

# BEING QUEER & REFUGEE

A brochure for queer refugee women and their supporters.



## About this Resource

We acknowledge that this brochure has been produced on the land that always was and always be an Aboriginal land.

We acknowledge those people who did not make it to safety, who are stuck in refugee camps, in third countries with no prospects of moving on, and queer women who are forcibly married off. We note that with this brochure we do not intend to speak on behalf of all queer refugees. We are sharing experiences that we hope some people will relate to.

'Being Queer & Refugee' has been developed by the Queer Sisterhood Project in collaboration with queer refugee women. 'Being Queer & Refugee' follows a journey of 11 queer refugee women, and is divided into sections about the life prior to Australia, experiences of seeking asylum as a queer woman and the role that the refugee-led support plays in settling in. Text has been co-written with all women who are part of the Queer Sisterhood Project.

This brochure has two main aims. Firstly, it aims to reach out to other queer women who are currently seeking asylum or have sought asylum in Australia. We want to say to those women, that you are not alone. We are here to support you. Secondly, it aims to expand an understanding of support services on the specific needs that queer refugee women may have. We would love you to use our tips in ensuring that your service provision is inclusive.

In this brochure, we use a term 'woman' to include all people who self-identify as women. We use a term 'queer' as an umbrella term to describe diverse sexual orientation and challenge normativity. We use a term 'refugee' to describe an experience of forced displacement that goes beyond visa categories.



Queer Sisterhood Project is a refugee-led and peer-run support and advocacy group aimed to provide a space of community and belonging to queer refugee women in Australia.

Electronic copy of this brochure is available at: <http://bit.ly/queer-sisterhood> alongside with a cartoon produced on the basis of this publication.

Follow us on Facebook and Instagram: @queersisterhood



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## State of LGBTIQ Rights Around the World

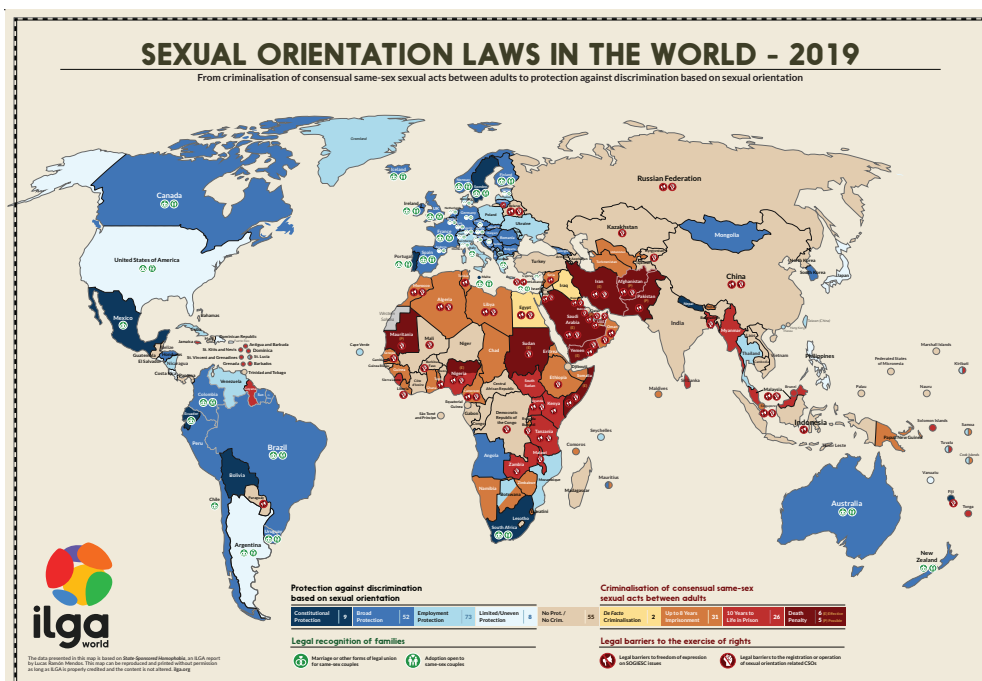
As of March 2019, there are 70 UN Member States that criminalise consensual same-sex sexual acts:

- 68 of them have laws that explicitly criminalise consensual same-sex sexual acts and
- 2 more criminalise such acts de facto.

Of the 70 UN States, 26 specifically criminalise only such acts between men. The rest of the 44 criminalising UN States criminalise consensual same-sex sexual acts among all genders.

