

# **‘How much of a queer are you?’: Sexual orientation and gender identity policy within the Canadian refugee system**

## **Abstract**

With the ubiquity of the so-called refugee crises, most of the scholarly attention has been given to a large group of refugees who are fleeing from humanitarian conflicts. Although the displaced people who seek refuge in other countries have been treated as a unified and homogenous group of people by migration scholars and policymakers, the population of refugees is diverse, not only as to countries of origin, race, religion, ethnicity, motivation to move, destination countries, and ways of asylum application, but also in terms of age, gender, sexual orientation, and their unique personal positions within their societies. Among those vulnerable groups, queer refugees are double-marginalized; first, by having a sexual identity outside the state-centric traditional heterosexual norms and second, by being alien or non-citizen in a destination country. The 1951 Convention Relating to the Status of Refugees is the United Nations treaty that defines the international legal meaning of refugeehood, and Canada is a signer of the Convention. Since the practice of granting refugee status by sexual orientation had been legalized in Canada by 1991, Canada has become one of the first countries to recognize sexual-identity-based asylum claims under its domestic migration law. However, Western-centric construction of sexual identities remains a central issue within the Canadian refugee determination system. In this respect, this paper aims to analyze the policy process of sexual orientation and gender identity policy (SOGIE) within the Canadian asylum system. While analyzing the policy cycle around SOGIE, this paper aims to address some questions of ‘How and through which channels sexual-orientation-based asylum-seeking is reinforced and challenged by Canadian asylum policies?’ and ‘How sexuality and asylum seeker status along with the ‘preferred’ narratives of refugee-seeking shape and reproduce the Western discourse of ‘worthy to protect refugees?’’. Answering these questions does require not only critical interrogation of rigidly conceptualized categories of refugeehood, gender, and membership in a state but also a critical engagement with the traditional state practices of citizenship, asylum granting, and domestic regulations and construction of sexuality.

## **Biography**

**Alev Irmak Kurtulmuş** holds a BA with an honors degree in Political Science and International Relations from Bogazici University and an MA degree with distinction from Sabancı University. Her interests lie in humanitarianism, forced migration, migration governance, refugee regimes in the Middle Eastern countries, comparative politics, political sociology, and identity. Her main interests have developed out of her professional experiences within the humanitarian field, working with several top national and international organizations in Turkey. Her doctoral research investigates the intersection of state-non-state actors in relation to humanitarianism and the relationship between international organizations' domestic involvement and host state around refugee governance.