

TRIPLE JEOPARDY: Protecting At-Risk Refugee Survivors of Sexual and Gender-Based Violence

SGBV AGAINST SEXUAL MINORITY REFUGEES

1. AIM

This module seeks to provide participants with an understanding of how nonconforming sexual orientation and gender identities expose sexual minority refugees to SGBV during the various phases of displacement. It helps participants become familiar with the forms and perpetrators of SGBV against sexual minority refugees.

2. USE

This module may be used as part of a half-, one- or two-day training (see *Model Agendas*).

TIME	METHODOLOGY	MATERIALS
1 hour, 30 minutes	PowerPoint Brainstorming Discussion Group work Case study	Flip chart Markers SGBV Against Sexual Minority Refugees PowerPoint Projector Case studies handout

3. GENERAL BACKGROUND

Helpful **definitions** for this and other modules include:

- **Forced Displacement** (for the purpose of this training): People forced to leave or flee their countries due to conflict, violence, persecution or human rights violations. According to UNHCR, 65.3 million people were displaced in 2015.
- **Vulnerability**: A person's diminished ability to mitigate exposure to risk (in this case, the risk of exposure to SGBV) due to internal, environmental or systemic causes and contributing factors.
- **Root Cause**: The fundamental reason for the occurrence of a problem (in this case, SGBV).
- **Contributing Factor**: Something that is partly responsible for a development or phenomenon.
- **Sexual Minority Refugees**: An umbrella term referring to people expressing a nonconforming gender identity and/or sexual orientation, including lesbian, gay, bisexual, transgender and intersex (LGBTI) refugees.

Resources

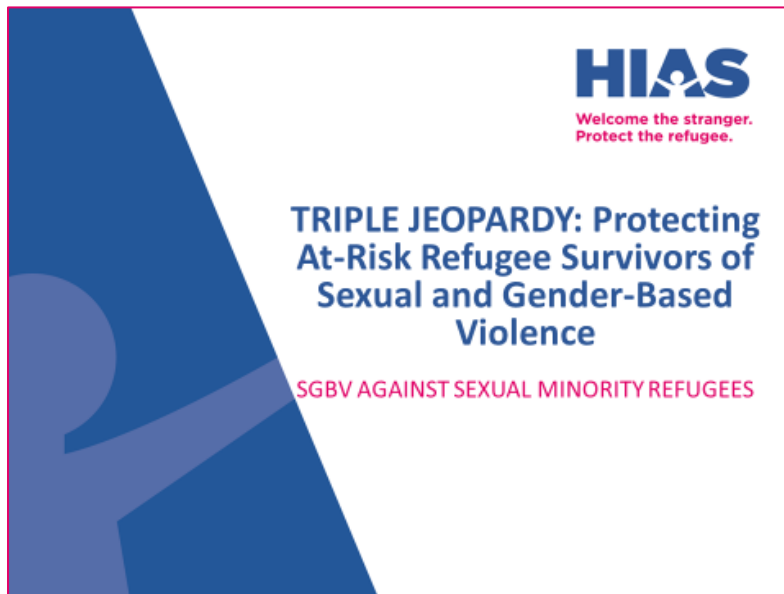
Triple Jeopardy Report, pp. 33-38.

HIAS (2013) [Invisible in the City: Protection Gaps Facing Sexual Minority Refugees and Asylum Seekers in Urban Ecuador, Ghana, Israel, and Kenya](#). Turk, Volker (2013) [Ensuring Protection of LGBTI Persons of Concern](#). United Nations High Commissioner for Refugees (2011) [Working with Lesbian, Gay, Bisexual, Transgender & Intersex Persons in Displacement](#).

4. SLIDES


This section provides you background and resources, where appropriate, for each PowerPoint slide in the module. It also gives you instructions to facilitate group discussions and exercises.