6 UN Member States impose the death penalty on consensual same-sex sexual acts: Iran, Saudi Arabia, Yemen, Nigeria, Sudan, and Somalia. In addition, the death penalty is a possible punishment in five UN Member States: Mauritania, United Arab Emirates, Qatar, Pakistan and Afghanistan.

31 UN Member States impose up to eight years' imprisonment while the remaining 26 Member States impose even harsher penalties: between 10 and life imprisonment.<sup>1</sup>

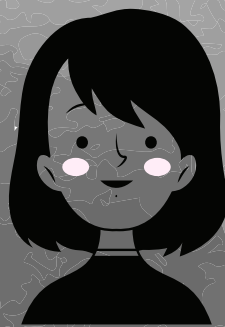
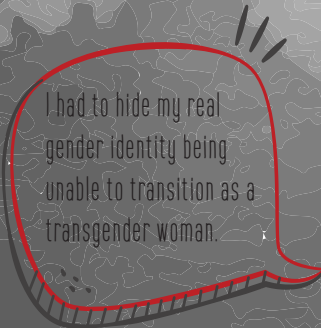
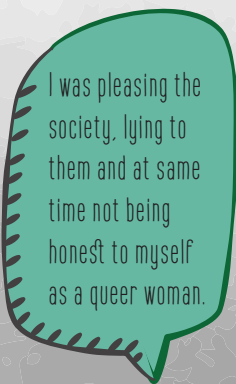
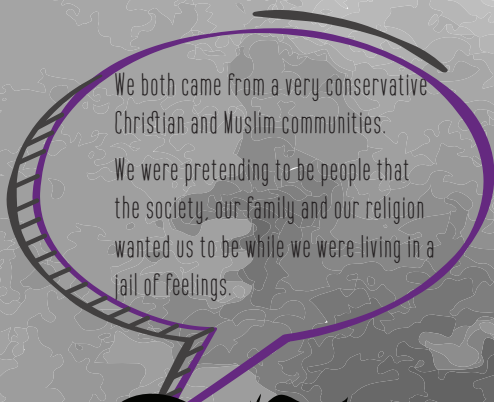
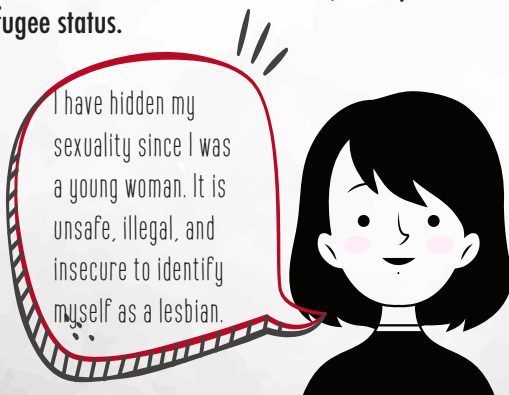


Article 1A(2) of the 1951 Convention relating to the Status of Refugees (1951 Convention) and/or its 1967 Protocol recognises the right of people fleeing persecution for reasons of their sexual orientation and/or gender identity to apply for protection. 1951 Convention considers the term “persecution” to include serious human rights violations, or the cumulative effect of lesser forms of violence and harm.

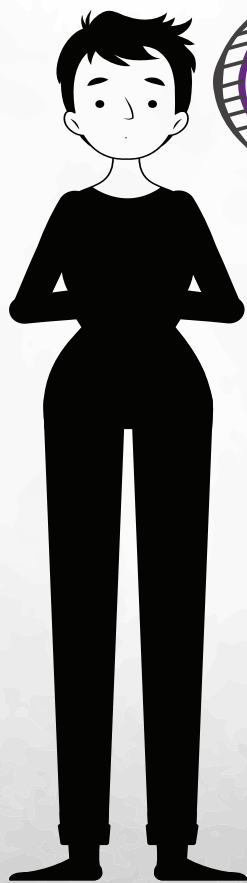


Queer persons in forced displacement experience compounding protection challenges and distinct vulnerabilities. The intersection of their sex, age, sexual orientation, gender identity, nationality, ethnicity, race, religion, social or economic status, disability and/or HIV status may contribute to further violence and discrimination, on top of their refugee status.

Queer women find themselves in a particularly precarious situation being subjected to cultural shame and stigma, life-threatening discrimination, physical violence, extreme forms sexual and gender-based violence (such as corrective rape, gang rape, forced marriages), sexual exploitation, prejudice from officials, humanitarian staff and/or refugee populations. In addition, often they face rejection from their families and communities for defy patriarchal norms.

