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RESEARCH PAPER

Breaking the binary
LGBT+ inclusive approach to the women, peace and security agenda in Nepal and Myanmar

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Acknowledgements

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LGBT+ inclusive approach to the women, peace and security agenda in Nepal and Myanmar

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Abbreviations

ART	Anti-retroviral therapy
CA	Constitutional assembly
CPA	Comprehensive peace accord
CSE	Comprehensive sexuality education
MSM	Men who have sex with men
DSW	Department of Social Welfare
FDC	Federal Democracy Charter
FSGMN	Federation of Sexual and Gender Minorities – Nepal
GBV	Gender-based violence
GEN	Gender Equality Network
HIV	Human Immunodeficiency Virus
NSPAW	National Strategic Plan for the Advancement of Women
LGBT+	Lesbian, gay, bisexual, trans and other sexual and gender minorities
MoWYCA	Ministry of Women, Youth and Children Affairs
MNCW	Myanmar National Committee on Women
NAP	National action plan
NGO	Non-governmental organisation
NPHC	National population and household census
NUCC	National Unity Consultative Council
NUG	National Unity Government
PDF	People's Defence Force
SAC	State Administration Council
SGM	Sexual and gender minority
SOGI(E)	Sexual orientation and gender identity (of expression)
UNSCR	United Nations Security Council Resolution
UPDJC	Union Peace Dialogue Joint Committee
WON	Women's Organisations Network
WPS	Women, peace and security
WPS TWG	WPS Technical Working Group

Glossary

Cisgender: A person whose gender identity corresponds to the biological sex that they were assigned at birth

Gender: The socially constructed roles, characteristics and behaviours considered appropriate for men and women respectively, which differ across cultures and time periods

Gender identity: A person's internal sense and experience of their own gender, which may or may not correspond with the sex they were assigned at birth or with the traditional categories of man/male and woman/female

Heteronormativity: Beliefs, practices, attitudes and behaviours by which certain forms of heterosexuality are positioned as the only conceivable sexualities and the only way of being 'normal'. By extension, heteronormativity also refers to cultural and social practices that cast perceived deviation from gender norms (for example, men being too 'effeminate'), same-sex attraction, same-sex couples, trans and other non-binary identities, practices and ways of living as abnormal or deviant.

Homophobia: Beliefs, practices, attitudes and behaviours that express intolerance or hatred of homosexuality or someone who identifies as homosexual

Intersectionality: The interconnected nature of social categorisation such as race, gender identity, sexual orientation, religion, ability and social class, which overlap to create interdependent systems of discrimination or disadvantage. The term was originally coined by critical race theorist Kimberlé Crenshaw.

Intersex: A general term used for a variety of situations in which a person is born with reproductive or sexual anatomy that does not fit the boxes of 'female' or 'male'

LGBT+: An acronym for Lesbian, gay, bisexual, trans and other sexual and gender minorities that is widely used in the Western world and has been adopted by a variety of international institutions

Sex: A biological categorisation assigned to an individual at birth, usually on the basis of secondary sex characteristics (genitalia) but also by reproductive and chromosomal markers, generally either 'male' or 'female'

SGMs: Sexual and gender minorities refer to people whose sexual orientation, gender identity or sexual practices fall outside traditional norms. It may also refer to people who are perceived as such by others, resulting in similar social exclusion and vulnerability.

Sexual orientation: An individual's emotional, romantic and/or sexual attraction to a given sex or gender

SOGIE: This acronym stands for 'sexual orientation and gender identity of expression' and is used by a variety of organisations and researchers to refer to issues of gender and sexuality. It does not indicate a particular group because all humans have a sexual orientation and multiple gender identities.

Transgender: An inclusive term that denotes any individual whose gender identity or expression differs from the sex they were assigned at birth.

Women, peace and security (WPS) agenda: The agenda promotes a gendered perspective and women's equal and meaningful participation in peace processes, peacebuilding and security. The WPS agenda evolved from the United Nations Security Council Resolution (UNSCR) 1325, which was unanimously adopted on 31 October 2000 and was followed by other complimentary resolutions.

Executive summary

This report presents the findings of two vulnerability assessments of the LGBT+ communities in Myanmar and Nepal. The report also draws on the outcome of five dialogue sessions between LGBT+ and women's rights and youth organisations in both countries. The assessments and dialogue workshops were part of a six-month pilot project on LGBT+ Inclusive Approaches to Conflict and the Women, Peace and Security (WPS) Agenda, implemented by International Alert in Myanmar and Nepal. The purpose of the project was to promote the inclusion of the LGBT+ community in the WPS agenda in the two countries.

The vulnerability assessments were conducted in late 2021 and early 2022, across Lumbini and Bagmati provinces in Nepal, and Yangon and Northern Shan in Myanmar. They were cross-sectional qualitative studies, conducted using focus group discussions (FGD) and key informant interviews (KIIs). The target groups for the studies were LGBT+ people, LGBT+ key officials and activists, gender experts and representatives from women and youth-led organisations.

The vulnerability assessments identified key lived experiences of LGBT+ people and perceptions of women's rights and youth activists, as well as other relevant stakeholders on LGBT+ issues. Myanmar and Nepal each have specific socio-political and conflict contexts. The shrinking of the political and public space since the February 2021 military coup in Myanmar, combined with the negative economic and social impacts of the coronavirus (COVID-19) pandemic, have contributed to further marginalising sexual minorities and other vulnerable groups. Comparatively, Nepal is considerably more advanced than Myanmar in terms of LGBT+ rights. Over the post-conflict period of the Comparative Peace Accord (CPA) followed by Nepal's federalisation, the country has adopted progressive national legislation and legal provisions in the constitution for a third gender identification. There are, however, essential similarities between the issues faced by the LGBT+ communities in both countries. The key issues identified by the project across both contexts are: identity and citizenship; social stigma, violence and exclusion; lack of equal participation in decision-making; and lack of equal economic opportunities. The assessments also examined the linkages between WPS and LGBT+ issues and some of the obstacles to the integration of LGBT+ issues into the WPS and broader gender equality agenda in both countries.

A summary of the main findings of the vulnerability assessments and the outcomes of the dialogue sessions are presented below.

1. Ongoing discrimination concerning LGBT+ gender identity and citizenship rights

In both countries LGBT+ identity is challenging and complex because of the prevalence of discriminatory laws and deeply entrenched patriarchal norms and practices. For the LGBT+ respondents in both countries, the recognition of their rights to exist, equal treatment by the law and equality of access to services are some of the

key attributes of identity and citizenship. The situation is more acute in Myanmar where LGBT+ people report being perceived as a source of criminality and social ills. The country has maintained section 377 of its Penal Code, a provision inherited from British colonial rule that criminalises consensual same-sex sexual conduct. Under this law, LGBT+ people can be persecuted and face legal and social challenges not experienced by other social groups. Despite legislative achievements in Nepal, LGBT+ respondents in both countries expressed the same sentiment of being treated as second-class citizens because their rights to citizenship and marriage are denied. The legislation in favour of LGBT+ rights is very poorly implemented in Nepal; for example, there is still no legal provision for same-sex marriage and LGBT+ people continue to face difficulties in changing their gender on their national identity cards.

2. Social stigma, violence and exclusion

Public awareness, understanding and acceptance of diverse sexual orientations and gender identities are still limited across both countries. In Nepal, the assessment found that public perception of LGBT+ people has not improved significantly in the post-conflict period, except in urban areas. Acceptance of LGBT+ people is higher among educated and privileged families in urban areas due to increased levels of education as well as media and human rights advocacy campaigns. Levels of acceptance are much lower in rural areas and among uneducated and poorer families.

In both countries LGBT+ people live in constant fear, due to threat from the state, family and society. Verbal abuse, physical violence, humiliation, forced stripping, rape, forced examination, workplace violence, intimate partner violence and lack of livelihood opportunities are key security concerns expressed by LGBT+ people in both countries. The stigma, discrimination and low acceptance levels of LGBT+ at the level of family and wider society have resulted in the marginalisation and social exclusion of LGBT+ people, causing physical and mental health issues among these people in both countries. LGBT+ people do not dare to come out openly and identify themselves according to their sexual orientation and gender identity (SOGI), making it difficult to educate them about safe-sex practices and services. Traditions and religion constitute further barriers to people 'coming out'. The preference given to the son in different religion rituals across both countries, combined with the belief that the primary role of a man is to continue the family blood line, makes it even more difficult for sexual and gender minorities (SGMs) to come out openly. During the period of the military coup in Myanmar, violence from police and other law enforcement officers as well as illegal detention increased immensely. The use of sexual violence, torture, threat and intimidation was reported by Burmese LGBT+ people.

3. Dominance of heterosexual men in private and public spheres

In Myanmar and Nepal, heterosexual men dominate decision-making in both private and public spheres. In Myanmar, the political and civil space for influencing public decision-making and policy processes has dramatically shrunk following the political crisis. Prior to the coup, the LGBT+ network reported being able to hold advocacy meetings with members of parliament to discuss their needs and concerns and make demands for legal reforms. Post-coup, LGBT+ activists now report living in acute fear of illegal arrests for their support to pro-democratic forces. The assessment found that one main barrier to the participation of LGBT+ activists in politics is the gender-stereotyping norms and the discriminating attitudes and values that Myanmar society continues to hold. Although their participation in public protest and mass mobilisation is centred on the denouncement and disapproval of the illegal power grab by the military, they were not given due recognition. Instead, respondents reported standing accused of having ulterior motives, including "self-promotion and seeking popularity". LGBT+ activism has, however, resulted in increased political and social space and acceptance of the LGBT+ community. The National Unity Government (NUG) formed in April 2012 and the wider democratic opposition have shown increased awareness of LGBT+ rights and the importance of protecting

them. The NUG has officially recognised the contribution of the LGBT+ community to the pro-democracy struggle and their sacrifices. The NUG has also appointed an openly gay activist as Human Rights Minister.

In Nepal, although the law allows for equal participation in decision-making, spaces are still predominately male dominated and newly opened spaces in the backdrop of inclusion are dominated by cisgender women. Despite the adoption of legislation and policies to promote equal participation in decision-making, the LGBT+ community remains excluded from the development of policies, plans and programmes dedicated to addressing their issues at the federal, provincial and local levels, and there is no LGBT+ representation in local government bodies. The 33% quota for female representation in the Nepali Constituent Assembly has not been extended to LGBT+ representation.

4. LGBT+ identity, access to livelihood and economic opportunities

The assessments in both countries highlighted the challenges related to income generation and access to the formal economy. The credibility and credentials of LGBT+ people are often overlooked in view of their identity and appearance when it comes to employment. Due to stigma, discrimination, and low level of education and skills, particularly for those from poorer backgrounds, LGBT+ people are predominately active in the informal economy, mostly the beauty industry, services sector and sex trade. In Myanmar, the economic decline following the military coup has deeply affected LGBT+ people. The COVID-19 pandemic in both contexts and the political crisis have contributed to a steep rise in unemployment. Moreover, lack of property rights and discriminatory inheritance rights limit LGBT+ people's access to property, land and assets.

5. Challenges in integrating WPS and LGBT+ issues

The assessments and dialogue sessions revealed that, in both countries, women's and LGBT+ issues are interconnected. Women and the LGBT+ community share a similar experience of discrimination, violence and abuse, embedded in conservative and discriminatory patriarchal norms and values, hegemonic and militarised masculinities and unequal gender power relations. In 2011, Nepal was the first country in South Asia to adopt a national action plan (NAP) for the implementation of UNSCR 1325 and 1820 (2011-2016). Myanmar never developed a distinct WPS policy; instead, the country adopted a National Strategic Plan for the Advancement of Women (NSPAW, 2013-2022) and established a WPS Technical Working Group (WPS TWG). In the current political context, however, it has been difficult to maintain the collaboration that was established between the last government and civil society, including women's and LGBT+ rights organisations. Major networks of gender equality organisations, previously part of the national women's rights architecture established by the previous government, have decided to boycott all engagement mechanisms as long as the military regime remains in power.

In both countries, WPS issues are almost entirely focused on cisgender, heterosexual women and there are no national plans and programmes specifically focused on LGBT+ issues. In Nepal, however, following active advocacy and lobbying by leading LGBT+ networks, the government has included provisions for LGBT+ rights in the second 1325 and 1220 NAP, which is currently being drafted. This inclusion will significantly contribute to furthering the rights of LGBT+ people in Nepal.

The issue of intersectionality was widely discussed with participants in the vulnerability assessments and dialogue sessions. Different identity markers such as religion, ethnicity, class, physical ability, language, geographic location and social capital play critical roles in determining vulnerability and power. For people identifying with a different sexual orientation and gender identity, this adds a layer of vulnerability that directly connects with social acceptance and rejection. In conflict and peacebuilding contexts, such vulnerability tends to be overlooked. LGBT+ and women's rights organisations in both countries stressed the importance of the

United Nations (UN) and national governments explicitly articulating and integrating an intersectional approach in the WPS agenda. This will help to forge and mainstream a discussion on addressing patriarchal norms and masculinity in relation to the agenda.

