



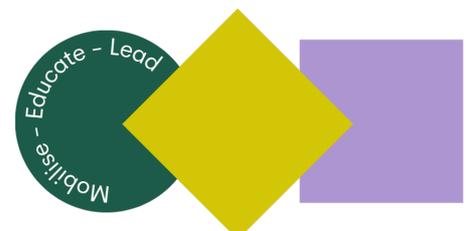
**Forcibly Displaced
People Network**

Submission to the Attorney-General's Department

**Australia's fourth Universal Periodic Review
(UPR)**

**Civil Society Consultation on the draft national
report**

29 August 2025



About the Forcibly Displaced People Network

The Forcibly Displaced People Network (FDPN) is Australia's first national LGBTIQ+ refugee-led organisation. FDPN's work combines advocacy, research, and capacity-building to ensure that policy development and service delivery reflect and meet the needs of LGBTIQ+ forcibly displaced people. For more information visit <http://fdpn.org.au/>.

We thank the Attorney General's Department for the opportunity to provide input into the consultation on the draft of the Australia's fourth Universal Periodic Review (UPR).

Evidence for the urgent action on LGBTIQ+ displacement

International evidence highlights significant challenges for LGBTIQ+ refugees globally. The [Rainbow Railroad QFDI Report \(2025\)](#) documents barriers to safety for queer refugees, including exclusion from resettlement systems and risks of ongoing violence in host countries.

The [Safe and Legal Pathways for LGBTQI+ Refugees report \(2024\)](#) emphasises the importance of creating explicit, accessible pathways to protection for LGBTIQ+ people, noting that current systems often fail to recognise their particular vulnerabilities. In particular, we note the urgency of establishing means for expanded resettlement quotas for LGBTIQ+ refugees, who face homophobic and transphobic violence in transit countries, alongside discrimination and fear in relation to refugee status determination procedures, named complementary pathways and family reunion, which are regularly imbued with heteronormative definitions of family. Further, as the Safe and Legal Pathways Report notes, there is "statistical limbo" regarding the number of refugees who self-identify as belonging to LGBTIQ+ communities out of the total refugee population, which also applies in Australia. Consequently, there is no capacity to understand or assess LGBTIQ+ refugees' inclusion or exclusion within resettlement quotas or programs. This also effects the capacity for host states to provide culturally-safe resettlement for refugees post-arrival.

At the national level, the [Multicultural Framework Review \(2024\)](#) points to the need for inclusive and intersectional approaches within multicultural policy. It recognises the limitations of current frameworks in addressing the experiences of people who hold multiple, marginalised identities.

FDPN's [2022 research on the LGBTIQ+ settlement outcomes](#) provided strong evidence that LGBTIQ+ forcibly displaced people are not getting fair treatment or equitable outcomes when it comes to settling in Australia. It showed the disproportionately high rates of sexual and gender-based violence when already in Australia, high prevalence of homelessness, persistent experiences of discrimination including from social and community services.

These and more reports provide compelling evidence that LGBTIQ+ forcibly displaced people face distinct risks that are not adequately addressed in existing refugee, settlement, health, and multicultural frameworks. We call on the Australian Government to take this opportunity to strengthen its alignment with international human rights obligations by developing targeted pathways to protection, embedding intersectional inclusion within service systems, and strengthening the role of refugee-led organisations in policy and service design.

Australia's UPR report

2021 Third-cycle UPR recommendation for Australia

Following the 2021 UPR, Australia has accepted a range of recommendations related on the issues of displacement, settlement and rights of LGBTIQ+ people. For example, this included the following:

- Recommendation 307 Take all the necessary steps to provide special protection for asylum seekers, refugees and particularly children.
- Recommendation 330 Continue to ensure the security, living conditions and rights of migrants, refugees and asylum seekers, regardless of how they entered the country.
- Recommendation 314 Increase support for refugees and asylum seekers by reducing barriers to labour markets and education and by providing access to health-care facilities, especially those aimed at improving mental health.
- Recommendation 103 Continue to work on ending discrimination on the grounds of sexual orientation and gender identity, including through the launching of awareness raising campaigns and training of public officials.

While positive, those people seeking asylum and refugees who are LGBTIQ+ are still excluded from the implementation.

The refugee status determination process often fails to effectively and sensitively engage with and assess GBV and SOGIESC claims. LGBTIQ+ asylum seekers face serious barriers within Australia's protection system. These include discriminatory decision-making, stereotyped assumptions, and a failure to account for cultural differences in the expression of SOGIESC identities. The Department of Home Affairs' best practice guidelines on SOGIESC claims are non-binding and inconsistently implemented, resulting in unjust outcomes. Refugee decision-makers, legal representatives, and interpreters often lack SOGIESC-specific training. As a result, many applicants are denied protection despite meeting international criteria.

