**Submission to the report on the right to adequate housing and climate change**

*of*

**the UN Special Rapporteur on the right to adequate housing**

*to*

 **the 52nd session of the Human Rights Council**

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**Report submitted by:**

International Lesbian, Gay, Bisexual, Trans, and Intersex Association of Asia (ILGA Asia)

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# Introduction

ILGA Asia welcomes the opportunity to make a submission to the **UN Special Rapporteur on the right to adequate housing.** We are committed to supporting efforts to ensure full compliance with states’ obligations to respect, protect and fulfill the human rights of all LGBTIQ+ persons in the context of climate change and adequate housing.

Around the world, LGBTIQ+ persons are denied the fundamental right to adequate housing owing to the discrimination against them that can result in inadequate living conditions and increased homelessness. Without the right to adequate and safe housing, LGBTIQ+ persons are further marginalized and face socio-economic exclusion, including from their own families, often forcing them to leave home, leaving them vulnerable to more violence, discrimination and exclusion from fundamental human rights. Furthermore, the structural discrimination and vulnerabilities that LGBTIQ+ persons face are intensified by their situation as migrants, asylum seekers, refugees, or internally displaced persons.[[1]](#footnote-0)

Since the Taliban took over in Afghanistan, ILGA Asia has been in direct contact with LGBTIQ+ Afghans living in fear and life-threatening situations to assist them in accessing emergency evacuation. ILGA Asia has been working with international partners to coordinate possible evacuation and exit routes for Afghan women and LGBTIQ+ activists in ensuring a safe passage out of Afghanistan and neighboring countries. However, many LGBTIQ+ people remain in the country, waiting for opportunities to find safety before they are hunted down and killed.

The lived realities of many of the LGBTIQ+ individuals in Afghanistan ILGA Asia supports indicate that realizing the right to adequate housing in increasingly unstable environments susceptible to climate crises is further hindered and compounded by prevailing conflicts, violent military rule, and political instability.

# Impact of climate change on the rights of LGBTIQ+ persons to adequate housing

1. *Are there groups distinctly affected in the enjoyment of their right to adequate housing as a result of the climate crisis? Please describe in what way.*

The data on the impact of climate change on the right of LGBTIQ+ persons to adequate housing in Afghanistan is significantly limited. However, data collected by ILGA Asia shows that LGBTIQ+ persons in Afghanistan are more vulnerable to the effects of climate change. As a country compounded by conflict and various climate crises, including famine, flooding, drought, and harsh weather, the data collected indicates that LGBTIQ+ persons who were forced to flee from their city of residence due to threats and acts of violence based on their actual or perceived sexual orientation, gender identity, or expression (SOGIE), were inordinately exposed to harsh winter conditions due to lack of shelter and adequate housing.[[2]](#footnote-1)

Without sufficient financial resources, LGBTIQ+ persons are not able to purchase appropriate clothing in winter. This challenge is further exacerbated by limited access to housing (including temporary safe shelters) for LGBTIQ+ persons. Lesbian women and transgender persons, in particular, have reported experiencing more barriers to adequate shelter/housing and access to the labour market. This is mostly caused by current regime-sanctioned systematic gender-based discriminatory laws across the country. Unemployment and lack of adequate housing has exposed these individuals to other forms of gender-based violence such as sexual harrassment and sexual assault. Some who have been exposed to these forms of violence report having taken shelter in precarious public spaces such as parks. Some who found shelter in co-living situations with male flatmates have reported of sexual exploitation by their flatmates.

Moreover, famine, drought, and chronic poverty resulting from the various climate crises and harsh weather conditions have forced some families to coerce their LGBTIQ+ children or relatives to marry. Families have been reported to utilize the dowry received for marriages as the main source of income.

1. *How is the right to adequate housing ensured for persons that have been internally or internationally displaced by the climate crisis? How and under what conditions is their right to voluntarily return ensured?*

Based on the data collected by ILGA Asia, the right to adequate housing for LGBTIQ+ internally displaced persons (IDPs) is exacerbated by the climate crisis in Afghanistan. The right to return for the LGBTIQ+ IDPs who leave their city of residence—due to armed conflict, lack of job opportunities, climate crises (i.e. drought, flooding), being “outed” or having their SOGIE revealed against their will, as well as other SOGIE-based violence and discrimination—is compounded by the fear of potential violence upon return. This includes acts or threats of violence by family members, and community members such as neighbors as well as arbitrary arrest, detention, sexual assault, and torture by state actors.

1. *What are the main barriers to addressing and mitigating the adverse impacts of climate change on the realization of the right to adequate housing?*

There is a notable lack of interest and support by governments, donors and philanthropic organizations, and the international community broadly on identifying, understanding, and addressing the specific issues and intersections of housing rights violations and climate crises experienced by LGBTIQ+ persons in societies plagued by conflict and regime change.

Due to this lack of support, there are incredible gaps in research on the impacts of climate change and crises and the right of LGBTIQ+ persons to adequate housing. This presents one major barrier to addressing and mitigating the adverse impacts of climate change on the realization of the right to adequate housing.

It is generally understood that LGBTIQ+ persons, particularly those in conflict settings and those more vulnerable to discrimination and violence, will experience higher rates of unemployment and exclusion from formal and informal labor markets. In this vein, the barriers LGBTIQ+ persons experience in exercising their right to adequate housing are compounded by poverty, conflict, and violence and discrimination on the basis of their actual or perceived SOGIE.

# Recommendations

1. Address and mitigate the impact of climate change on LGBTIQ communities, especially those facing homelessness, forced displacement and other compounding challenges experienced during war and conflict.
2. Include LGBTIQ communities within the ambit of the mandate of the UN Special Rapporteur on the right to adequate housing in order to collect accurate data and draft adequate response to the challenges faced by LGBTIQ individuals in relation to climate change and housing.
1. <https://www.ohchr.org/en/statements/2022/05/forcibly-displaced-lgbt-persons-face-major-challenges-search-safe-haven> [↑](#footnote-ref-0)
2. https://www.rescue.org/article/how-climate-change-compounding-conflict-afghanistan [↑](#footnote-ref-1)