SLIDE 1: COVER



SLIDE 2: OBJECTIVES

Objectives



By the end of the session, participants will understand

1. **Root causes and contributing factors** that make sexual minority refugees vulnerable to SGBV in various phases of displacement
2. **Forms of SGBV** affecting sexual minority refugees
3. **Perpetrators of SGBV** against sexual minority refugees

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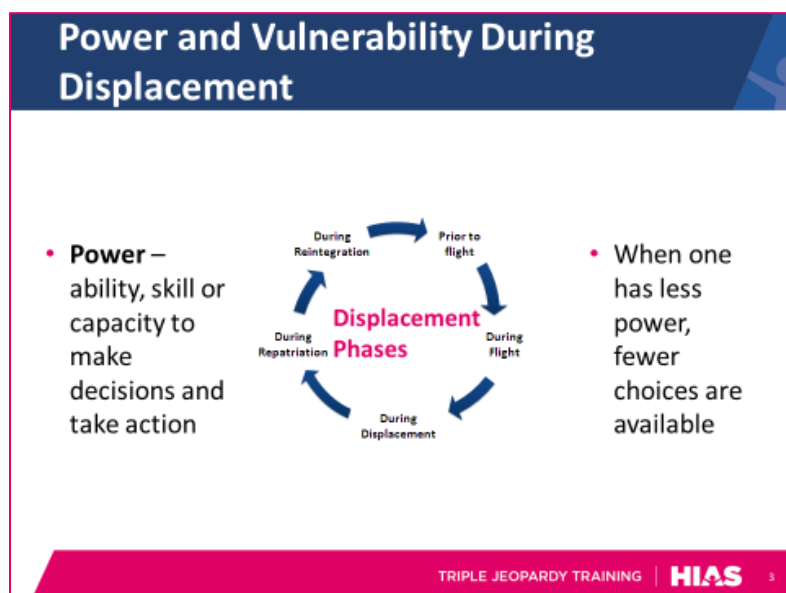
Background

- Through the analysis of case studies based on interviews with sexual minority refugees who are survivors of SGBV, participants will identify the causes and contributing factors that make sexual minority refugees vulnerable to SGBV throughout displacement.
- Participants will identify potential perpetrators of SGBV and types of SGBV experienced by sexual minority refugees based on the findings of the *Triple Jeopardy* report.

Resources

Triple Jeopardy Report, pp. 33-38.

SLIDE 3: POWER AND VULNERABILITY DURING DISPLACEMENT



Background

- People are forced to flee from their home countries for various reasons, including war, political unrest, conflict, human rights violations, lack of access to basic services and other forms of individual or group persecution or fear of persecution.
- The cycle of displacement includes several phases: Prior to Flight – Flight – Displacement – Repatriation/Resettlement – Reintegration. Not all refugees necessarily go through all the phases of displacement.
- Displacement creates more risks and vulnerability due to a breakdown in community and institutional protection mechanisms and/or capacity of people to protect themselves.
- People are more at risk of violations during the first three phases of displacement since there are major protection gaps during displacement and upon arrival.
- Vulnerability to SGBV varies according to a refugee's ability to access information, resources and services, which allow him or her to make informed decisions and have the power to act independently.
- This vulnerability is increased for sexual minority refugees, who are disproportionately affected by the breakdown of law and order and community support networks, and encounter greater barriers in accessing information, resources and services.
- In the later stages of displacement, for example after arrival in a country of asylum, homophobia, transphobia and other forms of discrimination based on sexual orientation and gender identity amplify the identification of sexual minorities as "others," adding to the barriers they face as refugees.
- 100% of the sexual minority refugees interviewed for HIAS's two reports, *Invisible in the City* (2013) and *Triple Jeopardy* (2014), experienced sexual violence.

Resources

Triple Jeopardy Report, pp. 33-38.

HIAS (2013) [Invisible in the City](#). Organization for Refugee Asylum and Migration (2013) [The Unseen Struggles of Lesbian, Gay, Bisexual, Transgender and Intersex Urban Refugees in Mexico, Uganda and South Africa](#). United Nations High Commissioner for Refugees (2011) [Working with Lesbian, Gay, Bisexual, Transgender & Intersex Persons in Displacement](#).

SLIDE 4: ROOT CAUSES

Root Causes

SGBV against sexual minority refugees is caused by homophobia and transphobia, and abuse of the fundamental imbalance of power between

- Nationals and refugees
- Men and women
- Heterosexual and cisgender people and people of (or perceived as having) nonconforming sexual orientation or gender identity

