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Salzburg Global LGBT Forum Strengthening Communities: LGBT Rights & Social Cohesion

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Fellows of the Salzburg Global LGBT Forum program *Strengthening Communities: LGBT Rights & Social Cohesion*

Extreme forms of exclusion: The case of LGBT refugees

In recent years, the option of seeking asylum to escape LGBT persecution has become a growing phenomenon; but is this really the easy option some people (LGBT and others) claim it to be?

Experts from Uganda, Zimbabwe, the Philippines, and the USA examined the challenges facing potential refugees, the countries that receive them, and those they leave behind on the third day of the Salzburg Global LGBT Forum. What are the asylum options for potential LGBT refugees? What obstacles stand in the way of their departure from their home countries, and what new hurdles do they face when they arrive in another country?

For many international agencies seeking to aid refugees, the ultimate goal is to make countries and communities safe places for LGBT people to *stay*. As one Fellow remarked: “How can we make the situation better? No one wants to leave home. Most of us want to stay. We must make sure that relocation is a last option.”

For those unable to stay, the 1951 UN Convention relating to the Status of Refugee ensures their right to leave their home in search of asylum,

if they have “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.” But proving this can be difficult for members of the LGBT community. As one Fellow remarked, some LGBT people seeking asylum in the West have been asked questions, including which gay bars could they name in their home countries, as proof of their “true” LGBT status. (These questions could be counterproductive for people seeking asylum, as certain responses may be used to prove someone is safe enough already if he or she is able to socialize in gay bars.)

LGBT migration includes more than just those who flee persecution. Many choose to leave their home countries due to poor economic and educational opportunities, often having been cut off by their families.

Following the enactment of the Anti-Homosexuality Act in Uganda, many LGBT people faced homophobic treatment - including violent attacks - and chose to flee to neighboring Kenya, but they faced the same treatment in the refugee camps as they had in Uganda. Seeking to aid the situation,

the UN chose to fast-track applications from those fleeing homophobia and seeking asylum in Western countries, but this decision had unintended consequences. LGBT asylum seekers experienced severe backlash from their non-LGBT peers, causing some LGBT refugees to flee again - this time onto the streets, without any support network. For those leaving Zimbabwe, neighboring South Africa is most promising. However, many avoid the camps in hopes of having greater freedom and work opportunities upon arrival. Still, many refugees experience homophobic treatment.

Unable to acquire refugee status or jobs, unable to return home, and unsafe in the camps, some LGBT people become vulnerable to sex traffickers. Better information for asylum seekers is needed, and international agencies and receiving countries need to be better prepared to offer support, including legal advice, to LGBT refugees. As one Fellow said: “We have to inform [potential asylum seekers] that even if conditions are hard [at home], there are no easy ways out.” Asylum does not guarantee safety or support.

LGBT Human Rights groups, embassies and their new relationships

In 2014, the Salzburg Global LGBT Forum convened in Berlin at the request of the German Federal Foreign Ministry. One year later in Salzburg, Forum members considered this new relationship between LGBT groups and embassies.

On-the-ground activists provide valuable information for embassies representing LGBT-friendly countries. Well-intentioned actions – including fast-tracking asylum applications [see front page] or posing for solidarity photos with local activists – can have negative consequences, such as providing hostile governments opportunities to accuse their LGBT citizens of operating under Western influence. Economic aid sanctions against hostile governments – such as Uganda – or boycotts of international events in hostile host countries – such as the Winter Olympics in Russia – also have the unintended negative consequence of prompting backlash against the very people Western governments or activists seek to protect or support. Better engagement with local activists can not only better inform embassies and international organizations of the LGBT situation in specific countries, but also prevent unintentionally harmful policies.

One of the key recommendations from the Fellows in Berlin was for embassy staff to engage more closely with local activists – and for activists to engage more closely with embassies.

A Fellow experienced in dealing with the US Department of State had valuable advice for Fellows:

1. Call and ask for the “human rights officer” – a name isn’t needed;
2. Collaborate with other LGBT groups – scheduling meetings will be more likely if embassy staff can meet with several local experts at once;
3. Due internal reporting schedules within the State Department, September and October can be the best times to contact embassies’ human rights staff;
4. Don’t expect to have to go to the embassy – US State Department staff are sensitive to security concerns and likely to be willing to meet off-site, if deemed safer.

A full list of all the 2014 recommendations can be found in the Session 545 report



Sudeshan Reddy with a copy of the 2014 Global LGBT report. Find copies outside Parker Hall

Activism brain drain

How do we rescue activists and deal with losing activism?

LGBT activists can often face serious persecution and threats to their own and their families’ security, prompting them to leave their home countries. Other activists face mental health issues and “burnout” due to the stress and constant fear related to their work, prompting them to leave the movement, and sometimes their country entirely.

How does the LGBT community cope with losing this activism, and how do LGBT individuals cope with losing their friends?

As one Fellow said, when we see activists leave countries for security reasons, the activists that remain wonder: “If someone so strong as that has to leave, what am I supposed to do now?” The removal of activists can be demoralizing for those left behind, said another activist: “It is demotivating when some human rights defenders are

taken out and others are forgotten.”