To establish a positive, inclusive and sustainable peace, LGBT+ issues need to be considered and prioritised in conflict resolution and peacebuilding initiatives along with women's issues. The WPS agenda is a significant and strategic entry point for addressing gender dynamics in conflict; therefore, it is imperative to ensure that the rights of SGMs are properly integrated in the agenda.

1. Introduction

In recent years, attacks against sexual and gender minorities (SGMs) in countries affected by fragility, conflict, and violence have increased.[1] Worldwide, SGMs face distinctive development and protection challenges; however, such challenges are significantly more complex to address in conflict-affected environments, and particularly in countries that criminalise same-sex acts.[2] The collapse of institutions and safe spaces, as well as the breakdown of already weak community and family bonds, exacerbate the vulnerabilities of SGMs in insecure, fragile, and conflict zones. These minorities encounter additional barriers to access justice, basic services, and employment opportunities, and they have unique protection needs in situations of forced displacement.[3] SGMs are also more prone to experience sexual and gender-based violence (SGBV).[6] Furthermore, in recent years, homophobia and transphobia have been exploited for political purposes in various fragile states. As of 2021, 68 countries have laws that explicitly criminalise consensual same-sex acts, two states criminalise such acts de facto, and six states impose the death penalty for consensual same-sex acts.[4]

The exclusion of LGBT+ people from full participation in society with equal opportunity and dignity is an important human rights issue. The recognition and achievement of human rights for LGBT+ people is gradually rising up the agenda of some countries that are in conflict and recovering from conflict. While the challenges of LGBT+ people are gaining visibility in the human rights sphere with social, political and economic stakeholders, the discussion and scoping for an inclusive WPS agenda remain relatively nascent for most conflict countries.

Drawing on decades of feminist activism, and against the backdrop of broader policy initiatives towards the adoption of people-centred approaches to peace and security in the 1990s,[5] the WPS agenda was finally institutionalised at the international level with the adoption in October 2000 of UN Security Council Resolution (UNSCR) 1325.[6] Convinced of the important role of women in conflict prevention and resolution, and recognising that men and women (and boys and girls) can be differently affected by conflict,[7] the WPS agenda calls for increased gender equality and civil society participation in local, national and international policy-making and encourages the rethinking of what security and protection mean for different individuals in conflict.[8] By adopting the binary as its principle framing of gender (categorising people as only male or female), however, the WPS agenda has marginalised discussions on the role of masculinities and other intersectional issues in peace and conflict.[9] This, in effect, excludes those people who do not fit within normative gender expressions and identities[10] and significantly limits its scope for becoming a transformative agenda.

None of the UN Security Council Resolutions that collectively drive the WPS agenda refer to diverse sexual orientation and gender identities (SOGI), implicitly suggesting that all women are heterosexual and cisgender.[11] In truth, however, people's experience of conflict and participation in peacebuilding varies significantly

according to intersecting axes of identities, including gender, sexuality, class, ethnicity, and religion.[12] In this sense, the WPS agenda's narrow approach to gender often overlooks the experiences of LGBT+ people in conflict and, by making them invisible, effectively excludes them from conflict prevention and peacebuilding mechanisms.[13] In fact, LGBT+ people can be at greater risk than most in conflict. Often socially discriminated and therefore deprived from the support of community networks that enable people to survive during times of conflict, they are also targeted and used as scapegoats in nationalist campaigns that discourage dissent and frame them as outsiders or unpatriotic.[14]

These shortcomings of the WPS agenda have been raised by scholars and civil society organisations over the past decade, with many advocating for a broader approach to gender, peace and security.[15] In August 2015, the UN Security Council held the first ever Arria Formula[16] on SGM violations. This was an 'open meeting' on vulnerable groups in conflict with a specific focus on LGBT+ individuals targeted by the Islamic State in Iraq and Syria.[17]

In 2020, to mark the 20th anniversary of UNSCR 1325, International Alert undertook a stock-taking exercise of our 20-year history working with women peacebuilders on the ground. The findings of this research truly underscored the role of conservative patriarchal gender norms and institutionalised socio-political constraints as a key obstacle to progress at all levels.[18] In conflict-affected and fragile contexts, this trend becomes even more critical, as conflict and crises often give rise to increasingly rigid gender norms and stereotypes that men, women and other gendered identities are expected to fulfil. These inflexible norms result in further marginalisation of women's voices and suppress equal participation at community level. They form highly masculine political spaces where women's insights are perceived as untrustworthy. These spaces pervade global governance institutions, resulting in regressive policies and practice over time.

Given the importance of this debate and the uneven implementation of the WPS agenda, the project Inclusive Approaches to Conflict and the WPS Agenda identified LGBT+ issues and challenges in Myanmar and Nepal to provide insights for increasing inclusivity in the WPS agenda. This report draws on data and analysis from project vulnerability assessments conducted in both contexts. It situates LGBT+ issues and challenges within the WPS framework and takes into consideration the context of the pandemic as well as the different political situations.

The report finds that LGBT+ communities in both countries face deep-rooted discrimination, social stigma and rejection from family, communities and the state. Deep-rooted patriarchal gender norms and socio-cultural practices are key to driving marginalisation and exclusion in both public and private spheres. The social construction of gender as binary shapes the gender roles and norms based on religion and cultural practices that nurture rejection. It also obfuscates the intersectional nature of gender and sexuality, leaving LGBT+ people to be conflated into a homogeneous group. Indeed, LGBT+ people in Nepal and Myanmar do not constitute homogenous categories. They are divided by different identity markers such as ethnicity, caste, class, geographical location and disability, which can play an important role in determining vulnerability and power within the LGBT+ community. In both countries, although the dominant patriarchal and heteronormative norms have a direct impact on the lives and conditions of LGBT+ people in both countries, nevertheless there are differences depending on whether they identify as lesbian, bisexual women, gay, bisexual men or intersex.[19]

The report highlights the associated issues that come with this collapsing of identity and offers insights for nuancing work with heterogenous LGBT+ groups in conflict contexts. Finally, the report helps shed light on the overlaps between women's rights issues and LGBT+ issues in Nepal and Myanmar, which could inform the programming and intervention on the WPS agenda in diverse settings.

Methodology

In both contexts, a vulnerability assessment was conducted in late 2021, each centring on the lived experience of LGBT+ people and the observations of women's rights experts and youth activists. Vulnerability assessments were cross-sectional qualitative studies. They used focus group discussions (FGDs) and key informant interviews (KIIs) with LGBT+ people, LGBT+ key officials and activists, gender experts and representatives from women and youth-led organisations aged between 18 and 49 years.

Particular effort was made to gather descriptive data from survivors of violence and their family members and friends. In Nepal, two FGDs were conducted involving six LGBT+ persons from Lumbini province and seven from Kathmandu Valley. In addition, 40 KIIs were conducted across Lumbini and Bagmati provinces with five gender experts, eight representatives from women's rights organisations, four representatives from youth organisations and 15 LGBT+ key officials and activists.

In Myanmar, the study sample covered 60 interviews from Yangon and Northern Shan with the interviewees ranging from 20 to 60 years.[20] Interviews were conducted with people identifying themselves as trans women (37), gay (7), lesbian (4), trans men (4), men who have sex with men (MSM) (4), heterosexual women (2) and heterosexual men (1).

All interviewers and moderators were trained and the majority were LGBT+. Semi-structured interviews were conducted in spaces preferred by interviewees and in confidence. Lines of enquiry sought to identify LGBT+ issues and needs in strengthening networks, gaps in addressing LGBT+ issues, the role of women's rights networks in LGBT+ issues, and the role of civil society in the protection and promotion of LGBT+ rights and LGBT+ inclusion. Primary data was supplemented by secondary data, with a review of published research to further understand both changes in LGBT+ issues over time and barriers to the implementation of LGBT+ related policies and laws. Due to the qualitative nature of the assessments, the depth and breadth of responses were prioritised to capture perceptions from the target community. The key issues and challenges facing LGBT+ people in Myanmar and in Nepal were shared through four reflective workshops and one cross-country workshop with WPS groups, youth organisations and the research team.

This comparative analysis draws on both vulnerability assessments and the final cross-country workshop. All workshops and collaboration spaces supported coalition building and cross-learning around common issues facing Nepali and Burmese women's rights groups and LGBT+ groups.

Structure of the report

The report is divided into three main sections. The first provides a short situation analysis of the LGBT+ movement in Nepal and Myanmar and the differential approaches to WPS issues in both countries. The next section examines key issues and challenges faced by LGBT+ people in both countries, emphasising commonalities and differences. The final section looks at the interconnection between women's and LGBT+ issues and the relevance of integrating LGBT+ issues within the WPS agenda. The report ends with a series of recommendations to enhance the rights of SGM in Nepal and Myanmar and contribute to inclusive and sustainable peace and political processes in both countries.

Limitations of the report

In both countries, the coronavirus (COVID-19) pandemic and lockdown, combined with the short six-month timeframe of this pilot project, had an impact on the conduct of the vulnerability assessments and the subsequent dialogue and learning sessions. Data collection and analysis, and the writing of the assessment reports, took place in the space of two months only to allow enough time for the findings to feed into the dialogue and cross-learning sessions.

In Nepal, the vulnerability assessment was conducted in two provinces only and the FDGs were limited to two. In Myanmar, data collection was particularly challenging due to security and political concerns. It was not possible to bring people together in FGDs and all KIIs had to be carried out online. Respondents were at first reluctant to participate in the vulnerability assessments to share their experience of violence. Moreover, poor and instable internet connection meant that meetings were frequently disrupted causing distraction for both interviewers and interviewees. As a result, less data was collected in Myanmar than in Nepal.

Measures were taken to mitigate some of these challenges. Secondary data sources were used to complement primary data collected during the KIIs whenever possible. The enumerators in Myanmar were carefully selected from the SGM community so they could more easily reach out to other SGM individuals. In addition, in both countries the research teams worked very closely with major LGBT+ organisations and networks to design and conduct the assessments.

2. Situation analysis: LGBT+ and WPS in Nepal and Myanmar

2.1. Emergence of LGBT+ movements in Nepal and Myanmar

Nepal's and Myanmar's LGBT+ movements have emerged in similar yet distinct ways. Nepal is often seen as a beacon for LGBT+ rights in Asia with the political movement dating back to the last century. Awareness raising and LGBT+ activism emerged alongside burgeoning civil society activity that saw the People's Movement put an end to the Panchayat (party-less system) in the early 1990s, followed by the establishment of the constitutional multi-party system.[21] In the initial stages and throughout much of the 1990s, the LGBT+ organisation was largely informal. International engagement in Nepal, especially in response to the HIV epidemic, supported an uptake in LGBT+ advocacy and by 2001, when the Nepal civil war had reached its peak, the LGBT+ community started to organise a more concerted campaign for their rights.[22]

At the forefront of the fight for LGBT+ rights were efforts to prevent the ongoing sexual discrimination, violence and extortion against the LGBT+ community on the part of the police and security services throughout the conflict period.[23] This in turn galvanised a group of activists to establish the Blue Diamond Society in 2001.

The Blue Diamond Society was the first national non-governmental organisation (NGO) established to fight for LGBT+ rights and the organisation has been at the forefront of LGBT+ activism ever since, growing to have more than 50 branch offices across Nepal. With the LGBT+ movement building its foundations during the conflict, visibility and activism were very dangerous activities. Initially there was a heavy focus on supporting LGBT+ people with sexual health, awareness, and outreach, but efforts turned to protection work to end the violence towards LGBT+ individuals, particularly trans women known as '*meti*',[24] being perpetrated by security servicemen who were identified as frequent sex work clients.[25]

LGBT+ organisations were actively aligned with the social and political movement to remove the monarchy and gained considerable visibility. This has led to significant gains in the present day. The 2007 verdict from the Supreme Court of Nepal directed the Government of Nepal to abolish discriminatory laws and provide for equal rights for people from diverse SOGI, including the recognition of a third gender.[26] Following the 2007 Supreme Court directive, continued advocacy of LGBT+ civil society organisations in Nepal has led to the inclusion of a third and non-binary gender category in the national census. There is also a newly appointed focal point in the National Human Rights Commission responsible for examining the rights of SGM. Moreover, laws have been amended to recognise SGMs in citizenship and the introduction of an 'other' gender category in Nepali passports.

