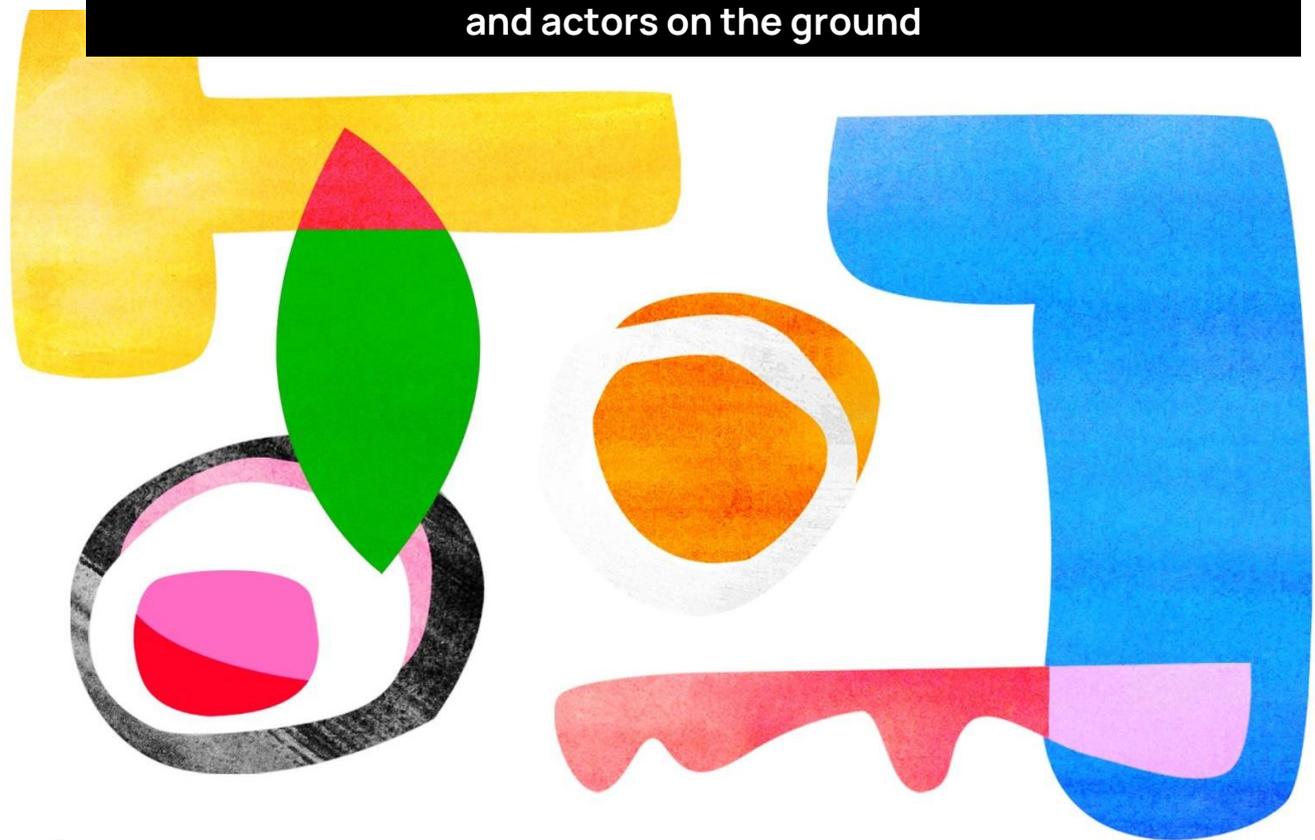




Improving the reception of LGBTIQ+ asylum seekers and refugees in Europe

Practical guide for social workers and actors on the ground





Acknowledgements

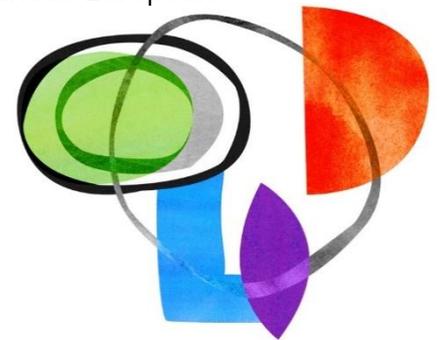
The Rainbow Welcome project is co-funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020). The support provided by the European Commission towards the production of this publication does not constitute an endorsement of its content, which is the sole responsibility of its authors, and the Commission cannot be held responsible for the use which might be made of the information contained in this publication.

This action is promoted by the partners of Rainbow Welcome: POUR LA SOLIDARITÉ-PLS (Belgium), ACATHI (Spain), Croce Rossa Italiana (Italy), Fondation Le Refuge (France), Le Refuge Bruxelles/Het Opvanghuis Brussel (Belgium).

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We would also like to thank all our partners for the work that went into making this guide. It was only possible thanks to the valuable help and collaboration of various European actors such as social workers, activists, and LGBTQIA+ asylum seekers and refugees.

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Coordinated by :



With the European partners :



This project is co-funded by the Programme Rights, Equality and Citizenship of the European Union (2014-2020)

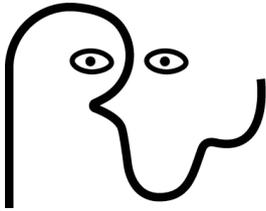
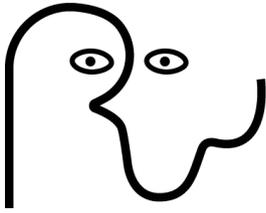


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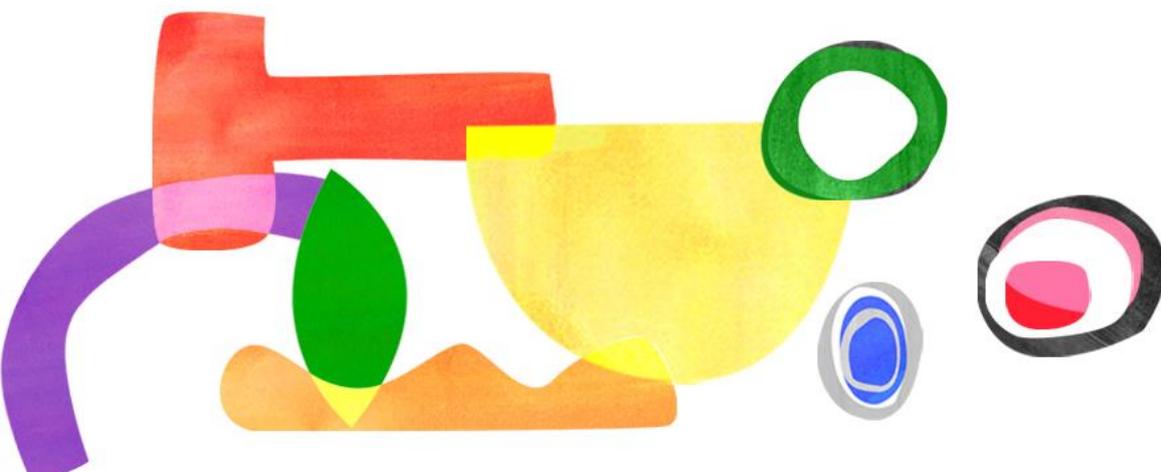


Preamble

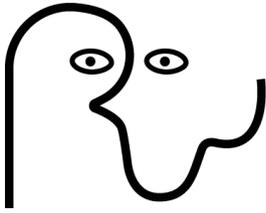
Across the entire world, many individuals suffer persecution based on their sexual orientation, gender identity and expression or sexual characteristics (SOGIESC). Leaving their country of origin becomes their only means of survival. The discrimination they have endured does not stop once they have reached their host country, where LGBTQIA+ asylum seekers may experience other forms of vulnerability and violence.

As LGBTQIA+phobia - the intolerance of people with a sexual orientation and/or gender identity that differs from the norm - continues to exist, and the physical and psychological violence that comes with it, LGBTQIA+ individuals are faced with discrimination and isolation. As these acts of violence may lead to the social exclusion, imprisonment or (sometimes even legally) death of LGBTQIA+ individuals in countries around the world, they may be forced to leave their home country and seek asylum elsewhere, somewhere where they hope to find a better life for themselves.

Fleeing persecution to seek refuge in a host country, where “new labels”¹ will be attributed to these individuals in addition to those associated with the LGBTQIA+ community, which groups together all those whose sexual orientation and/or gender identity differ from the heterosexual and cisgender norm: “asylum seeker”, “refugee”, “foreigner” and “immigrant”.



¹ All the countries referenced in this practical guide are seen through a Eurocentric lens, a concept which will be explored later.



One LGBTQIA+ refugee describes his experience:

*"I left Cameroon because I'm gay. My place isn't in Cameroon because it is a country that criminalises homosexuality and because, for that reason, I have experienced great difficulties within my own family. **My life as a homosexual in that country was very hard, always living in secrecy, in doubt, in the constant fear of what might happen if someone finds out.** Even in gay spaces, I wondered if I would make it to the end of the night, if I would manage to avoid getting arrested or attacked, raped or beat up by homophobes. These are the reasons why I didn't feel safe in my own country and why I left.*

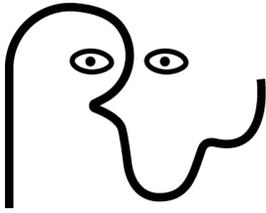
***didn't come from strangers, but from those who have seen you grow up, who raised you, who have joined you in moments of happiness, your own flesh-and-blood;** they are the ones who reject you, who throw stones at you, who sentence you to death. Nothing can heal this violence.*

Outside of your inner circle, people look down at you, they treat you like a leper: "Don't leave your children with him", "he might have AIDS", and they wipe down the seat you've been sitting on. They reject you because they think that homosexuality is contagious and that if you talk to a boy, he'll turn gay. You experience criticism, condemnation... And you end up alone, abandoned.