As activists leave the country, how do those left behind continue the work? And how do we ensure that those who have left are able to return?

Technology and training can help build more connected, sustainable movements so that those who remain can continue the work, and those who leave can remain engaged. Building linkages with the broader human rights movement can also strengthen LGBT groups.

But ultimately, as one Fellow remarked, “We must ask also about why we leave. We have to look also at the root of the [problems in the] country.” This may be through changes in the law or sensitization of public institutions like law enforcement.”

Join in online!

If you’re interested in writing either an op-ed piece or a personal reflection blog while you’re here this week, please connect with Salzburg Global Editor, Louise Hallman or email your submission directly to lhallman@salzburgglobal.org.

You can also join in the conversation on Twitter, Facebook, and Instagram with the hashtag #SGSlgbt. You can find all current Fellows on Twitter via the list www.twitter.com/salzburgglobal/lists/SGS-551

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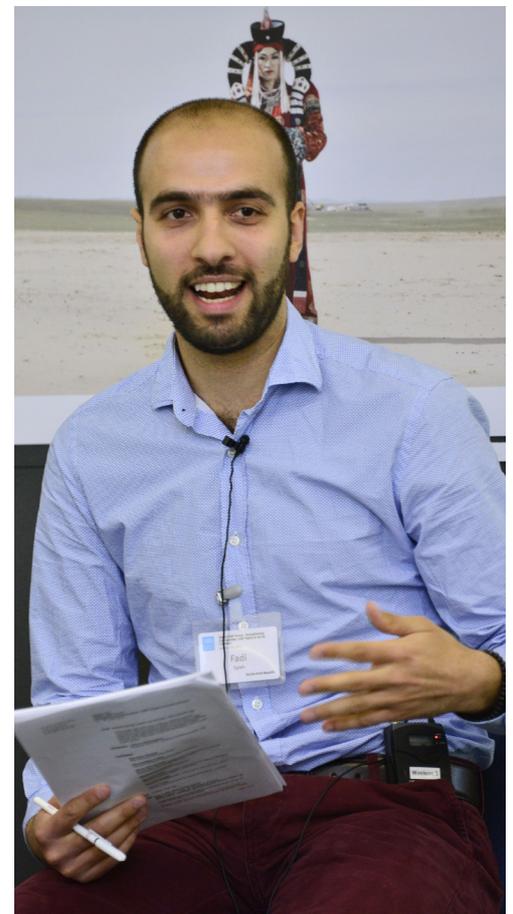
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Hot Topic What is the greatest hurdle facing LGBT refugees?

“I think the biggest hurdle facing the LGBTI refugees is the lack of information so the expectations are high, and that causes them to make many mistakes in the process of moving out and settling in another country. We need to deal with that lack of information for those dealing with outgoing refugees.”

Dennis Wamala, human rights activist and program manager of *Icebreakers Uganda*, a care and support organization for LGBTI people in Uganda

“For LGBTI people in Zimbabwe, the biggest hurdle we have is for people leaving the country. People leave without documentation and when they reach other countries they realise that camps are not what they thought they would be. They have to then live on the streets as undocumented people and continue facing harassment from the police. If you are caught, it’s not you being a refugee, but you are now an illegal person because you have no documentation...”

...The second issue is that we don’t have any documentation once people leave. We don’t know if they are safe or if they met up with other groups to get support. We don’t have any data to find out where they are, what the challenges are, where they need assistance. All that is the information we need and need to give out to people.”

Mary Audry Chad has worked with the gay and lesbian community of Zimbabwe for past 15 years in an organization called GALZ

“In Syria, LGBTI refugees go to Beirut or Turkey, because they don’t need visas to enter and have ease of mobility. But the biggest problem they are having is their inability to have access to the offices of UNHCR or lack of any organizations within Turkey, international or otherwise that directly works with the LGBTI refugees or that have strong emphasis on LGBTI issues and rights. If you look at trans women, it is a very delicate issue for them to go in public or to an institution and apply for asylum.”

Fadi Saleh, lecturer in gender and sexuality studies, University of Beyreuth, Germany

“I think the biggest hurdle can be talking about their sexuality in a way that aligns with requirements and maybe expectations from the

immigration officer that they are talking to. In the Netherlands, we are working on sensitization of immigrant officers improves their attitude and their procedures, but we are definitely not there yet. It can also not be a full solution because in some countries there are no ways to express certain aspects of sexualities and that cannot be solved by training immigration officers. So to explain stories, experiences, and to communicate them in a way that is understood as they are meant to be understood is a challenge.”

Lucas Hendriksen, program officer for LGBT rights at *Hivos*, a Dutch development organization

“When refugees are trying to enter a country to seek asylum, one of the biggest problems they face is that through the asylum process, you have to prove that you personally have well-founded fear of persecution. In their own countries, they had to lie about their identity and had to live in secrecy. But if you have been very secretive about your life, because you know the situation is dangerous, often it becomes hard to prove that you personally have a well-founded fear of persecution.”

Michael Heflin, director of equality for the *Open Society Human Rights Initiative*