Like Nepal, the initiation of Myanmar's LGBT+ movement centred around issues relating to HIV. Initially, reaching out to MSM, community-based organisations operated illegally and under the radar of the government on HIV issues.[27] The movement was nurtured and accompanied by years of investment in leveraging relationships and cross-border movement-building led by Thai-based Myanmar LGBT+ activists living in political exile. LGBT+ activists aimed to provide sensitisation training to those who would go back and work on LGBT+ rights awareness in their communities.[28] This investment in cross-border engagement to evade the scrutiny and retaliation of the Myanmar state laid the foundations for the movement, which coincided with the political shifts taking place in the country around 2010 and the easing of human rights prohibitions. Since then, the LGBT+ movement, comprising both civil society organisations and community-based organisations, has picked up momentum. Many LGBT+ rights groups have managed to expand operationally and there has been a large shift from focusing on issues of sexual health and HIV to encompass broader rights-based issues.[29] The most prominent network of LGBT+ groups in Myanmar is the LGBT+ Rights Network, which consists of LGBT+ groups and organisations across the country. The network aims to empower LGBT+ activists and reduce violence and discrimination through advocacy campaigns calling for reform of discriminatory laws and police abuse and to educate LGBT+ communities on their rights. They have also been involved in prominent events that have raised awareness and increased visibility for LGBT+ issues such as the International Human Rights Day, International Day against Violence against Women, International Day against Homophobia and Transgender Day of Remembrance. Myanmar LGBT+ Rights Network was officially established in 2012 and currently represents LGBT+ community-based organisations and activists from 19 regions throughout the country.

2.2. The contemporary LGBT+ movements of Nepal and Myanmar

In post-conflict Nepal, although the sustained activities of the LGBT+ community have led to important legislative and policy achievements on paper, the practical application of these progressive commitments does not always translate to make the lived realities of LGBT+ feel more equal. This is primarily due to the lack of capacity and awareness of implementing institutions, the prevalence of strong patriarchal norms and values, and an ongoing and overwhelming rejection of LGBT+ identity at the household and community level.

Moreover, unequal gender power relations and expectations around masculinity create a powerful and harmful stigmatisation against those who identify as LGBT+. They face ongoing discrimination in their communities, household and other public spaces. This leaves LGBT+ people feeling afraid to disclose their gender and sexual orientations.

In Myanmar, following the February 2021 military takeover, the lives of LGBT+ people and communities have deteriorated exponentially, and issues currently facing the status of LGBT+ people in Myanmar pose a significant setback to the progress made in the last decade. Like many of those who have actively resisted the military takeover in the nationwide civil disobedience movement, LGBT+ groups were a prominent and visible mobilising force, participating in anti-coup protests, using rainbow flags, marching alongside other pro-democracy forces to denounce the coup, reject military dictatorship and call on the immediate restoration of civilian government. Mirroring Nepal's LGBT+ overt activism during its times of crisis, this type of LGBT+ visibility and activism have exposed them to acute levels of violence and persecution.

Moreover, Myanmar's aggressive efforts to contain the COVID-19 pandemic since March 2020, overlaid with the political situation, have exacerbated economic and security concerns for the LGBT+ community. Many have been forced into survival sex work, which further exposes them to risks of violence, exploitation and contracting the virus. This is also the case in Nepal, where in both contexts COVID-19 has restricted access to contraceptives and HIV protection due to closed borders and restricted movement. These measures have resulted in increased domestic violence and impeded the ability of individuals to escape abusive environments. In Myanmar, people trying to escape discrimination by seeking refuge in Thailand, regarded as a safer alternative for the LGBT+ community, no longer have that option. The Burmese post-coup period hugely threatens the gains made by the LGBT+ community over the last decade and limits the agency and space in which civil society organisations can operate. Despite previous laws that do not prescribe the mandatory registration of LGBT+ human rights organisations, these organisations cannot conduct activities freely at national and sub-national levels, or access funding through bank accounts, unless they are officially registered and have proper recommendation letters from relevant ministries working on LGBT+ issues.

It is important, however, to note that the National Unity Government (NUG), the National Unity Consultative Council (NUCC) and the wider democratic opposition have shown greater awareness of LGBT+ rights and the importance of protecting them. The revised Federal Democracy Charter (FDC), approved by the People's Assembly held in January 2022, established a women's rights Gender Equality Commission and identified race, faith, gender, disability and sexual orientation, among others, as prohibited grounds for discrimination.[30]

Furthermore, in 2021, the NUG appointed an openly LGBT+ activist as human rights minister for the first time in the country's history. Despite this significant progress, LGBT+ rights remain a contentious issue within some sections of the pro-democracy movement. Indeed, gender and lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQ+) issues have been identified by some analysts as one of the 12 substantial divergence issues within the pro-democracy movement in Myanmar.[31] Moreover, clear and precise policies in support of LGBT+ rights and broader gender equality have yet to be formulated.[32]

2.3. History and approaches to WPS issues in both contexts

Nepal: South Asia's first WPS national action plan

Following the adoption of UNSCR 1325 in 2000, Nepal and Myanmar have made very different advances in operationalising the agenda. In 2011, Nepal became the first country in South Asia to adopt a national action plan (NAP) for the implementation of UNSCR 1325 and 1820 (2011-2016). Led by the Government of Nepal, the process to develop Nepal's NAP has often been praised for being a highly consultative one that brought together women's civil society and the government.[33] Nepali women's right organisations now, however, acknowledge that LGBTQI+ voices and issues were excluded in the first NAP.[34] After the expiration of the first NAP in 2016, the government launched a draft of the NAP II on WPS, led by the Ministry of Home Affairs (MoHA) and UNDP. From September 2019 to February 2020, the government conducted a series of consultations at national, provincial and local levels. The outreach to 1,125 participants from different provinces included some LGBT+ people, but the representation was minimal at 1%.

In terms of WPS implementation, the Nepalese government and NGO actors have incorporated gender and social inclusion issues into their policies and programmes. This includes the creation of a gender task force, increasing women and girls' participation in education and public jobs, paid maternity leave, and equal pay.[35] The achievements in formal participation began before the development of the NAP. Nepal had already moved to increase women's representation through the interim constitution of 2007, which mandated quotas of 33% for female representation. This led to 32% representation of women in the constitutional assembly in 2008. The current 2015 constitution reserved quotas for women's representation across its three tiers of federalised government: 33% in the constitutional assembly, 34% at the provincial level and 40% at the local level.[36] Notable commitments to a 20% provision for women in roles in the Nepalese army, armed police force and police have also represented some substantial steps to introduce women into security-focused roles.[37]

Myanmar: An underdeveloped, diluted WPS policy agenda

Unlike Nepal, Myanmar has yet to develop a distinct WPS policy or plan. Instead, the country opted to develop a National Strategic Plan for the Advancement of Women (NSPAW, 2013–2022) and establish a WPS Technical Working Group (WPS TWG). In large part, duties under these mechanisms fell to marginalised ministries with very little budget available to progress the agenda.[38] In the current context, the collaboration that was built between the last government and civil society (including on women's rights and LGBT+ rights) is unlikely to be maintained. Significantly, even if some channels are left open between the military-run State Administration Council, prominent women's rights organisations have signalled their intention to decline to participate.[39] Already major networks of gender equality organisations such as the Gender Equality Network (GEN) and the Women's Organisations Network (WON), previously part of the national women's rights architecture that included the Myanmar National Committee on Women (MNCW), have decided to boycott the MNCW and all other engagement mechanisms as long as the military regime remains in place. These and many other civil society organisations that previously participated in joint working groups on gender equality alongside government representatives resigned from their seats after the military takeover.

Before the current situation, the implementation of the WPS agenda in Myanmar had been weak and associated responsibilities, regarded as social and development issues, were assigned to the Department of Social Welfare rather than being seen as part of security policy requiring the engagement of stakeholders such as the Ministry of Defence. Women have been severely underrepresented in political decision-making and a male-dominated

security sector, as well as their marginalisation from the government-run taskforce on WPS and violence against women. Despite previous quotas for 30% women's participation in the Panglong Peace Process,[40] numbers in reality have never met these targets.[41] Furthermore, women's representation is also largely taken up by more elite Burman and Buddhist women and national women's rights organisations, while women from ethnic minorities remain largely absent from peace and political processes at the national level. LGBT+ formal representation has been minimal, with LGBT+ people almost entirely invisible in these political spaces.

3. Key issues and challenges faced by LGBT+ issues in both countries

The issues faced by LGBT+ communities in both countries share essential similarities. Most of the issues identified across both contexts are highly relevant to the WPS agenda framework. They include violence, security, gender identity and citizenship, discriminatory legal and policy frameworks, lack of equal access to justice and in decision-making, and lack of equal economic opportunities. Difficulty in connecting with women's rights organisations working on WPS issues was also a major concern raised by LGBT+ people in both countries. These issues are analysed in more detail below.

3.1. Identity and citizenship

For LGBT+ people in both countries, the recognition of their right to exist, equal treatment by law, and equality of access to education, healthcare, justice and other vital services are some of the key attributes of identity and citizenship.

Ambiguities and gaps in legal and policy frameworks and persistence of discriminatory legal provisions against LGBT+

Nepal is considerably more advanced than Myanmar concerning LGBT+ rights. Over the post-conflict period of the Comprehensive Peace Accord[42] followed by Nepal's federalisation and active political engagement of LGBT+ activists, the country has adopted progressive national legislation and legal provisions in the constitution for a non-binary gender identification. In 2007, significant changes were made in the constitution to legalise same-sex relationships. Article 12 of the constitution states that citizens are allowed to choose their preferred gender identity on their citizenship document. The options available are male, female and 'other' (non-binary). Likewise, Article 18 reiterates the right to equality and indicates that SGMs will not be discriminated against by the state and by the judiciary in the application of the law. Moreover, Article 42 states that SGMs have a right to employment in state structures based on the principle of inclusion. In addition, the National Supreme Court recognised SGMs and mandated an 'O' or 'other' category in all official state documents. It also started issuing citizenship identification under the 'other' category.

The situation is strikingly different in Myanmar, where the shrinking of political and public space since the February 2021 military coup, combined with the negative economic and social impact of the COVID-19 pandemic, have contributed to further marginalisation of sexual minorities and other vulnerable groups. Myanmar currently has highly repressive legislation against LGBT+ people. Section 377 of the old Myanmar Penal Code, dating back to 1861 when the country was under British colonial rule stipulates that same-sex marriage is illegal. Under the penal code, LGBT+ people can be prosecuted and face social challenges not experienced by any other communities in the country. Indeed, section 377 of the police manual describes same-sex relations as a crime punishable by up to 10 years' imprisonment. In addition, the Shadow Laws (Rangoon Police Act 1899, section 30), also dating back to British colonial occupation, prescribe that "any person found between sunset and sunrise having his face covered or otherwise disguised and who is unable to give a satisfactory account of himself" can be prosecuted.

Despite significant legislative achievements on paper in Nepal compared with Myanmar, LGBT+ persons in both countries expressed the same sentiment of being treated as second- or even third-class citizens. The progressive legislation in favour of LGBT+ rights remains poorly implemented in Nepal, in part due to the lack of capacity and awareness of implementing institutions and the overriding prevalence of patriarchal norms at all levels of society. There are gaps and ambiguities in some parts of the legal frameworks. For example, there is still a lack of legal provision on same-sex marriage and LGBT+ people continue to face difficulties in changing their gender on their national identity cards. Even though the 2015 Nepali Constitution has addressed some of the issues faced by the LGBT+ community, many LGBT+ activists still believe they have been stripped of their gender identity and rights to citizenship, equality and justice. Difficulties in implementing the progressive legislation in Nepal and the persistence of repressive legislation in Myanmar stem from deep-rooted patriarchal norms, values and practices in both societies. Therefore, in both countries, LGBT+ identity remains challenging and complex.

The difficulty of moving beyond a gender-binary system

In both countries, the understanding of gender beyond the binary system (male/female) is still poor among the general population and key official authorities. Despite the development of the 'other' category in Nepal, both counties remain dominantly gender-binary societies, characterised by deeply rooted patriarchal heteronormative values. This strict gender binary system has serious implications in terms of the legal protection of LGBT+ persons, particularly regarding gender-based violence (GBV). For example, in Myanmar, the definition of rape of a woman according to the law does not apply to a trans woman, who continues to be legally considered a male. LGBT+ respondents in the vulnerability assessment stressed that the whole legal system in Myanmar was inadequate to deal with the complexity of LGBT+ issues: "The current law in Myanmar is not protecting LGBT. In the law they use male and female gender designations but not LGBT+."[43]

LGBT+ people in Nepal face similar challenges. The Citizen Amendment Bill passed by Parliament in 2020 requires trans persons to produce medical evidence of sex change as a prerequisite for officially changing their gender identity on their citizenship identification. This has forced many to undergo costly sex reassignment surgery, which they perceive as an infringement of their fundamental rights to bodily integrity and impacting on their economic situation:

> *"Seeking the medical proof of sex-change surgery for trans people while processing for citizenship is very unjustifiable. Everyone has body right and it should be their decision [about] what to do and what not to do with their body. There are many trans women who do not want to do sex-change surgery, but government is forcing them to do it for getting citizenship."*[44]

Lack of accurate representation in national statistics in Nepal

The difficulty of moving beyond the binary is reflected in the continual marginalisation of LGBT+ in national statistics in both countries. In Myanmar, the difficult political and security situation the country has been through over the past decades has made it difficult to conduct regular national censuses. The last national population and household census (NPHC) took place in 2014 and only three national censuses have been conducted in the post-independence period, in 1973, 1983 and 2014.[45] By contrast, Nepal undertakes a national census every 10 years, with the last two taking place in 2011 and 2021.