[...] My wish is to be granted refugee status in France and be able to start a new life. Because honestly, at 24 years old I feel like I haven't had one. I lost my parents when I was a child and I didn't have a very happy childhood; or maybe a happy one without affection.

*[...] I still suffer today, although to a lesser extent, as I don't know what my situation will be in France. **I have been waiting for an answer for a very long time, it's unbearable, your heart can't be at peace.** You want to know if you'll be able to lay down roots. [...] I am waiting on the administration procedure that will give me official legal status so I can start my new life, integrate into French society, find a job, get my driver's licence and marry the man of my choice, that's all. To live my life in complete freedom, my life as a gay man, enjoy it until I leave this Earth."²*

² Rodrigo Araneda, Adela Boixadós, Josep Maria Mesquida, Cándid Palacín, Guillem Pérez Vázquez, Alejandro San Rafael. (December 2021). *Sexils, Déplacement et Diaspora. Récit en Transit*. Edition Universitat de Barcelona, School of Social Work, ACATHI, GRITS



In the aim of improving reception conditions of people suffering intersectional discrimination in Europe, POUR LA SOLIDARITÉ-PLS (Belgium), Le Refuge Bruxelles/Het Opvanghuis Brussel (Belgium), ACATHI (Spain), Le Refuge (France) and Croce Rossa Italiana (Italy) have created the Rainbow Welcome project.

Our partners:

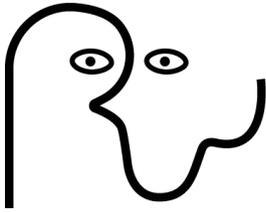
- **POUR LA SOLIDARITÉ-PLS** is a European independent “Think & Do Tank” committed to building a more socially conscious and sustainable Europe;
- **ACATHI** is a Spanish association made up of a culturally diverse team of LGBTQIA+ individuals coming from a range of backgrounds who work to promote the recognition and inclusion of cultural, sexual and gender diversity and fight discrimination;
- **Croce Rossa Italiana** is a charity organisation that works to provide medical and social assistance in times of peace and in times of conflict;
- **Fondation Le Refuge France** works to prevent the isolation and suicide of young members of the LGBTQIA+ community between the ages of 14 to 25 who have suffered homophobia or transphobia or those experiencing family difficulties;
- **Le Refuge Bruxelles/Het Opvanghuis Brussel** is an emergency shelter and support centre for LGBTQIA+ individuals between the ages of 18 to 25 who have suffered discrimination due to their SOGIESC.

Co-funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020), the Rainbow Welcome project aims to:

- Identify the regulatory frameworks and procedures available to LGBTQIA+ asylum seekers;
- Identify the strengths and weaknesses of their reception;
- Train LGBTQIA+ shelters and associations as well as refugee reception centres on how to welcome, support and meet the needs of LGBTQIA+ asylum seekers;
- Raise awareness of the situation of LGBTQIA+ asylum seekers using large-scale photo and video campaigns;
- Advocate for the rights and needs of LGBTQIA+ asylum seekers at the EU level.

The legislative report, “The reception of LGBTQIA+ refugees in Europe” produced at an earlier stage of the project is essential in gaining a better understanding of how LGBTQIA+ asylum seekers are received in the countries of the consortium. It also offers a more general analysis of their needs and the systems currently in place³.

³ The report is available on the project's website: <https://rainbowwelcome.eu/toolkit/>



From this report, we can conclude that requesting international protection through asylum is one of the ways we can protect people facing persecution. As a result, asylum granted on the basis of sexual orientation, gender identity and expression, or sexual characteristics (hereinafter referred to as SOGIESC) has gradually gained official recognition in international, European and national standards. However, inadequacies and difficulties remain present.

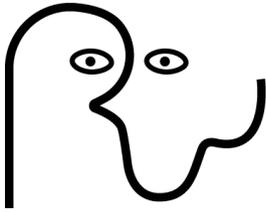
This is why with this text we are offering a practical guide for social workers and more generally for all those who work in the field, either on a voluntary or paid basis, to provide daily support for asylum seekers. This guide will primarily help you to:

- Identify situations of discrimination and their consequences;
- Deconstruct stereotypes associated with the LGBTQIA+ community as well as provide information and answer questions on LGBTQIA+ issues;
- Raise awareness on the specific needs of LGBTQIA+ asylum seekers and refugees;
- Provide LGBTQIA+ asylum seekers with guidance and information on their rights;
- Provide targeted support to transgender and intersex individuals;
- Learn how to raise awareness among other residents in the reception centres in order to prevent violence;
- Offer practical, extensive training with separate but complementary modules.

The aim of this guide is not to reinvent what has already been studied, written and put into action, but rather to pool together the experience and expertise of our partners, coupled with a selection of accessible documents and resources, as well as an assessment and some interviews carried out as part of this transnational project.

We then invite you to meet the previously mentioned learning outcomes by working through the three main sections. The first section will go through the legal components that underpin requests for asylum and will outline the main theoretical concepts. Secondly, we will address the subject of LGBTQIA+ communities and finally, in the third section, we will explore our recommended practices for supporting these groups.

With this guide, we aim to provide a new perspective on the situation of LGBTQIA+ asylum seekers and the persecution they experience on a daily basis due to their SOGIESC. We are aware that this guide is not exhaustive, but we hope that it will help to answer any questions you may have and assist in furthering your understanding of LGBTQIA+ culture.



I. What do we mean by “asylum seekers”?

1. The legal basis

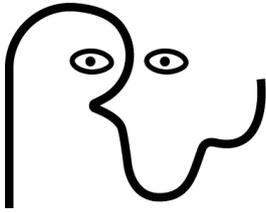
a) What is an asylum seeker and a refugee in the eyes of the law?

Before obtaining refugee status, the individual will seek international protection via asylum. According to the UNHCR, “an asylum-seeker is someone whose request for sanctuary has yet to be processed” ([HCR - Asylum-Seekers \(unhcr.org\)](#)). To obtain this status, asylum seekers must rely on international law and have a right to certain protections through, among other texts, the **Universal Declaration of Human Rights**, the **Geneva Convention** and the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**.

The **Convention Relating to the Status of Refugees** of 28 July 1951, also known as the Geneva Convention, defines the term “refugee”, outlines the rights of refugees, introduces the legal obligation of Member States to protect them and establishes the non-refoulement principle. It is the main legal text concerning the protection of refugees. The 1951 Refugee Convention stipulates that the term “refugee” refers to all individuals who have a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.” SOGIESC are not mentioned as such in the Geneva Convention, but the persecution linked to *a particular social group* is the residual concept that is usually used to grant refugee status to those seeking asylum for reasons connected to their SOGIESC (Ktos, Agnieszka, Misiuna, J., Pachocka, M., Szczerba-Zawada, A. (Eds.) (2020), p.63.). In 2012, the United Nations High Commissioner for Refugees (UNHCR) published the Guidelines on International Protection No. 9 specifically focusing on OISEGCS, which provides substantive and procedural guidance “with a view to ensuring a proper and harmonised interpretation of the refugee definition” ([UNHCR Guidelines on Refugee Status based on SOGI, para. 4](#)).

At the European Council level, Article 1 of the **European Convention on Human Rights (ECHR)** provides that the High Contracting Parties shall secure to *everyone within their jurisdiction* the rights and freedoms outlined in the Convention. This includes any person on their territory or under the control of State officials (Art. 1) (ECHR, 2020), including migrants, asylum seekers or refugees who qualify as “under the jurisdiction of a State”. The ECHR is a powerful legal instrument that can be drawn upon to guarantee that the human rights of LGBTQIA+ asylum seekers, both as LGBTQIA+ individuals and as non-citizens, are respected, with particular attention given to asylum seekers.

However, being a refugee is more than just a status, it is an ongoing journey and struggle, especially considering that the request for international protection is based on sexual orientation and gender identity and expression (SOGIESC) as outlined in the **2006**



Yogyakarta Principles, a universal guide on the protection and the promotion of human rights for LGBTQIA+ individuals: “Everyone has the right to seek and enjoy in other countries asylum from persecution, including persecution related to sexual orientation or gender identity. A State may not remove, expel or extradite a person to any State where that person may face a well-founded fear of torture, persecution, or any other form of cruel, inhuman or degrading treatment or punishment, on the basis of sexual orientation or gender identity.” (Principle No. 23 - <https://yogyakartaprinciples.org/principle-23/>).

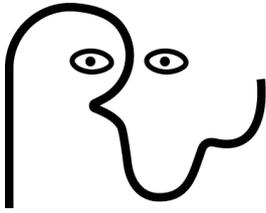
Indeed, the process of seeking asylum based on SOGIESC raises certain issues, primarily due to:

- The absence of explicit recognition of asylum requests based on SOGIESC in legal texts;
- The assessment of the dangers and vulnerabilities which have caused the asylum seeker to leave their country;
- In some cases, proof of sexual orientation during their appeal to the Commissioner General for Refugees and Stateless Persons (CGRS) and throughout the entire process;
- Insufficient accommodation capacity to host all asylum seekers in acceptable conditions.

It is true that the Yogyakarta Principles have evolved, as has our understanding of human rights violations experienced by people of “diverse sexual orientations and gender identities”. As such, an amendment has been made to Principle 23, adding the provision that States shall “ensure sensitive and culturally appropriate guidelines and training on sexual

orientation, gender identity, gender expression and sexual characteristics for agents involved in the process of determination of refugee status and in managing reception conditions”. Similarly, a second addition calls for States to “develop and implement guidelines on assessing credibility in relation to establishing a person’s sexual orientation, gender identity, gender expression and sex characteristics when seeking asylum, and ensure such assessments are determined in an objective and sensitive manner, unhindered by stereotyping and cultural bias.” ([Relating to the Right to Seek Asylum \(Principle 23\) – Yogyakartaprinciples.org](https://yogyakartaprinciples.org/principle-23/))

Despite this official recognition, in reality, SOGIESC are still punishable by law in several countries, with LGBTQIA+ refugees and asylum seekers facing discrimination in many more...



b) What is the rate of criminalisation of sexual orientation, gender identity and expression and sexual characteristics (SOGIESC) in the world?