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Background

- **Root Cause:** The fundamental reason for the occurrence of a problem.
- The fundamental root cause of SGBV against sexual minority refugees is abuse of the imbalance of power between those whose gender identity and sexual orientation is considered the norm (heteronormative) and those who hold nonconforming identities related to gender or sexual orientation (lesbian, gay, bisexual, transgender, intersex, men having sex with men [MSM], women having sex with women [WSW] and more).
- This imbalance of power persists and grows with the consequences of forced migration.
- This imbalance provides more power to nationals than refugees, to men than women and to people of heteronormative gender and sexual identities than to sexual minorities.
- This imbalance of power results in discrimination and exclusion in the form of homophobia and transphobia against sexual minorities.
- Read this quote by a service provider: *“Anybody who doesn’t conform to society’s idea of what it means to be female, what it means to be male; anybody who challenges society’s understanding of masculinity, gender; anybody who transgresses that, runs the risk of being violated and puts themselves in harm’s way.”*
- In countries where homosexuality and same-sex relations are criminalized, an environment of fear, violence, mistrust and extortion exists among sexual minorities who are afraid of being exposed and lack access to legal protection from SGBV.

Resources

Triple Jeopardy Report, pp. 33-38.

HIAS (2013) [Invisible in the City](#). Organization for Refugee Asylum and Migration (2013) [The Unseen Struggles of Lesbian, Gay, Bisexual, Transgender and Intersex Urban Refugees in Mexico, Uganda and South Africa](#). United Nations High Commissioner for Refugees (2011) [Working with Lesbian, Gay, Bisexual, Transgender & Intersex Persons in Displacement](#).

SLIDE 5: CONTRIBUTING FACTORS

Contributing Factors

Factors that contribute to SGBV against sexual minority refugees include

- Criminalization of same-sex relations
- Cultural and religious norms
- Lack of understanding about sexual and gender diversity
- Instability in the country of origin and asylum
- Ineffective legal systems
- Lack of access to information
- Limited financial resources
- Inability to earn an income, pursue a profession
- Collapse of social systems of support

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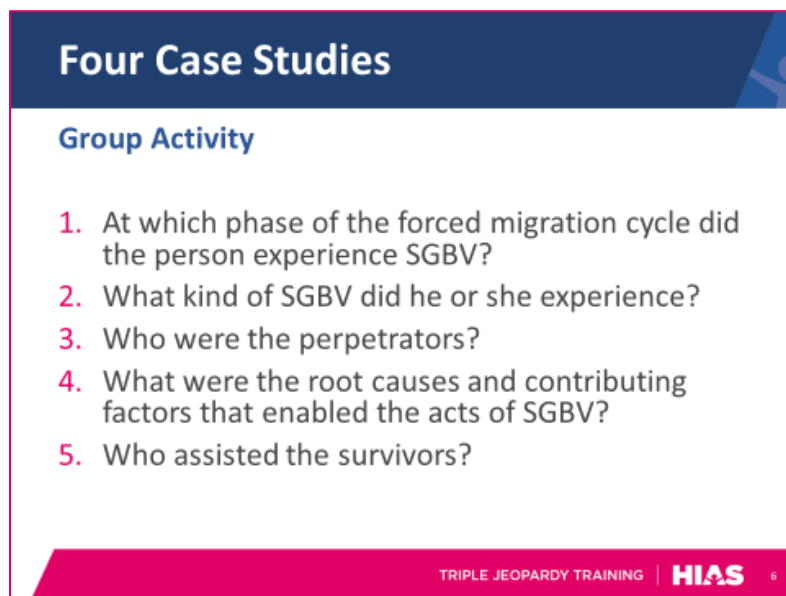
Background

- **Contributing Factor:** Something that is partly responsible for the development of the phenomenon.
- Contributing factors that are partly responsible for the vulnerability of sexual minority refugees to SGBV include external social factors, like political instability, lack of effective law enforcement or legal systems, criminalization of homosexuality, religious and cultural norms related to gender and sexuality in specific countries, and limited humanitarian assistance or medical care.
- Other contributing factors include refugees' lack of access to information, their inability to communicate in a language common in the country of asylum, their lack of vocational skills, professional training or access to financial resources.

Resources

Triple Jeopardy Report, pp. 33-38.

HIAS (2013) [Invisible in the City](#). Organization for Refugee Asylum and Migration (2013) [The Unseen Struggles of Lesbian, Gay, Bisexual, Transgender and Intersex Urban Refugees in Mexico, Uganda and South Africa](#). United Nations High Commissioner for Refugees (2011) [Working with Lesbian, Gay, Bisexual, Transgender & Intersex Persons in Displacement](#).