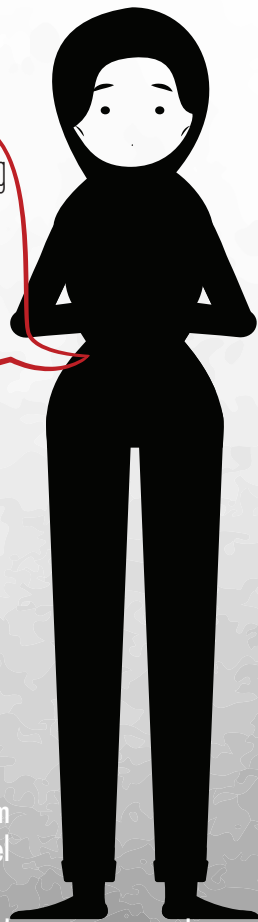






I was always open as a queer woman. For me, radical openness was an act of survival and still is. But in those settings, that had its price.

It was a shock. Everything happened so fast. The life we knew was over.



In many countries, states and families place restrictions on women's freedom of movement, prohibiting them to leave the marital or family home; to travel abroad; and to apply for passports and other permits to travel.<sup>2</sup>

Damaging patriarchal social norms treat girls and women as belonging in home restricting their rights to education and employment. This impedes their financial independent and creates further barriers for women to freely travel.

- In Saudi Arabia, women cannot travel without a male guardian.
- In 2016, 16 countries had laws in place prohibiting married women to leave their house without their husband's permission.
- In 2016, there are 32 countries where women needed their husband's permission to apply for a passport and in 30 countries, women could not choose where to live.<sup>3</sup>

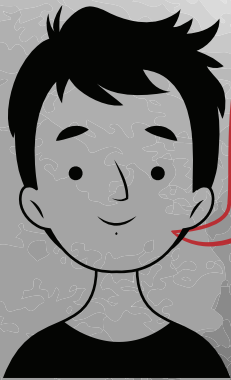
Queer women are subject to more social and legislative control in patriarchal societies. Forced marriage is often used as a coercive tool to 'normalise' their sexuality and avoid familial shame. We do not know how many queer women were married off and never found their way to safety.

## The right to seek asylum

The changes to the Migration Act in 2014 have resulted in differential and unfair treatment of people seeking asylum arriving to Australia with or without a visa. People seeking asylum who arrived in Australia with a valid visa (mostly by plane) when recognised as refugees are granted a permanent protection visa. People seeking asylum who arrived in Australia without a visa (mostly by boats), when recognised as refugees are granted a Temporary Protection Visa (3 years only) or a Safe Haven Enterprise Visa (5 years). People holding either of those temporary protection visas will need to reapply for them again after the visa expiry date.

In doing so, Australia contradicts the 1951 Refugee Convention that allows a possibility to cross borders in search for protection without a visa.

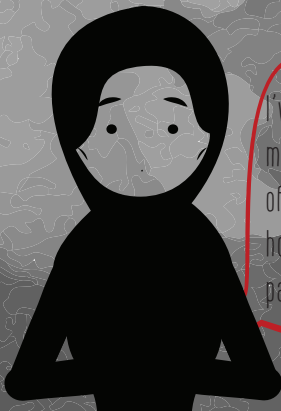
Australia also maintains its harmful policy of offshore processing and mandatory detention. There is no time limit on onshore or offshore detention which places queer asylum-seeking women at further risk of and vulnerability to sexual and gender-based violence and sexual harassment because of their sexual orientation and gender identity. This results in serious impact on their mental health and further traumas.



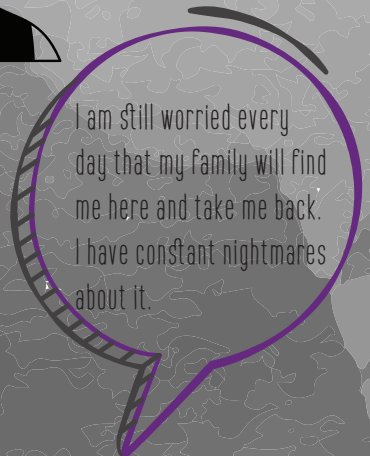
My partner went missing back home. I couldn't help or find her since I have been here and it's not safe for me to return.