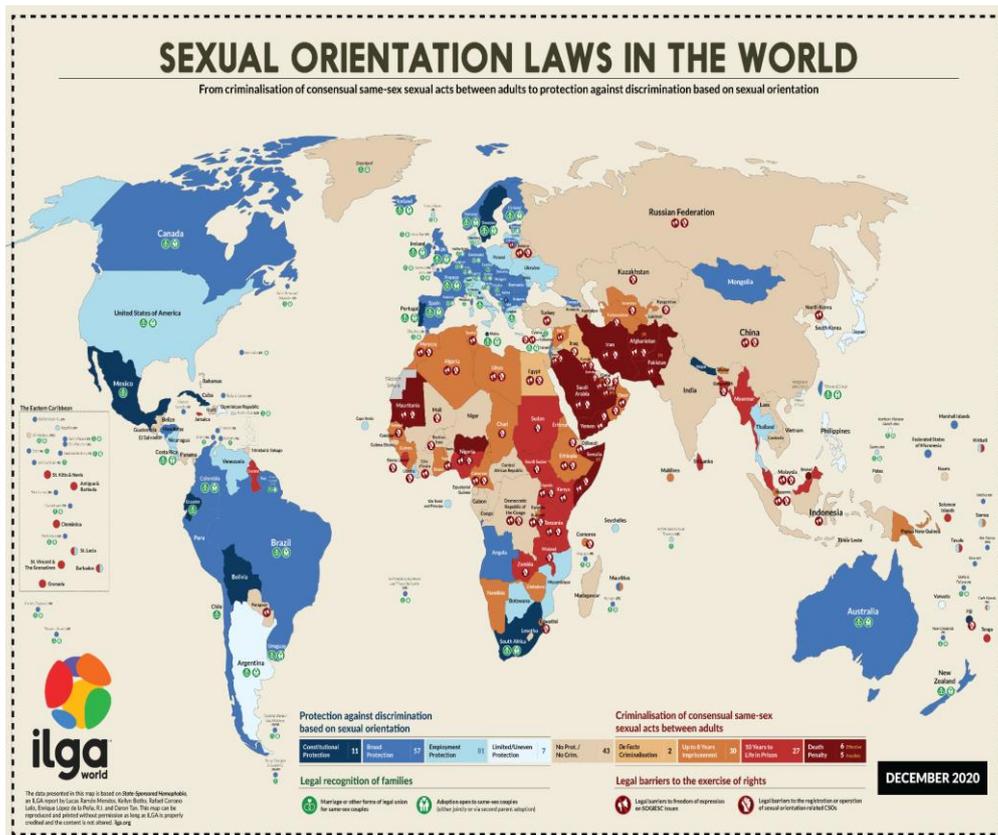
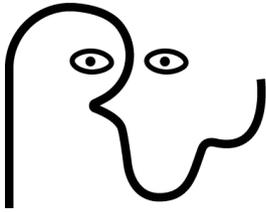
The figures speak for themselves. And since the criminalisation of SOGIESC is a reality:

“In summary then we can conclude that there are currently **67 UN Member States** with provisions criminalising consensual same-sex conduct, with **two additional UN Member States** having de facto criminalisation. Additionally, there is **one nonindependent jurisdiction** that criminalises same-sex sexual activity (Cook Islands).

Among those countries which criminalise, we have full legal certainty that the death penalty is the legally prescribed punishment for consensual same-sex sexual acts in **six UN Member States**, namely: Brunei, Iran, Mauritania, Nigeria (12 Northern states only), Saudi Arabia and Yemen.

There are also **five additional UN Member States** where certain sources indicate that the death penalty may be imposed for consensual same-sex conduct, but where there is less legal certainty on the matter. These countries are: Afghanistan, Pakistan, Qatar, Somalia (including Somaliland) and the United Arab Emirates.

[...] Thus, as of December 2020, ILGA World was able to track at least **42 UN Member States** where there are legal barriers for freedom of expression on issues related to sexual and gender diversity.” ([State-Sponsored Homophobia Report I ILGA](#), p.25).



Visualisation: <https://ilga.org/maps-sexual-orientation-laws>

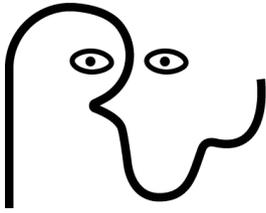
The 2022 ILGA Annual Report is very clear:

“On one hand, there was **a severe rise in 2021 of anti-LGBTI rhetoric** from politicians and other leaders, which has **fuelled a wave of violence**, with anti-LGBTI hate crime reported in every country this year, while on the other the response to this has been **an allied determination** in many countries, and at the European level, **to tackle hatred and exclusion** of LGBTI people.

[...] The majority of states have failed to address the needs of LGBTI communities during the pandemic and civil society organisations continued to fill the gaps this year, providing food, shelter and access to medical testing, and responding to an enormous demand for mental health support.

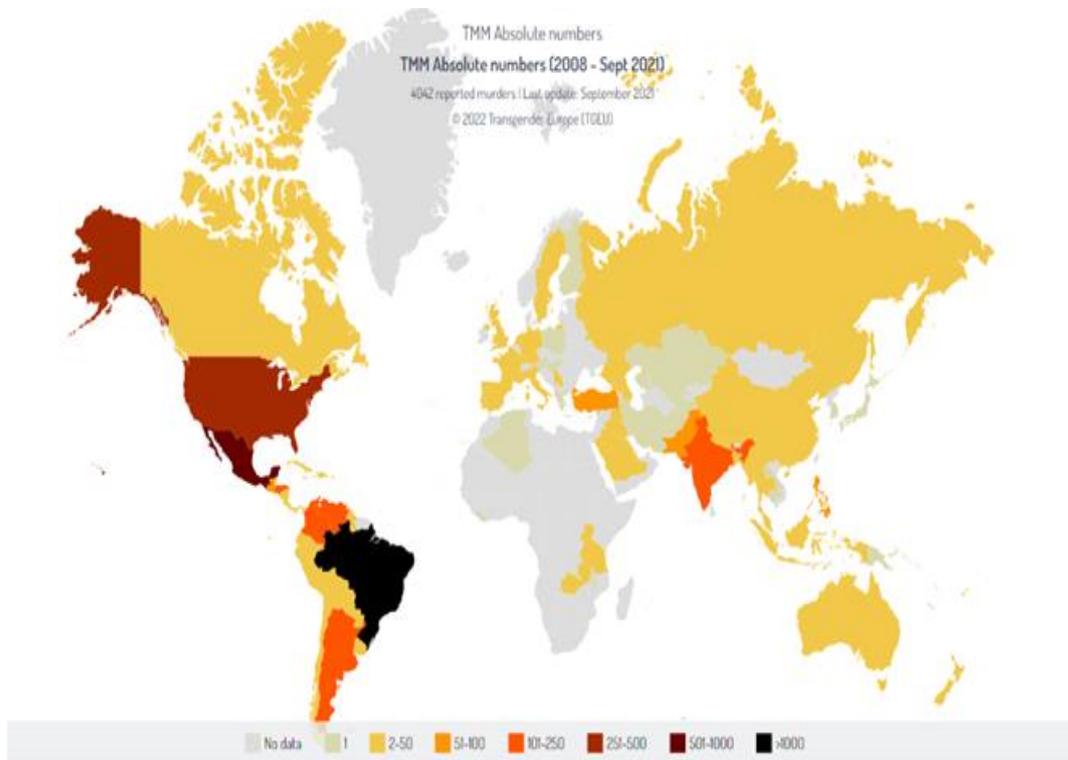
[...] **The situation for LGBTI asylum seekers**, for instance, is almost invariably fraught with **specific difficulties and injustice**, despite some countries placing high in the rankings for positive legislative change.

[...] **Anti-gender and anti-trans rhetoric** have remained widespread, strong and steady, **very often targeting youth** in particular.” ([full annual review.pdf \(ilga-europe.org\)](#), p.7).

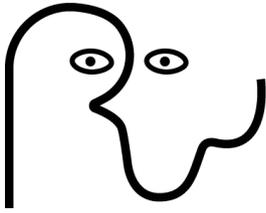


Although generally speaking the legal situation of LGBTQIA+ individuals has improved, there are still parts of the world in which these communities face violence and discrimination based on their SOGIESC. In many cases, being perceived as homosexual is enough to jeopardise an individual's legal status. According to the UN: "Homophobic and transphobic violence has been recorded in all regions. Such violence may be physical (including murder, beatings, kidnappings, rape and sexual assault) or psychological (including threats, coercion and arbitrary deprivations of liberty). These attacks constitute a form of gender-based violence, driven by a desire to punish those seen as defying gender norms" (UN Human Rights Office (ohchr.org)).

It is also interesting to compare the map published by the ILGA with the information published by *Transrespect vs Transphobia*. While the ILGA map shows the protection and discrimination experienced by LGBTQIA+ individuals in the world, the data by *Transrespect vs Transphobia* provides a more detailed account of the number of transgender individuals killed in the world. These two sources complement one another as they give us an even broader vision of the global reality faced by LGBTQIA+ communities.



Visualisation: [TMM Absolute Numbers - TvT\(transrespect.org\)](https://transrespect.org)



However, the map provided by *Transrespect vs Transphobia* raises two issues when it comes to its interpretation, particularly as we are missing data for many countries, particularly in Africa. What's more, data is analysed based on the visible forms of discrimination present in these countries, making it difficult to analyse countries where there is little or no visibility of the persecution faced by LGBTQIA+ communities.

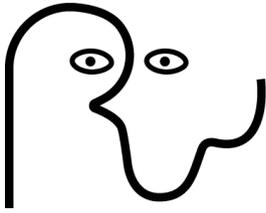
Nevertheless, by analysing the data from 2021, we can see that it was the most deadly year for transgender and gender-diverse individuals, with 375 murders recorded between 1 October 2020 and 30 September 2021. This represents an increase of 7% compared to the year 2020. Furthermore, this data reveals an alarming trend concerning the links between misogyny, racism, xenophobia and hatred towards sex workers, a community predominantly made up of black women, migrants and transgender people.

