

## 2SLGBTIQ+ Human Rights

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**Summary:** Two-spirit, lesbian, gay, bisexual, transgender, intersex, queer, and other sexual and gender minority (2SLGBTIQ+) people experience discrimination and violence by State and non-State actors based on their actual or perceived sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). This discrimination and violence is especially acute for racialized 2SLGBTIQ+ people, non-citizen 2SLGBTIQ+ people, and 2SLGBTIQ+ people with disabilities. There has been a notable rollback in previously won protections since January 2025.

## Federal and state-level policies fail to protect the human rights of 2SLGBTIQ+ people.

- Since January 2025, the current administration has issued at least seven executive orders that directly 2SLGBTIQ+ people, in particular the rights of transgender, intersex, and gender-diverse people. Intersex individuals are erased under these orders and transgender people will only be recognized, at the federal level, as their sex assigned at birth.
- Transgender people who have had to renew their passports have been issued passports that reflect their sex assigned at birth, not their gender identity. This produces conflicting forms of identification that may reflect sex and gender identity.
- Executive orders and rule-making limit or remove gender-affirming care for transgender and gender-diverse people, especially transgender and gender-diverse youth, despite medical evidence that supports providing gender-affirming care.
- Executive orders also have been used to cut federal funding to programs that serve 2SLGBTIQ+ people under the guise of ending diversity, equity, and inclusion programs.
- 2SLGBTIQ+ people are at risk of serious violence by State and non-State actors, and Black transgender women are at a disproportionate risk of violence. Black transgender women account for nearly 79% of all instances of fatal violence against transgender women.
- Immigrants, refugees, and asylum seekers face widespread and arbitrary enforcement actions, and 2SLGBTIQ+ individuals in detention may face solitary confinement and routinely report a lack of necessary access to appropriate legal, medical, and advocacy services.

**2SLGBTIQ+ people face significant barriers within the healthcare system.**

- The current administration has seriously undermined the U.S. President's Emergency Plan for AIDS Relief (PEPFAR), including proposed funding cuts and limitations on what services will be funded under PEPFAR. These disruptions directly affect HIV/AIDS service providers, including those who work with 2SLGBTIQ+ populations.
- Marginalized 2SLGBTIQ+ people, including racialized 2SLGBTIQ+ people, 2SLGBTIQ+ people with disabilities, 2SLGBTIQ+ youth, low-income 2SLGBTIQ+ people, and rural 2SLGBTIQ+ people often do not have sufficient access to healthcare, including gender-affirming care. Many healthcare providers do not have training on SOGIESC topics.
- The current administration ended specialized support for 2SLGBTIQ+ youth as part of the national suicide prevention hotline.

**Recommendations**

- Immediately repeal all executive orders that delegitimize and target 2SLGBTIQ+ people.
- Issue a statement affirmatively recognizing gender and sex diversity, intersex people, and the validity of transgender and gender-diverse people's gender identities.
- Ensure that transgender and gender-diverse individuals who have obtained legal gender recognition are able to change all gender markers on their identity documents so as to avoid discrepancies between identity documents.
- Remove all legal and policy barriers that prevent 2SLGBTIQ+ people from fully exercising their human rights.
- Codify in law protected classes for sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). Pass comprehensive anti-discrimination legislation that specifically names these protected classes and provides protection against and opportunities for reparations for discrimination by State and non-State actors.
- Immediately restore federal funds that have been blocked on the basis of ideological objections to work, support, and research around 2SLGBTIQ+ communities and concerns.
- On an annual basis, publish data on the number of 2SLGBTIQ+ people who have experienced discrimination and/or violence by State and non-State actors, disaggregated by the gender, race, and sexual orientation of the victim; relationship between victim and perpetrator(s), if any; whether the victim had a disability; location of the human rights violation; and actions taken by police and the criminal justice system following the violation.
- In collaboration with organizations serving racialized transgender people, establish and fund programs that target the epidemic of violence against Black transgender women.
- In collaboration with healthcare organizations providing services to 2SLGBTIQ+ people, establish and fund a program that directs funds to healthcare organizations to increase the amount of mental health services available to 2SLGBTIQ+ patients.
- Mandate that healthcare education provide training on HIV/AIDS awareness and testing, SOGIESC topics, racial bias, culturally sensitive approaches to healthcare, and racial and disability disparities in healthcare.
- Re-establish and fund suicide prevention services for 2SLGBTIQ+ people, including 2SLGBTIQ+ youth.