In Nepal, one of the major concerns of the LGBT+ population is their misrepresentation in the national census. Indeed, the 2011 census only counted 1,500 persons identifying as LGBT+. The census lacked specific questions on gender identity as well as appropriate methods to collect gender-specific data. Furthermore, the nature of the census made many LGBT+ people reluctant to reveal their identities.[46]

The last NPHC in Nepal, conducted towards the end of 2021, is deemed to be of enormous significance as the first census conducted in federal Nepal. It was completed in the context of the country's 2015 Constitution, which provides the country's political settlement and legal foundation to become a federal state. Therefore, there were high expectations among vulnerable and marginalised communities that the 2021 census would produce more accurate demographic data and enable the adoption of national policies and programmes on social inclusion and equal representation.[47] LGBT+ people, however, still fear that the data collected during the census would likely be inaccurate with regards to their own specific identities, and that they will be misrepresented yet again.[48]

LGBT+ activists who participated in the rapid risk assessment conducted by International Alert during and after the census felt that their community should have been approached in a more sensitive way and questioned about how gender was conceptualised in the census. Their key concern was that the 'other' category had amalgamated all other manifestations of identities and did not take a nuanced view of intersectional sexual and gender identities in Nepalese society.[49] They also highlighted the lack of adequate training for enumerators, which had resulted in the undercounting of members of the LGBT+ community in past censuses. Many LGBT+ respondents of the vulnerability assessment in Nepal, who were interviewed during the 2021 census, noted that they have not been asked about the 'other' category during data collection. The enumerators who interviewed them only focused on the 'male' and 'female' categories.[50]

Leading LGBT+ activists stressed the importance of the 2021 census for their community. They actively engaged in delivering training to census supervisors and enumerators to improve the effectiveness of data collection. The training sessions focused on how to ask questions in a gender-sensitive manner and properly use terminology in relation to LGBT+ sexual and gender categories.[51]

LGBT+ activists and gender experts who participated in the vulnerability assessments emphasised the importance of accurate LGBT+ statistics, particularly regarding participation, prevention and protection (in/against/of violence and abuse) as one of the first steps towards the promotion of LGBT+ rights. For them, gender-sensitive and sex-disaggregated data, and research programmes on LGBT+ populations, would be some of the effective means to identify their needs and concerns. The combination of data from research and national statistics will help to provide a solid evidence base to monitor and evaluate the effectiveness of national programmes and plans to uplift the status of LGBT+ people in various sectors. Furthermore, they recommended closely involving LGBT+ stakeholders in the research process and including LGBT+ research enumerators to provide stronger and more effective research outputs.

"Census is the base for every intervention and utilised by all organisations (governmental and non-governmental). The 'other' category has been placed in the census, but it has been included just for formality rather than priority. Also, there are diverse groups within sexual and gender minorities, but their segregation has not been considered in the census." – Focus group participant, Nepal

LGBT+ leaders hope that if the 2021 census integrates an accurate demographic and socio-economic record of LGBT+ people, this will empower them and enable more LGBT+ people to come forward to identify themselves, ultimately leading to an increase in demographic representation of recorded LGBT+ people. In turn, this will result in more appropriate service provision from state institutions along with adequate financing and periodic monitoring of allocated funding and programmes, which is difficult in the current circumstances given the lack of accurate data on LGBT+ people.[52]

Same-sex marriage: banned in Myanmar, a grey area in Nepal

Same-sex marriage in Nepal remains in a grey area where it is neither officially illegal nor legally sanctioned.[53] The committee that was formed in 2015 to examine the issue of same-sex marriage recommended that the government legalise it. More specifically, the report recommended that the state amend its civil and criminal codes to provide equal rights when it comes to same-sex marriage. Indeed, the National Civil Code of Nepal contradicts the constitution, declaring marriage to be a union between 'a man and a woman', which defies the very condition of a same-sex marriage. The report further recommended that the legal language describing marriage be revised from being between the gender-binary 'male' and 'female' to between 'person' and 'person'.[54] In 2020, the National Human Rights Commission also called on the government to legalise same-sex marriage;[55] however, same-sex marriage remains officially unrecognised. Although some same-sex marriages have been performed over the years in Nepal, they remain symbolic unions which are not recognised by the Nepali state and have no legal validity.[56]

The non-legalisation of same-sex marriage in Nepal and Myanmar has serious legal consequences for the LGBT+ communities because it deprives them of the rights and benefits afforded to a legally married heterosexual couple, such as the right to sell and transfer jointly registered property, avail property rights upon the partner's death, open joint bank accounts, rights for adopted children, among others. According to one of the respondents in the Nepal vulnerability assessment:

"It has been 16 years since we married, and we had adopted a daughter. But our daughter does not have a birth registration certificate. I do not have citizenship because my parents refused to make my citizenship certificate as I got married to a girl. I could not make citizenship from my partner to whom I married because we do not have legal provision of registering same-sex marriage. So, it will be very difficult for my daughter in future."[57]

Due to these numerous legal challenges, many LGBT+ people in both countries are not able to obtain full citizenship and the rights this affords them, including access to services. This deprives them of opportunities in terms of education, employment, healthcare, access to justice, or getting relief packages during the COVID-19 crisis or, in the case of Nepal, accessing humanitarian aid following the devastating earthquake in 2015.

Discrimination in relation to education, healthcare and access to justice

LGBT+ activists who participated in the vulnerability assessments and subsequent workshops shared concerns about the discriminatory education system. According to an activist at the cross-learning workshop in Kathmandu: "We are always afraid that universities would reject our applications."[58] Activists in Nepal denounced the lack of LGBT+ friendly schools, both in terms of educational settings and acceptance, which has

forced some LGBT+ students to drop out. Being bullied, mocked, labelled with humiliating names and treated differently from other students were experiences commonly reported by respondents from both Myanmar and Nepal. Transgender students have been denied access to exams because of problems with identification cards and uniforms. In Nepal, they also reported cases of physical and sexual violence against them within school premises:

> "When I was in school, 23 boys had tried to sexually abuse me in toilet. At that time, I was not even aware about my sexuality, I was treated in that way just because I used to paint my nails, put mehendi[59] and show girly behaviour. When I complained to the teachers about it, instead of taking strict action, I was made fun by them and was called humiliating names and sent back."[60]

Regarding the lack of LGBT+ friendly structures within schools, some respondents reflected on the separation between male and female washrooms and the difficulty they have using either of them, owing to their SOGI. For some LBGT+ students in Nepal, the school uniform is also an issue:

> "My principal was very supportive regarding my SOGI, he never forced me to wear girl's uniform. Later, our principal was changed, and the new principal always told to me put on girl's uniform, as well as forced me to sit and play with girls. Slowly, I stopped going to that school and I could not find other school where I could wear uniform of my choice. So, I discontinued my study."[61]

The healthcare system is also perceived as not being LGBT+ friendly. Many respondents felt that they were discriminated against by the healthcare services due to their sexual orientation, which contributes to their low utilisation of healthcare services. LGBT+ people interviewed in both countries emphasised the inadequacy of the healthcare system in meeting their needs, highlighting that care providers do not pay enough attention to the gender of their patients – for example, some transgender women reported being asked questions about their menstruation cycle.

There was also concern about the lack of awareness around LGBT+ sexual and reproductive health. Unsafe sexual practices, HIV/Aids, sexually transmitted infections, and complications due to sex change surgery are some common reproductive health issues that are being ignored by healthcare providers despite knowing about a patient's SOGI. Furthermore, trans respondents explained that few healthcare providers have knowledge about hormone therapy and its side effects.

The COVID-19 pandemic has increased the vulnerability of LGBT+ people in both countries. In Nepal, they have faced difficulties accessing healthcare services including psychosocial support and LGBT+ friendly quarantine centres. In Myanmar, the assessment revealed that amid the coup and COVID-19 pandemic, it has become increasingly difficult for LGBT+ people, in particular tuberculosis (TB) and HIV patients to access health services. Due to reduced numbers of healthcare staff at government hospitals and due to the security context, antiretroviral therapy (ART) became less accessible. Some people reported having to bribe healthcare workers to obtain sufficient ART.[62]

Poor mental health was reported as being common within the LGBT+ community in both countries. In Myanmar, mental health issues among LGBT+ people have been exacerbated by the political crisis and the disproportionate impact of the pandemic on LGBT+ people and women. Community networks that support people during crisis or conflict are often not available to LGBT+ people who may have been rejected by their family or community.[63] Most respondents reported having gone through some form of mental health problems such as anxiety, depression and suicidal thoughts.

The lack of access to a fair judicial system was mostly raised by respondents in Myanmar. Several referred to the discriminatory attitudes of judges and courtroom personal against LGBT+ defendants in criminal cases. At present, the judicial system in the country is mainly only used to suppress the political opposition and access to justice for regular civil and criminal cases is minimal. Mistrust of the judicial system forces many LGBT+ defendants to seek to resolve their cases out of court.[64] Moreover, access to justice for LGBT+ people varies according to geography. People living in urban settings can more easily access legal services since there are legal aid lawyers in big cities such as Kathmandu, Yangon and Mandalay, who provide pro-bono assistance and legal representation to arbitrarily arrested LGBT+ individuals. Those living in small towns have little or no access to lawyers and reported cases of encountering discrimination in their attempt to access legal support.

Urgent need for change in public perception and mentality

Respondents to the vulnerability assessments in both countries emphasised the urgent need to change public perception and discriminatory attitudes towards sexual minorities. They thought that one of the best ways of changing mentalities would be to start with the younger generations and create a safe and open-minded environment where children and youth would be taught about gender diversity. Respondents in Myanmar also spoke about updating or changing school curricula as one of the ways forward: "To change people's mindset LGBT+ awareness should be included in the school curriculum."[65] In Nepal, a Comprehensive Sexuality Education (CSE) has been included in the school curriculum in universities and for grades 7-9 (13-15 years old); however, the emphasis is still mainly on the binary, heteronormative model because many teachers avoid discussions around sexual and gender diversity. Therefore, most adolescents and youth remain ill-informed about the lived experiences and human rights of sexual minorities:

"Youths are not well informed about homosexuality. They do not know that there are individuals other than just male and female. This is also because CSE is not delivered to them in schools and colleges. Teachers shy away to talk about these topics."[66]

3.2. Rejection and acceptance: marginalisation, social stigma, violence and exclusion

Rejection and lack of acceptance at familial and community levels are a central feature for LGBT+ people in both Nepal and Myanmar. At the root of rejection and the broad failure of Nepali and Burmese societies to accept SGMs lie discrimination and prejudice. Discrimination in the form of transphobia and homophobia is expressed through acts of violence.

Rejection: a form of violence that entrenches marginalisation and ill-health

Family and societal rejection is reinforced and repeated through physical and psychological violence across both contexts. LGBT+ people experience acute distress as a response to the lack of acceptance, which generates high levels of mental ill-health with prevalent feelings of loneliness, shame, guilt, social anxiety and suicide. In both countries, respondents talked of LGBT+ people being pressurised by their families and wider communities to behave in line with the sex assigned to them at birth. Their failure to do so results in rejection and abuse. Linked to this is the issue of early marriage. In some Nepali Hindu communities, where early and forced marriage is common, LGBT+ persons are vulnerable to being forced to marry outside their sexual or gender preferences leading to severe mental distress. Rejection and the consequent lack of socio-economic

support from the family impact on LGBT+ people's ability to survive and thrive, and compounds poor mental health across LGBT+ communities in both Myanmar and Nepal.

> "I was abandoned from the family after I opened up as a LGBTIQ. So, I had to struggle alone for my survival. I got involved in prostitution as well as worked at various restaurant and bar for income. Due to those circumstances, I had to face a lot of violence and abuse. I was kidnapped, physically tortured, and left in the middle of the road alone to die. I also suffered from anxiety and depression. I even attempted suicide several times." – Nepali respondent

Social acceptance varies across contexts

Social acceptance is intersectional, varying between locations and different classes, religions and ethnicities. Acceptance of diverse SOGI appears to be greater in urban settings than in rural areas. In both Myanmar and Nepal, perceptions around LGBT+ people and their realities are evolving in the larger cities because they benefit from greater anonymity and diverse economic opportunities. In Nepal, acceptance of LGBT+ people is reported as higher in educated, more economically privileged urban families, particularly in the Kathmandu Valley. Some respondents linked these changes to strong social media penetration and influence, advocacy campaigns, progressive media and the concentration and profile of LGBT+ organisations.

