



The spectre of colonialism for queer asylum seekers

Calogero Giametta (/blog?author=590b588e6ac08a0c1ab576)

Public and political advocacy for the 'sexual refugee' in western democracies has increased significantly in recent years despite the low numbers of asylum cases made (or granted) on grounds of sexual or gender identity. Here Calogero Giametta explores the liberal, sexually progressive global north against a regressive, homophobic south.



LGBT Support Refugees and Migrants banner on the People's Assembly End Austerity Now demonstration (April 2016) by Denis Fernandes, Rainbow Coalition Against Racism

Over the past decade coverage of LGBT refugees living in the UK and across the European Union has continued to rise. Thanks to new EU legislation, growing mainstream media attention, and the growth of queer asylum support groups across Europe, the existence of some grassroots organisations supporting these asylum claimants since the mid-1990s, public and political familiarity with asylum for gender and sexual minorities is very recent. It was only in 2010 that the UK Supreme Court (https://www.supremecourt.uk/cases/2009_0054_judgment.pdf) addressed for the first time the challenges of sexual orientation as a ground for asylum through the repeal of the discretion requirement. Before then, asylum decision makers could send queer claimants back to their home countries on the basis of their sexuality or gender identity: essentially they were repatriated with the advice to act straight.

This was not the case when I began my research on gender and sexual minorities going through the asylum process in the UK between 2010 and 2013. At that time, very few asylum seekers were aware that applying for asylum on the grounds of gender identity or sexual orientation was possible. In the mid-1990s, public and political familiarity with asylum for gender and sexual minorities is very recent. It was only in 2010 that the UK Supreme Court (https://www.supremecourt.uk/cases/2009_0054_judgment.pdf) addressed for the first time the challenges of sexual orientation as a ground for asylum through the repeal of the discretion requirement. Before then, asylum decision makers could send queer claimants back to their home countries on the basis of their sexuality or gender identity: essentially they were repatriated with the advice to act straight.

And it is even more recently that, within the system of international protection and immigration policies, the LGBT category has been assigned a 'democratic' value. French sociologist Eric Fassin argues that how we in the west deal with sex reveals our ultimate rationality is what Fassin calls sexual democracy. Sexual democracy requires acknowledging, tolerating, and accepting equal rights for gender and sexual minorities. Today these are the indicators of good sexual democratic citizenship. In this context, Europe considerably, and sexuality as a right-claiming object has acquired an unprecedented salience in politics and policy making. Furthermore, Western political leaders and more recently even the World Bank (<http://live.worldbank.org/international-day-again>) have picked up the critique of homophobia in the 'developing' parts of the world. We are now exposed to a multiplication of representations of gender and sexual others' lives and an increased attention to our needs and rights; mainly through the language of human rights.

But for queer refugees, whilst sexual and gender diversity continues to be flaunted as an essential feature of western democratic superiority, the asylum system still fails them on two counts. Firstly, even after the repeal of the discretion principle, queer asylum seekers are often sent back to their countries and 'act straight', but they can still – and they often do – reject someone's asylum application because they do not deem the person to be a 'genuine' queer. Secondly, even when granting asylum, with the accompanying citizenship, queer refugees are often sent back to their countries and 'act straight', but they can still – and they often do – reject someone's asylum application because they do not deem the person to be a 'genuine' queer. Secondly, even when granting asylum, with the accompanying citizenship, queer refugees are often sent back to their countries and 'act straight', but they can still – and they often do – reject someone's asylum application because they do not deem the person to be a 'genuine' queer.

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History should help us complicate the notion of homophobia as generated in culture and as produced only within the boundaries of a 'nation'. It is important to think about the politics of encounter that operates within and beyond national borders, particularly in the context of the Global East and South have provided nuanced accounts of the politics of sexuality in the encounter between colonial rulers and local elites and how homophobia started to become institutionalized at that moment. And today it is important to think about the politics of encounter that operates within and beyond national borders, particularly in the context of the Global East and South have provided nuanced accounts of the politics of sexuality in the encounter between colonial rulers and local elites and how homophobia started to become institutionalized at that moment. And today it is important to think about the politics of encounter that operates within and beyond national borders, particularly in the context of the Global East and South have provided nuanced accounts of the politics of sexuality in the encounter between colonial rulers and local elites and how homophobia started to become institutionalized at that moment.

Refugee History. (/)



Rubi Badano, 2017 (<https://rubibadano.com/>) (<https://rubibadano.com/>)

Cakogero Giametta's book, *The Sexual Politics of Asylum* (<https://www.routledge.com/The-Sexual-Politics-of-Asylum/Giametta/p/book/9781138674677>), is published by Routledge (2017).

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