

The AMSSA Info Sheet series has been created to inform and support settlement service providers and key stakeholders across British Columbia. The Info Sheets cover a wide range of topics and highlight important facts and trends from across Canada and BC. Our goal is to assist organizations in navigating the rapidly changing landscape of the BC settlement sector.\*

## Settlement Challenges of Lesbian, Gay, Bisexual and Transgender (LGBT) Immigrants and Refugees

In July 2005, Canada became the fourth country in the world to legalize same-sex marriage nationwide. Canada is generally considered to be a “safe” country for sexual minority groups, however the needs of LGBT immigrants and refugees are often overlooked. This issue of Migration Matters reviews the common settlement barriers and services available for these groups.

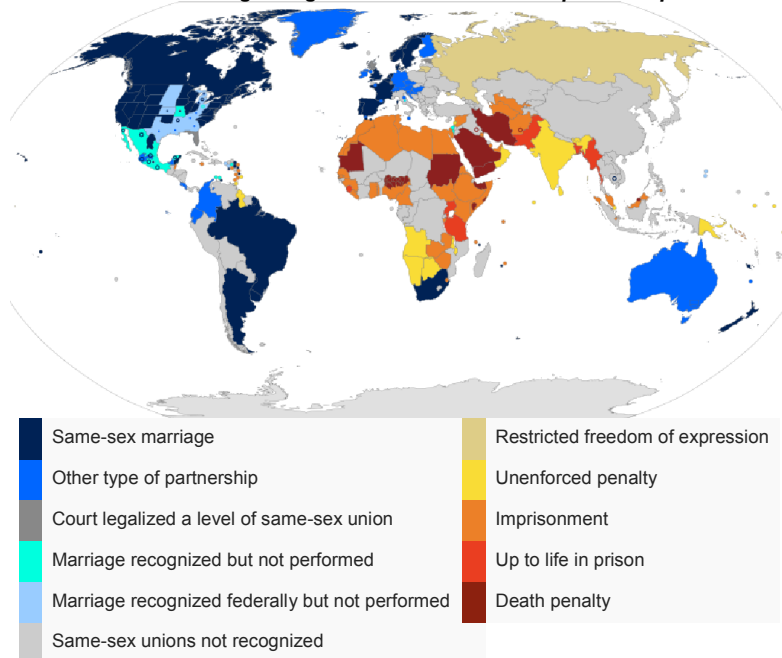
### Canada as a Safe Haven

Repression of sexual minorities is a reality in many parts of the world. As of 2012, “homosexual acts” are criminalized in 78 countries and punishable by death in another seven.<sup>1</sup> In many of these countries, homosexuality is often diagnosed as a mental disease by medical professionals, penalized as a crime by the law, and condemned as a sin by religious institutions.<sup>2</sup>

Canada, relative to other countries, is frequently regarded as a safe haven for sexual minorities worldwide.<sup>3</sup> Citizenship and Immigration Canada (CIC) formally recognizes sexuality-based persecution as well-founded grounds for pursuing refugee status in Canada, and immigration law allows for the sponsorship of same-sex spouses, common law partners and conjugal partners.<sup>4</sup>

Conjugal partnerships are defined as relationships in which the couple is unable to cohabit as a result of exceptional circumstances, such as “persecution” or “penal control”.<sup>5</sup>

### Worldwide laws regarding homosexual relationships and expression<sup>6</sup>



### Terminology & Identity Issues

Once in Canada, LGBT immigrants and refugees often have significant challenges related to social isolation, lack of cultural understanding, and discrimination associated with their sexual orientation.<sup>7</sup>

The terms lesbian, gay, bisexual, transgender (LGBT) are used by many human rights activists worldwide. In addition, the term “sexual minorities” is sometimes used as an umbrella term. These terms are neither all-embracing nor exclusive.<sup>8</sup>

Identity issues can pervade one’s settlement experience. Despite same-sex attraction, individuals may choose not identify as gay or lesbian.<sup>9</sup> “Western” identifiers of sexual orientation (e.g. “gay” or “LGB”) can be seen as words with culturally specific connotations that immigrants and refugees may choose not associate with.<sup>10</sup> Identification with a sexual minority group can, in some cases, “render the settlement process, which is already laden with cultural and practical barriers to integration, even more complex on the basis of added stigma surrounding same-sex sexuality.”<sup>11</sup>

### Settlement Needs

A 2012 study on the experiences of LGB newcomers in British Columbia identified the following settlement challenges:<sup>12</sup>

- Mental health challenges including feelings of social isolation as a result of community/family stigmatization
- Challenges in finding LGB-friendly neighbourhoods/housing (a particular challenge for LGB refugees/claimants who may experience discrimination or otherwise feel unsafe)
- Lack of sexuality-specific resources and information in multiple languages
- Fear of disclosing matters of sexuality to healthcare professionals
- Fear of encountering sexuality-based stigmatization in their search for settlement support

1, 8. Nick Mulé & Erika Gates-Gasse, “Envisioning LGBT Refugee Rights in Canada”, June 2012. Available at: <http://ow.ly/EGSOT>.