The increased visibility and profile of LGBT+ issues have enabled urban LGBT+ people to be more open about their SOGI to their families and broadly urban communities are more outwardly accepting of diversity. By contrast, most respondents reflected that in traditional, poorer, rural areas, where communities are tighter and people have less exposure to LGBT+ issues, there is a reluctance to move beyond the notion that gender is binary.[67] In rural Myanmar, an LGBT+ organisation spoke of parents beating and threatening their sons if they were perceived to be "acting soft", obliging them either to get married or become a monk.[68] Poor, rural LGBT+ people across both contexts reported their fear of rejection and violence and appeared more reluctant than their urban counterparts to be open about their SOGI. Nevertheless, interviewees recognised people identifying as LGBT+ to be among the most vulnerable and discriminated against within families and communities. Regardless of location, there was considerable concern around the attitudes and behaviour of police and security forces across both contexts, who continue to profile LGBT+ people, stereotyping them as sexually deviant and working as sex workers.

Intersection of religion and class shapes vulnerability

In some cases, religious traditions and expectations present a barrier to people coming out and drive rejection and justify violence, although the relationship is complex and varies. In predominantly Buddhist Myanmar,[69] activists confirmed that many people believe that LGBT+ people are being punished for having "done something terrible in a past life". It is their karmic retribution for past misdeeds, which explains why they are often deemed inferior within society.

In Nepal, the dominant patriarchal socio-cultural norm of son preference propels social discrimination against LGBT+ people. Such norms are understood to be rooted in Hinduism, the dominant religion in the country, yet Hindu philosophy has an ancient concept of a third gender, a category that allows for a range of non-binary conforming people who do not and are not expected to behave like cisgender men and women. Despite this, many Nepali respondents highlighted the role of religion and religious leaders as a barrier to shifting norms, with one expressing that "while it has not been mentioned in holy books of Hindu that belonging to the LGBT+ community is wrong… during our interaction with priests in conferences and meetings, they are not positive about same-sex marriage".[70]

In Hindu communities, particularly in the higher castes, a person born as a male is broadly expected to marry a woman to continue the blood line and perform Hindu death rituals for their parents. Some anecdotal evidence from the Nepali assessment suggests that social acceptance may be higher among the lower Hindu castes who have less status to lose and therefore more scope to be themselves. Both countries have Muslim and Christian communities who view homosexuality as a sin and stigmatise and discriminate against LGBT+ persons.

Progress towards acceptance is unequal across the LGBT+ community

Acceptance varies across the LGBT+ community. Lived experience and expectation of rejection differs for higher profile SGMs, such as some trans and gay men, when compared with lesbians. Some reports from Nepal highlighted the situation as more constrained for lesbians, who are still reluctant to be open about their sexual orientation. One activist expressed this: "Visibility of trans women is high and now visibility of trans men has also increased. Many gay people are also being open about their sexuality; however, lesbians are not being able to open up."[71] Some explained this as being linked to the low status of women and the patriarchal control of female sexuality. In Myanmar, gay and transgender persons are more widely rejected than other LGBT+ people. Trans women in particular are prone to more abuse and severe forms of mistreatment than other LGBT+ identities. Some of the LGBT+ respondents in Myanmar believed that the violation of their rights was rooted not only in homophobia but also misogyny.[72]

Data and understanding of the variance in acceptance and the differing levels of violence across the specific LGBT+ groups remain limited. Unpacking this with further targeted research that disaggregates data further would be an important step towards ensuring improved LGBT+ sensitive policy-making and advocacy efforts.

Violence as a form of control in maintaining LGBT+ marginalisation

Compounding factors of prejudice, violence and marginalisation increase vulnerability risks for LGBT+ people in both contexts. While the range of masculinities associated with societal expectations is broad, regardless of their ethnic, religious, or age background, male privilege is coupled with expectations of taking on heterosexual social and economic responsibilities.[73] Failure to fulfil these roles can sometimes lead to a great sense of shame being expressed through violence, including against SGMs and women in both contexts. Heterosexual male dominance over both Nepali and Burmese LGBT+ people drives prejudice associated with transphobia and homophobia and underpins discrimination and rejection. Social and economic marginalisation as well as poor understanding of their rights compounds risk of victimization.

Multiple forms of violence against Burmese and Nepali LGBT+ people are socially justified and help to maintain their exclusion from society. In Myanmar, although reliable data is limited, the intensity of violence experienced by LGBT+ people is reported as being higher than in other social groups.[74] Remarkably, vulnerability assessments found that such heteronormative violent norms also pervade LGBT+ intimate sexual partnerships. Reports from activists highlighted intimate partner violence as being common in the LGBT+ community, with one Nepali activist stressing:

> *"There is a misconception among LGBT+ that being violated by a male partner makes them feel their partner is treating them as female. They feel happy and okay with violence from their partner as they perceive themselves as female."*[75]

SGMs in Nepal and Myanmar experience multiple manifestations of violence from intimate partners, family, society, security forces, and civil servants.

Furthermore, violence against SGMs plays out across virtual spaces, particularly social media. On the one hand, platforms provide space for connection across the LGBT+ community and for raising awareness around LGBT+ issues; however, the attendant backlash is highly visible in the form of abuse, bullying and prejudice emanating from real and fake social media accounts. In Nepal, words such as *chakka*, *namard* and *napungsak*[76] are reported as being commonly used online against LGBT+ people. There is an absence of appropriate legal provisions to address cyberbullying and online abuse in general, but this has a disproportionate effect on LGBT+ people in Nepal and Myanmar.

> *"If we want to know the situation about abuse and violence in LGBTIQ, just visit the social media pages like Facebook and TikTok of an LGBTIQ person for some time. We can get enough evidence of a range of violence against the LGBTIQ population."* – Nepali LGBTIQ activist

Continuum of violence and increased LGBT+ vulnerability in conflict and armed violence

Conflict and displacement acutely exaggerate vulnerability risks for the LGBT+ community. Atrocities occurred in Nepal when the security forces were provided with unchecked power to fight the Maoist insurgency, particularly the declaration of a state of emergency in 2001–2002, and are currently widely reported in Myanmar where junta forces are operating with similar impunity. Studies showed that with the increased mobilisation of military and security forces during the Nepal armed conflict, levels of violence escalated against the already threatened LGBT+ community. Among LGBT+, transgender people faced regular attacks, unlawful and arbitrary arrest, torture, and different forms of physical and sexual violence because of their gender expression. Between 2003 and 2006, approximately 100 LGBT+ people were severely beaten, attacked and tortured by the security forces in what was termed 'sexual cleansing'.[77] In 2004, 39 LGBT+ people associated with the Blue Diamond Society were imprisoned without charge for 13 days.[78] The 2007 case of a young Sunsari girl's family using violence against her and her partner and their demanding Maoist action against them clearly illustrates the intersection between domestic and political violence. The couple were arrested and interrogated by Maoists and later abducted and held in a Maoist camp in Morang District until they could escape.[79] LGBT+ detainments and attacks in conflict situations reveal the distinct vulnerability faced by SGMs.

In the contemporary Burmese context, all respondents indicated that LGBT+ citizens do not feel safe or secure. LGBT+ describe their acute fear of violence and of junta soldiers and police deliberately targeting them. The vulnerability data recorded threats of and actual forms of violence ranging from beating, hair pulling, slapping, forced nudity with intent of sexual humiliation, sexual assault, insertion of foreign bodies into sexual organs and rape. The assessment also saw LGBT+ people reporting increased levels of violence because of COVID-19 restrictions under the coup regime.

3.3. Political participation: key issues faced by LGBT+ people in both countries

Political participation for LGBT+ people – and others – sees their meaningful political engagement through their freedom to express opinions and preferences and acting to influence political outcomes, including shaping peace. In the conflict-affected societies of Nepal and Myanmar, the WPS agenda is a key tool for increasing participation of traditionally marginalised groups in mechanisms for preventing, managing, and resolving conflict and guaranteeing diverse voices in peace negotiations. Nepali and Burmese citizen engagement – from the formal to the informal – looks very different at distinct points in the conflict cycle. Nevertheless, there are

commonalities across both contexts for LGBT+ people and their (in)ability to shape political processes that are held in place by deep-rooted patriarchal structures.

Conservative patriarchal norms and violence control broad political participation

In both Myanmar and Nepal, patriarchal masculinities are central to controlling the political space and political participation. Additionally, to varying degrees as in most societies, Burmese and Nepali men and boys are raised into domineering behaviours. In both contexts, key institutions, particularly militaries and armed groups, as well as political parties, community elders and media, construct and reproduce a heterosexual warrior-like masculinity, or what has been termed 'militarised masculinities'.[80] In post-conflict situations like Nepal and those in active conflict like post-coup Myanmar, societal institutions expect men and boys to perform certain types of aggressive domineering behaviours, which are rewarded with access to power and control of resources. Critically, this form of idealised masculinity helps justify heterosexual male dominance over both Nepali and Burmese societies and underpins control and discrimination over women, LGBT+ and other SGMs.

For people from SGMs that present as feminine or do not present as normatively masculine or exhibit violent or authoritarian behaviours, societal acceptance is diminished as is their participation in political processes. In both Nepal and Myanmar, for LGBT+ persons the space for active political participation is small and remains largely informal on the periphery; this is especially the case in Myanmar. In both contexts, political space is controlled by direct and indirect violence. In the collapsed democratic spaces of the 10-year armed violence in Nepal and the current coup regime of Myanmar, militarised masculinities have been mobilised to legitimise violent actions against LGBT+ citizens and political activists and to shut them out. These forms of violence range from direct torture, sexual and gender-based violence and killing seen during political protests in Myanmar, to indirect structural violence such as legal discrimination and political exclusion that still operates in Nepal, despite significant advances in SGM policies.

In the case of Myanmar, the space for all private citizens to engage in Burmese political dialogue and shape Burmese society has collapsed since February 2021. The most visible form of informal political participation has been the pro-democracy protest movement following the coup, in which an unprecedented number of LGBT+ people participated. LGBT+ people marched under the rainbow flags alongside other pro-democracy groups to denounce the overthrow of the democratic election, reject military dictatorship and to call on immediate restauration of the civilian government. Some LGBT+ people also joined the People's Defence Forces (PDF), contributing more directly to the armed struggle against the military government. Less visible, but reported by the Burmese community themselves, many LGBT+ people played political support roles by providing logistical support and monetary contributions to the protest movement.

SGM visibility in conflict contexts increases vulnerability of politically active LGBT+ people

Personal safety is a key blocker for LGBT+ people's participation in formal and informal politics in conflict contexts. With the visible participation of LGBT+ groups in protests in post-coup Myanmar, their risk of persecution has increased. Burmese SGM respondents reported living in fear of targeted profiling, illegal arrests and torture. During the active protests, LGBT+ people suffered direct violence and fatalities from the security response. Between February and June 2021, at least 12 LGBT+ people from Myitkyina, Myingyan, Monywa, Mawlamyine, Yangon, Kyaukpadaung, and Mandalay were shot dead by junta forces and 100 more were detained, arrested and severely tortured based on their SOGI.[81] Both the National Unity Government of Myanmar and its Ministry of Women, Youth and Children Affairs highlighted their participation and intensified persecution of LGBT+ people in situation reports released after the military coup.[82]

Beyond the violence experienced at the hand of the armed groups and junta forces, LGBT+ people reported suffering sexual assault and aggressive reproachment from fellow protestors and the media. Activists were accused of lacking political conviction and of participating in protests only to "draw attention to themselves or for fun". Trans women were particularly vulnerable to intimidation and harassment. One interviewee noted that trans women's female appearance and male voices when speaking and shouting protest slogans made them targets for ridicule and harassment. Interviewees explained their feeling subjected to this level of abuse, not because of their political commitment, but because of their SOGIE, which discourages their engagement in political activism and participation. Shame, ridicule, and violence are leveraged as a principal mechanism for political exclusion and work to undermine LGBT+ people's engagement in public life.

"…harassment and embarrassment from others … did not stop my participation [in protests] because I fight for justice … and I must neglect all the criticisms as LGBTQ. But some of my friends are not strong enough so they dare not participate as before." – Burmese trans woman

LGBT+ engagement in political violence mediated by traditional gender norms

The vulnerability assessment revealed how rigid gender stereotyping and discrimination shape how people engage in the militarised spaces of the Myanmar resistance movement. Respondents shared testimony of experiences of LGBT+ people who opted to join the armed struggle. They highlighted that military and arms training was not available to trans women or lesbians, assigning them to logistics work, healthcare and domestic duties. Those that opted to join the armed struggle were reported to reject the allocation to gender-specific roles, asserting LGBT+ people's commitment to the armed struggle. They fought against the narrow gender stereotyping to prove themselves in non-gender stereotyped roles with leaders and trainers accepting them to take up arms. On the other hand, some LGBT+ respondents regarded joining the People's Defence Forces as taking part in the peace process, yet assumed gendered expectations stopped some trans women from joining in spite of their seeing the armed struggle as valid. One respondent explained that their decision not to join was not due to non-violent political principles; rather it was due to their reluctance to abandon their family care duties and social obligations derived from their assumed gender roles within their households.

