**The impact of COVID-19 on the human rights of LGBT persons, communities and/or populations**

1. **How did the State evaluate the situation of LGBT person’s vis-à-vis the pandemic and potential specific vulnerabilities?**

After the pandemic started taking its place in the country, Nepal Government imposed nationwide lockdown on March 24th, 2020 as a measure to control the spreading of the corona virus. Prime Minister KP Oli addressed the nation for the first time since the start of the pandemic and announced a list of preventative measures. All international flights would be stopped from 22 March to 31 March and vehicular movement on long routes would be closed from 23 March. All government services and private offices except those providing essential services would be closed until 3 April. A notice from Nepal Tourism Board announced the suspension of issuance of trekking permits. The out flux of people from the Kathmandu Valley intensified; almost 300,000 people had left in the preceding three days. The Health Ministry decided to halt non-urgent health check-ups and surgeries until 12 April in hospitals in the Kathmandu Valley with 50 or more beds. A full-bench meeting of the Supreme Court presided over by the Chief Justice decided to halt all non-urgent proceedings in courts across the country until 4 April. Nepal government pledged Rs 100 Million to the [SAARC COVID-19 Emergency Fund](https://en.wikipedia.org/wiki/SAARC_COVID-19_Emergency_Fund). Kathmandu city launched a central help desk and a toll-free 24-hour hotline on 21st of Marchand [Nepal Police](https://en.wikipedia.org/wiki/Nepal_Police) established corona virus response units in all its stations at the same date. However, the government hasn’t made any decisions and announcements regarding the situation of LGBT community during this period of global health crisis. It is true that LGBT community is more likely to suffer during difficult situations as present time because of multiple varying factors. LGBT, as a minority and vulnerable group, require special efforts, aid and support but the Nepal government has not specified anything for the LGBT community, nor has it for any other minorities in the country. The individuals who belong to the LGBT community are suffering in a greater sense as they have mostly been disowned by their families and have no safe haven. They are fully unemployed because of the lockdown and they cannot seek help from families as they aren’t accepted for their identity and orientation. They are, at most cases, disowned by their families and ostracized and looked down by the society too. It is a known fact that LGBT community has difficulties getting jobs because of stigma and biasness that surrounds the community but at present, even the mediocre source of income that they relied on has slipped away from them. The community members have been going through financial scarcities which have led them to be unable to afford food, rent and other essentials but despite the challenges they have been facing, the government hasn’t taken any actions to address the LGBT community. The state hasn’t exerted any effort to learn about the situation of the LGBT or other underprivileged groups which had led their condition to worsen because of the lack of support. There haven’t been any studies and reports made in order to dissect the current situation, the overall impact COVID-19 pandemic has had on LGBT community and other susceptible and minority groups etc. Although the general precautionary measures have been taken and the government systems have been learning and sharing about the corona virus situations, individual inquiries about the LGBT community and their status at present have not been stressed. MN has collaborated with different stakeholders, government bodies, CSOs and WCSOs in order to share about the condition of LGBT community and help them with issues and setbacks they’ve been facing. MN also approached and contacted the joint secretary of Ministry of Women, Children and Welfare regarding the compulsion of showing citizenship for the access of relief kit. Different groups, organizations and so on, have went on to approach the government bodies because of different concerns but the government hasn’t voluntarily inspected and made efforts to analyze the situation.

1. **What measures were adopted by the State to ensure that LGBT persons would not be subjected to discrimination in the implementation of COVID-19 related interventions?**

The government hasn’t taken any specific actions aimed towards the LGBT community in order to make sure the community does not face any discrimination given present context. As a marginalized and underprivileged community, LGBT have been experiencing extreme hardships at this difficult phase of a global pandemic. They are now deprived more than they were before because of the outbreak but the state has shown no concern to these issues of the gender and sexual minority community. It is a known fact that LBT community has difficulties getting jobs because of stigma and biasness that surrounds the community but at present, even the mediocre source of income that they relied on has slipped away from them. The community members have been going through financial scarcities which have led them to be unable to afford food, rent and other essentials. Nepal Police announced soon after lockdown had been imposed that arrests would not be made for trivial issues and crimes given the circumstances in order to ensure health and safety of the citizens. LGBT have been preyed on by bigots and regressive people of the society and have been dehumanized frequently since forever ago and the decision publicly announced by the police force only adds up to the existing impunity of the country. The possibilities lie that during this difficult time when LGBT are vulnerable in every way – financially, socially etc, they can be even more at risk of discrimination and violence. Despite these fear, the state has made no progress in terms of ensuring non hateful, anti-discrimination environment for LGBT. As LGBT individuals are often mistreated by health care providers, they are often not comfortable to go to hospitals. This tendency arise a fear that LGBT individuals that might have shown symptoms of the infection may hesitate to go to hospitals to get a test done due to the fear that they will be mistreated. There is another underlying fear that the LGBT people may be mistreated by the health care providers as they have usually been victim of discrimination, harassment, unnecessary interrogation and mockery. The government has distributed general relief packages to the general public who have been severely affected during the crisis which LGBT were able to get access to but other than that no specific kits and/or support of any kind have been provided to LGBT. The government hasn’t targeted any plans, aids or concerns particularly to LGBT or any other minority group. It is likely that members of the LGBT community face prejudice from government committees and councils in the process of trying to get access of relief packages as well but no measures have been taken to defy that possibility. LGBT people are also likely to face humiliation and/or aversive behavior from companions if they happen to be quarantining with other people. As LGBT people have always been mistreated and been subject to humiliation, denigration and violence because of their sexual orientation and/or gender or both, individuals belonging to LGBT community are more prone to be victimized during this period but the state has made no effort whatsoever.

