - 6** UNAIDS, ASEAN Countries Chart Path Toward Ending Inequalities And Ending AIDS, 13 June 2023 <https://unaids-ap.org/2023/06/13/asean-countries-chart-path-toward-ending-inequalities-and-ending-aids/>

resilient and prepared for future pandemics”⁷ including developing a workplan to implement the declaration.⁸ Among others, the plan focuses on HIV testing to ensure adherence to the 95-95-95 target - where 95% of People Living with HIV (PLHIV) are aware of their status, 95% of them are on treatment, and the viral load of 95% of those on treatment is suppressed. However, UNAIDS reported that at the end of 2021, ASEAN member states reported varying levels of treatment rates. The treatment rates in Cambodia and Thailand exceeded 80%, while others reported significantly lower rates - Indonesia (28%), Philippines (41%), Malaysia (55%) and Lao PDR (57%).⁹

Second, displacement caused by conflict and persecution continues to drive large-scale movement within ASEAN. Conflict and persecution are the primary drivers of displacement in ASEAN, with Myanmar at the epicentre. The Rohingya crisis, rooted in decades of systemic persecution, has forced over a million people into exile, primarily in Bangladesh but also across Malaysia, Thailand, and Indonesia. Following the 2021 military coup, the conflict has displaced millions more within Myanmar and across borders.



- 7 ASEAN Leaders' Declaration On Ending Inequalities and Getting on Track To End AIDS by 203, 11 November 2022 <https://asean.org/wp-content/uploads/2022/11/36-ASEAN-Leaders-Declaration-on-Ending-Inequalities-and-Getting-on-Track-to-End-AIDS-by-2030.pdf>
- 8 Annex 2.1 ASEAN Health Sector Work Plan on HIV and AIDS 2021-2025 (Work Plan to implement the ASEAN Declaration of Commitment on HIV and AIDS: Fast-Tracking and Sustaining HIV and AIDS Response to End the AIDS Epidemic by 2030, and in the context of the Work Programme 2021-2025 of ASEAN Health Cluster 2 on Responding to All Hazards and Emerging Threats) https://asean.org/wp-content/uploads/2022/12/Annex-2.1-ASEAN-Health-Sector-Work-Plan-on-HIV-and-AIDS-2021-2025_15th-AHMM-adopted.pdf
- 9 UNAIDS, ASEAN Countries Chart Path Toward Ending Inequalities And Ending AIDS, 13 June 2023 <https://unaids-ap.org/2023/06/13/asean-countries-chart-path-toward-ending-inequalities-and-ending-aids/>

The majority of refugees and displaced populations in ASEAN today originate from Myanmar, yet the region has no coherent refugee protection regime and only 3 of the 11 ASEAN member states are signatories to the Refugee Convention. In response to the Rohingya refugee crisis, ASEAN's 2021 Five-Point Consensus (5PC)¹⁰ on Myanmar marked a significant rhetorical shift,¹¹ pledging to end violence, facilitate dialogue, and provide humanitarian assistance. Yet implementation has been limited, and displaced LGBTIQ people remain entirely invisible within ASEAN's responses. Civil society in 2025 urged that refugee protection and durable solutions be explicitly included in the ASEAN Community Vision 2045, alongside the establishment of a Special Committee on Refugees to coordinate regional responses. Without such measures, displaced LGBTIQ and gender diverse people from Myanmar will remain trapped in cycles of invisibility and exclusion.¹²

As the following case studies illustrate, for LGBTIQ and gender diverse people, risks are magnified. In Myanmar, LGBTIQ and gender diverse IDPs face harassment at checkpoints, sexual violence, and exclusion from shelters, with trans and gender-diverse people most vulnerable. In neighbouring states, like Malaysia, LGBTIQ and gender diverse refugees remain invisible in formal systems and excluded from services.

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- 10** R. M. Michael Tene, CO24106 | ASEAN Five-Point Consensus on Myanmar, S. Rajaratnam School of International Studies (RSIS), 30 July 2024. <https://rsis.edu.sg/rsis-publication/rsis/asean-five-point-consensus-on-myanmar/>
 - 11** Sadia Aktar Korobi, Rohingya Resettlement: Where is ASEAN?, Australian Institute of International Affairs, 9 Jan 2024 <https://www.internationalaffairs.org.au/australianoutlook/rohingya-resettlement-where-is-asean/>
 - 12** AJAR, Open Letter to the ASEAN Chair on the Inclusion of Refugee Protection in ASEAN Vision 2045, 9 May 2025 <https://asia-ajar.org/press-release/open-letter-to-the-asean-chair-on-the-inclusion-of-refugee-protection-in-asean-vision-2045/>

Third, the climate crisis is increasingly a driver of displacement in ASEAN. Southeast Asia has been identified as a highly vulnerable region to impacts of the climate crisis owing to its extensive coastline, densely populated low-lying areas,¹³ reliance on natural resources as economic means, deforestation, poverty in some countries, among other factors.¹⁴ The region is also vulnerable to extreme weather events, such as deadly cyclones, torrential rains and floods.¹⁵ Myanmar and the Philippines ranked in the top ten countries most affected by extreme weather events over the past three decades. Disasters such as Cyclone Nargis, Cyclone Mocha and recurring typhoons have caused mass displacement, significant damages, and loss of life.¹⁶

ASEAN's 2021 State of Climate Change Report warns of severe economic and social impacts from rising sea levels and heat stress, particularly in Myanmar, the Philippines, Thailand, and Vietnam. While many ASEAN member states have begun integrating a gender lens into climate and disaster frameworks, challenges remain in addressing gendered impacts - budget and human resources.

Furthermore, LGBTIQ and gender diverse people have not been specifically identified as a vulnerable group despite unique health, gender-based violence, housing, and other impacts. CEDAW's General Recommendation 37 explicitly calls on states to address intersecting discrimination, including on the basis of SOGIESC, in disaster risk reduction and climate responses—a standard ASEAN has yet to meet.

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- 13** ASEAN Centre for Energy (ACE) <https://aseanenergy.org/news-clipping/southeast-asia-one-of-the-most-vulnerable-regions-to-climate-change-eco-business-report/>
 - 14** Economic Research Institute for ASEAN and East Asia (ERIA), Climate Change Vulnerabilities, Social Impacts, and Education for Autonomous Adaptation, 3 July 2024 <https://www.eria.org/research/climate-change-vulnerabilities--social-impacts--and-education-for-autonomous-adaptation>
 - 15** Climate change, vulnerability and migration: impacts on children and youth in Southeast Asia, <https://www.sei.org/publications/climate-change-vulnerability-migration-sea/>
 - 16** Climate Risk Index 2025, Germanwatch e.V. <https://www.germanwatch.org/en/cr>

Taken together, the following case studies reveal recurring patterns of invisibility, criminalisation, and exclusion. They also highlight the resilience and leadership of LGBTIQ communities who are building their own protection mechanisms in the face of systemic neglect.

These realities underline the urgent need for ASEAN-level frameworks that recognise the specific vulnerabilities and contributions of LGBTIQ people in contexts of displacement, statelessness, conflict, and climate crisis.

Recommendations:

Inclusive Protection Frameworks at the ASEAN Level

- Ensure ASEAN mechanisms, including AICHR and ACWC, and outcome documents explicitly include SOGIESC as protected grounds of discrimination and address the protection needs of LGBTIQ people in contexts of displacement, conflict, statelessness, and humanitarian crisis. Alternatively, vulnerable groups in ASEAN documents should include LGBTIQ and gender diverse people.
- Encourage member states to adopt an intersectional lens in eliminating all forms of discrimination and addressing the needs of diverse displaced people, including LGBTIQ and gender diverse people.

Guarantee Equal Access to Rights and Services

- Commit to ensuring equitable access to healthcare, education, employment, and justice for refugees, stateless persons, and displaced communities regardless of legal status and/or documentation, with particular attention to gender-diverse and LGBTIQ people.

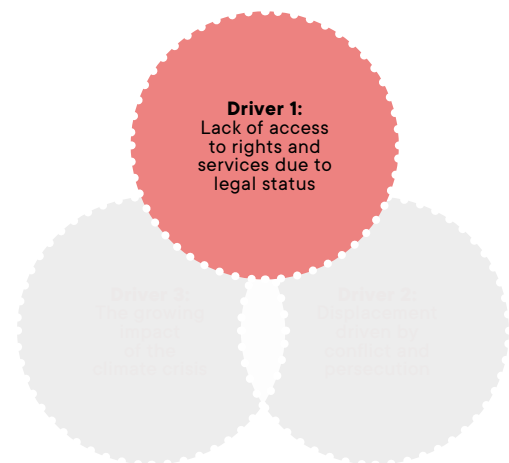
SOGIESC- Responsive Humanitarian and Climate Action

Regional Cooperation, Accountability, and Community Leadership

- Establish redress, reporting, and referral mechanisms to protect LGBTIQ and gender-diverse people at heightened risk of violence, harassment, or exploitation in conflict-affected or displacement contexts.
- Strengthen partnership with LGBTIQ and gender diverse people-led, refugee-led, and community-based organisations already filling critical protection and service gaps.
- Conduct research on displacement among LGBTIQ and gender diverse populations, using safe, ethical, and inclusive approaches
- Strengthen collaboration between ASEAN, member states, and civil society to ensure grassroots expertise informs regional policy and practice including through the creation of an ASEAN platform for dialogue with civil society and building long-term capacity of governments, humanitarian actors, and regional institutions to deliver inclusive protection responses.