Conservative cultural and political gender norms limit and oppose the possibility of LGBT+ inclusion in peace processes

In the political space where peace is negotiated and peace processes developed, LGBT+ persons remain excluded and issues have not been addressed across both contexts. Burmese civil society was structurally excluded from the country's peace process. The prevailing view was that the peace process was complex and delicate and only elite (largely male) groups should participate.[83] The Union Peace Dialogue Joint Committee, the highest negotiating body of the peace process, comprised only representatives from the government, ethnic armed organisations and political parties with incumbent elected parliamentarians. LGBT+ people's participation in the process was channelled through the civil society organisations' Peace Forum, which had observer status within the broader peace architecture. As one activist noted: "I would like to question those who discriminate against LGBT+ and criticise LGBT+ participation in politics and peace. We are human. Why do you discriminate against us and humiliate us? Peace cannot be called peace if the process is discriminatory."[84]

Despite this political marginalisation from the formal peace process, LGBT+ activists built on their prior lobbying and advocacy efforts to shape LGBT+ sensitive legal reforms and campaign for non-discrimination and joined the protests to call for democratic restoration.

Post-conflict windows offer significant opportunities for progress around LGBT+ politics

Deeply entrenched stigmatisation and ongoing mistreatment of LGBT+ communities by the state and security forces have existed in Myanmar for generations.[85] In the decade prior to the coup, however, there was political space for networks and advocates to build public campaigns to end discrimination and promote tolerance. Activists reported being able to conduct advocacy meetings with members of parliament to raise LGBT+ issues and lobby for law reform. Respondents contrasted the current reversal of progress with the morale-boosting appointment of a well-known LGBT+'s rights advocate in a NUG ministerial position: "I am glad that one of our idol LGBT leaders become Human Rights Minister at NUG. It shows that the NUG accepted LGBT but SAC [State Administration Council] does not accept us and as they abuse LGBT in the interrogation centres."

Following the end of the civil war, Nepal became an example for LGBT+ rights progress in Asia and globally.[86] Significant progress was made owing to dedicated political activism and the lobbying of LGBT+ organisations such as the Blue Diamond Society. Following the end of the armed violence, as the pioneering activist and first openly gay member of Nepali parliament, Sunil Babu Pant put it: "Nepal is going through tremendous transformation – politically, socially, economically, legally – so a lot of communities who had no space or voice before have emerged."

SGM issues were included in political party manifestos and in the constitution, as well as in secondary and third-level education curricula. Sensitisation of the first Constituent Assembly members on SGM issues resulted in a government budget provision for an SGM community centre.[87] SGM civil society organisations were also pushed to address the overlooked dimension of SGMs in the peacebuilding spectrum, to help ensure a comprehensive approach to gender in Nepali peacebuilding.[88] Finally, following their broad exclusion from the development of the 2011-2016 NAP on UNSCR 1325, LGBT+ groups have been brought into policy consultations for the second NAP.

3.4. Access to livelihood and economic opportunities for LGBT+ people

Research suggests that SGMs face distinct barriers in accessing basic services and employment opportunities in many developing countries.[89] These barriers are even higher in contexts where weak service provision is coupled with discriminatory legal frameworks, violence and stresses associated with vulnerability. In Nepal and Myanmar, no such data is available on access to resources and property for SGMs, although research has been undertaken into resource distribution, which demonstrates the dominance of heteronormative men in this domain.[90] Social structures, practices, policy frameworks and gender norms that benefit certain gender identities serve to obstruct equality of opportunity, access to education and work, and how people can harness their ability.

A strong dependency on the informal economy

In both Nepal and Myanmar, the assessments indicate that most LGBT+ people are dependent on the informal economic sector. Within the informal sector, the entertainment business, service industry and the field of personal care are common domains of work for LGBT+ people.[91] Economic opportunities for LGBT+ people in conflict contexts are under-researched, hence there is limited data to show trends or patterns. The participants interviewed for both vulnerability assessments stated, however, that there are a nominal number of LGBT+

people in most traditional work settings such as agriculture, government services, educational institutions, healthcare services and the private sector. In both countries, agriculture is the highest contributor to gross domestic product, but the discriminatory inheritance rights contribute to LGBT+ exclusion from the formal economy. This, coupled with disadvantageous education systems and application of binary gender norms and heteronormative expectations throughout schooling, impacts LGBT+ people's ability to attain excellence in school and higher education settings, further reducing their career opportunities.

> *"…after I opened as LGBTIQ, I had to struggle alone for my survival. I got involved in prostitution as well as worked at various restaurants and bars for income."* – Trans woman from Nepal

In Nepal, civil society organisations reported some involvement in establishing vocational training centres and life skills training programmes for different marginalised groups, but little has been done to seek mainstream employment for LGBT+ persons. This is especially pertinent for transgender people who are more visible and therefore disproportionately vulnerable to exploitation and discrimination. In Myanmar, the 2021 coup further aggravated the existing vulnerability and social status of LGBT+ people,[92] as well as reversing the progress made so far on LGBT+ rights. One year after the coup, Myanmar's failing economic conditions have increased the financial hardship of the majority of the population, including the LGBT+ community who were already economically vulnerable. Given that most LGBT+ people rely on the informal sector for their income, which offers no social protection or security, their recovery and survival are extremely precarious. In the face of increasing financial hardship, LGBT+ people often struggle to meet their daily needs, including obtaining essential medication for HIV and compliance with COVID-19 precautions and safety measures. As employment needs and conditions of LGBT+ people are not well documented, there is little awareness around the daily challenges they face.

> *"Normally we get ART medicine from the hospital for three months. Recently when I went to get medicine, the medical staff said they can give it only for one month and I had to pay for it."* – Trans woman from Myanmar

LGBT+ individuals are confronted by employment challenges both as individuals and as members of a community that is frequently subject to discrimination and abuse. Discrimination in the workplace is common, often occurring during the recruitment and employment phases, and is usually based on prevalent perceptions of the employee's LGBT+ identity and HIV status.[93] Sexual harassment and abuse of LGBT+ employees were widely reported by the assessment participants in both countries, although these instances were rarely documented or reported formally. Victims were reluctant to speak out in public for fear of being stigmatised and denied future employment. Most discrimination results from the personal prejudice of employers rooted in broader societal gender norms, as well as a general lack of awareness around sexual diversity and poor enforcement of anti-discrimination law, in the case of Nepal.

LGBT+ identity, income generation and livelihood opportunities

Participants in Nepal stated that LGBT+ people, especially transgender women, have difficulties finding jobs that meet their expectations and competencies. Conversely, a UNDP report on neighbouring Thailand indicated that if cis gay men and women's sexual orientation cannot be recognised by their outward appearance, they are 'safe' as long as they remain hidden and conform to societal norms.[94] For the LGBT+ community, such employment insecurity causes mental health issues due to the pressure of hiding their identity and sexuality. Although Nepal's constitution guarantees equal rights for all minorities, the challenges still faced by transgender people in acquiring citizenship cards can seriously affect their employment opportunities because most workplaces require these for recruitment. The credibility and credentials of LGBT+ people are often

overlooked in view of their identity and appearance when it comes to employment. The distinct identity and appearance of trans people can stand out, which further limits their ability to obtain employment.

Moreover, transgender women are often assumed to be sex workers because their appearance and behaviour do not comply with prevalent gender norms. These perceptions of trans women as sex workers often push them to opt into the sex trade; however, it is key to note that this choice might not have been taken willingly, but because there is no alternative option. In this case, the public perception and practice of trans women as sex workers mutually reinforce each other in a vicious circle. Transgender individuals are especially subject to exclusion and ostracisation, leaving them with relatively few options to support themselves financially. Various studies from other contexts show that transgender women who do not have access to support systems often face discriminatory hiring practices within the workplace, resorting to sex work as one of the few options available to them. Sex work can be dangerous, however. Due to the illegal status of sex work in Nepal and Myanmar, the LGBT+ community can be particularly vulnerable to police violence, extortion and torture in both countries, although violence from security forces extends beyond policing the sex trade and pervades other aspects of daily living for LGBT+ persons.

In each context, it has been observed that the lack of employment opportunities for people of SGMs can result in destitution, forcing them to engage in sex work, drug abuse and other illegal activities. No effort has been made by either government to provide specific employment opportunities for the LGBT+ community. Nor have any private or public companies encouraged or prioritised the LGBT+ community to apply for job vacancies in their announcements. Consequently, it is extremely difficult for the majority of the LGBT+ population to enter full and safe employment. Even if a job were to be found, they would often have to face various forms of stigma and discrimination within the workplace. Bullying by co-workers and seniors, comments regarding behaviour, verbal abuse, and discrimination were some of the major issues reported by LGBT+ people in the workplace. The majority tend to keep their identity hidden to avoid such issues.

> *"Since we did not have citizenship ID, we were denied COVID-19 relief, and also during the COVID-19 vaccination campaign, many of us could not get the vaccine because of not having a citizenship ID. However, later on, an organization (Maiti Nepal) helped us to get the vaccine."* – LGBT+ activist from Nepal

Participants also referred to LGBT+ people being expelled from their jobs after their sexual and gender identities had been discovered. Due to the lack of alternative employment opportunities, these individuals were then forced to accept any kind of job to survive, often becoming involved in high-risk and illegal work, such as prostitution. This in turn further reinforces the stereotypical image of LGBT+ people as sex workers and puts the whole community at higher risk of mistrust and police brutality. Most LGBT+ people who work in the sex trade have to face violence from clients on a daily basis, as well as from the police and security services. Participants from Myanmar also reported that in the context of the coup and COVID-19, negative coping mechanisms to strengthen livelihoods have increased, such as illegal travel for work (dangerously breaking COVID-19 restrictions in militarised zones), sex work, and forced marriages.

In Nepal, insensitive legal and policy provisions compound further financial insecurity and push LGBT+ people towards unsafe livelihood options. Based on the new constitutional provision of non-discrimination, citizenship is granted based on gender identity. A pre-requisite for changing gender on the citizen identification card is the submission of medical proof of a sex change, requiring trans people to undergo surgery. Sex change surgery costs around NPR20-25 million (US$15-20,000) and requires them to travel abroad. Even after the surgery has been completed, it is not possible to work. Bed rest must be taken for several months in order to fully recover. Hormone therapy is also very expensive and all these costs add up to take a huge toll on the economic security of trans people.

4. Cross-cutting women's and LGBT+ issues and linkages with the WPS agenda

4.1. Women's and LGBT+ issues are interconnected and both groups share similar experiences of discrimination, violence and abuse

LGBT+ and women's activists in both countries acknowledged that they face similar challenges and lived experiences, embedded in conservative and discriminatory patriarchal norms and values, hegemonic and militarised masculinities and unequal gender power relations. Regardless of their sexual orientation and gender identity, norms and expectations that impact other women and men also shape the lives of LGBT+ persons. Lesbians and bisexual women face the same overall structural and cultural constraints and expectations as heterosexual women, although these may be exacerbated for them.

Likewise, gay and bisexual men may benefit from some of the same patriarchal advantages as heterosexual men, but also have the pressure to live up to the same expectations of masculinity.

One of the issues shared most commonly between women and LGBT+ people is sexual and gender-based violence, including structural violence. Other cross-cutting issues between the two groups discussed earlier in the report include discrimination and marginalisation in relation to access to education, healthcare, and sexual and reproductive rights; mental health and bodily integrity; unequal economic opportunities, unequal participation in decision-making and peace and political processes, and unequal access to legal services.

> *"LGBT+ and women both have similar struggles. Both are fighting for their identification, inclusiveness, participation and equality. Stigma and violence are often common for both. Although violence against LGBTIQ gets overshadowed by violence against women, but their intensity is higher than in women."*[95]

4.2. The relevance of integrating LGBT+ issues within the WPS agenda

Women's rights and LGBT+ activists, as well as gender experts who participated in the vulnerability assessments and reflective and cross-learning workshops in both countries, acknowledged the importance and relevance of integrating LGBT+ issues and applying a queer lens to the WPS agenda. They highlighted the link between deep-rooted homophobic and transphobic heteronormative societies, and unequal gender power relations that contribute to the political, legal and socio-economic marginalisation of LGBT+ people. They also stressed that in their respective contexts, sustainable and inclusive peace cannot be built without taking

account of the wide range of diverse and intersectional identities, including SGMs. Furthermore, gender-based quota systems should not be limited to women. They should be inclusive of diverse gender identities and social orientations and accompanied with capacity-building programmes.

In both countries, however, WPS issues are still focused almost entirely on cisgender, heterosexual women and there are no national plans and programmes specifically focused on LGBT+ issues. As already indicated, Myanmar has yet to adopt a distinct WPS national policy. Moreover, as discussed earlier in the report, the country has witnessed a serious erosion of basic democratic rights and liberties since the military coup. The current political and security situation makes it difficult for women's rights and LGBT+ organisations to continue working openly on the protection and promotion of their rights.