LGBTIQ+ asylum seekers and refugees face systemic exclusion and barriers to essential services including healthcare, housing, employment, and mental health support. Migration status often determines access, leaving many without Medicare, NDIS, crisis accommodation, or employment support. Despite forming between 3% and 6% of all displaced people, LGBTIQ+ refugees and asylum seekers are not receiving fair treatment or achieving equitable outcomes when settling in Australia. The Australian Government neither collects data on LGBTIQ+ refugees nor mandates settlement services to be trained and inclusive. According to the FDPN [research](#) 67% of LGBTIQ+ refugees and asylum seekers reported discrimination when accessing social and community services. The lack of tailored services and negative service experience, result in LGBTIQ+ forcibly displaced people experiencing unequal settlement outcomes. Discrimination against LGBTIQ+ refugees and asylum seekers is pervasive across all areas of lives with 69% reporting discrimination on the basis of their LGBTIQ+ status, 85% on the basis of their race and/or migration status and 15% on the basis of their disability. This systemic exclusion creates entrenched social and health disparities.

Much of the work on the rights of LGBTIQ+ people does not meaningfully consider or include the experiences of those LGBTIQ+ people who are from asylum-seeking, refugee and migrant backgrounds. For example, while we welcomed the launch of the National Action Plan for the Health and Wellbeing of LGBTIQ+ People 2025–2035 as it represents a critical step in recognising LGBTIQ+ communities as priority populations and addressing their needs, we remain concerned by the lack of recognition in the Plan of the impacts of visa and migration status on health outcomes. Forcibly displaced LGBTIQ+ people remain marginalised within the LGBTIQ+ communities, facing compounded challenges that demand urgent attention. We know of so many instances LGBTIQ+ people seeking asylum, refugees and migrants do not seek medical help fearing that this will negatively affect their visa outcomes.

LGBTIQ+ people seeking asylum, refugees and migrants, and even those LGBTIQ+ people of colour born in Australia are still being seen as not part of ‘mainstream’ LGBTIQ+ communities. They not only experience barriers within systems, but also subjected to racism within LGBTIQ+ communities.

An opportunity approach policy development, legal reform and service operation through an intersectional lens has been missed.

Fourth-cycle draft Australia’s UPR report

Australia has already made international commitments in this realm. At the [59th Human Rights Council Session \(2025\)](#), it reaffirmed its prioritisation of visa applicants with diverse sexual orientations and gender identities and responded positively to the report by the UN Independent Expert on SOGI and displacement. Ensuring domestic

implementation is essential for credibility and compliance with international human rights instruments.

There is an opportunity to strengthen the Australia's humanitarian leadership and make voluntary commitments to meet the protection needs of LGBTIQ+ forcibly displaced people.

The Australia's report discusses a range of programs provided for the settlement of refugees. While those programs are in place, they critically lack an intersectional approach. There is no data collection beyond sex binary categories to identify the number of LGBTIQ+ refugees and people seeking asylum. There are no mandated requirements by the Government toward settlement services to ensure that the experiences of LGBTIQ+ refugees and people seeking asylum are understood and their needs are met. There are no responsive pathways to safety for LGBTIQ+ forcibly displaced people.

Our recommendations

Through the Australian Coalition for LGBTIQ+ Asylum and Migration Justice, FDPN has led the development of the Roadmap for Action: Achieving Asylum and Migration Justice for LGBTIQ+ Forcibly Displaced People. [The Roadmap for Action](#) offers a comprehensive list of recommendations, grounded in expert knowledge from the Coalition, to ensure that LGBTIQ+ forcibly displaced people receive the safety and support, and achieve equal settlement outcomes they deserve.

Drawing on this work, we call on the Australian Government to make the following voluntary commitments in the spirit of Australia's ongoing efforts to promote and protect human rights domestically and internationally:

1. To fund a national LGBTIQ+ refugee-led peak body to support settlement policy development and implementation.
2. To prioritise LGBTIQ+ people in all offshore and onshore humanitarian programs, community refugee sponsorship program and relevant complementary pathways, and operationalise these pathways in consultation with LGBTIQ+ refugee-led organisations.
3. To establish an NGO-led referral and resettlement model for LGBTIQ+ people fleeing persecution, to create safe entry points and prioritise those identified as most at risk for resettlement.
4. To enhance the capacity of all government and non-government services to provide tailored, appropriate, inclusive, and safe support to LGBTIQ+ forcibly displaced people.

5. To invest in data collection and research to monitor the experiences and outcomes of LGBTIQ+ refugees and people seeking asylum, enabling evidence-based policymaking.

These recommendations directly align with Australia's pledges under the Global Compact on Refugees, including: GRF-08280: Refugee-led responses; GRF-08279: Gender equality and GBV; GRF-07517: Settlement and integration reform; and GRF-08322: Support in Asia-Pacific.

Conclusion

FDPN brings lived expertise, national reach, and deep community trust. We are ready to partner with the Australian Government to build safe, inclusive and sustainable practice with LGBTIQ+ refugees and people seeking asylum. If Australia is serious about equitable protection, it must fund and partner with those best placed to deliver it. The evidence consistently demonstrates that LGBTIQ+ refugees and people seeking asylum in Australia face compounding risks not adequately addressed by current protection or settlement systems.

Once again, thank you for the opportunity to make a submission. FDPN looks forward to engaging with the Attorney-General's Department further on these matters.

Sincerely,

Dr Renee Dixon

Co-founder, Executive Director | Forcibly Displaced People Network