Four Case Studies

Group Activity

1. At which phase of the forced migration cycle did the person experience SGBV?
2. What kind of SGBV did he or she experience?
3. Who were the perpetrators?
4. What were the root causes and contributing factors that enabled the acts of SGBV?
5. Who assisted the survivors?

TRIPLE JEOPARDY TRAINING | HIAS 6

Materials

Flip chart and markers, case study handout

Background

- These four case studies are taken from interviews with sexual minority refugees conducted during the research phase of the *Triple Jeopardy* report.
- The exercise enables participants to understand the nature of SGBV specific to sexual minority refugees; identify root causes and contributing factors; recognize types, perpetrators and consequences of SGBV; and understand how to help sexual minority refugees who experience SGBV to access support and assistance.

Group Activity (60 minutes)

- Divide participants into four groups and distribute one case study per group.
- Each group member should read the case study (5 minutes).
- Group members should write out answers to the 5 questions indicated on the slide (15 minutes).
- Ask a volunteer from each group to summarize the story of the case, and another to present the group's answers to all of the participants, allowing a few minutes for questions (7 minutes per group, total about 30 minutes).

Possible Answers

Case Study 1 – Artur

Phases of migration cycle: In the country of origin.

SGBV: Non-consented sexual relations with an adult, rape in detention.

Perpetrators: Older man, police, guards.

Root causes: Power imbalance and attitudes towards sexual minorities.

Contributing factors:

- Fragile law enforcement.
- Lack of legal protection.
- Cultural norms.
- Lack of defense for human rights.

Supporters: Fellow refugee friend, hosting refugee woman, NGO clinic.

Comments: The older married perpetrator may self-identify as gay, heterosexual or a man having sex with men. Artur himself may not necessarily have identified as gay at the time of the SGBV.

Case Study 2 – Louisa

Phases of migration cycle: In the country of origin and asylum.

SGBV: Abandonment by parents due to gender identity, psychological violence, threats, beatings.

Perpetrators: Parents, local men and women from the hosting community, shop owners, neighbors, sexual minority persons from the hosting community.

Root causes: Gender power imbalance and transphobia.

Contributing factors:

- Local attitudes towards gender identity and roles.
- Ignorance about gender diversity.
- Lack of protections in the legal system in the country of origin.

Supporters: NGO in country of asylum, fellow Ugandan sexual minority refugees.

Comments: At times, gay and transgender refugees may be targeted by local sexual minority or MSMs persons who, because of the criminalization of homosexuality and same-sex acts, use threats, extortion or physical violence to prevent disclosure of their activities.

Case Study 3 – Lisa

Phases of migration cycle: In the country of origin and asylum.

SGBV: Beatings, gang rape, threats, blackmail.

Perpetrators: Police, local boys, members of hosting community.

Root causes: Multiple power imbalances related to gender identity, sexual orientation and xenophobia.

Contributing factors:

- Lack of adequate protection.
 - Displacement.
 - Poorly functioning law and order mechanisms.
- Supporters:** Partner, LGBTI NGO, guard, Kenyan immigrant.

Case Study 4 – Marie

Phase of migration cycle: In the country of origin and asylum.

SGBV: Psychological violence, gang rape, gender-based exclusion and discrimination.

Perpetrators: Children, community members, rebels, fellow refugees.

Root causes: Gender-based imbalance of power, ignorance about intersex and negative attitudes toward gender nonconformity.

Contributing factors:

- Political instability.
- Armed conflict.

Supporters: Parents, church, UNHCR, NGO.

Comments: Lack of knowledge about the natural state of being intersex by the individual, family and community may lead to extreme experiences of discrimination, rejection and SGBV.

Resources

Triple Jeopardy Report, pp. 33-38.

HIAS (2013) [Invisible in the City](#).

SLIDE 7: SUMMARY

Summary

- SGBV occurs in all phases of forced displacement
- Root causes of SGBV are connected to power imbalances relating to gender, sexual orientation, nationality and lack of knowledge about sexual and gender diversity
- Contributing factors include legislation; specific social, cultural and religious norms; political and legal instability; barriers to language, information and employment
- Perpetrators include state and non-state actors, families, partners, refugees, commercial sex clients, sponsors
- For many, crossing the border to a country of asylum does not mean an end to discrimination and persecution based on sexual orientation or gender identity

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Background

- Present the summary points.
- Ask participants for any questions or requests for clarification.