For decades, Europe has been seen as a place of refuge for asylum seekers. However, requests from certain countries seen as “safe” are considered as unfounded or less likely to be successful. A country designated as “safe” “implies that the human rights situation there is considered satisfactory, governed by the rule of law, and that individuals do not suffer persecution there” (European Association for the Defence of Human Rights [AEDH], International Federation for Human Rights [FIDH] and Euromed Rights (2016), p.2). The concept of a “safe” country for LGBTQIA+ individuals based on their access to legal protection is problematic.

This concept presents us with an issue, as the specific nature of persecutions linked to SOGIESC means that a country considered as safe in terms of all other kinds of persecution will not necessarily be safe when it comes to SOGIESC. Furthermore, this definition of “safe” is applied to some countries in which although sexual orientation and/or gender identity are not penalised and/or criminalised in the country’s legislation, it is in practice socially and/or culturally unacceptable to have SOGIESC that differ from the usual norms and customs.

The situation in Honduras is a good example of this, as although same-sex sexual relations are legal, homosexual couples face legal issues that do not apply to the rest of the population. In reality, there is no legislation that provides for discrimination or abuse based on a person’s sexual orientation or gender identity. For this reason, many LGBTQIA+ individuals are victims of rape, abuse and/or threats, pushing them to flee to other countries. **Social attitudes are therefore an important factor to take into account as they can strongly alter the way in which society views a specific group, in this case the LGBTQIA+ community.**

In 1991, the UNHCR issued a cautionary statement on this situation: “Application of the safe-country concept in relation to countries of origin leads to nationals of countries designated as safe being either automatically precluded from obtaining asylum/refugee status in receiving countries or, at least, having raised against their claim a presumption of



non-refugee status which they must, with difficulty, rebut.” (Office of the United Nations High Commissioner for Refugees, EC/SCP/68, 26 July 1991).

All these elements come together to show the extent to which LGBTQIA+ individuals can face challenging and traumatising realities, providing a partial explanation of why they choose to flee to a sometimes totally unknown land instead of remaining in their home country. For this reason, we can see this situation as a case of forced migration, as these LGBTQIA+ individuals are forced to leave in order to survive, in the hope of finding a better life for themselves, and are not taking part in voluntary or economic migration.

2. Some theoretical concepts

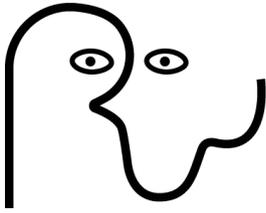
Various concepts will be drawn upon throughout this guide. They allow us to gain a better understanding of the issues associated with LGBTQIA+ asylum seekers. These tools will be explained through practical applications and case studies over the following chapters.

a) Intersectionality and assemblage

In 1989, Black Feminist activist Kimberlé Crenshaw introduced the term “intersectionality” to draw attention to the violence and discrimination - linked to, among other things, race and gender - experienced by Black women in the United States. The author defines intersectionality as “how systems of oppression overlap to create distinct experiences for people with multiple identity categories.” In short, intersectionality demonstrates how different social categories can generate oppression or privilege depending on how they intersect. Crenshaw makes the distinction between political and structural intersectionalities.

- Political intersectionality represents the marginalisation of reality. While Black feminists have fought to defend their rights, their efforts are not taken into account by white feminists or Black men. They are moved to the background of feminist movements, and are therefore victims of racism; they are also moved to the background of anti-racist movements due to their status as women. In this way, political intersectionality argues for the convergence social movements.
- Political structural represents the experience of reality. Racism and sexism are present in institutional and social structures and have an effect on the daily lives of Black women.

Used in a cross-cutting manner, intersectionality becomes a framework for understanding societal phenomena and allows us to put in place concrete actions to combat the structural violence and discrimination deeply rooted in our societies.



This approach will therefore allow us to shed light on elements that cannot be seen at first glance, and also show us that if a person experiences a large number of marginalised identities, this can result in forms of oppression that generate a new reality, and not the sum of these oppressions. **One and one does not equal two, but three.**

For example, as marginalised individuals, LGBTQIA+ asylum seekers face twice as much discrimination and abuse, as they find themselves at the intersection of several marginalising factors, including ethnicity and SOGIESC (as well as religion, social class, etc.). In other words, LGBTQIA+ asylum seekers are discriminated against because they are asylum seekers, because they belong to the LGBTQIA+ community, and because they are LGBTQIA+ asylum seekers.

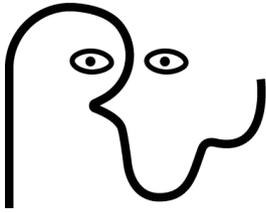
This is where assemblage comes into play.

Assemblage refers to the event (the “how”, “where” and “when”) rather than the essence (what it is). Unlike a natural entity that is fundamentally distinguishable from others, assemblages are made up of contingent aspects. The application of assemblage theory supposes that social positions are processes within a web of social and historical events, and that the apparent stability of any given social position is purely coincidental, the result of a particular event (Deleuze and Guattari, 10); a perspective that allows us to think beyond essentialist identity-based logics (Nail 21-37).

It is important to note that intersectionality considers these elements to be static and invariable (race, sex, disability, etc.) while assemblage theory focuses on contextually salient categories that are the result of a specific and temporarily mutable encounter. It is also worth highlighting the fact that the intersections of our identities can change depending on time and context.

As a result, working through an intersectional lens and taking assemblage theory into account allows us to:

- Understand how different systems of oppression overlap;
- Visualise power structures, which are not necessarily intentional, but instead represent a weight that can heavily impact any given situation;
- Understand the unique place that certain groups/individuals occupy in society;
- Take into account specific needs;
- Gain a better understanding of the invisibilised realities to better respond to them;
- Promote dialogue;
- Propose targeted solutions.



b) Interculturality, composite identities, religions and Eurocentrism

In 1997, Carlos Giménez Romero, a professor and researcher at the Madrid School of Arts and Philosophy, defined interculturality as “the systematic and progressive promotion, on the part of the State and civil society actors, of spaces and processes of positive interaction that pave the way for and widely introduce relationships of trust, mutual understanding, effective communication, dialogue, debate, learning, exchange, peaceful conflict resolution, cooperation and coexistence”.

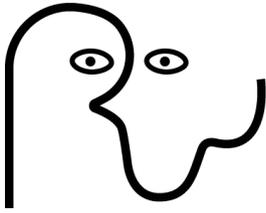
In this way, interculturality is seen as the process of communication and interaction between individuals and groups with specific identities. In this process, the ideas and actions of a particular individual or a group cannot be superior to those of others. The aim is to continuously promote dialogue, understanding, coexistence and, as a result, integration. Intercultural relationships are based on respect for diversity and mutual enrichment. However, this system may give rise to conflicts. But these can be resolved through respect, dialogue, mutual listening, the creation of horizontal communication structures, fair and inclusive access to useful information, in the aim of reaching understanding and synergy.

The value of interculturality lies in the importance it places on interactions between culturally different individuals or groups. Moreover, at its core, the idea of interculturality highlights what intercultural relations should be, in addition to being free of discrimination and being based on respect and tolerance. Its main contribution lies in its observation of how to build togetherness in situations of diversity.

In addition, this idea of pluralist thought leads us to the concept of composite identities. Nowadays, the identity of a person is considered to be a composite entity made up of factors such as nationality or belonging to a religion, institution, or community of shared interests or shared sexual preferences. LGBTQIA+ asylum seekers perfectly fit this idea of composite identity as they can identify with several kinds of “belonging”.

Among these various elements of “belonging”, it is worth placing a particular focus on religion, a common factor in composite identities and interculturality. Currently, many religions - or at least interpretations of these religions - condemn homosexuality.

For transgender individuals, they are perceived differently depending on each religion. Depending on their belief systems, religions can be more or less accepting of transgender people. For example, those belonging to the faiths of Reform Judaism, Hinduism and African religions are accepting of transgender people. In other religious traditions, discriminating policies are sometimes enacted in order to spread beliefs on the subject.



Nevertheless, each religion has its own progressive and open-minded religious institutions, individuals, intellectuals and associations when it comes to homosexuality. LGBTQIA+ people of faith often come together to practice their religion and to try and change attitudes.

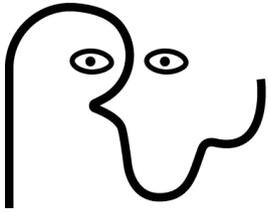
Interculturality is all the more important as we have a tendency to adopt a Eurocentric stance⁴ when it comes to SOGIESC. Furthermore, the Guidelines on International Protection No. 9 emphasise that the experience of LGBTQIA+ asylum seekers may be influenced by a multitude of factors such as the “cultural, economic, family, political, religious and social environment”, and that their expression of their SOGIESC will not necessarily correspond to the ideas of the host country. According to these Guidelines, it is important that legislative procedures concerning requests for asylum and the handling of claims are not based on “superficial understandings or “erroneous, culturally inappropriate or stereotypical assumptions” of the experiences of these asylum seekers and their SOGIESC (I. Introduction, paragraph 4). Indeed, the Western categories of “LGBTQIA+” do not fit all realities. Origins, culture, traditions or even religion can influence perceptions and experiences of the LGBTQIA+ spectrum.

According to MacArthur, even seemingly inclusive terms such as “sexual orientation” or “gender identity” appear to leave out those whose behaviour doesn’t necessary reflect their identity, such as “men who have sexual relations with men”, but who don’t identify as “gay” (Correa, S., Petchesky, R. and Parker, R., *Sexuality, Health and Human Rights*, Cambridge University Press, 2008. Cited by MacArthur, G. (2015), p.28.). The understanding of SOGIESC in legal texts is deeply rooted in Eurocentrism and interpreted through the lens of Western culture.