1. **Did LGBT civil society participate in the design of measures taken to respond to the pandemic? If no, why not?**

The people belonging to the gender and sexual minority groups most of who have been disowned by families, are unemployed, going through financial crisis, those unable to receive relief distributed by the government have suffered severely during the lockdown as they have lost any sources of income. Mitini Nepal distributed relief to the affected people of the community in order to help them overcome this tragic time. The distribution starting from 8am was ended at 1pm and the areas covered were Shangrila, Chabahil, Boudhha, Jadibuti, Thankot, Banasthali, Swayambhu and Gangabu. The relief was distributed to 36 people individually and the relief materials each comprised of 25 KGs of rice, 1 KG salt, 1 KG lentil and 1l cooking oil. MN has also provided relief amount to LBT community in different provinces of the country through banking system. All the relief has been sent from Mitini’s emergency fund. MN has been regualrly communicating with the LBT community in order to stay updated about the situation in varying place and to provide help and consult accordingly. The first phase of relief kit distribution has been successfully completed and second phase is currently being planned out. MN has demanded for proper monitoring and tracking of the relief packages sent out by the government in order to make sure the affected people actually benefit from them. MN also organized a virtual discussion with different local stakeholders, representatives from Ministry of Women, the LBT community and media persons highlighting the situation of LBT women during the crisis and the measures government can take to elevate those conditions. Awareness regarding the contemporary problems of LBT women is being raised and their issues have been put forth. In order to claim relief packages distributed by the Nepal government, it was mandatory to show citizenships which brought to lack of access as many LGBT do not have their legal documents with them as they had fled home and transgender individuals mostly have citizenships that announces the gender assigned at birth. This also made it difficult for single women and others to claim the relief kits. MN, along with other CSOs, approached and contacted the related authorities such as Ministry of Women, Children and Welfare regarding the compulsion of showing citizenship for the access of relief kit. It was brought to light to the concerned authorities and it was later announced that the Supreme Court of Nepal had made a decision that citizenship or any legal documents would not be required to get relief packages from the government. This was the joint effort from MN, single women groups and many other groups that had been unable to get access to the government distributed relief packages.

1. **What is the information available to the State as to the impact of the COVID-19 pandemic on the general situation of LGBT persons and their access to education, housing, health and employment and on their living conditions?**

There are huge data gaps in present. The government has neither kept nor disclosed any information regarding the status of people during the pandemic. The only numbers government is familiar to is the number of COVID-19 tests done so far and being done currently, the total number of infected individuals, recovered patients and death toll. The Ministry of Health and Population has released the daily statistics of infected, recovered and deceased individual everyday and has continued doing so as the numbers have only been rising. State doesn’t have data regarding how much relief packages have been distributed and to whom. There has been no tracking about the receivers of the packages and fund and although the need of precise and accurate tracking has been given voice to by many groups etc, it has been overlooked. The government has no information about the situation of LGBT persons and their needs and conditions. As mentioned earlier, state has made no efforts at all to look into the present condition and demands of the LGBT. The gender and sexual minorities have not been addressed in any way as neither have any other minority and underprivileged groups. The state has shown no accountability regarding the data keeping and analysis of situation for minorities. Many LGBT individuals have gone to foreign countries for employment fleeing home and if the government decides to return these migrant workers to the country, the LGBT people will most likely face harsher problems as they will not have shelter and support. COVID-19 has had unpropitious impact on LBT community as they already lack support, empathy and acceptance from their families as well as the society.

1. **Can you identify good practices in the State interventions in relation to COVID-19 and LGBT persons? Can you identify good practices stemming from civil society actions? Have lessons be learned from the pandemic on how not to leave LGBT persons behind in emergency situations?**

State hasn’t implemented any decisions specifically for LGBT even in such dire situation. The civil society organizations, on the contrary, have been making efforts to elevate the situation as much as they can. Many civil society organizations have been providing relief funds and aid in order to support minorities and target groups. Similarly, organizations working for LGBTQ community have been supporting the gender and sexual minorities groups through different efforts. LGBT people are as much humans as anyone else and they should not be excluded from any significant situations and opportunities. The same thing applies to the pandemic situation. The LGBT community as already underprivileged community should be prioritized and their conditions should be well studied, analyzed and emphasized to provide proper forms of support. Although LGBT are a minority group, it does not take away the fact that they suffer more than ordinary people do during catastrophic situations. It is vital to put focus on the state of LGBT in order to understand their demands and address them effectively so that they are not left troubled and in times of emergency.