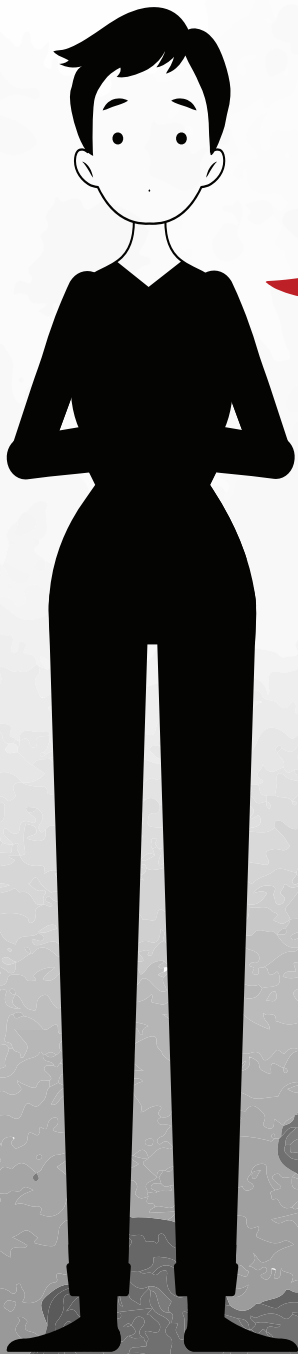
I was put in the detention centre. It was not safe. I was mixed with other people, and didn't know if they are going to treat me the same way like I was treated before because I was queer.



I've isolated myself from my ethnic community. Most of them do not accept homosexuality. I cannot be a part of them and be who I am.



I am still worried every day that my family will find me here and take me back. I have constant nightmares about it.



Some people during these years made comments that 'it must feel so free to be a queer woman in Australia'.

## Experiences in Australia

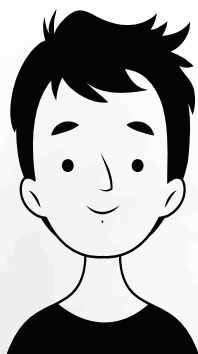
Regardless available legislative protection for LGBTIQ people in Australia discrimination is still prevalent.

- 34 per cents of LGBTIQ people hide their sexual orientation or gender identity (SOGI) when accessing services and 39 per cent hide SOGI at work.<sup>4</sup>
- LGBTIQ young people report experiencing verbal homophobic abuse (61 per cent), physical homophobic abuse (18 per cent) and other types of homophobia (9 per cent), including cyberbullying, social exclusion and humiliation.<sup>5</sup>
- Transgender people experience significantly higher rates of non-physical and physical abuse compared with lesbians and gay men.<sup>6</sup>

LGBTIQ people are also at particular risk of homelessness. Lesbian women and gay men are twice as likely to stay in crisis accommodation or sleep rough, and bisexual people at least 3 times more likely than heterosexual respondents.<sup>7</sup> Queer asylum-seeking and refugee women are even more at risk of homelessness, as social and public housing in Australia is only available for permanent residents or citizens.

Queer asylum-seeking and refugee women are experiencing compounding marginalisations arising not only from the intersection of their sexual orientation and gender identity, but also age, race, ethnicity, nationality, religion, disability and migration status.

Queer asylum-seeking women are particularly at risk of discrimination due to language barriers, limited knowledge about systems and legislation in Australia as well as precarity of their migration status. Because of the experiences of persecution, they often do not trust authorities and thus not seeking help or remedies from injustices faced in Australia.



I felt that we were pushed to come out all the time. People wanted us to perform our queerness, to be out and proud.

We had to hide our sexuality for our whole life. It's not easy to just come out, to hold my partner's hand in public.



Despite having a protection visa, I do not always feel safe.



I do not tell people that I am a refugee here. It never stops there. They will ask me why and what happened to me. I will have to also tell them I am queer.



At work, one of the Australian worker used to abuse my partner, bully her every time she had her hair cut. He would say: 'why you cut your hair, you look like a boy...'



An organisation that helped me, never asked me about my sexuality. They placed me in a shared house with women thinking that was safe. I had to move out because of constant bullying and abuse. That organisation did nothing to stop it.



For the first three months here we lived in a shared house. One of our neighbours was so angry when he realised that we were a couple. We were really scared to be there and tried to spend all our time somewhere else.

## Access to support

LGBTIQ, refugee-support and settlement services are not sufficiently funded and trained to address intersecting needs of queer asylum seekers and refugees.

Some of refugee and settlement organisation have started to recognise the need to provide specialist, safe and inclusive service for LGBTIQ asylum seekers and refugees, yet such support is contingent on funding. Often available support groups are run in secrecy and outside working hours. While for some queer refugee women this discreteness is necessary to ensure their safety, overall such an approach may further contribute to marginalisation, invisibility and erasure of queer refugees.