Invisible Borders: Statelessness, HIV, and the LGBTIQ and Gender Diverse Experience in Sabah



Megan Steven

Across Southeast Asia, access to legal identity and basic services remains deeply unequal. Statelessness sits at the intersection of displacement and exclusion, denying individuals access to citizenship, education, healthcare, and livelihoods. For LGBTIQ and gender diverse people, these exclusions are intensified by systemic stigma and discrimination, especially for those living with HIV or seeking gender-affirming care.

This case study highlights how the absence of legal status in Sabah compounds vulnerability for LGBTIQ and gender diverse stateless people, leaving them excluded from health systems and invisible within national HIV responses. It illustrates how structural denial of rights—rather than physical displacement alone—creates conditions of displacement and marginalisation across generations.

The population of Sabah is 3.4 million, of which almost 25% are reportedly non-citizens.¹⁷ They fall under the definition of a stateless person in the 1954 Convention relating to the Status of Stateless Persons: ‘a person who is not considered as a national by any State under the operation of its law’.¹⁸

¹⁷ Malaysian Population and Housing Census 2020

¹⁸ UNHCR, ‘Stateless person definition’, 14 January 2025 <https://emergency.unhcr.org/protection/legal-framework/stateless-person-definition>

Statelessness in Sabah is often intergenerational, as children inherit the undocumented status of their parents. This cycle is perpetuated by systemic barriers to birth registration and documentation. Many stateless families live in remote or rural areas, where limited access to healthcare, infrastructure, and registration offices makes it difficult to travel to urban centres¹⁹ to register births within the 42-day limit set by the National Registration Department (NRD).²⁰ Although late registration is possible, it incurs additional costs and administrative hurdles. Furthermore, parents are also required to provide legal documents such as marriage or divorce certificates—requirements that many stateless persons, by virtue of their status, cannot meet.²¹ The situation is compounded by fear of arrest, detention, or extortion, as stateless persons are often categorised as irregular migrants under the Immigration Act, further restricting their freedom of movement and access to essential services.

This lack of legal documentation has a systemic impact on their rights and access to education, healthcare and employment, among others. This is further compounded for LGBTIQ and gender diverse people, who face additional criminalisation, legal non-recognition and marginalisation.

19 DHRRA Malaysia, Report: Statelessness In Malaysia, n.d. https://dhrmalaysia.org.my/wp-content/uploads/2022/04/STATELESSNESS-IN-MALAYSIA-REPORT-05042022_compressed.pdf

20 Consortium for Street Children, “Malaysia” March 2019, <https://www.streetchildren.org/legal-atlas/map/malaysia/legal-identity/can-a-child-obtain-retroactive-or-replacement-birth-registration-documents/>

21 Jeremy Ng, ‘How To Apply For Your Baby’s Birth Cert In Malaysia’, SAYS, 5 May 2025 <https://says.com/my/parenting/how-to-apply-for-your-baby-s-birth-cert-in-malaysia>

Access to healthcare services for stateless persons

Statelessness adds further barriers, among others, legal, security and cost-related barriers in seeking healthcare services.

Circular 10/2001²² issued by the Ministry of Health requires all government healthcare workers to report undocumented persons seeking treatment in government health facilities to the police and/or immigration authorities. While the circular stresses that medical treatment or services should be provided as needed to those seeking services without legal documents, however, failure to report could make them liable under the offence of “harbouring” under Section 56 of the Immigration Act, where they can be fined between RM 10,000 to RM 50,000, face a prison sentence or whipping.

The circular is publicised through signboards and notices in public hospitals. Civil society organisations and UN agencies in Malaysia, including UNHCR and UNICEF, report that the circular effectively deters stateless persons, undocumented migrants, and refugees from seeking healthcare services due to fear of arrests and deportation, while intensifying statelessness in Malaysia.²³ UNHCR reported that unregistered asylum-seekers seeking healthcare services, including women and their newborn babies, have been arrested and placed in Immigration Detention Centres (IDCs).²⁴ This has a cyclic effect on birth registration. Consequently, stateless people are reportedly forced to resort to fake identities in order to access healthcare services.

22 Ministry of Health Malaysia. ‘Guidelines on Reporting Illegal Immigrants Seeking Treatment at Government Hospitals and Clinics’. Circular 10/2001, 2001. Available online: https://www.moh.gov.my/index.php/database_stores/attach_download/312/127

23 Unicef. “For Every Child, an Identity: Challenges in birth registration for children affected by migration in Peninsular Malaysia”. 2022. <https://www.unicef.org/malaysia/media/3961/file/FEC:%20An%20Identity%20Policy%20Paper.pdf>

24 UNCHR. “Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights’ Compilation Report Universal Periodic Review: Fourth Cycle, 45th Session” n.d. https://upr-info.org/sites/default/files/country-document/2024-07/UNHCR_UPR45_MYS_E_Main.pdf

Figure 1: Photograph of Circular 10/2001 on display at Queen Elizabeth Hospital, Kota Kinabalu, Sabah

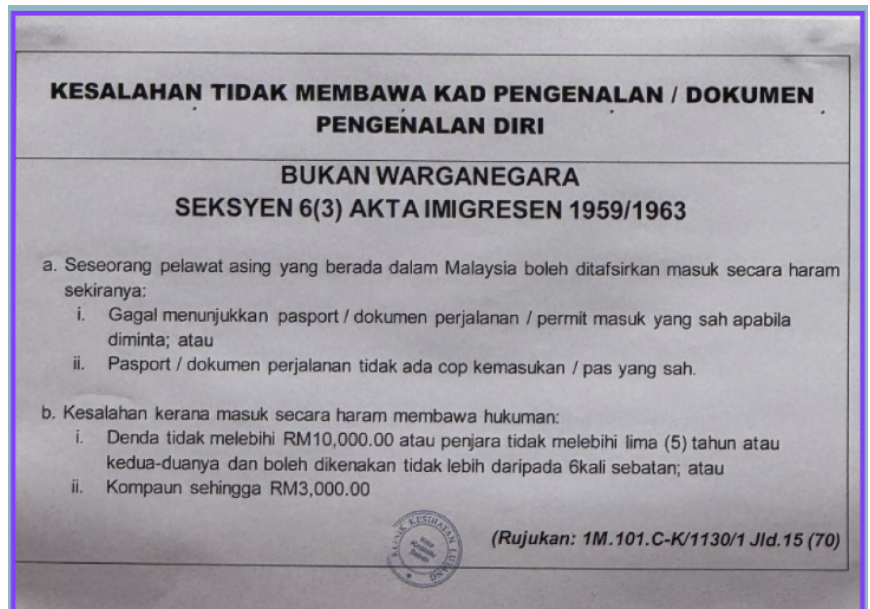
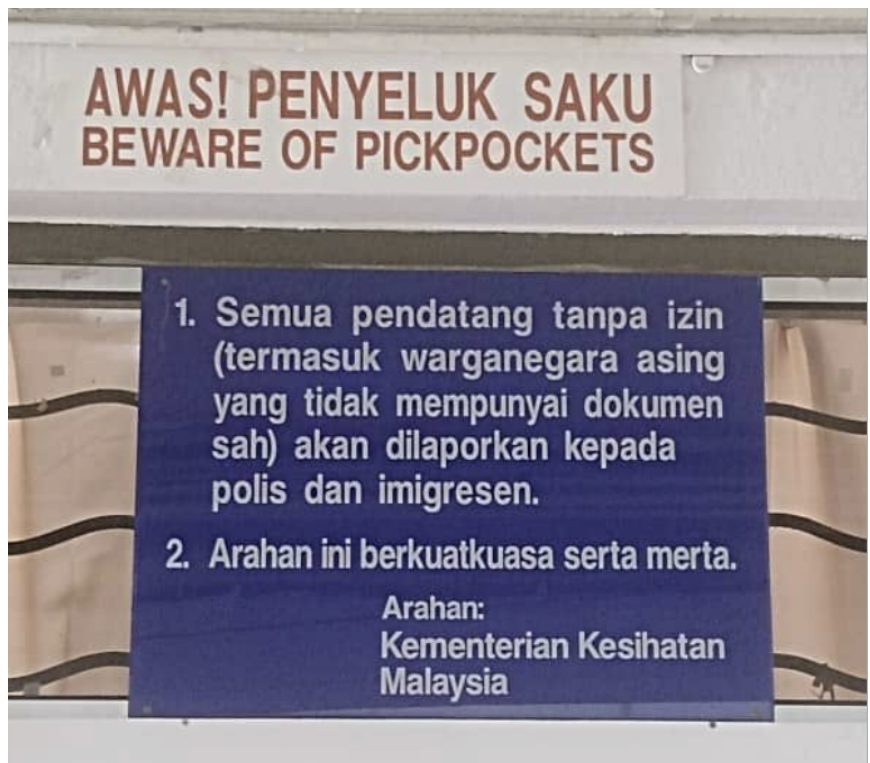


Figure 2: Photograph of Section 6(3) Immigration Act 1959/63



Section 6 of the Immigration Act 1959/63

Control of entry into Malaysia

6. (1) No person other than a citizen shall enter Malaysia unless—

(a) he is in possession of a valid Entry Permit lawfully issued to him under section 10;

(b) his name is endorsed upon a valid Entry Permit in accordance with section 12, and he is in the company of the holder of the Permit;

(c) he is in possession of a valid Pass lawfully issued to him to enter Malaysia; or

(d) he is exempted from this section by an order made under section 55.

