



## **LGBTIQ+ Asylum Seekers**

The cruel and inhumane treatment of asylum seekers by the Australian government is well known, but LGBTIQ+ asylum seekers also face specific prejudice and danger.

Homosexuality is illegal in at least 78 countries, but persecution and violence against LGBTIQ+ people occurs in many more. Countless people are forced to leave their homes and seek asylum elsewhere purely on the basis of their sexuality or gender identity, but when they come to Australia, they face prejudice and the very real risk of deportation back to danger.

Due to the ‘fast track’ laws now in place, LGBTIQ+ asylum seekers are now essentially required to ‘come out’ to immigration officials in the first interview. Failing to do so means they will be at risk of protection being refused and deportation. The fast track process is pushing the ‘enhanced screening’ (that has detrimentally affected Sri Lankan asylum seekers) onto all who arrive by boat.

For people who have lived sometimes their whole life in fear of being ‘exposed’ – because to do so could mean persecution, violence and imprisonment – there is a very real fear in coming out, especially to government officials. Yet if they choose to withhold this information until they feel safer in revealing it, under current laws such revelations are considered ‘unmeritorious’ and likely to be dismissed. They’re also subject to decision makers who are very poorly trained in LGBTIQ+ issues, and while judicial review remains, the grounds for reviewing a primary decision are narrowly circumscribed, so refugees who do not come out in their initial interview are unlikely to be offered protection on these grounds.

Even when they do disclose their sexuality or gender identity, LGBTIQ+ people are required to somehow prove they are truly gay or transgender to qualify for asylum. If protection is granted, new laws that grant only temporary protection visas mean that people will have to prove themselves over and over again every few years to retain their refugee status.

The Australian government needs to recognise the unique hardships facing LGBTIQ+ asylum seekers and ensure that their claims for refugee status are processed fairly and that they are granted refugee status in Australia.

It is important that the LGBTIQ+ community takes up this issue. With support we can build pressure to repeal the homophobic legislation and to end offshore processing for good.

**Want to be involved? Refugee Action Collective (Victoria) meets every Monday night, 6:30pm, 540 Elizabeth St, Melbourne (ANMF building)**

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