2. Nicole LaViolette, “Coming Out to Canada”, p. 989. 2004. Available at: <http://ow.ly/EGTxY>.

3, 5. Ainsley Jenicket, Alan Wong & Edward Ou Jin Lee, “Dangerous Shortcuts”. 2009. Available at: <http://ow.ly/EGU9g>.

4, 9, 10, 11, 12. Brian O’Neill & Hossein Kia, “Settlement Experiences of Lesbian, Gay, and Bisexual newcomers in BC”. 2012. Available at: <http://ow.ly/EGUUp>.

6. Wikipedia, “LGBT rights by country or territory”. 2014. Available at: <http://ow.ly/EGWz0>.

7. Brian O’Neill & Kamala Sproule, “Enhancing Social Inclusion: Settlement Services in Relation to LGB Newcomers”. 2011.

### Barriers to Accessing Settlement Services

A number of studies have shown that when LGBT immigrants and refugees approach settlement services, they often encounter barriers not only associated with cultural differences, but also with heterosexism.<sup>13</sup>

Out of fear of discrimination, some sexual minorities do not approach settlement services, or conceal their sexual orientation if they do.<sup>14</sup> Clients who are referred from mainstream organizations often find themselves trying to figure out if the person serving them is “safe”.<sup>15</sup>

Further, clients coming from the same ethnic or cultural community as their interpreter / settlement worker have expressed fear that speaking openly about their sexual orientation will result in it being known in their local / ethnic community.<sup>16</sup> The need for confidentiality cannot be understated.

### Improving Settlement Service Access

One practical step suggested in research is the exchange of skills training between settlement providers and LGBT mainstream organizations. Such collaboration could enable LGBT organizations to offer education on issues affecting sexual minorities, while settlement organizations could share their expertise related to their work with immigrants and refugees.<sup>17</sup>

... in all immigrant settlement agencies, there should be regular presentations and regular workshops to have all workers involved and discover, because for many it is a discovery of what homosexuality is.”<sup>18</sup>

Second, for cultural and practical reasons, settlement information and orientations rarely cover the topic of sexuality. However, by requiring clients to ask for such information, particularly for same-sex related resources and referrals, they may be forced into revealing information about their sexual orientation. A proposed solution to this issue is the universalization of sexuality-related information; including this information for *all* new clients would reduce this access barrier.<sup>19</sup>

“At that time, they [settlement workers] were specifically not focusing on sexual orientation, so I wasn’t feeling comfortable because I wasn’t sure; well, my biggest fear was – if I speak up – having to wonder if there would be a rejection. That’s why I kind of pulled back from revealing my sexuality.”<sup>20</sup>

### History of Same-Sex Sponsorship Law

From 1952 to 1977, “homosexuals” were listed in the categories of person to be excluded from Canada. Following legislative reforms in 1977, gay men and lesbians were allowed entry, however only heterosexual Canadians could sponsor their spouses as family class immigrants. Following a period of Canadian Charter challenges from 1991-1994, immigration officers were given the discretion to approve same-sex spousal sponsorships on a case-by-case basis.

In 2002, the *Immigration and Refugee Protection Act* (IRPA) expanded the family class to allow Canadian citizens and permanent residents to sponsor their same-sex spouses, common law partners, and “conjugal partners”.<sup>21</sup>

### Available Settlement Services

A number of programs and organization exist specifically to meet the needs of sexual minority immigrants and refugees in British Columbia. Primarily concentrated in Metro Vancouver, these groups provide social support, information, and referral opportunities through drop in, mentoring and group sessions:

- [Qmunity](http://www.qmunity.ca) www.qmunity.ca
- [Vancouver Coastal Health - PRISM](http://www.vch.ca/prism) www.vch.ca/prism
- [Rainbow Refugee Society](http://www.rainbowrefugee.ca) www.rainbowrefugee.ca
- [MOSAIC](http://www.mosaicbc.com) www.mosaicbc.com

In some LGBT mainstream agencies, an underlying “Western” understanding of what it means to be gay or transgender has, on occasion, led to experiences of racism or exclusion of sexual minority immigrants and refugees.<sup>22</sup>

### Transgender Settlement

The settlement challenges for transgender immigrants and refugees are particularly acute. A lack of safe / affordable housing, in conjunction with complex healthcare needs can intersect to create significant settlement challenges.

Many transgender clients arrive in Canada as refugee claimants, who even in the best of circumstances, often come to Canada with experiences of trauma. Little research has been completed on their specific needs and the best practices for settlement service delivery for transgender clients, however in 2012, Qmunity created a comprehensive list of services available for transgender youth entitled “[Queer and Trans Newcomer Youth Guide to Metro Vancouver](#)”.

13, 17, 18, 19, 20. Brian O’Neill & Hossein Kia, “Settlement Experiences of Lesbian, Gay, and Bisexual newcomers in BC”. Available at: <http://ow.ly/EGUUp>.

14. Brian O’Neill & Kamala Sproule, “Enhancing Social Inclusion: Settlement Services in Relation to LGB Newcomers”. 2011.

15, 22. Nick Mulé & Erika Gates-Gasse, “Envisioning LGBT Refugee Rights in Canada”, June 2012. Available at: <http://ow.ly/EGSOT>.

16, 21. Nicole LaViolette, “Coming Out to Canada”. 2004. Available at: <http://ow.ly/EGTxY>.