(2) (Deleted by Act 27 of 1963).

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding five years or to both, and shall also be liable to whipping of not more than six strokes.

Source: Act 155, Immigration Act 1959/63

Beyond the threat of arrest and detention, the high cost of healthcare services poses another significant challenge for stateless people in Sabah. A study by SUHAKAM found that many stateless people in Peninsular Malaysia are from lower-income backgrounds, with many making less than RM 1,000 a month,²⁵ reflecting widespread economic marginalisation among stateless communities. Although comparable data for Sabah is limited, generational poverty has a significant impact on access to basic healthcare. Additionally, due to their undocumented status, they are classified as non-citizens and required to pay full unsubsidised fees (at the rates imposed on foreigners) for medical treatment at government hospitals. This makes healthcare costs prohibitively expensive,²⁶ particularly for those from low-income backgrounds. A 2023 special report documented a case of a teenage stateless mother who ended her and her baby's lives after being unable to pay mounting hospital debts.²⁷

These challenges are compounded for those requiring life-saving HIV treatment and care.

Prevalence of HIV among stateless persons in Sabah

The prevalence of HIV among stateless persons is underresearched, underreported and underdocumented. At present, no official data on the prevalence of HIV among stateless persons by the Ministry of Health, Sabah state government or other bodies, such as the Malaysian AIDS Council can be found .

25 Nungsari, M., and Fong, N. (2023). Human Rights and Statelessness in Peninsular Malaysia. SUHAKAM - The Human Rights Commission of Malaysia.

26 Verghis, S. (2023). Citizenship and Legal Status in Healthcare: Access of Non-citizens in the ASEAN: A Comparative Case Study of Thailand and Malaysia. In: Petcharamesree, S., Capaldi, M.P. (eds) Migration in Southeast Asia. IMISCOE Research Series. Springer, Cham. https://doi.org/10.1007/978-3-031-25748-3_7

27 S Vinothaa, Mounting hospital bills lead to stateless mum-baby murder-suicide, Malaysiakini, 19 September 2023 <https://www.malaysiakini.com/news/679693>

This is despite Malaysia's tremendous efforts in meeting global HIV-related goals including meeting the UNAIDS' 95-95-95 targets by 2030.²⁸

MOH reported that by the end of 2023, nationwide, 84% of people living with HIV (PLHIV) were aware of their HIV status with 68% of them on treatment and 89% becoming virally suppressed. As only 68% are on treatment, MOH views this as “a gap in treatment and care”.²⁹

KASIH, a Sabah based health organisation that provides HIV-related services to various marginalised communities, documented 45 stateless PLHIV, mostly GBQ and other MSM as well as trans women, in Kota Kinabalu between 2019 and 2023. Of which, compared to the national data, only 15.6% were on treatment, leaving the majority of them without access to treatment. No information about their viral load is available. At least two cases have resulted in death, including a stateless transgender woman and a 9-year-old boy.³⁰

Furthermore, access to ARV can be out-of-reach for stateless persons because of its costs. A stateless person living with HIV is expected to pay out-of-pocket RM 130 monthly for the medication. This comes up to RM 1,560 every year. In contrast, PLHIV with Malaysian citizenship are eligible for the first line of ARV treatment for free.

The costs of subsequent lines of ARV, however, are borne by the PLHIV regardless of citizenship. The second line treatment costs about RM 900 per month.

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- 28** UNAIDS, Understanding measures of progress towards the 95–95–95 HIV testing, treatment and viral suppression targets https://www.unaids.org/sites/default/files/media_asset/progress-towards-95-95-95_en.pdf
 - 29** Ministry of Health (2024) 2024 GLOBAL AIDS MONITORING COUNTRY PROGRESS REPORT - MALAYSIA https://www.moh.gov.my/moh/resources/Penerbitan/Laporan/Umum/GAM_REPORT_2024-updated_22102024.pdf
 - 30** S Vinothaa, (2023) Stateless boy with HIV dies after being deprived treatment for years, Malaysiakini, <https://www.malaysiakini.com/news/679579>

Figure 3:

Number of stateless persons aware of their HIV status and on ARV in Kota Kinabalu from Jan 2019 and September 2023

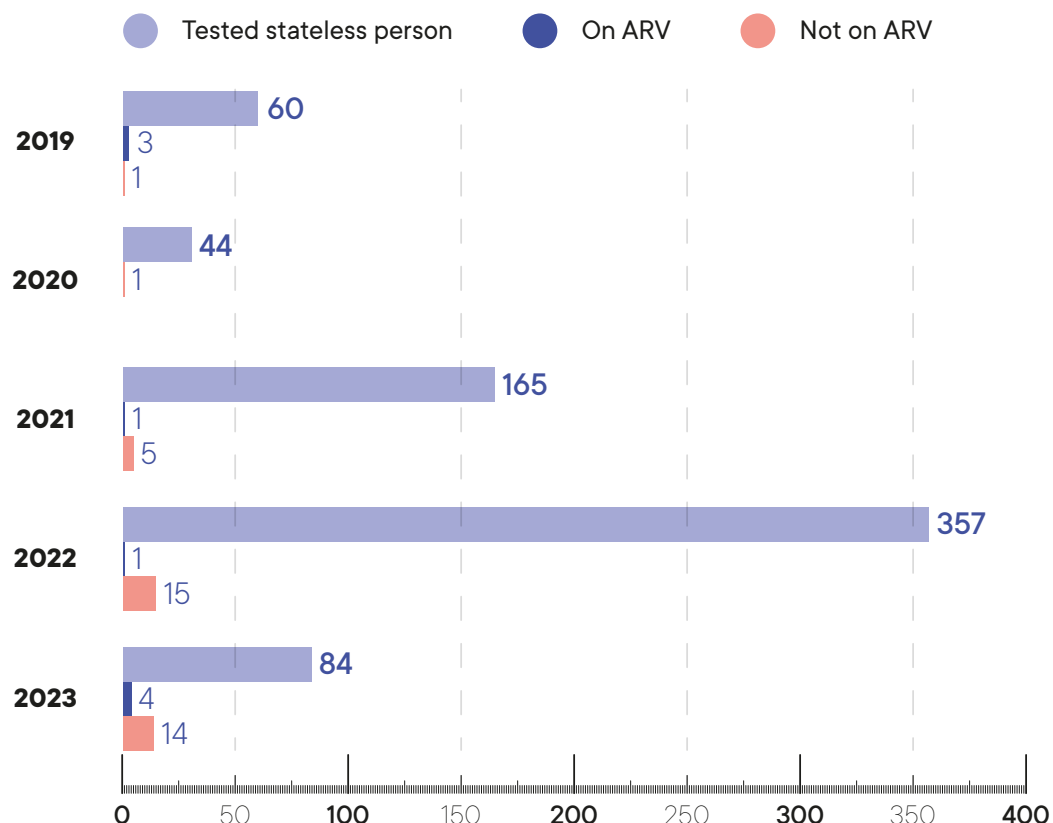


Figure 4:

Cost of Antiretroviral Therapy (ARV) and other treatments for Stateless individuals Living with HIV in Sabah for a year