As a result, during hearings, to prove their SOGIESC, asylum seekers must provide precise, at times quantifiable, pieces of information. They are forced to denounce members of their inner circle, adapt to the norms of Western homosexuality, disclose very personal information, and say enough but not so much that officials suspect them of lying. In fact, in terms of how we construct our identity, the notion of “proving” your SOGIESC is questionable. If the individual has discovered their sexuality later in life, if they have had heterosexual relationships in the past, if they have children, or if they haven’t “come out” (a very Western concept), they may lack credibility in the eyes of state officials.

What’s more, it is necessary to recall and point out the translation of “SOGIESC” into other languages is in no way straightforward.

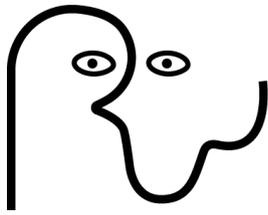
⁴ Eurocentrism is a form of ethnocentrism which views history and society through the lens of European and Western culture.



In conclusion, what we understand by interculturality includes:

- Recognising the existence of links, values and commonalities between different cultures;
- Recognising the fact that cultures need one another and are interdependent, growing through interaction and change;
- Applying a critical perspective to the values and anti-values of our own culture;
- Finding point in commons and shared interests that can forge unity in situations of diversity;
- Having a drive and desire to learn about other people and other cultural groups;
- Overcoming Eurocentrism, by sharing and discussing cultural traits that are of interest to us or that affect us;
- Encouraging active respect from others.

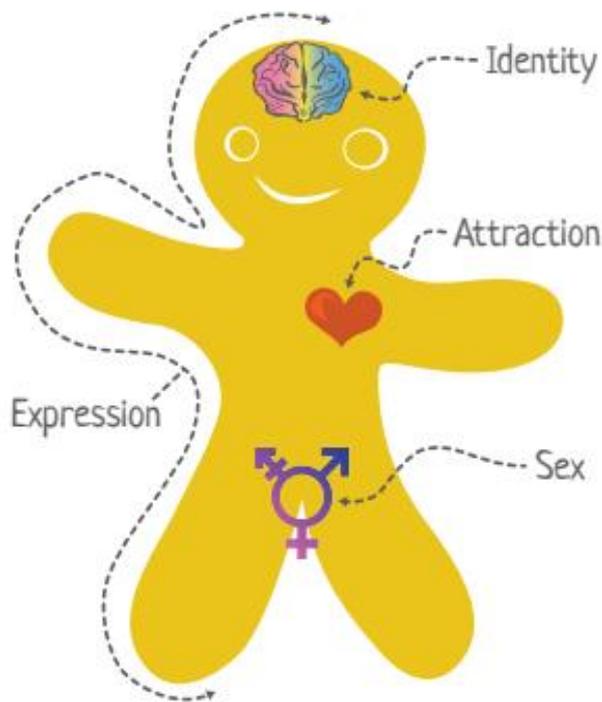




II. Focus on LGBTQIA+ individuals

1. What are SOGIESC?

The Genderbread Person v4 by its pronounced METROsexual.com



⊖ means a lack of what's on the right side

Gender Identity

- Woman-ness
- Man-ness

Gender Expression

- Femininity
- Masculinity

Anatomical Sex

- Female-ness
- Male-ness

Identity ≠ Expression ≠ Sex
 Gender ≠ Sexual Orientation

Sex Assigned At Birth
 Female Intersex Male

Sexually Attracted to... and/or (a/o)

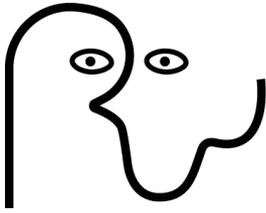
- Women a/o Feminine a/o Female People
- Men a/o Masculine a/o Male People

Romantically Attracted to...

- Women a/o Feminine a/o Female People
- Men a/o Masculine a/o Male People

Genderbread Person Version 4 created and uncopyrighted 2017 by Sam Kilermann

For a bigger bite, read more at www.genderbread.org



“SOGI” is the most commonly used term, but in the aim of being as inclusive as possible, we are using the term “SOGIESC” in this guide.

As the concepts referred to in this section are subject to constant revision and re-evaluation, it is important to stay informed of any potential changes. Although we make an effort to explain these concepts, it is vital that we let others define themselves in their own terms. It is also crucial that we do not assume someone else's sexual orientation or gender identity.

SOGI: Sexual Orientation and Gender Identity

or

SOGIESC: Sexual Orientation, Gender Identity and Expression, and Sex Characteristics

Sexual orientation? Sexual orientation is an individual's capacity to feel deep emotional and/or romantic and/or physical and/or sexual attraction to other individuals, of a single gender or multiple genders, and to have intimate and/or sexual relations with them.

These sexual orientations include:

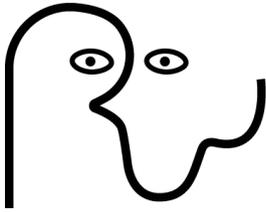
- Heterosexuality = physical and sexual attraction for people of a different gender;
- Homosexuality = physical and sexual attraction for people of the same gender;
- Bisexuality = physical and sexual attraction for people of the same or a different gender;
- Pansexuality = romantic or sexual attraction for other individuals regardless of sex or gender;
- Asexuality = physical and sexual attraction for people of the same or a different gender;

Sexual orientations are represented by the letters L, G, B and A in LGBTQIA+.

Gender? Gender is a social construct and is not a biological fact. Depending on the sex assigned at birth, we expect individuals to play a specific role, adopt specific behaviours, and participate in specific activities.

This is done according to exclusively binary norms, such as for sexual characteristics, i.e. male and female.

Gender identity? An individual's gender identity refers to the gender with which they identify the most, which may be different than that assigned at birth. Most individuals identify with the gender that was assigned to them at birth. However, some people identify as the opposite gender or no gender in particular.



Different gender identities include:

- Cisgender = a person whose gender identity corresponds with the gender they were assigned at birth;
- Transgender = a person whose gender identity is different from the gender they were assigned at birth;
- Non-binary = a person whose gender identity does not conform with the binary norm of male/female. Their gender identity may be something other than simply “male” or “female”, they may identify with both genders (bigender), or more (pan/multi-gender) or they may not identify with any gender in particular (agender);
- Gender fluid = person who does not describe themselves as belonging to a specific gender, and whose gender fluctuates over time.

Gender identities are represented by the letter T and the + in LGBTQIA+.

Gender expression? This refers the way that individuals express their gender identity. This may be expressed in, for example, a feminine, masculine, androgynous, queer or non-binary way.

However, sometimes gender expression can encompass forms of expression that do not necessarily equate gender identity. This is the case for drag queens and drag kings.

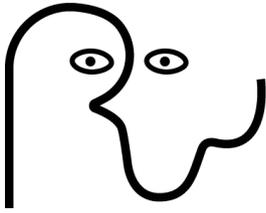
Sex characteristics? These are the physical characteristics of each individual relating to their sex, meaning their reproductive organs but also their chromosomes, gonads, sex hormones and secondary physical characteristics that appear at puberty.

These sex characteristics include:

- Dyadic: a person born with the sex characteristics that are clearly identified as “male” or “female”;
- Intersex: a person born with the natural, biological sex characteristics that differ from the standard sociocultural conceptions of masculinity and femininity. These characteristics relating to sexual variations may be differences in reproductive organs, chromosomes, gonads, sex hormones or secondary physical characteristics that appear at puberty. There are more than 40 ways of being intersex, affecting almost 2% of the global population.

Sex characteristics are represented by the letter I in LGBTQIA+.

That leaves us with the letter Q, which stands for “Queer”. This applies to any person whose sex, gender, sexual orientation, gender identity, or gender expression is considered to be non-traditional and that breaks away from heteronormativity. “Queer” basically sums up all the letters in LGBTQIA+. The word was originally used as a slur in English, meaning “bizarre” or “strange”, but was appropriated by those labelled with the term (“queer culture”, for example).



It is important to point out that this list covers the main letters associated with the term LGBTQIA+. There are, of course, other letters representing other sexual orientations and/or gender identities that exist, and these should not be ignored.

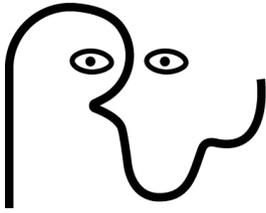
***“Gender identity is about who we are,
but sexual orientation is about who we love”⁵***

2. Vulnerability... and vulnerabilisation

“The situation faced by LGBT people in Douala is really... I don’t know how to explain it. Each person experiences it differently depending on their family, their own experience, because there is no LGBT community. [...] We just try to create our own codes, our own little things, you know, little low-key clubs, with 8, 6, 16 people, we meet up on a Sunday and then we go back home. [...] The whole ordeal starts in the family. This is because it is something that is not seen as normal and sometimes with the Church and beliefs, it is associated with demons, with evil spirits. [...] It all starts with a lack of understanding in the family, when they cannot accept that a man might be effeminate or be attracted to another man or to see two girls together. [...] That’s where it begins, in the family, and then you have the outside world. [...] As for me, I was only harassed twice, but I was already getting so much grief from my family. [...] Someone hit me and it really messed up my eardrum. I have trouble hearing from this ear. You find yourself in these kinds of situations where you can’t report it to the police. You can’t go to a police station and say that you’ve been harassed because, well... You find yourself between a rock and a hard place. I had these two experiences but the intolerance, that comes from families who don’t understand, who see you as an embarrassment, actually. Even your own mother can’t accept it. She can’t accept it, it’s too hard for her.”⁶

⁵ LGBT refugees - lesbians, gays, bisexuals, transgender and intersex - Practical guide for an inclusive and egalitarian reception - page 6 - LGBT Shelter Geneva

⁶ .” *Account of an LGBTQIA+ refugee from Cameroon, taken in by Le Refuge Brussels.*



Everyone has SOGIESC, but some are discriminated against and abused because of certain aspects of their SOGIESC that do not conform to the hegemonic sociocultural model. Displaced LGBTQIA+ individuals are particularly exposed to discrimination, abuse and violence in their home country, the countries they travel through, and their host country:

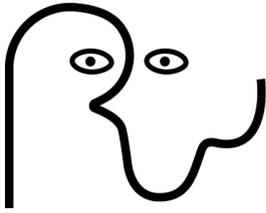
- Stigmatisation, pathologisation, abuse and violence, including gender-based violence, sex trafficking and forced labour, torture or murder at the hands of state officials, militias, gangs, smugglers, members of the community, family members or other displaced persons;
- A lack of protection from police and security officials, including those who handle the processing and group accommodation of displaced persons;
- Serious discrimination and exclusion from accessing necessary health services and anti-gender-based violence measures for abuse survivors, accommodation, education, recreational activities, employment and other social services;
- Extortion, arrest or unjustified detention, particularly in countries that criminalise consensual homosexual relations and forbid people from changing their legal gender;
- Exclusion from family and society and/or ethnic, linguistic or religious community, or other support networks;
- Difficulties in forming associations or actively participating in society due to stigmatisation and exclusion.

a) Vulnerabilities...

