

Envisioning LGBT Refugee Rights in Canada:
Is Canada a Safe Haven?



Recommendations

1. Resettlement

- Recommendation 3: “The UNHCR should prioritize expedited processing of at-risk LGBT refugees for resettlement in Canada and ensure that this process will not subject them to breach of confidentiality potentially compromising their safety and security.”

1. Resettlement

- Recommendation 4: “Canadian consulate staff working in refugee camps and in Canadian consulates should be trained to recognize persons in need of protection on the basis of their LGBT status and work to ensure their safety in refugee camps.”

2. Claims Process

- Recommendation 6: “The central question for decision-makers should be on proving the threat of persecution on the grounds of SOGI, not on proving identity. Although this principle can encounter practical challenges during implementation, it nevertheless is the right course of action because fairly assessing the SOGI of claimants in a refugee proceeding is often impossible. Not all refugee claimants have access to the kinds of information needed to prove their SOGI due to persecution in their home country, lack of a supportive community and lack of access to resources.”

2. Claims Process

- Recommendation 8: “The report provides several instances whereby Western/Eurocentric cultural norms appear to be the standard used to define SOGI. Such norms are not universal, and refugee claimants originating from non-Western and non-European cultures cannot be expected to know or subscribe to them. The Immigration and Refugee Board (IRB) should recognize such biases and make a conscious effort to avoid them.”

3. Settlement in Canada

Housing

- Recommendation 17: “Hostel and shelter service providers need to be responsive to the unique and specific housing needs of LGBT refugee claimants, especially to ensure the safety and security of Transgender/Transsexual/ Two-spirited people.”

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Housing

- Recommendation 19: “The Province of Ontario needs to ensure that all municipalities make access to affordable housing, including shelter services, a priority for LGBT refugees in particular, given their extensive vulnerabilities.”

3. Settlement in Canada

Employment

- Recommendation 22: “We urge that employers, unions, regulatory bodies and government agencies heed the Ontario Human Rights Commission’s recommendation to consciously and actively work to remove the ‘Canadian experience’ barrier that places refugees at a disadvantage and which the OHRC clearly identifies as a discriminatory practice.”

3. Settlement in Canada

Mental Health

- Recommendation 25: “The federal and provincial governments need to increase resource allocations to counselling and mental health support services that are sensitive to, and aware of, LGBT asylum seeker issues in order to improve access to services pre, during and post the Basis of Claim (BOC) process, given the traumatizing effect this has on the mental health of many LGBT refugee claimants.”

4. Service Providers

- Recommendation 32: “Mainstream settlement and resettlement service organizations for immigrants and refugees need to provide ongoing training for staff, volunteers, interns and members that addresses homo-bi-transphobia using an anti-oppression lens. With training and better funding mainstream services can more readily provide services for LGBT populations.”

4. Service Providers

- Recommendation 34: “Specialized LGBT services for asylum seekers and refugees need to be better funded and resourced to meet the high demand for such services.”

5. Intersections of Oppression

- Recommendation 23: “All levels of government, human rights agencies and employers, unions, regulatory bodies and government agencies need to draw attention to and address racism in the work setting and how this disproportionately affects racialized refugees, including LGBTs, who are further stigmatized.”