Fearing homophobia in refugee and settlement services and racism and xenophobia in LGBTIQ services, queer asylum-seeking and refugee women remain invisible, isolated and without any support networks.



For about five years in Australia there were no support for us at all. We were very fortunate to get a really great lawyer through a refugee service. But there were nowhere to go as a queer woman from a refugee background. Services were not ready to deal with the complexity of our stories. It felt just the same as back where we came from.

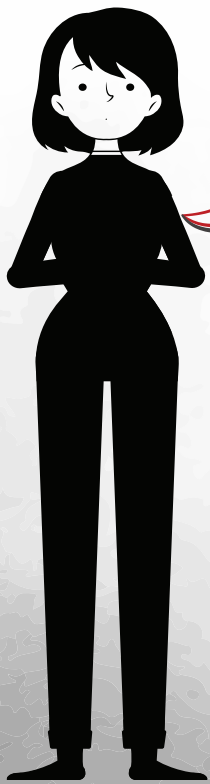


We first came to Australia on a student visa. It meant that we were not eligible for any support at all. We found it very hard to meet other queer people and be a part of a community.



My challenge like for all trans people was my gender identities in the documents. When some see mismatches between me and the gender assigned in my documents, makes really hard times for me. I have given up on something as simple as going to bars where I need to disclose myself. Besides, several requirements around legal gender recognition in Australia make it impossible to change markers in some states without getting invasive surgeries.





Some people who know that I am a refugee feel it is okay to ask me to tell my story.

People crave for it, but we are dying every single time we tell it to strangers who just want to be entertained. We feel like our feelings and our emotions are less valuable for them.

## Ethical engagement with lived experience of queer forced displacement

It is imperative that queer refugees are treated with dignity and respect. Such respect must extend to their stories and experience of forced displacement. Organisations and activists advocating on behalf of queer refugees should not use one's personal story of survival as an entertainment for the audience. The lived experiences of forced displacement is a unique and expert source of knowledge.



Queer refugees and in particular queer refugee women must have an equal place at the decision-making table. They are the best agents to know what changes are necessary for justice and equality. Organisations and activists must engage ethically with queer refugees, centering the lived experience and knowing when to step back.

When people with the lived experience choose to tell their stories, it is important they are free to tell what matters to them. Very often, Western societies impose preferred narratives they want to hear from refugees. This includes wanting to share traumatic details of the past, fitting into a Western definition of sexuality (such as identifying as an LGBTIQ person and not through your cultural terms), describing one's home country as being backwards in comparison to Australia, being grateful and most importantly being an out and proud queer person. Such preferred narratives are highly damaging as they see all refugees being a homogenous group.

Stories of queer forced displacement are similar but never identical. Ethical engagement with the lived experience means respect and belief in every story of forced displacement.

After the marriage equality happened, some services finally started to notice the need. On the one hand, it's great, because at least in the bigger cities, there is some support now. But, on the other hand it makes me so angry. How many people were left on their own for years, with no support, no community, no understanding, but the mainstream only paid attention when media stories come out.



## Queer Sisterhood: refugee-led support

Australia has given us the opportunity to live free and to express and show our reality without any fear. Yet we are still cautious. When we marched in Mardi Gras, we covered our faces by rainbow masks.



We cannot forget our past. We keep hiding our sexual identity from our families. But here, we have support and beautiful life.



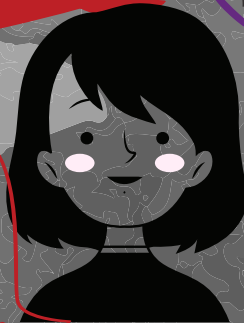
Through other queer people were able to find people like us, with whom we can talk and share our stories and problems.

Being together with other queer women filled that empty space. It made me feel that I have friends and family who really care about me and my life.

I thought to myself if you and others made it, I can make it too.

I know this is not the end for all challenges I will face as a trans person but I will stand strong and try to make a change, for myself and all other trans people.

When I met women in the Queer Sisterhood, it was for the first time in Australia when I was talking to people like me.



For any other queer women who were forced to leave their countries, we want you to know that you are not alone. We want you know that when you are feeling like there is no one out there to understand or support you - we are here, here for you.



Get in touch with us:

website: <http://bit.ly/queer-sisterhood>

Facebook: @queersisterhood

Instagram: @queersisterhood



## Tips for organisations to ethically engage with and support queer refugees



When I walk through the doors, I need to know that I will be supported and respected.