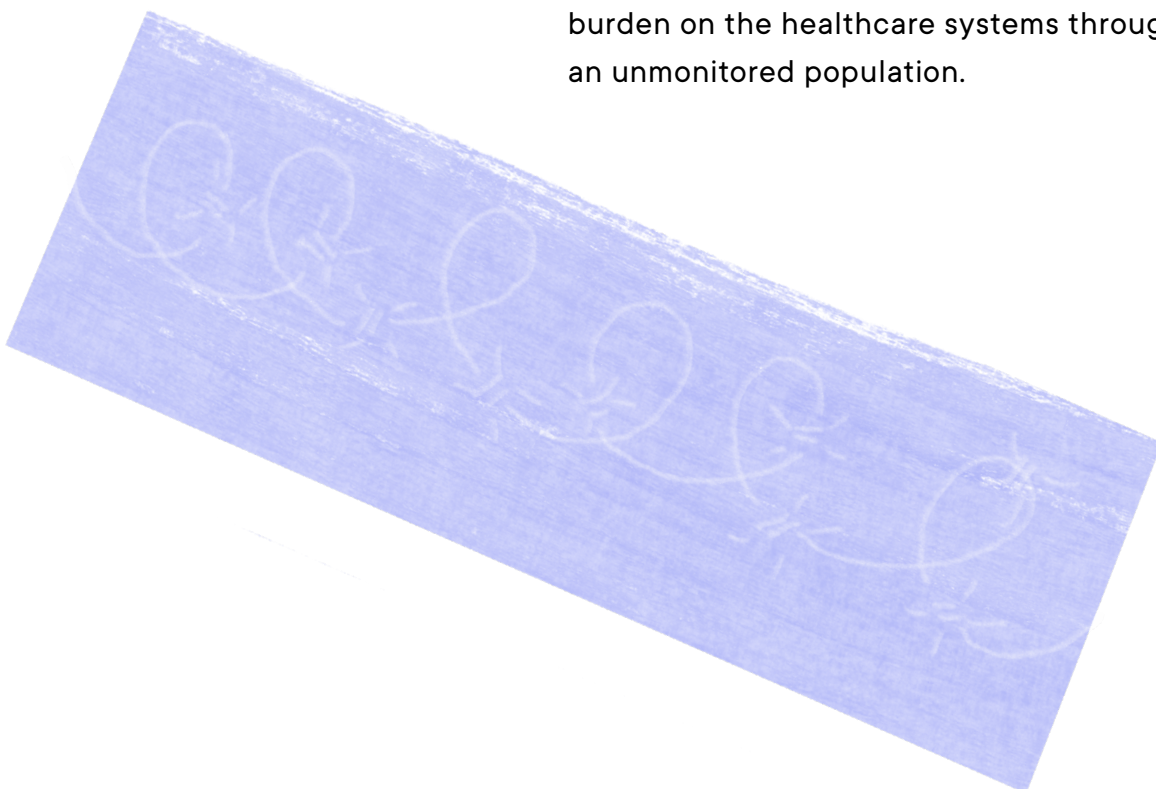
Cost of Antiretroviral Therapy (ARV) and other treatments for Stateless individuals Living with HIV in Sabah for a year		
Product	First-Line Therapy	Second-Line Therapy
Rapid Test Kit (Diagnose Positive)	Provided free by NGOs	
ELISA/ECLIA Test & Glycated Serum Protein (GSP1)	RM 130 x Twice A Year - RM 260	
Antiretroviral Therapy (ART)	RM 130 Per Month x First 12 Months RM 1,560	RM 900 Per Month x First 12 Months RM 10,800
Transportation	RM 180 Per Transfer x Twice A Year - RM 360	
HIV Viral Load	RM 750 Per Session x Twice A Year - RM 1,500	
Approximate Total	RM 3,680 or USD 875.88	RM 12,290 or USD 3,075.12
Takes up approximately 3 to 7 months for a person to reach UNDETECTABLE levels. It can take up to 12 months for some individuals, depending on diet, health, and lifestyle.		

Access to healthcare is further restricted for LGBTIQ people, due to anticipated discrimination on two fronts - SOGIESC and statelessness status

“As a queer person, to receive inclusive or accessible healthcare is already really difficult. But imagine if it is a queer stateless person who has HIV? They will wait until it becomes AIDS, then they will go to seek healthcare services. By the time they go into the healthcare system, they are being threatened by medical practitioners, and the medical practitioners will report them to the authorities to arrest them to be placed in detention centres. When you are in the (detention centre), you do not have access to all the proper food and medicine.”

- Megan

This effectively diminishes early detection and treatment for PLHIV among stateless communities, as well as meaningful prevention measures. This, in turn, puts a burden on the healthcare systems through the creation of an unmonitored population.



Recommendations:

ASEAN

- Integrate stateless and displaced populations into HIV prevention, treatment, care and support programmes as well as ASEAN's regional commitments to ending AIDS by 2030.
- Recognise statelessness as a regional challenge requiring cross-border solutions, and strengthen cooperation among ASEAN states to prevent and reduce statelessness, including through commitments that nationality should not be revoked if it would result in statelessness.
- Ensure universal birth registration by encouraging member states to align national laws and policies with international human rights standards, including by reviewing nationality laws to identify and reform gaps or conflicts that contribute to statelessness, particularly in the context of cross-border mobility and families that span multiple countries, sharing good practices (e.g. mobile registration teams, linking hospitals to registries, community-based registration), and progressively realising this goal in line with resource availability.

Malaysian government

Ministry of Home Affairs and the Sabah state government

- Provide legal recognition or citizenship for stateless persons. This also includes automatic legal gender recognition for transgender persons.
- Strengthen the birth registration process for people in rural areas

Ministry of Health

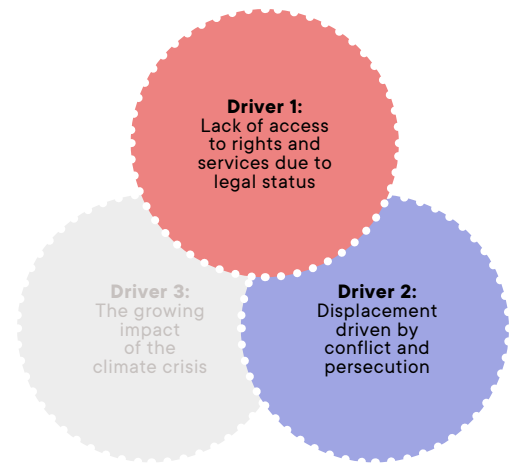
- Revise Circular 10/2001 to put in place rights-based and administrative measures in the health institutions to ensure pathways to citizenship and other welfare support for stateless persons
- Strengthen collaboration with civil society organisations and the private sector to close the disparity gaps between the stateless and the general population
- Increase gender affirming and culturally competent care to ensure the highest attainable standards of health for all persons, regardless of their citizenship status and SOGIESC.

The Ministry of Health, with the support of the Malaysian AIDS Council

- Ensure equal access to HIV care, treatment and support for stateless persons towards ending AIDS by 2030
- Conduct a comprehensive rights-based assessment to understand the prevalence of HIV among the diverse stateless population in Sabah.

Double Invisibility: LGBTIQ and Gender Diverse Refugees Navigating Criminalisation in Malaysia

Abdul Hakim,
Asylum Access Malaysia



Refugees across ASEAN face legal uncertainty and a lack of recognition, but LGBTIQ and gender diverse refugees in Malaysia experience a distinct form of double invisibility. Criminalised both under the Immigration Act and under laws targeting diverse SOGIESC, they exist in a constant state of precarity—vulnerable to arrest, detention, exploitation, and violence.

This case study examines the lived realities of LGBTIQ and gender diverse refugees. It illustrates how the absence of a national refugee protection framework, combined with social and legal discrimination, denies them access to basic services, safety, and dignity. Their experiences underscore the urgent need for ASEAN to develop inclusive regional protection standards that recognise intersecting forms of displacement and marginalisation.

As of the end of May 2025, there are some 200,260 refugees and asylum-seekers registered with UNHCR in Malaysia,³¹ with possibly as many as 1.2 to 3.5 million more being undocumented.³² While a majority of refugees within the region are fleeing conflict situations, some flee due to gender-based discrimination and violence.

³¹ “Figures at a glance in Malaysia,” UNHCR Malaysia, n.d., <https://www.unhcr.org/my/what-we-do/figures-glance-malaysia>

³² Shayna Bauchner, “We Can’t See the Sun” Malaysia’s Arbitrary Detention of Migrants and Refugees,” Human Rights Watch, March 5, 2024, <https://www.hrw.org/report/2024/03/05/we-cant-see-sun/malaysias-arbitrary-detention-migrants-and-refugees>

Despite hosting one of the highest numbers of refugees in ASEAN, Malaysia is neither a signatory to the 1951 UN Refugee Convention³³ nor the 1967 Protocol relating to the Status of Refugees.³⁴ Furthermore, there is currently no comprehensive legal and policy framework to recognise and protect asylum seekers and refugees. In the absence of such a framework, their status continues to be governed by the Immigration Act, which does not distinguish them from irregular migrants. As a result, refugees and asylum seekers are placed under the jurisdiction of the Ministry of Home Affairs and classified as “illegal immigrants,” treated primarily as a security concern rather than a humanitarian one.

This denial of legal recognition leaves refugees in a state of deep precarity. Without any recognised legal identity, they are barred from accessing fundamental rights and services, including justice, lawful employment, healthcare, education, and even basic freedoms such as movement, assembly, and expression. Moreover, the framing of refugees as “illegal” exposes them to heightened scrutiny, arbitrary arrest, detention, deportation, and refoulement,³⁵ compounding the risks faced by a community already experiencing displacement and violence.