In Nepal, the first UNSCR 1325 and 1820 NAP (2011-2016) also ignored SGMs. A second NAP is currently being developed and some initiatives have been implemented by the government to make it more inclusive, instigated by the proactive engagement of LGBT+ organisations. In the first quarter of 2022, the Ministry of Home Affairs in charge of developing Nepal's second NAP invited the Federation of Sexual and Gender Minorities Nepal (FSGMN) to participate in the meetings of the drafting committee and present and discuss their views and concerns. This helped to ensure that the Ministry of Home Affairs included LGBT+ issues in the draft of this second-generation NAP, which will have a significant impact on the LGBT+ community in Nepal. Since the NAP has not yet been approved and endorsed, there are still many areas that can be further reviewed and improved, including:

- a more inclusive definition of the term 'woman' to ensure the inclusion of lesbians and trans women in this category;
- acknowledgement of the fact that many LGBT+ people have been among the main victims of conflict and identify them as such; and
- the promotion of inheritance rights, same-sex marriage, reproductive rights, rights to participate in state mechanisms, and rights to citizenship and education for lesbian and trans women.

The vulnerability assessment in Nepal also identified a wide range of vulnerabilities faced by the LGBT+ community, which are closely related to issues around prevention and protection, promotion, participation, relief and response, and resource management, monitoring and evaluation, which are the five pillars of the UNSCR 1325 and 1820 NAP in Nepal. These vulnerabilities are interlinked and reinforce each other. For example, the lack of legal protection contributes to preventing LGBT+ participation and inclusion in programmes and polices initiated at the national level. Their misrepresentation in national statistics further compromises their access to decision-making, resource allocation from local government, and relief and responses in time of crisis. The lack of technical resources, including trained workforce with a comprehensive knowledge of issues faced by sexual minorities, remains a key challenge.

Some of these LGBT+ issues, which fall under the five pillars of the UNSCR 1325 and 1820 NAP in Nepal are presented in the table below.

Table 1: Intersection between LGBT+ and WPS issues in the Nepal NAP

Protection and prevention	• Lack of proper implementation of constitutional provisions on equal rights and full citizenship • Lack of inclusive policies and programmes relating to marriage, child adoption or birth registration of adopted children • Structural, physical, sexual and psychological violence and abuse; prevention of HIV, STIs and mental health issues
Promotion	• Lack of adequate access to healthcare services • Lack of LGBT+ friendly schools and comprehensive sex education in school curriculum • School drop-out among LGBT+ youth • Negative portrayal in the media
Participation	• Low participation and representation in decision-making within government • Low participation and representation in political parties • Marginalisation/ misrepresentation in national statistics and censuses • Unemployment
Relief and responses	• Deprivation of support and relief provided by government in situations of crisis: e.g. 2015 earthquake or 2020 COVID-19 pandemic • Minimal budgetary allocations for LGBT+ by local governments • Limited skills development, training and scholarship programmes for LGBT+ people • Lack of proper opportunities and platforms for LGBT+ to use their skills
Resource management, monitoring and evaluation	• Inadequate funding and financial support from government and donor agencies • Lack of adequate information, education and communication standards which are gender sensitive and inclusive

As highlighted in the vulnerability assessment, integrating LGBT+ needs and concerns along with women's issues in the Nepal NAP would significantly contribute to addressing the cross-cutting issues experienced by both groups, without any duplication of programmes and resources. From a peace and security point of view, this would be more strategic and efficient than developing and working on separate or parallel agendas.

4.3. Collaboration between women's rights and LGBT+ organisations and networks as a first step

Within the gender, peace and security community, there is a growing recognition that women and LGBT+ movements should unite under the WPS agenda to broaden its understanding and approach to gender and raise awareness about how gender and sexuality are intertwined. It is rightly argued that a broader interpretation of gender builds coalitions across the women's and LGBT+ movements. This, in turn, creates a larger movement committed to ending violence against individuals for defying traditionally ascribed gender roles.[96]

In Myanmar and Nepal, the collaboration between LGBT+ and women's rights organisations remains a challenge and there is limited interaction between the two groups. This lack of collaboration is due to a combination of factors. In Myanmar, the political coup and subsequent rise of the civil disobedience movement had a profound impact on the working environment of civil society organisations. Many civil society leaders,

including those from women's rights and LGBT+ organisations, fled into exile in neighbouring countries. Civil society continues to be under close surveillance by the government and military authorities, making collaboration and coordination between various social movements such as women's and LGBT+ rights extremely difficult.

Nevertheless, 79% of KII LGBT+ respondents from the Myanmar vulnerability assessment revealed that they belonged to LGBT+ groups and networks that coordinated with women's rights organisations, particularly during the strikes. The assessment also found, however, that despite their desire to reach out to women's networks, LGBT+ groups have limited information and knowledge of women's rights and WPS issues, and lack expertise and skills to collaborate strategically with such networks. Furthermore, the limited organising skills and collective capacity of LGBT+ groups hinder their aspiration to build synergy and develop working relations with other social rights movements.

Similarly, some women's rights activists expressed their lack of information about and understanding of LGBT+ issues and struggles and the connections with women's rights issues. Nevertheless, overall, women's groups in Myanmar have been open to LGBT+ issues and have shown willingness to collaborate with LGBT+ activists up to a certain extent. Both sides reiterated the similarities of the challenges they face and agreed that a cross-movement building process must be grounded in the rights, expressed priorities and issues of both women and LGBT+ people. They also stressed the need to create a safe environment in which mutual respect and solidarity can be forged. The following three potential entry points for cross-movement building between LGBT+ and women's rights networks were discussed with the respondents from both sides:

- raising awareness about each other's concerns and lived experiences and creating formal and informal spaces for in-depth exchange and dialogue: this will bring out the collective power of all gender-oppressed groups in Myanmar to collectively design strategies for gender equality;
- building a collective movement for gender justice, to break down the silos; and
- expanding the definition of 'woman' and 'man' to challenge assigned gender roles based on biological sex: an expanded and inclusive definition of 'woman' should include trans women because they face the same type of GBV and discrimination.

In Nepal, there is a higher level of collaboration, understanding and acceptance between the two groups. Many women's organisations recognised the relevance of adopting an intersectional and inclusive approach and integrating SGMs in gender debates. In many instances, LGBT+ and women's rights organisations have forged strategic alliances around policy advocacy work and mobilisation for mass civil protest. They succeeded in putting the language of equality, women's empowerment and sexual minority rights on the government agenda.

Nevertheless, collaboration between the two groups remains challenging. The debate about broadening the definition and understanding of 'woman' to include lesbians, bisexual and trans women is still difficult between the two groups. Although both support each other, many women's rights organisations are still reluctant to include LGBT+ issues in their programmes. The operational challenges in dealing with the patriarchal system and addressing gender norms are areas where both movements could work together. Much more work is needed, however, for the two groups to fully comprehend how they can work together in a complementary way, while still preserving the integrity and legitimacy of their respective agendas.

4.4. Implication for conflict transformation and inclusive peacebuilding

A society cannot be considered peaceful when certain groups within it experience targeted and ongoing forms of violence and discrimination. The growing work on integrating masculinities into peacebuilding brings attention to ways in which SGM groups are also harmed by patriarchal gender norms and constructs and have a role to play in peacebuilding.[97] For the establishment of a positive, inclusive and sustainable peace, LGBT+ issues need to be considered and prioritised in conflict resolution and peacebuilding initiatives along with women's issues. The WPS agenda is a significant and strategic entry point for addressing gender dynamics in conflict; it is, therefore, imperative to ensure that the rights of SGMs are properly integrated in the agenda.

As already stated, conflict and post-conflict periods can give rise to opportunities to press for more progressive legislation and measures that recognise and protect the rights of LGBT+ people. In Nepal, the participation of LGBT+ activists in the post-conflict constitution writing process in 2006 paved the way for the adoption of new legislation for LGBT+. Active political campaigning by LGBT+ networks such as the Blue Diamond Society put the language of equality and SGM rights on the government's agenda.[98] Similarly, in Myanmar, the post-coup period has enabled LGBT+ rights to gain more prominence on the agenda of the NUG than it did with the previous government in power prior to the military coup. In June 2021, the NUG Ministry of Human Rights and Ministry of Women, Youth and Children Affairs produced a joint report on the severe human rights violations of LGBT+ people across the country following the military coup.[99] The Ministry of Human Rights also issued a statement on the International Day against Homophobia, Biphobia and Transphobia recognising the contributions of LGBT+ persons to the pro-democracy movement and their sacrifices, and condemning all forms of violence and discrimination against LGBT+ people.[100]

Including LGBT+ rights in peacebuilding processes and programming is primarily a moral imperative and a matter of fundamental human rights. The marginalisation of SGMs is the result of power dynamics and heteronormative frameworks with built-in gender binary assumptions. Furthermore, inequalities and insecurities that SGMs face are shaped by conflict and post-conflict dynamics; therefore, including LGBT+ experiences into all aspects of peacebuilding processes and programming make them more comprehensive and sustainable.

It is particularly crucial to integrate an intersectional gender approach to conflict analysis, taking into account sexual and gender identities and other factors that determine access to power, authority and resources because this can allow for a deeper understanding of the complexities of violence and peace.[101]

> *"Including the experiences of SGM in conflict analysis, for example, renders visible gendered dynamics of power that are critical to understanding conflict and enhancing the efficacy of conflict transformation. SGM-sensitive analysis broadens the understanding of how more aggressive notions of masculinity are intertwined with violent conflict and violent extremism, for instance. Examining the anxieties around GSM that manifest in various ideologies, can also lend insight into some of the most deep-seated assumptions about gender and sexuality, and open the ways to anti-discrimination laws, more expansive measures to prevent sexual violence and deeper cultural change."*[102]

A number of essential elements of post-conflict reconciliation and reconstruction, such as transitional justice, compensation for past violations, security sector reforms and disarmament, demobilisation and reintegration processes, humanitarian support and relief efforts, can also be made more inclusive by better considering and integrating the needs of LGBT+ communities.[103]

Gender identities and norms are highly sensitive as they lie at the core of who we are as individuals and how societies are structured. Transforming discriminatory gender norms and power dynamics that perpetuate violent conflict is bound to lead to conflict, and potentially violence, with those who have a vested interest in the perpetuation of these norms and dynamics. Therefore, working on SGM issues in conflict and post-conflict settings requires caution and the adoption of a conflict-sensitive and 'do no harm' approach to protect the intended beneficiaries and minimise the risks of backlash.

5. Conclusion

The vulnerability assessments conducted in Nepal and Myanmar confirmed that LGBT+ communities in both countries are facing deep-rooted discrimination, social stigma and rejection from family, communities and the state. The deep-rooted patriarchal gender norms and socio-cultural practices are some of the key driving factors for marginalisation and exclusion in both public and private spheres. The social construction of gender as binary and heteronormative gender expectations shape the gender roles and norms based on religion and cultural practices that nurture rejection.

Women's and LGBT+ issues are interconnected and both groups face similar challenges in terms of violence, abuse and discrimination. As clearly demonstrated in the assessment in Nepal, the promotion and protection of LGBT+ rights as well as the prevention of violence against LGBT+ people fall under the five pillars of the UNSCR 1325 and 1820 NAP.

The integration of LGBT+ issues in the WPS agenda needs to be sensitively contextualised. In Nepal, interventions should focus on supporting coalition building and collaboration between women's rights and LGBT+ organisations to jointly advocate for gender equality into policy agendas such as the development of the second, revised NAP and local political agendas. In Myanmar, where LGBT+ rights and broader human rights are not ensured, and in view of the political sensitivity around LGBT+ issues, a more precautionary approach should be adopted. Interventions should primarily focus on helping civil society actors create safe spaces where discussions about the interface between the LGBT+ and WPS agendas can start taking place.

In both countries, there is a need for in-depth reforms in government policies to bring about socio-cultural transformation to promote acceptance and tolerance of LGBT+ people and contribute to inclusive and sustainable peacebuilding processes.

6. Priorities and recommendations

Based on the findings of the two vulnerability assessments of LGBT+ people and the outcomes of dialogue workshops between LGBT+ and women's rights organisations and networks in both Nepal and Myanmar, this report identifies 10 shared priorities requiring action from the governments of Nepal and Myanmar; from international donors and agencies; and from civil society. Under each priority, further practical recommendations for specific actors are listed.

Table 2: Priorities at a glance

Inclusive services and programmes	1	Support collaboration between the LGBT+ and women's rights movements and their organisations and networks
	2	Invest long term in the local LGBT+ and women's rights organisations ready to transform gender norms
	3	Support and develop programmes around LGBT+ inclusion: **3.1** in families and society **3.2** in schools **3.3** in healthcare **3.4** in governance
	4	Ensure services and programmes adopt an intersectional approach
Researching inclusion	5	Close the data gap
	6	Better understand violence against LGBT+ people
Championing inclusion	7	Make space for advocacy and dialogue
	8	Include LGBT+ rights in the WPS NAP in Nepal
	9	Support efforts to repeal and reform discriminatory laws
	10	Develop LGBT+ media channels

Priority 1: Support collaboration between the LGBT+ and women's rights movements and their organisations and networks

Collaboration between the two movements around shared issues and challenges, such as GBV, discriminatory patriarchal norms or exclusion from decision-making among others, is essential to advance the rights of

women and sexual minorities and can lead to a powerful coalition for gender justice in both countries. As this report highlights, however, both movements would benefit from stronger awareness of the situation faced by the other group. Too often, both movements lack the necessary knowledge, tools and competencies to properly engage with each other and develop joint work.