1. Ensure that your organisational policies and working methods are inclusive of people with diverse sexual orientation and gender identity.
2. Ensure that you work through decolonising methods, do not impose Western understanding of sexuality, gender identity and intersex status as well as work to combat racism and xenophobia.
3. Have visible signage in your organisation reinforcing your commitment to justice for queer refugees.
4. Ask and use preferred pronouns. Ask your client how they want you to address them. Respect their identity.
5. Change your data collection practices from binary 'male' and 'female' options to include 'non-binary' and 'other'. Collect data on sexuality (with relevant protections) to understand whether your support meets the needs of your clients.
6. Take a stance on issues that matter to queer refugees.
7. Ensure that all your staff has access to ongoing training and professional development.
8. Ensure that interpreters you may be using are trained to use appropriate and respectful language in relation to sexuality, gender identity and intersex status.
9. Address heteronormativity and cisgenderism in service provision. For example, do not assume that all women are married to men. Understand that some people do not identify within a rigid binary of male and female.
10. Ensure that your organisation is culturally competent.
11. Understand that one size does not fit all. Take a client-centred approach.
12. Take a trauma-informed approach and minimise the need for people to retell their stories.
13. Take a human rights approach. Sexuality and gender identity is not up for a debate.
14. Respect confidentiality and never disclose gender identity and sexuality of your clients to other services without their consent.
15. Your services should not be contingent upon one's telling their story. Let your clients choose from an open list of services which support they want and ready to receive.
16. Provide a service that respects the dignity of queer refugees.
17. If you see gaps in service provision, work to address them.



- 18.** Ensure that your services do not place queer refugees at further risk of violence. For example, when no work is done across the organisation and its clients on human rights and equality of LGBTIQ people, placing a queer refugee woman into a shared housing with other heterosexual women may subject them to homophobia. Understand that queer refugees have a right to live free from violence, thus separate dwellings may be the only option.
- 19.** Work with your broader client base to ensure that respect, dignity and equality is an inherent value for all.
- 20.** Employ queer refugees to run programs for queer refugees.
- 21.** Support independent refugee-led initiatives with your resources such as printing or access to your venue.
- 22.** Build partnerships with other organisations to draw on each other's expertise. For example if you are a refugee support organisation collaborate with an LGBTIQ organisation.
- 23.** Regularly consult with queer refugees and seek their feedback on your support.
- 24.** Understand that a story of queer asylum is knowledge not an entertainment.
- 25.** If you choose to tell stories, they should lead to positive change and make the world a better place.
- 26.** Understand that listening to stories of queer displacement is a gift. Queer refugees trust that you will believe and respect their experiences.
- 27.** Understand the diversity of experiences of queer forced displacement, and that some people need more time to heal before they can engage with you.
- 28.** Recognise that as queer refugees we are more than what happened to us. We are more than our place of birth.
- 29.** Acknowledge your privilege when working with queer refugees, and use it effectively for a positive change.
- 30.** Put the lived experience of queer forced displacement at the front and centre of your work.

#### Endnotes

- 1 International Lesbian, Gay, Bisexual, Trans and Intersex Association: Lucas Ramon Mendos, State-Sponsored Homophobia 2019 (Geneva; ILGA, March 2019)
- 2 <https://www.empowerwomen.org/en/who-we-are/news/2016/2/freedom-of-movement-and-womens-economic-empowerment>
- 3 World bank, Women, business, and the law 2016 : getting to equal.
- 4 Australian Research Centre in Sex, Health and Society, La Trobe University, Private Lives 2: The second national survey of the health and wellbeing of GLBT Australians (2012) pp 45-46.
- 5 Australian Research Centre in Sex, Health and Society, La Trobe University, Writing Themselves in 3: The third national study on the sexual health and wellbeing of same sex attracted and gender questioning young people(2010), p 39.
- 6 Australian Research Centre in Sex, Health and Society, La Trobe University, Private Lives 2: The second national survey of the health and wellbeing of GLBT Australians (2012)
- 7 McNair R., Andrews C., Parkinson S., Dempsey D. (2017) LGBTIQ Homelessness: Risks, Resilience, and Access to Services in Victoria. Final Report. GALFA LGBTIQ Homelessness Research Project <https://www.galfa.org.au/wp-content/uploads/2018/01/LGBTI-Homelessness-project-Final-report-September-2017.pdf>