When we talk about vulnerability, we must be aware of the specific needs of different profiles and apply an intersectional analysis to the experiences of all LGBTQIA+ people seeking international protection or refugees. We must understand that these acts of discrimination do not happen in a vacuum, but are made up of various dimensions, encompassing other identities and forms of discrimination.

“The increasing number of requests for asylum due to persecution based on sexual orientation or gender identity in several different countries must incite a broader debate on the multiple vulnerabilities that affect LGBTI asylum seekers and refugees at all points during their displacement, in the aim of introducing concrete measures that guarantee the recognition, protection and application of these individuals’ rights.”
(<https://www.acnur.org/fileadmin/Documentos/Publicaciones/2014/9872.pdf>)

Case law on vulnerable persons in the European Court of Human Rights has made gradual progress in identifying the physical, mental or social circumstances that can help to determine the specific protection needs of certain groups in order to ensure equal access to rights along with all other asylum seekers. This is the case for child refugees, victims of trafficking, and lesbian, gay, bisexual, trans or intersex people (LGBTI+) (O.M. v. Hungary, Ruling by European Court of Human Rights, 5 July 2016).



The terms “vulnerable persons” and “in need of special procedural guarantees” are used in article 31.7 (b) of the 2013 “EU Directive on common procedures on granting and withdrawing International Protection (recast)” to indicate the two types of requests that may be seen as priority: those coming from “vulnerable persons with specific reception needs” and from unaccompanied minors.

However, the reference to asylum seekers with special reception needs can only be understood by cross-referencing Article 21 of the “2013 Directive on laying down standards for the reception of applicants for international protection (recast)” which provides the following non-exhaustive list of persons: “...minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.”

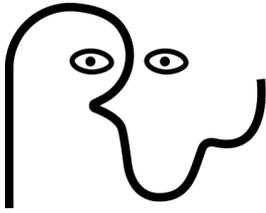
Article 15.3. (a) of the Directive 2013/32/EU also provides that the person who conducts the interview is competent to “take account of the personal and general circumstances surrounding the application, including the applicant’s cultural origin, gender, sexual orientation, gender identity or vulnerability.”

Despite these provisions, there remains a certain ambiguity regarding the treatment of vulnerable groups seeking asylum in the European Union.

Several analytical studies show that lesbian, gay, bisexual, trans and intersex (LGBTI) people face unequal treatment when dealing with public services, particularly in the form of discrimination in healthcare facilities or obstacles in accessing other services. Stigmatisation and discrimination, combined with the stress faced by minorities and the sociocultural norms that privilege heterosexuality, cisgenderism, endosexim⁷, and ethnocentrism, are some of the deeper causes that contribute to these inequalities.

In terms of the needs of LGBTQIA+ people, and more specifically those of LGBTQIA+ migrants and refugees, lack of awareness and understanding of the unique health and healthcare needs of LGBTQIA+ individuals as well as non-inclusive attitudes have been identified as possible contributing factors by professionals and university students. (Bonamigo Gaspodini & Gomes de Jesus, 2020) (Valeria Donisia, 2019)

⁷ An ideology that supports the belief that non-intersex bodies are healthy, valuable and desirable while intersex bodies are deformed, pathological and must be “corrected” or “returned to normal”.



b) Challenges associated with the protection of displaced LGBTQIA+ individuals

LGBTQIA+ minors, adolescents and young adults:

Coming from hostile and non-supportive families and educational or societal contexts, they may come to terms with the gender identity and/or sexual orientation amidst feelings of repression, hiding or shame. In some cases, this can lead to cases of self-harm when there is no support system in place. This lack of positive recognition and social validation has serious consequences. It should be noted that requests for asylum tend to emphasise the protection of minors rather than the other existing grounds for such requests, such as those based on SOGIESC.

Lesbian women:

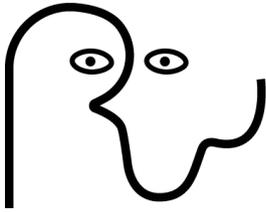
Generally speaking, lesbian women face a lack of visibility in all societies, leading to a poorer quality of care, particularly when it comes to healthcare. For example, lesbian women go to the gynaecologist less often than heterosexual women due to the fear of being judged by health professionals. Additionally, when arriving in their host country, they rarely receive screening for sexual transmitted infections/diseases (STI/STD) that they may indeed suffer from.

They can also face discrimination based on their gender identity, gender expression and sexual orientation, but feel too scared to report it to the police. They may be more exposed to honour-related crimes and “corrective rape”, perhaps even by family members or members of the community. They may also have been forced into heterosexual marriages and have given birth to one or more children. The fact of having children can negatively impact the request for asylum based on SOGIESC, as it may give an impression of dishonesty concerning their sexual orientation during the hearing.

Gay men:

Gay men tend to experience more mobility, more visibility and more social validation, and are more likely to participate in public life. As a result, they often face more immediate risks that threaten their physical wellbeing due to their real or perceived sexual orientation. Furthermore, due to gender stereotypes or fear of the police force, they may be reluctant to disclose this sexist violence to the authorities or may encounter difficulties when seeking help from services when they are victims of such violence.

In some countries, gay men accused of having sexual relations with other persons of the same sex may be subjected to forced anal tests. Some are also forced to marry women and may have one or more children. Again, the status of being a father may cause them to be penalised during hearings.



Bisexual people:

Bisexuality remains poorly understood in many countries. What's more, bisexual people are often the victims of discrimination that can take the form of mockery, loss of credibility and/or insults. The concept of bisexuality is often attributed with false beliefs, such as the argument that it is abnormal or that bisexual people have a higher sex drive than "usual".

Bisexual people consider their sexual orientation to be flexible and constantly changing, which leads to the mistaken impression that their sexuality is a choice and not an identity, or that they are using their sexual orientation in an opportunistic way. Furthermore, they may also face discrimination from other queer individuals. These types of behaviours have a negative effect on the mental and emotional wellbeing of bisexual people, particularly for young bisexuals, who are at a higher risk of depression and suicide attempts than heterosexual and homosexual people.

Transgender people:

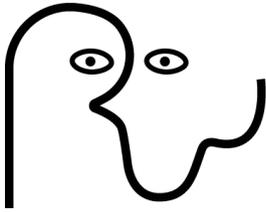
Transgender people are a particularly misunderstood and seriously marginalised group, even by other people with SOGIESC that do not conform to heterosexual norms.

Their identity and gender expression may not correspond with their physical appearance and the sex they were assigned at birth and which appears on their identity papers, which can cause them to face stigma, both by state officials and humanitarian workers. They may even be accused of identity fraud. Additionally, they are often rejected by members of their family and by the community.

They frequently face abuse and discrimination from state authorities and sexist violence at the hands of state and non-state actors, including rape, sexual abuse, physical assault and even murder. They are prevented from accessing education, accommodation and support services, which can be experienced as a barrier between them and resources, opportunities and services. Furthermore, they may encounter difficulties in accessing the necessary materials and support to meet their medical needs, such as hormone therapy or healthcare and sexual/reproductive health services for transgender men who have periods or are pregnant.

Transgender individuals may also resort to sex work in order to survive.

Upon arrival in their host country, the authorities, humanitarian workers and service providers do not always understand the specific needs of transgender people, including the need to respect chosen names and pronouns.



Intersex people:

Generally speaking, intersex people experience more discrimination in their everyday lives than other members of the LGBTQIA+ community. Also, intersex people may be forced to undergo surgical procedures to modify their sex characteristics without their or their parents' consent. As a result, intersex children are at risk of being forced into hasty, unnecessary, harmful and irreversible operations without medical justification, to "correct" their anatomy. These operations can have a series of serious and negative long-term effects on the physical and mental health of the child, including sterilisation.

The United Nations considers unnecessary surgical procedures and treatments performed on intersex persons as a human rights violation. Furthermore, a number of States and human rights organisations have also called to put an end to these unnecessary operations and treatments.

Cases of infanticide as well as abuse inflicted on the family members of an intersex person have been identified in some regions, including, among others, Sub-Saharan Africa, South America and South-east Asia.

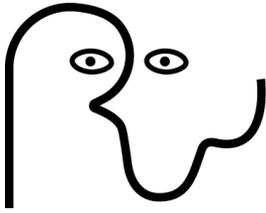
Intersex people may be victims of exclusion and persecution, even from other LGBTQIA+ individuals, due to their perception as physically disabled or gender-non-conforming due to their atypical sexual anatomy and secondary sex characteristics, sometimes making it hard for them to integrate into LGBTQIA+ communities in their host country.

Pansexual people:

Pansexual people often face discrimination largely to a poor understanding in society of this sexual orientation. For example, they are sometimes perceived as bisexual despite the two sexual orientations being quite different.