Fortify Rights reports a surge in immigration arrests of irregular migrants, which includes refugees and asylum seekers, between 2020 and May 2025. By the end of 2024, a total of 45,784 cases of arrests of “illegal migrants” were recorded by Fortify Rights, a 65% jump from the cases of arrest in 2023. By May 2025, at least 34,287 cases were already recorded, reaching almost 75% of the overall cases of arrest in 2024 in just five months.³⁶

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- 33** THE REFUGEE CONVENTION, 1951, <https://www.unhcr.org/sites/default/files/legacy-pdf/4ca34be29.pdf>
 - 34** CONVENTION AND PROTOCOL RELATING TO THE STATUS OF REFUGEES <https://www.unhcr.org/sites/default/files/2025-02/1951-refugee-convention-1967-protocol.pdf>
 - 35** Nordin, R., Sahak, S., & Ishak, M. K. (2020). THE PLIGHT OF REFUGEES IN MALAYSIA: MALAYSIA AS A TRANSIT COUNTRY IN PROTECTING REFUGEES' RIGHTS. *Journal of Nusantara Studies (JONUS)*, 5(1), 378-394.
 - 36** Malaysia: End Torture, Arbitrary Arrest and Detention of Refugees, Fortify Rights, June 18, 2025 <https://www.fortifyrights.org/mly-inv-2025-06-18/>

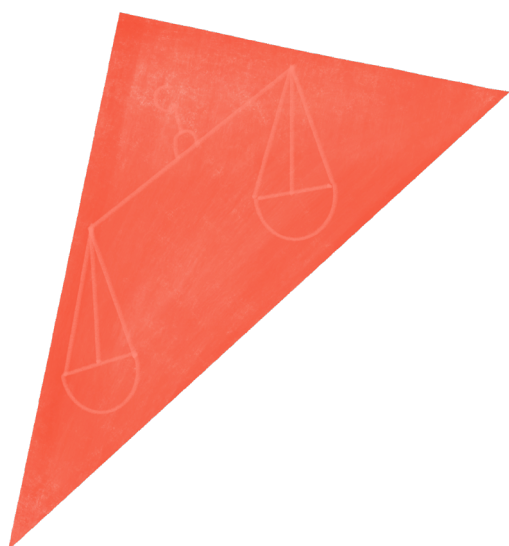
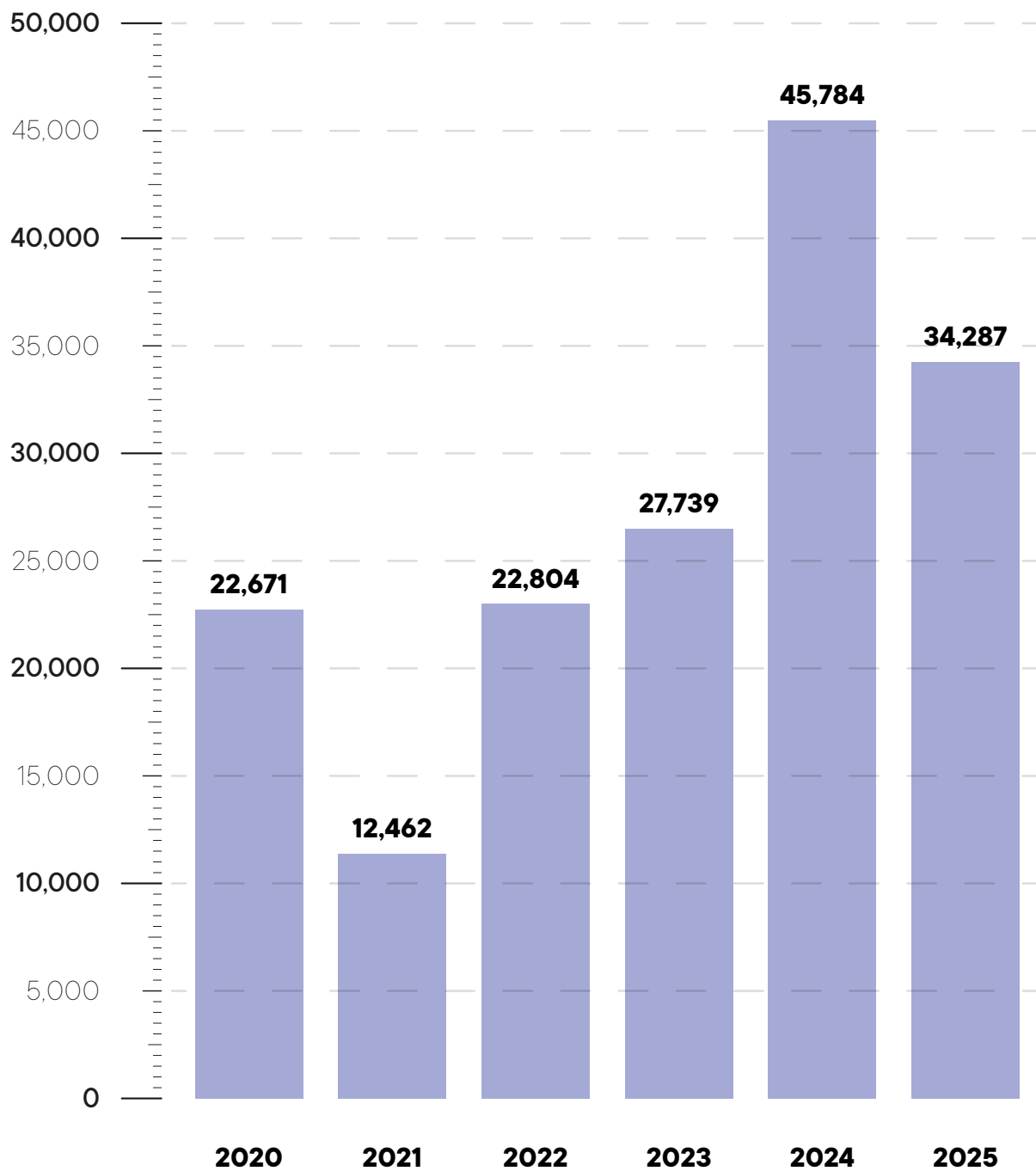


Figure 5:**Surging Immigration
Arrests in Malaysia,
2020-2025.
Total Arrests.**

*Source: Fortify Rights
calculation from public
press statements and
Malaysian news reports.*



In the case of Rohingya refugees fleeing persecution in Myanmar — the largest refugee population in Malaysia — most have never possessed formal documentation due to their statelessness. This lack of recognised identity further deepens their precarity and heightens the risk of adverse encounters with police and immigration authorities.³⁷

While Malaysia generally respects the principle of non-refoulement, in practice, by tolerating the temporary stay of refugees and asylum seekers pending a durable solution, there is no legal framework that codifies or guarantees such protection. Without asylum procedures in place, it is unclear how many of those deported from immigration detention centres across the country may be seeking asylum. Reports from civil society organisations indicate that Malaysia continues to engage in refoulement, where refugees and/or asylum seekers have been sent back to countries where they face a compounded risk of violence due to their intersecting identities, minority status, political affiliation, or SOGIESC.³⁸ This includes the deportation of individuals who criticise the Myanmar junta or are active in the civil disobedience movement in Myanmar, the pushback of boats carrying ethnic Rohingya and instances of LGBTQ asylum seekers being deported to countries such as Afghanistan or Pakistan, where they face persecution specifically for their SOGIESC.



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- 37** Equal only in Name: The Human Rights of Stateless Rohingya in Malaysia, Equal Rights Trust, October 2014, <https://www.equalrightstrust.org/ertdocumentbank/Equal%20Only%20in%20Name%20-%20Malaysia%20-%20Full%20Report.pdf>; Rahman, M. M., & Dutta, M. J. (2023). The United Nations (UN) Card, Identity, and Negotiations of Health among Rohingya Refugees. *International Journal of Environmental Research and Public Health*, 20(4), 3385. <https://doi.org/10.3390/ijerph20043385>
- 38** Contribution to the List of Issues in relation to the List of Issues compiled by the Committee on the Elimination of Discrimination against Women, Info from Civil Society Organizations for LOI's, 86th Session, Asylum Access Malaysia, 30 January 2023.; Joint submission by Asylum Access Malaysia and End Detention Network for Malaysia's 4th Cycle Universal Periodic Review, 18 July 2023.

Discrimination faced by LGBTIQ and gender diverse refugees

Refugees in Malaysia face systemic discrimination stemming from the non-recognition of their refugee status. This includes harassment, arrest and detention, extortion from police, barriers to healthcare access due to their refugee status, and lack of access to education or employment.

LGBTIQ and gender diverse refugees in Malaysia face additional barriers due to their SOGIESC, as well as discrimination and threats of violence by both state and non-state actors in their home and host countries.