- **International donors and agencies** and **civil society** should support the organisation of **reflective learning workshops** that bring together the two groups to deepen their knowledge and acquire a common understanding of concepts and issues like gender identities, masculinities, diverse SOGI, gender justice and intersectionality.
- **International donors and agencies** and **civil society** should invest in and provide in-depth **gender training** that brings together the two groups to strengthen their knowledge and understanding of the WPS agenda and framework; build their capacity on how to conduct intersectional and relational conflict-sensitive gender analysis; and develop programmatic and advocacy work, gender indicators and evaluation and monitoring systems that are inclusive of diverse gender identities.
- In **Myanmar**, **international donors and agencies** should provide support for LGBT+ and women's rights organisations to jointly **revive the work of GBV service providers** since many have either gone underground or fled to neighbouring countries. The lack of GBV services affects both women and LGBT+ victims and survivors of violence; international donors and agencies should step into the gap with funding to maintain essential support for GBV services so they can continue to operate remotely with reliable, safe communication channels with victims and survivors. Working through both LGBT+ and women's rights organisations on this shared priority also offers an important opportunity and entry point to encourage movement building between the two groups.
- In **Nepal**, where LGBT+ and women's rights networks are better organised and gender equality policies stronger than in Myanmar, **international donors and agencies** should support the **creation of coalitions** between the two groups at national, regional and local level. This could enable both groups to work together to advocate jointly for greater gender equality within local and national policy agendas (for example, the finalisation and adoption of an inclusive second WPS national action plan).

Priority 2: Invest long term in local LGBT+ and women's rights organisations ready to transform gender norms

To address deeply entrenched discriminatory and exclusionary gender norms, adopting a gender-transformative approach is key. Locally rooted LGBT+ and women's rights organisations in Nepal and Myanmar are best positioned to lead the complex, patient work of transforming gender norms.

- **International donors and agencies** should scale up medium- and long-term funding for locally rooted LGBT+ and women's rights organisations so they can step up programming on discriminatory patriarchal gender norms and values. Keeping funding as loosely 'restricted' as possible will best support this work to achieve impact over the longer term.
- In **Nepal**, **national and local government authorities** should engage, partner and work constructively with locally rooted LGBT+ and women's rights organisations, supporting them in their work to address patriarchal gender norms and gender power dynamics.

Priority 3: Support and develop programmes around LGBT+ inclusion

LGBT+ inclusive approaches to conflict and the WPS agenda will not work if treated in isolation. They must be hardwired into how public services are provided and programmed for across society.

3.1. In families and society

Creating **environments in which LGBT+ people are more likely to be accepted by their families, communities and government** is essential, especially in fragile contexts like Myanmar where vulnerability can be exacerbated by the lack of a social safety net or family support systems. Although much violence remains undocumented and unrecognised, many LGBT+ people who participated in protests and the civil disobedience movement found themselves detained, tortured, raped or denied the right to communicate with their family while in detention.

- **Civil society organisations** should step up counselling, relief, prevention and documentation of the violence being experienced by LGBT+ people. Joint reflective processes that bring LGBT+ organisations and families, communities, schools and local service providers together to agree the challenges and solutions can be particularly effective. Civil society organisations require additional support from **international donors and agencies** and **national and local government authorities** to do this.
- International donors and agencies should share experience and expertise in documenting and providing support to the survivors of sexual and gender-based violence, where they are in a strong position to do so.
- At the upcoming **Preventing Sexual Violence in Conflict Summit** in November 2022, the **UK government** as host could provide a particular spotlight on violence towards LGBT+ people and secure new commitments to take action from governments in attendance.

3.2. In schools

In both countries, **reforming educational curricula and establishing school environments that are LGBT+ friendly** were identified as essential for building inclusive approaches. For example, in **Nepal**, **national and local government authorities** (especially those responsible for education provision) should build on successful recent efforts to include the issues and concerns of LGBT+ people within the education sector and school programmes. They could do this by:

- formulating policies that create LGBT+ friendly schools, including on gender-neutral washrooms, gender-neutral uniforms and making provision for diverse gender identities on examination entrance cards; and
- working with prominent Nepali LGBT+ networks such as FSGMN to raise awareness on LGBT+ issues and build public support for LGBT+ friendly schools.

International donors and agencies should support these efforts to prioritise LGBT+ inclusion in education provision, including through programmes and dialogue with education ministries.

3.3. In healthcare

In both countries, **addressing the challenges preventing LGBT+ people from accessing healthcare services** was identified as critical. In Myanmar, for example, health facilities and free medication for HIV and other diseases are more accessible for LGBT+ people living in Yangon, compared with rural areas, while the triple

crises of COVID-19, the coup, and conflict have further exacerbated inequalities in healthcare access. **National and local government authorities** (especially those responsible for healthcare provision) should:

- sensitise health workers at all levels to the importance of treating LGBT+ people with dignity, respecting their privacy and patient confidentiality;
- expand universal health coverage and close inequality gaps, guaranteeing access to health services for all citizens, regardless of gender identity, ethnicity, sexual identity or geographical location; and
- ensure that resources and support are available specifically to address mental health issues, HIV, sexually transmitted infections and reproductive health, which were cited as health issues particularly affecting LGBT+ people.

International donors and agencies should support these efforts to prioritise LGBT+ inclusion in healthcare provision, including through programmes and dialogue with health ministries.

3.4. In governance

LGBT+ people must participate actively in governance. Especially in conflict-affected and restrictive contexts, it is important to keep open a space for LGBT+ activists to be involved in conversations about the country's future. In **Myanmar**, **international donors and agencies** and **civil society** should support the LGBT+ movement to continue participating in the pro-democracy movement. They can do this by:

- helping LGBT+ organisations and networks to strengthen their organisational capacities and resources;
- building their capacity to monitor, document and share information on violence and other forms of discrimination perpetrated against their community;
- creating safe spaces for them to interact with wider civil society in Myanmar; and
- supporting them to learn from and develop stronger working relationships with LGBT+ networks in neighbouring countries in the region such as Nepal and Thailand.

Priority 4: Ensure services and programmes adopt an intersectional approach

In both countries, **national and local government authorities** should step up efforts to ensure services are proactively designed and delivered around the intersectional barriers faced by LGBT+ people.

International donors and agencies should ensure programmes are underpinned by an intersectional approach at every stage of the project cycle. Where agencies are already doing this systematically, they should increase efforts to target particular intersectional barriers identified by LGBT+ people. For example, during this research, participants in both Nepal and Myanmar identified different levels of vulnerability between LGBT+ people living in rural and urban settings and reported limited understanding of and research into the particular needs and issues faced by LGBT+ persons with disabilities. Agencies should ensure that their conflict analysis integrates an intersectional gender analysis to take account of the full diversity and various layers of gender identities.

Priority 5: Close the data gap

In **Nepal**, LGBT+ people and communities are not well represented in national statistics. Better data representation of LGBT+ people and communities would not only improve inclusion, but also boost confidence and agency of LGBT+ people, improve evidence for better, more targeted service provision, and ensure LGBT+ people's priorities were integrated into local development planning.

National and local government authorities should increase efforts to collect and share better data about LGBT+ people, including:

- improving the inclusivity of the national census;
- undertaking an additional complementary survey to identify gaps; and
- collaborating closely with LGBT+ networks and involving them in developing inclusive frameworks and tools and as enumerators in data collection.

International donors and agencies should support the Government of Nepal and offices of national statistics to improve the representation of LGBT+ people and close the data gap.

Priority 6: Better understand LGBT+ violence

Violence within the LGBT+ community itself, particularly intimate partner violence, is rarely well understood and should be researched further to design effective programmes and services. Although participants in the reflective and cross-learning workshops were reluctant to discuss the issue of violence within the LGBT+ community, some suggested that the level of intimate partner violence was quite high, as was the occurrence of unequal power dynamics within the community.

Civil society and **international donors and agencies** should support LGBT+ organisations to have open and frank discussions about these difficult issues and how to address them.

International donors and agencies could also commission and support further field research using innovative techniques to gather strong, reliable evidence around violence within the LGBT+ communities in both countries to better inform programmes and services.

Priority 7: Make space for advocacy and dialogue

LGBT+ and women's rights organisations can be the most effective advocates and champions for inclusion in conflict-affected settings, but too rarely have access to the safe spaces and platforms required for successful, long-term advocacy and dialogue.

To address this, wider **civil society** networks and **international donors and agencies** should increase support by:

- creating safe spaces and facilitating 'horizontal' dialogue among LGBT+ networks, organisations and their allies; and

- creating 'vertical' opportunities to connect local voices, ideas and learning with provincial, national, regional and global policy-makers to influence policy and legislative change.

Priority 8: Include LGBT+ rights in WPS national action plans

In **Nepal**, **international donors and agencies** should encourage and support the initiatives taken by the Government of Nepal to include LGBT+ issues in the second UNSCR 1325 and 1820 NAP. The inclusion of provisions for LGBT+ rights in Activity 1.2 of the revised plan will have a significant positive impact for LGBT+ people, and **international donors and agencies** and **civil society** can now build on this momentum by working with the government to include LGBT+ rights in all parts of the NAP.

International donors and agencies and **civil society** should work to broaden the definition of 'woman' in **Nepal**'s UNSCR 1325 and 1820 NAP and in policies for the advancement of women in **Myanmar**, to move beyond the traditional heteronormative binary definition and embrace an inclusive diversity of women's gender identities.

Priority 9: Support efforts to repeal and reform discriminatory laws

In **Myanmar**, civil society is working to reform laws and policies such as section 377 of the Penal Code (1861) and section 30(d) of the Rangoon Police Act (1899) to ensure legal gender recognition for LGBT+ people. In **Nepal**, meanwhile, civil society is working to review and reform discriminatory laws on citizenship and the right to marriage and rape laws that fail to recognise male rape. **International donors and agencies** should support civil society in these efforts and use their own influence to consistently stand up for LGBT+ rights.

Priority 10: Develop LGBT+ media channels

Championing LGBT+ inclusive approaches to conflict and WPS will only be possible long term through building public support and raising awareness about the lived experience of LGBT+ people and their achievements and successes.

In **Myanmar**, where traditional media channels are state-controlled, social media is particularly effective in raising awareness; however, LGBT+ organisations often lack sufficient resources and skills to produce effective social media messaging.

International donors and agencies should work to strengthen LGBT+ organisations' capacity to mobilise media, as well as strengthening or establishing wider LGBT+ media awareness-raising.

International donor spotlight: the UK government

The UK government provides a powerful example of how an international donor could promote LGBT+ inclusive approaches to conflict and WPS.

The UK has a strong stated commitment to promote LGBT+ rights globally, as well as a permanent seat on the UN Security Council. A 2021 Integrated Review committed to bringing defence, diplomacy and development to bear on the UK's foreign policy priorities. Despite recent cuts to its aid budget, the UK also committed significant Official Development Assistance (ODA), according to latest figures for 2020, in both Myanmar (GBP103 million) and Nepal (GBP84 million). As an international donor, the UK is well positioned to act as a global champion on LGBT+ rights in conflict settings and wields considerable influence.

To strengthen its efforts, the UK government could now:

- ensure, in line with priority 3 (above), that in priority conflict-affected countries such as Myanmar and Nepal its ODA spending across health, education, governance and other thematic portfolios embeds and mainstreams LGBT+ inclusion – including, for example, in the UK's GBP97 million Myanmar UK Health Partnership Programme;
- use existing funding mechanisms within its conflict and gender work such as the Conflict, Stability and Security Fund (CSSF) to develop new programmes that target LGBT+ inclusion and gather evidence around what investments work best to achieve outsized impacts at the nexus of conflict, LGBT+ inclusion and WPS;
- significantly increase and scale up support and resourcing for locally rooted LGBT+ and women's rights organisations in conflict-affected countries;
- undertake joint internal learning, planning and implementation across different teams working on LGBT+ rights, on the WPS agenda, and on conflict (such as the CSSF or Office for Conflict, Stabilisation and Mediation). Collaboration around this agenda could develop not only within the UK's Foreign Commonwealth and Development Office, but also across other government departments;
- use its local diplomatic presence, including through embassies and high commissions, to speak up for LGBT+ rights and inclusion and to protect and promote civil society spaces;
- use its convening power to share learning, best practice and experiences with other international donors and agencies – for example, by hosting informal learning sessions or 'blueprint' groups, or, where there is shared appetite, through more active coordination and alignment with likeminded donor governments; and
- place the priorities and perspectives of LGBT+ people at the heart of the international summit that the UK is set to host in November 2022 on preventing sexual violence in conflict; use the summit to secure commitments from other governments; and ensure its own domestic policies are aligned and consistent with its international priorities.

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