Additionally, they may be persecuted due to their real or perceived capacity to experience emotional, romantic and sexual attraction for individuals of the same or different gender, as well as their capacity to have intimate relations with them. For example, they may be targeted for being seen as having intimate relations with a transgender person, regardless of their actual gender identity.

Pansexual asylum seekers are less visible in comparison with other SOGIESC profiles but it is important to take them into account and offer them the same services and mental health support.



Asexual people:

Asexual people are sometimes faced with discriminatory attitudes or behaviours, both from within and outside LGBTQIA+ communities. This discrimination is largely due to a poor understanding of asexuality, which is still considered by some as a mental illness. The belief that asexual people cannot feel love is still prevalent, and as a result they are seen as abnormal. Some asexual individuals have also been victims of “corrective rape”, while others are forced to engage in sexual acts and/or to marry against their will, or are forced to see a doctor to “fix” their asexuality.

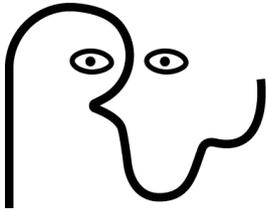
Having only recently received recognition as a sexual orientation, asexual people often have less legal protection than gay, lesbian, and bisexual people. This is just as true for LGBTQIA+ asylum seekers, who may have to prove during their hearing that it is in fact a sexuality and that they are indeed asexual.

c) Invisibility, a poor protection strategy?

Due to taboo, invisibility and/or criminalisation of elements relating to SOGIESC in their home country or the countries they travel through, many LGBTQIA+ asylum seekers do not socially and openly identify as such when they arrive at their host country, choosing to keep their identity a secret. This is known as passing: when a member of a minority or marginalised group “passes” for a member of the majority or dominant group. In this context, the majority group would be cisgender, heterosexual people and the minority group would be LGBTQIA+ people. In many situations, the aim of *passing* is so that the member of this minority group can ensure their own safety and inclusion in society. Depending on their country of origin, some LGBTQIA+ individuals prefer not to remain invisible in order to fit into the “norm” and therefore avoid potential persecution.

Also, due to cultural differences, many LGBTQIA+ asylum seekers are completely unaware that they can request asylum based on their SOGIESC and that they can seek out help when faced with abuse.

Other LGBTQIA+ asylum seekers simply do not identify as such when arriving in their host country as issues relating to SOGIESC are taboo and rarely discussed in their home country, because of a lack of LGBTQIA+ community in their home country, because Western acronyms such as LGBTQIA+ and symbols such as the rainbow flag have never made across the borders of their home country. They find themselves incapable of openly disclosing who they are (gender identity) or who they love (sexual orientation). However, the more visibility gained by LGBTQIA+ communities, the more people will be able to identify with them, and therefore have access to better information for those seeking answers about their gender identity or sexual orientation, and as a result, potentially apply for asylum on the basis of their SOGIESC.



Although making oneself invisible is not a sustainable solution, *passing* in sometimes the only method LGBTQIA+ asylum seekers can find to protect themselves, as discrimination and violence may persist in their host country. For example, the accommodation conditions faced by refugees, who are usually placed in group accommodation alongside people who are openly hostile to LGBTQIA+ individuals or who come from the same countries in which they have experienced persecution, perpetuating the dangers they faced in their home country. Many refuse to request protection in the fear of encountering more violence. Their need for protection remains unfulfilled. They therefore find themselves unable to participate in activities or access the necessary support services.

d) Consequences of experiences of persecution and violence

Around the world, LGBTQIA+ asylum seekers are living through an experience marked by traumatic events. These may include verbal, physical, emotional and sexual assault and abuse, exile, harassment, discrimination in different areas, blackmail, forced prostitution, forced heterosexual marriage, and many others. Any person appearing to have a behaviour that does not conform with their gender assigned at birth will be targeted from a young age by their social circle.

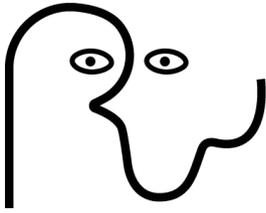
Furthermore, LGBTQIA+ people facing violence due to their SOGIESC sometimes receive no support from their family, as the families may not be necessarily aware of their orientation or identity or because the families participate in this persecution.

- Psychological disorders

LGBTQIA+ people are a vulnerable group, especially when they are persecuted. For this reason, the effects of continued stress should be prevented. Access to mental health services should be ensured in order to document the psychological impact of persecution as well as provide treatment for mental health problems that may develop LGBTQIA+ asylum seekers. The report of the mental health service can be used to support the proof of persecution in the asylum process.

This section does not intend to focus on pathologising LGBTQIA+ asylum seekers and refugees, but on improving their care by sharing the following:

LGBTQIA+ asylum seekers may suffer from **post-traumatic stress disorder** (PTSD). PTSD generally develops after experiencing traumatic events, something which is commonly found in the case of LGBTQIA+ asylum seekers. This is why post-traumatic stress disorder is a psychiatric diagnosis that is more common among asylum seekers than in the general population. It is important to adapt care services appropriately and provide the right psychosocial support. This is even more important as PTSD does not always go away, although it may decrease in intensity over time, even without treatment.



Furthermore, LGBTQIA+ asylum seekers may suffer from **generalised anxiety disorder**, another psychological consequence of their experience. This takes the form of excessive feelings of nervousness/worry during different activities or events. In the case of LGBTQIA+ asylum seekers, this may be due to their past mistreatment and trauma, which may come back to them at any time as fragments (images, smells, physical sensations or noises).

Another potential psychological consequence is **depression**, one of the most commonly found disorders among LGBTQIA+ asylum seekers. It presents as a feeling of sadness and/or loss of enjoyment or interest in everyday activities.

Symptoms of depression often emerge gradually over several days or even several weeks. It is a long process that can take a long time to fully emerge, and can take just as long to treat. People suffering from depression may experience extreme feelings of guilt and self-hatred. They can also experience feelings of loneliness, despair and lack of purpose. These individuals will often feel indecisive, powerless and have thoughts of death or suicide.

One potential consequence of depression and generalised anxiety disorder are **sleep disorders**. They must not be ignored because they can have severe consequences on quality of life and an impact on daily routine.

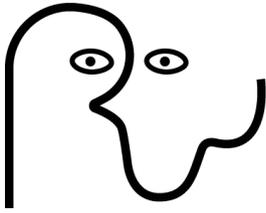
The mental health of LGBTQIA+ asylum seekers is weakened by the persecution and violence they suffer throughout their life, and they are at a particularly high risk of developing depression, anxiety or even suicidal thoughts. These are all consequences that alter and undermine their **self-esteem** and **their trust in other people**. LGBTQIA+ asylum seekers must be understood and recognised by the authorities and institutions in host countries in order to provide psychological, social and medical support from their arrival onwards.

- **Limited access to healthcare**

Professional training in the field of healthcare is still imbued with heteronormative approaches and still has many shortcomings. Heteronormativity and heterosexism⁸, still present among healthcare professionals, may impede access to healthcare.

In fact, the European Union Agency for Fundamental Rights reported in its 2015 annual report that many LGBTQIA+ people fear stigma and prejudice in the health service, and that homophobic and discriminatory behaviour by health professionals is likely to be an assumed reality.

⁸ A form of rejection and stigmatisation of any form of non-heterosexual behaviour, identity or relationships that manifests itself at both the individual and social level and has a cultural weight by influencing thought, habits and social institutions.



The risk of discrimination facing LGBTQIA+ individuals when accessing their right to healthcare differs from that of other patients, not only in relation to particular physical and psychological aspects, but also in relation to the care they seek out (self-exclusion from care is common) and access, due to various factors such as experiences of discrimination and lack of awareness of their specific needs.

This is even more common for transgender people. According to a 2015 study by the National Centre for Transgender Equality in the United States, a third of transgender people who have accessed healthcare have had a negative experience (verbal harassment or refusal of care). There remains a lack of access to make-up and wigs for transgender people during their transition, and even afterwards, which could be the result of a general lack of understanding of the needs of these individuals.

- **Racism**

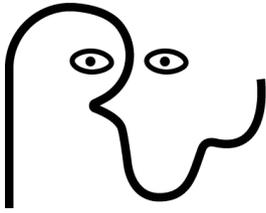
Racism is expressed as hateful, contemptuous or hostile attitudes towards certain individuals or groups. This term also refers to the hierarchy that exists between groups of individuals that generate inequality between the dominant group and the others. For this to occur, there must be a context of domination of one group over others. Additionally, racism can present itself in different ways depending on the country, its history, culture and other social factors.

When racism occurs at an individual level, this is known as “moral” or “primary” racism. This applies to people who commit acts of violence or hate speech towards individuals based on their origin, ethnicity or their SOGIESC, because of prejudice or because they believe in stereotypes or have a feeling or ideology of superiority, which may be more or less explicit.

Most people believe that societies should be inclusive and recognise the equal rights of all citizens, including immigrants and members of minority groups. However, the general opinion is still divided when it comes to allowing minority groups to access the rights in all circumstances.

Racism is also a source of worry for many Western LGBTQIA+ communities, in which minority individuals, whether due to their race, ethnicity or nationality, describe experiencing discrimination and racism from other LGBTQIA+ individuals.

For example, in the United States, minority ethnic LGBTQIA+ individuals may find themselves in a double minority, in which they are not totally accepted or included in LGBTQIA+ spaces (which are primarily white) nor totally accepted by their own ethnic group. This is even more of an issue for LGBTQIA+ asylum seekers when arriving in their host country. At this point, they find themselves in a situation of double discrimination due to their nationality and their SOGIESC.



- **The influence of community and internalised homophobia**

A community is considered as a group of human beings united by a social bond. There are all kinds of community: political, religious, cultural, scientific, etc. If we speak of community, it is because all members of the community are considered to have equal rights. Additionally, members join a community because they share common interests with the other members of the group, whether they know each other or not. However, a community can be in opposition with other communities, leading to conflict between their respective members. This is, for example, the case for members of the LGBTQIA+ community when facing persecution or discrimination from other communities.