Broader discrimination against refugees, coupled with language barriers, often compels refugees to stay within communities from their home countries and rely on each other for essential necessities, including housing. For LGBTIQ and gender diverse refugees from non-accepting environments, their dependency on other refugees may add barriers for them to express their SOGIESC owing to safety risks. In addition, many LGBTIQ and gender diverse refugees continue to face surveillance and tracking by their family members to force them into marriage, conversion practices, or even to subject them to honour killings for 'bringing shame' to the family because of their SOGIE.

“One of the biggest things is, when you’re here as a refugee in Malaysia, you are already facing a lot of barriers as a refugee, but when you’re here as the LGTBQIA community, usually the refugees here will stay with other community members. But the situation for individuals within the queer community is that the persecution that they might face is coming from their own community.” - Hakim

Refugee groups have also documented cases of blackmail, harassment and violence against LGBTIQ and gender diverse refugees from others in the refugee communities online and offline, resulting in their relocation for their safety.

“Garabtaag and AAM, we have cases where individuals may have incriminating videos or pictures of people who are from the LGBTQ+ community, or even using it as extortion...and sexual exploitation as well.”

- Hakim

Further, discriminatory attitudes have led to LGBTIQ and gender diverse refugees being denied access to essential services such as shelter because of their SOGIESC, as well as other intersecting identities such as skin colour.

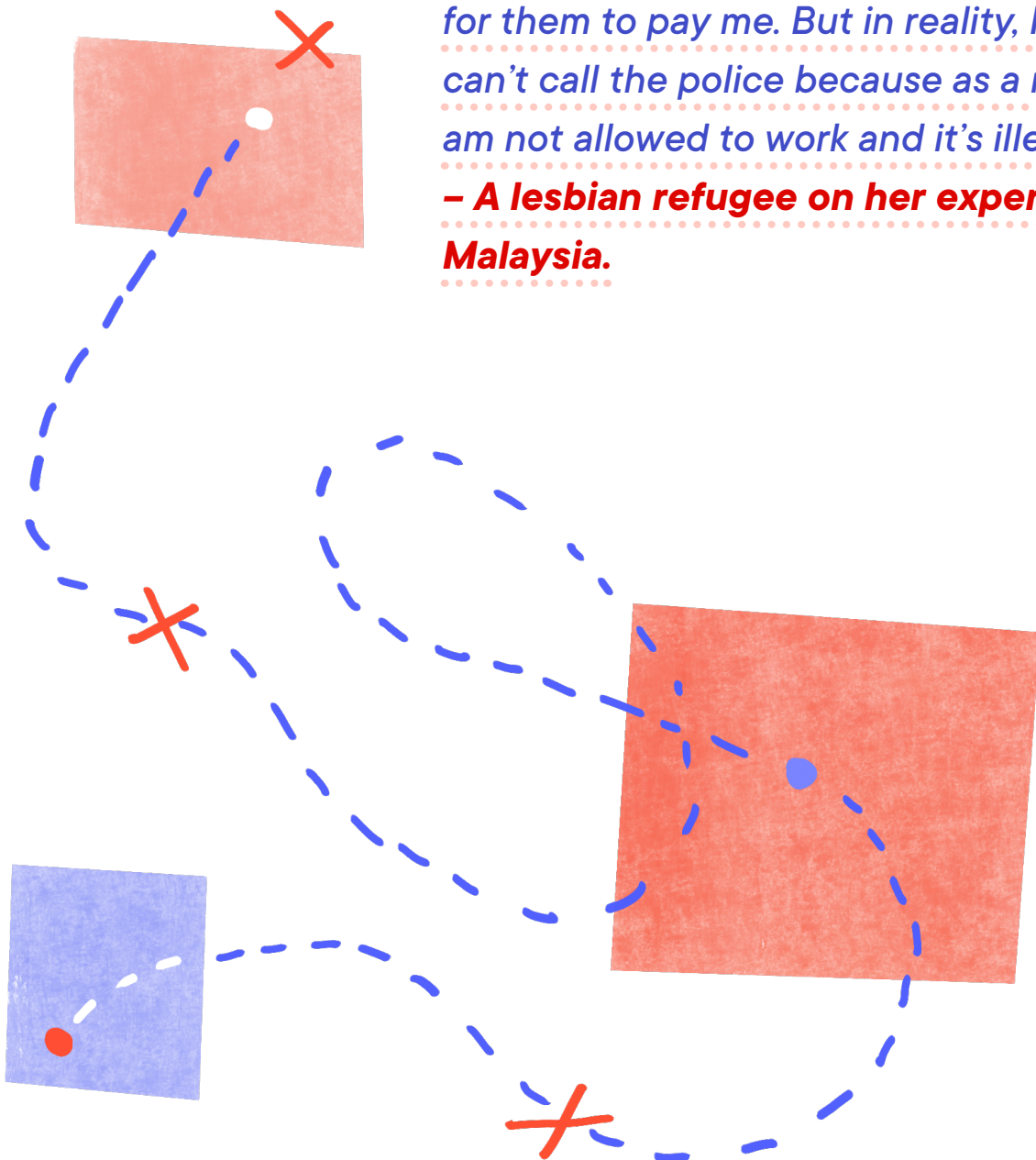
“As a black refugee woman, it’s worse. I feel like I am not wanted here because of how I am treated, just because of my skin colour. At hospitals, you will get laughed at even though you’re sick and you will feel even worse. You call the nurse or try to ask the nurse a question or something, and she will ignore you or give you a bad look and answer you in a rude way.”

- A lesbian refugee in Malaysia on her experience.³⁹

The lack of recognition of refugees further increases their vulnerability to exploitation and harassment with impunity. LGBTIQ and gender diverse refugees have also reported such experiences:

"I have also faced sexual harassment from men at workplaces, because you are a refugee and they know you have no right... I have also experienced people who I have been working for who never paid me, and even though I told them I would tell the police, they didn't care. They said, 'call them, we don't care,' even though I was just saying for them to pay me. But in reality, I know I can't call the police because as a refugee I am not allowed to work and it's illegal."

– A lesbian refugee on her experience in Malaysia.



Recommendations:

ASEAN

- Develop a Regional Refugee Protection Framework that includes a regional declaration on forced migration and refugee protection, accompanied by standard operating procedures (SOPs) for asylum seekers encompassing processing, non-refoulement, rights protections, and multilateral coordination. This framework should explicitly prohibit intersecting discrimination on the basis of SOGIESC and recognise the compounded risks faced by LGBTIQ and gender diverse refugees.
- Establish a formalised and coordinated regional mechanism for resettlement and other durable solutions to ensure safe, efficient, and rights-based pathways for refugees in transit and those awaiting long-term protection. This mechanism should promote equitable responsibility-sharing among member states and facilitate multilateral coordination to strengthen regional solidarity and uphold international protection standard

Malaysian Government

- Immediately end the arrest, detention, and deportation of refugees and asylum seekers, and introduce legal and policy reforms to exempt them from penalties under the Immigration Act.
- Establish a comprehensive legal and institutional framework to recognise the status of refugees and asylum seekers, guaranteeing the right to seek asylum, legal status, and protection in line with international human rights standards.

UNHCR

- Ensure access to fundamental rights and services, including lawful employment, education, healthcare, justice, and freedom of movement. This includes recognising the right to work for all refugees, as the ability to sustain oneself independently is essential to survival and dignity, and reduces exposure to exploitation and abuse.
- Ratify the 1951 Refugee Convention and its 1967 Protocol to formally recognise refugee status in Malaysia and enshrine legal safeguards, protections, and rights.
- Strengthen capacity-building and training with refugee-led organisations and community-based organisations (CBOs) to ensure services are inclusive of diverse SOGIESC identities and responsive to the needs of marginalised groups.
- Expand training and collaboration with law enforcement and relevant authorities to guarantee equal access to justice for refugees and asylum seekers, with particular attention to those facing compounded vulnerabilities and risks.

Nowhere Safe: LGBTIQ and Gender Diverse People and Internal Displacement in Myanmar



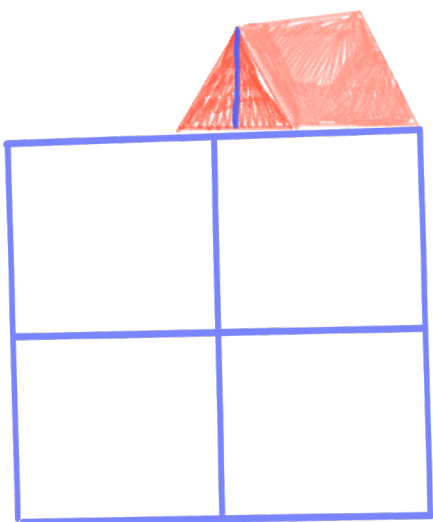
**Sai Kham La,
LGBTQ Advocate
from Myanmar**

Myanmar remains at the epicentre of displacement in ASEAN, where overlapping crises of conflict, persecution, and climate disasters continue to drive internal and cross-border displacement. Since the 2021 military coup, millions have been uprooted—among them more than 3.5 million internally displaced people (IDPs) facing severe restrictions on movement, aid access, and safety. For LGBTIQ and gender diverse people, these overlapping crises heighten risks of violence, harassment, and exclusion from shelters and humanitarian support.

