

LGBT Travel Information

By fighting for the rights of so many others, we realize that "gay rights are human rights, and human rights are gay rights." Secretary Clinton – December 6, 2011

Attitudes and tolerance toward lesbian, gay, bisexual, and transgender (LGBT) persons vary from country to country, just as they vary among U.S. cities and states. Most LGBT travelers encounter no problems while overseas, but it helps to be prepared and research your destination before you go.

There are a number of countries that provide legal protections to those who are LGBT. Unfortunately, there are others that do not, and a significant number that even criminalize consensual same-sex sexual relations. Persons convicted in these countries could be sentenced to prison, and/or be punished by fines, deportation, flogging, or even sentenced to death. Before choosing one's international destination, LGBT travelers should carefully consider the laws and biases of their international destination and decide how open one can be regarding one's sexual orientation or gender identity. Personal judgment and knowledge of local laws and customs before one goes will help ensure your safety.

Consult our [Country Specific Information](#) and links available throughout this document for other helpful resources.

Before You Travel

Where can I find information?

- Invest in a good current guide book – many specialize in advice to LGBT travelers
- The Internet and the press that specializes in LGBT issues are also good resources
- Your travel agent or tour operator might have information about LGBT issues, particularly in the more popular holiday destinations
- Local LGBT groups are an excellent source of information about local laws and attitudes
- Sign up for the State Department's [Smart Traveler Enrollment Program](#) and download the [Smart Traveler App](#) to have information at your fingertips

Does the U.S. Department of State publish information about harassment or arrests of LGBT travelers or residents?

The Special Circumstances sections of some Country Specific Information documents, which are available on the [Bureau of Consular Affairs website](#), contain information about attitudes, harassment, or arrests relating to LGBT travelers. The annual [Human Rights Report](#) that the State Department publishes also includes a section specifically regarding sexual orientation and gender identity in each country.

What documents should LGBT individuals or families carry when traveling abroad?

The Department of State recommends that individuals carry legal/health documents that facilitate authorization for medical treatment or access in the event of a medical emergency while abroad. Parents should consider carrying documents regarding parentage and/or custody for accompanying minor children. Carry contact information for people in the United States, both legal and familial, and share your travel itinerary with someone in the United States. Program the contact information for the U.S. embassy or consulate in the countries you're visiting into your phone. Check with that country's [embassy or consulate in the United States](#) to learn about any special documentation requirements.

How do I document a change of name through marriage?

See Passport Services' [change of name documentation requirements](#) on [Travel.State.Gov](#), the Bureau of Consular Affairs' website.

What is the policy of the U.S. Department of State regarding the passport identity of transgender travelers?

See Passport Services' [identification requirements for gender reassignments](#) on [Travel.State.Gov](#), the Bureau of Consular Affairs' website.

How can I find HIV entry requirements of foreign countries?

The Department of State publishes [Country Specific Information](#) for every country on [Travel.State.Gov](#), the Bureau of Consular Affairs' website. We include HIV/AIDS entry restrictions, or lack of restrictions, in the section entitled Entry/Exit Requirements for U.S. Citizens. In some instances, the Country Specific Information refers travelers to that country's [embassy or consulate](#) for additional information.

What is the Smart Traveler Enrollment Program?

The [Smart Traveler Enrollment Program](#) (STEP) is a free service provided by the U.S. government to U.S. citizens who are traveling to, or living in, a foreign country. STEP allows you to enter information about your upcoming trip abroad so that the Department of State can provide you with current Travel Warnings, Alerts, and Country Specific Information. STEP also allows U.S. citizens abroad to get emergency and security messages from the nearest U.S. embassy or consulate. Most importantly, the embassy or consulate will be able to locate and assist you in an emergency. When enrolling in STEP, be sure to include an email address or phone number where you can be reached while traveling.

While You're There

What are some issues to be aware of while traveling abroad?

- Be a responsible tourist. Avoid potentially risky situations, and don't do anything that you wouldn't do at home!
- Remember that you are subject to the laws and the judicial process of the country you're visiting
- Avoid excessive physical displays of affection in public, particularly in more conservative countries or regions

- If you intend to frequent Internet chat rooms or other meeting places, it's wise to find out about the local situation – police in some countries have been known to monitor such sites and locales with the intention of carrying out entrapment campaigns
- Be wary of new-found “friends” - criminals sometimes exploit the generally open and relaxed nature of the LGBT scene
- If you receive unwelcome attention or unwelcome remarks, it's usually best to ignore them
- Some resorts or LGBT neighborhoods can be quite segregated. Be aware that local residents may not approve of expressions of sexuality when you are in surrounding areas
- You're more likely to experience difficulties in rural areas, so exercise discretion
- Some hotels, especially in rural areas, won't accept bookings from same-sex couples. It's best to check before you go.

What should I do if I run into problems while overseas?

The American Citizens Services (ACS) Section of the U.S. embassy or consulate may be able to help you if you run into problems overseas, especially if you feel that you can't approach the local police or encounter difficulties with local authorities. Consular officers will protect your privacy, and will not make generalizations, assumptions, or pass judgment.

Our consular officers monitor and record incidents U.S. citizens report to them about the treatment they receive from host authorities. Our embassies regularly raise issues of concern, especially inappropriate treatment or harassment of our citizens, with relevant officials.

Immigration Issues

Why can't I petition for an immigrant visa for my same sex spouse?

Under the Defense of Marriage Act (DOMA), a United States federal law enacted on September 21, 1996, the federal government defines marriage as a legal union between one man and one woman. As a result of the provisions of DOMA, same-sex partners cannot be issued immigrant visas for legal permanent residency based on marriage.

How can I obtain a foreign residence and/or work permit so I can live abroad with my foreign national spouse/partner?

Check with that country's [embassy or consulate in the United States](#) to learn about any special documentation requirements (such as work authorization or a residence visa). You can also find foreign embassy and consulate contact information in the Country Specific Information for each country.

As a foreign national, how can I obtain a non-immigrant visa to accompany a same-sex spouse/partner who will be working or studying in the United States for an extended period of time?

You can apply for a B-2 visitor visa to accompany your spouse/partner. The B-2 classification is appropriate for persons who are members of the household of another foreign national in long-term nonimmigrant status, but who are not eligible for derivative status under that foreign national's visa classification. A B-2 visa would also be appropriate for a foreign national who is accompanying a U.S. citizen partner for a limited stay in the United States. To

AILA InfoNet Doc. No. 13022241. (Posted 2/22/13)

qualify, you must demonstrate that you don't intend to immigrate to the United States, intend to maintain a residence outside the United States, and meet other visitor visa eligibility requirements. If you receive a visa, it allows you to apply for entry at a U.S. port of entry. U.S. Customs and Border Protection officials of the Department of Homeland Security at the port of entry decide whether to admit you and determine the length of time you are authorized to remain in the United States.

Other useful links

- [State Department LGBT Fact Sheet](#)
- [White House LGBT Fact Sheet](#)
- [International Lesbian and Gay Association](#) - Provides information on gay rights around the world, and contains a map which highlights potentially dangerous regions and countries
- [Tips for Traveling Abroad](#) – Extensive information on the Bureau of Consular Affairs' website