

**Social Change in a Feminist Perspective: Situating Gender Research in Times of Political Contention
11th European Feminist Research Conference. 15-18 June 2022, University of Milano-Bicocca**

Submission for an oral presentation

Title:

The personal is political: lesbian and bisexual women's asylum in the UK

Abstract:

While there have been improvements in understanding the reasons why women claim asylum and extending protection to them, protection gaps remain. In the UK, one such gap relates to women who have experienced gender-based violence and, in particular, lesbian and bisexual women claiming asylum who have experienced such violence. These women have not benefitted sufficiently from the insights of feminist scholars and activists because their claims tend to be seen largely through the lens of sexual orientation rather than gender. Building on interviews with asylum claimants and stakeholders since 2016, this presentation extends familiar debates about gender-based violence and women's asylum in a new direction, applying them to the experiences of lesbian and bisexual women claiming asylum in the UK. It finds that if a woman's claim is presented as based on sexual orientation, the determination process focuses on the claimant's credibility as lesbian or bisexual. The claim is then often rejected because of minor inconsistencies, while the violence that caused the woman to seek protection is overlooked. The article goes on to consider whether the default use of the particular social group Refugee Convention ground for these claims encourages a silo-based and victim-focused approach by advocates and decision-makers. It considers whether other Convention grounds, in particular, the political opinion ground, offer more opportunities for rights-based protection for all women seeking protection regardless of sexuality.

Keywords:

Asylum, gender-based violence, women, lesbian, bisexual

Name:

Dr Moira Dustin

Affiliation:

Sussex Law School, University of Sussex

Contact information:

m.dustin@sussex.ac.uk / (0)7811683479

Biography:

Moira Dustin is a Lecturer in the Sussex Law School, University of Sussex, where from 2016 to 2020, she was UK lead on 'SOGICA - Sexual Orientation and Gender Identity Claims of Asylum: A European human rights challenge' (ERC). She is module convenor and tutor on 'Gender, sexual identity and age in the refugee context', part of the University of London's MA in Refugee Protection and Forced Migration Studies. She has a doctorate from the LSE Gender Institute. Moira was an Advisory Committee member of the Asylum Aid Women's Project and previously worked at the Refugee Council UK.