This case study explores how LGBTIQ and gender diverse IDPs in Myanmar navigate compounded insecurities across conflict and climate-affected regions. It highlights the gaps within national and international humanitarian systems that fail to address SOGIESC-specific vulnerabilities, underscoring the need for ASEAN humanitarian mechanisms to recognise and protect LGBTIQ and gender diverse people in both conflict and disaster-related displacement contexts.

People in Myanmar have faced a rapid rise in displacement and violence following the military coup in 2021, prompted by the Union Solidarity and Development Party (USDP)'s major losses in the 2020 elections. ACLED reported active conflict affecting millions within the country, with an estimated 90% of the population exposed to political violence.⁴⁰ Amnesty International has reported more than 6,000 killings and 20,000 arbitrary detainments by the current military junta, with expectations that these statistics will worsen with the renewal of judicial executions.⁴¹ Human rights groups have continued to document actions by the military junta, namely torture, ill-treatment of detainees, indiscriminate attacks, and the denial of humanitarian aid into the country, which constitute war crimes and crimes against humanity.

Amidst the coup, the National Unity Government (NUG), a parallel government, was established.⁴² The NUG formed its own cabinet and military, the People's Defence Force. This resulted in territories in Myanmar being divided into military-controlled areas and NUG and allies-controlled areas. According to a 2024 NUG report, they control about 44% of the territory in Myanmar, while the military junta controls about 32% of the country.⁴³ Fighting continues in the remaining areas.



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- 40** Lindsay Maizland, Myanmar's Troubled History: Coups, Military Rule, and Ethnic Conflict, Council on Foreign Relations, January 31, 2022 <https://www.cfr.org/backgroundunder/myanmar-history-coup-military-rule-ethnic-conflict-rohingya>
- 41** Amnesty International, Myanmar: Four years after coup, world must demand accountability for atrocity crimes, 31 January 2025, <https://www.amnesty.org/en/latest/news/2025/01/myanmar-four-years-after-coup-world-must-demand-accountability-for-atrocity-crimes/>
- 42** Andrew Nachemson, Myanmar's National Unity Government Isn't a Unity Government, The Diplomat, 11 June, 2025 <https://thediplomat.com/2025/06/myanmars-national-unity-government-isnt-a-unity-government/>
- 43** The Irrawaddy, Junta's Writ Only Runs in One-Third of Myanmar: NUG, The Irrawaddy, January 6, 2025 <https://www.irrawaddy.com/news/burma/juntas-writ-only-runs-in-one-third-of-myanmar-nug.html>

Displacement continues to rise as the conflict and tensions intensify between the military junta and Non-State Armed Groups (NSAGs). While, the climate crisis and disasters in the context of conflict, such as, Cyclone Mocha, have also led to more displacement. Many face precarious circumstances with camp closures and the blockade of humanitarian aid.

Displaced people from Myanmar can be broadly categorised as:

- Internally displaced people (IDP) or people who have been forced to leave their homes due to conflicts or disasters, however, remain within the country. Amnesty International in 2025 reported that more than 3.5 million people are internally displaced.⁴⁴
- Refugees and asylum seekers who attempt to find safety in other countries. From 2023 to 2024, there has been a rise from 4338 to 9195 refugees risking journeys by sea to flee the conflict.⁴⁵ Malaysia takes in the second largest number of Rohingya refugees at 179,020 people. This accounts for nearly 90% of all refugees within the country.⁴⁶

The United Nations Guiding Principles on Internal Displacement defines Internally Displaced Persons (IDPs) as "[...] persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.

Source: [UNHCR Emergency Handbook, IDP definition \(2025\)](#)

⁴⁴ ibid.

⁴⁵ UNCHR, Myanmar Situation, <https://data.unhcr.org/en/situations/myanmar>

⁴⁶ UNCHR, Figures at a glance in Malaysia, <https://www.unhcr.org/my/what-we-do/figures-glance-malaysia>

Issues faced by LGBTQ Internally Displaced Persons (IDP) in Myanmar

IDPs in Myanmar face severe issues in access to aid, access to justice, and housing. These are further exacerbated for LGBTIQ and gender diverse displaced people.

Transgender and non-binary people in Myanmar continue to live without access to legal gender recognition (LGR). The lack of LGR has far reaching consequences including misidentification and/or suspicion over their identity, violations of privacy, increased vulnerability to other forms of discrimination, harassment and violence, and ambiguous citizenship. In displacement contexts, the lack of recognised gender identity can further lead to exclusion from gender-affirming shelter and aid, as well as heightened scrutiny and harassment, particularly against transgender women who are often accused of concealing or falsifying their identities.

“Some of the trans women are being harassed or bullied by the authorities. For instance, one of the trans women was put under the really hot sun for two hours. The reason is she is wearing sunglasses and being [...] trans, to which they said, ‘you are disguising yourself. That’s why we want to punish you, being there under the sun for two hours while others were already crossing, easily crossing these checkpoints.”

-Sai Kham La

Transgender women in rural areas reportedly have been forced into sex work in order to subsist, afford medication, and survive.

Access to safe shelter

IDP camps offer important shelter and safety for people during conflicts or disasters in Myanmar. They are set up and managed by various actors, including ethnic resilience organisations, local authorities, local communities, and religious groups. Monasteries have also been used as sanctuaries for IDPs. LGBTIQ and gender diverse IDPs, however, face heightened barriers in accessing safe and inclusive shelters, largely due to pervasive prejudices and stigma within IDP communities themselves.

Oftentimes, these camps are hostile to people of diverse gender identities and expressions, with discrimination against transgender men and women occurring directly from camp leaders. Transgender women are often seen as sex objects, leading to further harassment and threats within these camps. Transgender IDPs hosted by monasteries are placed within gender-segregated spaces based on assigned sex at birth and similarly find harassment for their SOGIESC.

Access to humanitarian aid

The coup and COVID-19 have resulted in the collapse of livelihoods for many. Many have been unable to access basic rights and needs, including food, water, and medicine, among others. For LGBTIQ and gender diverse people, humanitarian aid may at times be explicitly denied due to their SOGIE.

“Especially some groups under military control, who have an MOU (Memorandum of Understanding) with the military. One of the LGBTQ community members said they were being told by that group because you are LGBTQ, that’s why we cannot give you the humanitarian assistance package.”

Meanwhile, humanitarian organisations are insufficiently aware of or do not accommodate IDP LGBTIQ and gender diverse people.⁴⁷

47 B Camminga. (2024). Withholding the letter: Transgender asylum seekers, legal gender recognition, and the UNHCR mandate. Journal of Refugee Studies; feae058. <https://doi.org/10.1093/jrs/feae058>.

Access to healthcare services

The military junta continues to control hospitals, restricting access to civilians and prohibiting access for people in NUG territory and other non-junta-controlled zones.⁴⁸

For transgender women, access to medicine means crossing multiple checkpoints where they are often extorted for bribes and harassed. In the most severe cases, incidents of gang rape of transgender women have been reported at these checkpoints. This creates a barrier for many in attempting to seek access, with fears of potential assault, and the knowledge that medical access may require passing in some cases, forty checkpoints.

HIV transmission rates have increased throughout the country, with little awareness or knowledge of prevention.

Recommendations:

ASEAN

- Integrate SOGIESC into ASEAN disaster management and humanitarian mechanisms (including AADMER) and establish regional non-discrimination guidelines to ensure equitable assistance.
- Provide training and guidelines for humanitarian actors, law enforcement, and service providers across ASEAN to ensure safe, affirming, and non-discriminatory assistance for LGBTIQ and gender-diverse persons.
- Prioritise cross-border collaboration on displacement and mobility through existing ASEAN climate and disaster response platforms.

⁴⁸ Insecurity Insight, <https://insecurityinsight.org/country-pages/myanmar>

The National Unity Government of [Myanmar] (NUG):

Humanitarian Actors:

- Introduce and implement a legal gender recognition framework that affirms self-identification and ensures equal rights and protections for trans and gender-diverse individuals.
- Provide comprehensive training for staff and volunteers to ensure LGBTIQ-affirming humanitarian responses that uphold dignity, safety, and inclusion.
- Collaborate with local LGBTIQ organisations to strengthen referral pathways and guarantee equitable access to essential services for LGBTIQ and gender diverse persons.
- Establish specialised redress and support mechanisms for LGBTIQ and gender diverse people who are at heightened risk of violence in conflict-affected areas



Community Care Amid Crisis: Inclusive Climate Response by LGBTIQ and Gender Diverse Networks in the Philippines



**Roxanne Omega-Doron,
Bisdak Pride (Philippines)**

The Philippines faces some of the highest risks from climate-induced disasters in the world, making it a critical site for understanding the intersection of climate change, displacement, and inequality. Disasters such as typhoons and floods repeatedly displace communities, yet relief and recovery systems often fail to recognise the needs of marginalised populations, including LGBTIQ and gender diverse people.

