

The LGBTQI Refugee Community



Nobody should have to flee their home because of their sexual orientation or gender identity.

In some countries, many Lesbian, Gay, Bisexual, Transgender, Queer or Intersex (LGBTQI) people face discrimination, persecution and violence, and often have no choice but to seek asylum elsewhere. Others are paralysed by fear and suffer in silence, further compounding their vulnerability.

LGBTQI refugees face unique challenges when they flee persecution in their home countries and come to Canada to seek protection. Many countries in the world continue to criminalize and prosecute members of the LGBTQI community. Canada has been a leader in recognizing LGBTQI refugee claims and in resettling refugees fleeing persecution based on their sexual orientation and gender-based identity.

Canada's Reception of LGBTQI Refugees

The UN Convention Relating to the Status of Refugees is the basis for refugee law in Canada. LGBTQI refugees claiming protection in Canada must show that they have a well-founded fear of persecution because of their gender identity or sexual orientation, and they must also show that their state is unable or unwilling to protect them. The Supreme Court of Canada has ruled that sexual orientation should be seen as a "social group" within the context of determining convention refugee status. That ruling opened up the way for LGBTQI refugees to seek protection in Canada.

Same-sex relationships and fluid gender identities continue to be criminalized and stigmatized in many parts of the world. Changing societal mores led

Canada to become a leading country in the advancement and protection of LGBTQI rights. Canada also became one of the first Western nations to grant refugee status on the basis of sexual orientation.

Challenges faced by LGBTQI Refugees while in Canada

LGBTQI refugees face unique challenges when preparing their refugee cases. Among these challenges, there can be difficulty in gathering sensitive evidence about very personal behaviors, and refugees often face assumptions about their credibility, based on outdated attitudes about human sexuality and gender identity. Many people are not able to be open about their sexual orientation or gender identity in their home countries and thus cannot provide evidentiary records of their relationships. Outing someone can have grave consequences, as same-sex relations are criminalized in 77 countries in the world, with 7 countries punishing it with the death penalty.

Promising Directions for LGBTQI Refugees

Along with the Immigration and Refugee Board of Canada revised guidelines on sexual orientation and gender-based claims for refugee protection, there have also been opportunities for Canada to pursue advocacy and diplomacy to support and protect LGBTQI refugees.

Canada’s complex resettlement system includes categories of urgent risk, in which cases can be processed very quickly. For example, as a result of the UNHCR naming single men identifying as gay, bisexual, or transgender as among those who are most vulnerable in Syria, Canada resettled a number of gay Syrian men due to their high degree of risk.



May 17, 2019

**International Day Against Homophobia,
Transphobia and Biphobia**

Please look forward to receiving more information, education and advocacy about refugees in our series of six Lenten notices.

Thank you for considering supporting the work of our ministry through your Lenten giving’s.



St. Andrew’s-Wesley Refugee Ministry