This case study showcases how LGBTIQ and gender diverse communities in the Philippines, particularly grassroots groups such as Bisdak Pride, have developed inclusive and community-led disaster response strategies. Their experiences illustrate both the systemic gaps in formal humanitarian frameworks and the transformative potential of community resilience. It reinforces the need for ASEAN to integrate SOGIESC inclusion into its climate and disaster management frameworks to ensure that no one is left behind in times of crisis.

Between October 2023 and November 2024, the Philippines was hit by six major typhoons,⁴⁹ making it one of the most at-risk countries to disasters worsened by the climate crisis. It has one of the highest rates of internal displacement caused by natural disasters in East Asia and the Pacific, with over 5.4 million people internally displaced due to climate-related disasters.⁵⁰

The Philippines has put significant investment into disaster relief; however, reports have indicated that as the years have gone by, in most regions of the Philippines, economic resilience has declined while vulnerability has increased.⁵¹ Less forest cover and an increase in rain volume have further exacerbated the situation, with both factors expected to occur more frequently with increasing climate change.

Disasters disproportionately affect communities from lower-income and/or those experiencing water poverty. According to the 2024 Annual Poverty Indicators Survey (APIS), access to safely managed drinking water and basic sanitation is increasing across the Philippines. However, in the majority of the regions, less than 50% of its population has access to drinking water. Only four of 17 regions surveyed indicated that their access to drinking water reaches more than 50% of their respective populations. Meanwhile, only 85% of families in the Philippines reportedly have access to basic sanitation services.⁵²

- 49** Ayesha Tandon, Record-breaking Philippines typhoon season was 'supercharged' by climate change, Carbon Brief, 12 December 2024 <https://www.carbonbrief.org/record-breaking-philippines-typhoon-season-was-supercharged-by-climate-change/>
- 50** Katrina Guanio, "The Philippines' New Frontiers of Human Security: Locating Migration in Climate Foreign Policy," Pacific Forum, March 1, 2023, <https://pacforum.org/publications/yl-blog-63-the-philippines-new-frontiers-of-human-security-locating-migration-in-climate-foreign-policy/#:~:text=The%20Philippines%2C%20located%20in%20the,Pacific%2C%20with%205.4%20million%20IDPs.>
- 51** Gerwyn P. Enerlan, "An analysis on the economic resilience and vulnerability of local economies in the Philippines to hydrometeorological disasters," International Journal of Disaster Risk Reduction 84 (2023): 103447. <https://www.sciencedirect.com/science/article/abs/pii/S2212420922006665>
- 52** The Philippine Statistics Authority (PSA), "Access to Basic Drinking Water Service Among Families Improved in 2024", The Philippine Statistics Authority (PSA), June 24, 2025 <https://psa.gov.ph/content/access-basic-drinking-water-service-among-families-improved-2024>

In times of crisis, lack of access to safe water can further increase vulnerability to waterborne diseases like cholera and typhoid, as well as vector-borne diseases like dengue and measles due to stagnant water. The government of the Philippines has reported a rise in dengue and leptospirosis following the flood and monsoon season in 2024.⁵³

A 2011 study revealed that low-income households, particularly those in slums or squatter settlements, which were already in inadequate conditions with limited access to water and sanitation, were significantly affected by floods. The study noted that “a third of these households appeared more vulnerable and consistently incurred higher losses (e.g., income and workdays) and intense inconveniences (e.g., water source buried by floods, toilets blocked and overflowed with wastes/large worms to their floors) compared to their neighbours.”⁵⁴

An invisible effect of the increased disasters on lower-income communities is increased exposure to family violence,⁵⁵ physical abuse of children, food insecurity, and stunted growth.⁵⁶

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- 53** ACAPS, “Anticipatory note - PHILIPPINES: Increased risk of disease outbreaks following typhoons”, ACAPS, 13 August 2024 https://www.acaps.org/fileadmin/Data_Product/Main_media/20240813_ACAPS_Phillippines_-_Increased_risk_of_disease_outbreaks.pdf
- 54** Emma Porio, Vulnerability, “Adaptation, and Resilience to Floods and Climate Change-Related Risks among Marginal, Riverine Communities in Metro Manila”, Asian Journal of Social Science 39 (2011) 425–445, January 2011, DOI:10.1163/156853111X597260
- 55** Huong T. Nguyen, Helle Rydstrom, “Climate disaster, gender, and violence: Men’s infliction of harm upon women in the Philippines and Vietnam, Women’s Studies International Forum, Volume 71, 2018, Pages 56–62, ISSN 0277-5395, <https://doi.org/10.1016/j.wsif.2018.09.001>.
- 56** Ben Edwards, Matthew Gray, Judith Borja, “The influence of natural disasters on violence, mental health, food insecurity, and stunting in the Philippines: Findings from a nationally representative cohort, SSM - Population Health, Volume 15, 2021,100825, ISSN 2352-8273, <https://doi.org/10.1016/j.ssmph.2021.100825>.

In addition to poverty, many IDPs are also marginalised due to their SOGIESC. Climate crises and disasters often exacerbate the vulnerabilities already faced by LGBTIQ and gender-diverse people, resulting in increased risk of physical and mental abuse, sexual violence, as well as systemic exclusion from post-disaster support and assistance.⁵⁷

In the aftermath of Typhoon Haiyan, LGBTIQ and gender diverse people in the Philippines were excluded from post-emergency work programmes,⁵⁸ while others were denied food, housing relief, and other forms of economic aid due to a lack of recognition for non-heterosexual relationships and single LGBTIQ and gender diverse people.⁵⁹

Community practices: Using arts for community outreach and growth

Recognising the growing intersection of LGBTIQ rights and climate-driven humanitarian crisis, Bisdak Pride have worked towards developing a culture of localised response. As a part of this, they organised the first Philippines-wide conference on LGBTIQ rights within humanitarian crises and collaborated with Edge Effect to develop an understanding of LGBTIQ experiences in crisis centres.

They also organised workshops to strengthen the resilience of LGBT communities in marginalised and climate-vulnerable regions, such as the Visayas.⁶⁰ Beyond building climate change and disaster preparedness, these programs brought together communities in the Visayas to confront other social and political issues affecting the region, including rising civic repression and extrajudicial killings under the Duterte administration.

⁵⁷ Luis Emmanuel A. Abesamis and Tabitha Hrynik, "Key considerations: LGBTQIA+-inclusive humanitarian action in the Philippines," Social Science in Humanitarian Action Platform, www.doi.org/10.19088/SSHAP.2024.041

⁵⁸ *ibid.*

⁵⁹ Mavic Conde, "10-year Post-Haiyan: LGBTQ+ Survivors Still Fight for Their Legal Rights," New Naratif, January 3, 2023, <https://newnaratif.com/post-haiyan-lgbtq-survivors/>

⁶⁰ [OutrageMag.Com](https://outragemag.com) Staff, "Bisdak Pride helps build capacity of LGBT communities in the Visaya," OutrageMag, November 30, 2016, <https://outragemag.com/bisdak-pride-helps-build-capacity-lgbt-communities-visayas/>

Another interesting practice is the use of the arts to educate communities in times of crisis. One example of this was in the wake of Super Typhoon Yolanda (Typhoon Haiyan). Bisdak Pride formed a theatre collective to educate communities in evacuation centres post-disaster on teenage pregnancies and other issues which arise during these crises.

“The objective of the theatre forum is actually community theatre, where people actually participate; they do not just watch the performance, but they are actually part of the performance, because we are showing their stories as well. It really helped them to actually understand more about what they have been through regarding the issues related to the destruction caused by Typhoon Haiyan, as well as other aspects such as reproductive health issues.”

- Roxanne Omega-Doron



Designing community-driven solutions

Bisdak Pride responded to COVID-19 by organising their first conference, named the Hugyaw conference. Adopting an intersectional approach, the conference focused on not only the LGBTQ communities but also youth and those living in geographically isolated and disadvantaged areas. The conference dealt with topics such as early pregnancy, HIV/AIDS, gender, disasters and climate change, and other issues affecting them.

Inspired by these experiences, Bisdak Pride developed a safe space community centre in Cebu, where LGBTQ+ and gender-diverse youth can access resources and support related to health, education, and personal development. It is run for and by the community, where those who participated in the Hugyaw are also responsible for maintaining and operating the structure.

Recommendations:

ASEAN

- Adopt a SOGIESC lens across all ASEAN-related climate adaptation, mitigation, and disaster response frameworks, including the ASEAN Climate and Disaster Frameworks
- Develop inclusive strategies and response emergency and post-disaster mechanisms that adequately address the needs of LGBTIQ and gender diverse people and uphold equality, safety, and dignity in all phases of climate and disaster management.
- Increase funding and capacity-building programmes for those most affected by climate-induced displacement, including LGBTQ+ and gender-diverse people, to enhance community-based climate mitigation and adaptation