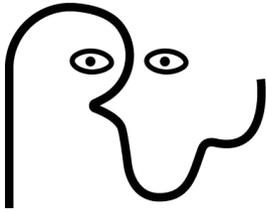
There is also the issue of stigmatisation of LGBTQIA+ individuals from their community of origin. Asylum seekers can also face persecution from their loved ones. As a result, for some asylum seekers, the national community can provide support, while for other LGBTQIA+ asylum seekers, it may act as a burden and a double sentence.

As questions surrounding SOGIESC may be taboo or criminalised in their home country and in the countries they travelled through during their displacement, many LGBTQIA+ asylum seekers do not identify as such when arriving in their host country, even rejecting their SOGIESC altogether.

This is similar to cognitive dissonance as it corresponds, among other things, to a coping mechanism that helps to repress information that the individual does not wish to accept. Homosexual individuals who possess homophobic beliefs are the first victims of their own internalised homophobia and therefore experience this cognitive dissonance. In this case, the best approach is to change one's attitude and beliefs to live in harmony with a behaviour that "cannot be changed".

This internalised homophobia can generate feelings of shame or guilt. The person tries to ignore or repress their feelings of attraction and can even go so far as to force themselves to live as a straight person. In some cases, the frustration and rage generated by this results in aggression that a person will direct towards themselves or towards other LGBTQIA+ individuals.

These asylum seekers are often incapable of making a request for asylum on the additional grounds of being LGBTQIA+ and therefore deprive themselves of access to various LGBTQIA+ structures and associations, along with their psychological and social resources and services.



e) Vulnerabilisation

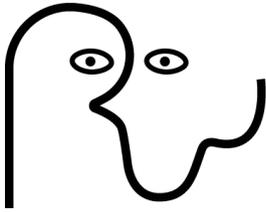
This leads us on to the topic of vulnerabilisation and normalisation of violence. We have seen how LGBTQIA+ individuals are often over-exposed to direct and indirect forms of violence and discrimination. Living in an environment where violence is present, reproduced and shared online on a daily basis can lead to an over-exposure that individuals may react to in different ways on an individual or collective level.

In these situations, there are 4 levels to this **normalisation of experiences of violence**:

1. The understanding that the use of violence is becoming increasingly justified, therefore leading to an increase in violence against LGBTQIA+ individuals;
2. LGBTQIA+ individuals may see many of the everyday aggressions and violent acts they experience as “normal”. This means that they will not disclose these events when telling the story of their persecution;
3. The authorities do not identify the structures of violence that underpin these experiences, only focusing on the effect rather than the cause. This generates apathy or complicity towards rights violations;
4. At the social level, dehumanisation is generated by a lack of solidarity and empathy towards LGBTQIA+ individuals who are victims of this violence.

A large number of the lesbian, gay, bisexual and transgender migrants (LGBTQIA+) interviewed in a range of different countries describe experiencing multiple traumatic events during their life. These events include verbal, emotional, physical and sexual violence, aggressions, harassment, generalised rejection, gun violence, discrimination in accessing housing or employment, destruction of property, blackmail, forced prostitution, forced heterosexual marriage, “corrective rape” and coercive surgical procedures to change their SOGIESC.

They find the social roots of this violence in three aspects of our current system of gender. The first is heterosexism, an ideological system that maintains that heterosexuality is the only valid form of expression and promotes a sexuality based on penetrative, reproductive and phallogocentric sex. The second aspect is conformity with gender norms that stem from a binary ideology. The third aspect is cisgenderism, meaning an ideological system based on the belief that the only valid genders are those that correspond with a person's reproductive organs. It means giving priority to cisgender individuals - those who identify as the gender they were assigned at birth - and to place individuals who identify as a different gender than the one imposed upon lower down in the hierarchy.



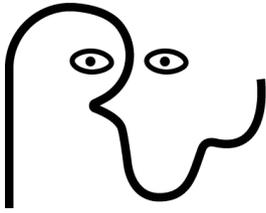
Internalised LGBTQIA+phobia occurs when LGBTQIA+ individuals internalise the negative connotations, prejudices and stereotypes associated with SOGIESC in their self-concept, resulting in negative reactions and attitudes towards their own SOGIESC and those of others due to their symbolic link with SOGIESC. Perceived stigma of SOGIESC refers to the expectations of LGBTQIA+ people about the possible attitudes and reactions of others due to their SOGIESC. When trying to cover-up their identity, LGBTQIA+ individuals modify their physical appearance and behaviour in order to make their SOGIESC invisible. (Bonilla-Teoyotl, 2019)

Stigma and discrimination can also have indirect effects on the well-being of homosexual migrants and refugees as a result of the adaptation strategies they use. They often use avoidance strategies, such as avoiding making use of services (self-exclusion) or hiding their sexual orientation as much as possible. Avoidant adaptation does not only have a direct effect on a person's well-being, but also mediates the negative effects of stigma on mental health. (Gomes, Alexandre Costa, & Leal, 2020)

These negative effects on mental health can also manifest as self-harm or even suicide attempts. Members of LGBTQIA+ communities experience higher rates of depression, self-harm and suicide attempts compared to heterosexual people. According to the 2015 U.S. Transgender Survey (USTS), carried out by the National Centre for Transgender Equality, 40% of transgender people surveyed had attempted suicide at some point in their lives. This trend is also reflected by the Stonewall organisation, who published a report in 2018 on the mental health of LGBTQIA+ people, stating that 60% of young gay people had committed self-harm, 25% had attempted suicide, compared to 40% of transgender people.

The LGBTQIA+ asylum seeker population is a particularly vulnerable group in terms of mental health issues, and they are even more likely to develop self-harm behaviours or attempt suicide.





3. Conclusion

LGBTQIA+ asylum seekers can be exposed to permanent prejudice during their journey or after arrival in their country of asylum. Many of them try to hide their SOGIESC in order to avoid abuse. As a result, they are difficult to identify and, therefore, to help.

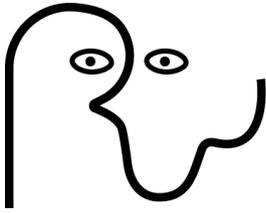
All adaptation mechanisms and trauma caused by the persecution they have endured or encountered, as well as the fear of new persecutions, do not go away after arriving in a new country.

In addition, many organisations continue to report on forms of homophobic and/or transphobic violence and harassment in reception centres for asylum seekers in European countries, both by staff and by other residents. According to the High Commissioner for Refugees, the most worrying conditions are found in detention centres, particularly if the person staying there has visible physical characteristics, as is the case for some transgender people.

The combination of these vulnerability factors related to both migration and SOGIESC places LGBTQIA+ asylum seekers in unique situations of vulnerability, which are essential to identify and understand in order to develop inclusive reception and appropriate support. This represents one of the greatest challenges to be faced in the decades to come, in order to safeguard the rights of LGBTQIA+ people.

With the arrival of the COVID-19 health crisis, various LGBTQIA+ rights organisations reported an increase in the vulnerability of LGBTQIA+ asylum seekers. The HCR also reported a resurgence of violence against LGBTQIA+ people, despite the lockdown and quarantine measures put in place due to the global pandemic. Additionally, the health crisis caused past trauma to resurface for many asylum seekers, therefore accentuating certain mental health issues.

Another problem that emerged due to the COVID-19 pandemic was a general delay in asylum request procedures, forcing asylum seekers to wait for periods of up to several months, adding to their vulnerability even more. In fact, many European countries suspended asylum procedures altogether, leaving a large number of asylum seekers in total uncertainty. Simultaneously, the closing of borders made it even more difficult for LGBTQIA+ asylum seekers to enter the EU to find refuge and safety.



III. How can I be an ally of LGBTQIA+ asylum seekers?

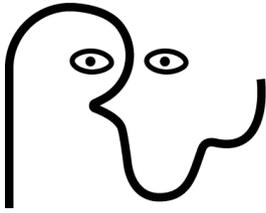
LGBTQIA+ acronyms, the rainbow flag and similar terms and symbols are “politically-charged labels”, made in and made by Western societies, which do not take into account many of the realities, expressions and sexual realities of LGBTQIA+ applicants from other cultures.

There is no glossary of universally accepted terms when it comes to describing a person whose sexual orientation differs from their cultural norm. Although terms and acronyms such as LGBTQIA+ have become more widespread due to an increasingly worldwide understanding of SOGIESC, these terms do not fully reflect the local nuances in a person’s experience. Identities, behaviours, desires and expressions, as well as the terms used to describe them, may vary from one culture to another depending on language, history, religion, economic class, age, ethnicity or other cultural factors. (Agüero García & Calvo Pérez, 2019).

Each cultural group uses its own terms to designate people who have gender roles and expressions that differ from their sex/gender classification system. However, sometimes this terminology does not enter into the vocabulary, due to a lack of references or due to the persecution itself.

The ways of naming (or not naming) LGBTQIA+ are determined by values, beliefs, norms, roles, taboos and stigma in a person’s culture of origin and, in many cases, are affected by the criminalisation or demonisation of sexual diversity or anything “LGBTQIA+”.

The process of self-recognition and identification with the categories of LGBTQIA+ sometimes occurs in parallel with the asylum seeker’s gradual integration into society in their host country. The individual may describe themselves differently in the short, medium and long term, moving through different categories of gender and sexual orientation at their disposal as they are internalised. It is essential that we adopt an intercultural perspective, allowing us to understand cultural differences and adapt tools and methodologies and to better understand the needs of the individuals we are working with. An important step in this is placing the individual at the centre of the process. This means respecting their rhythms, their time and their needs. This also means no forced processes of self-discovery or imposition of Western acronyms and terminology. The use of intercultural approaches promotes a respectful relationship upon their arrival, allowing for a gradual authentication process.



For this reason, we have aimed this section specifically at social workers and more generally for all those who work in the field, either on a voluntary or paid basis, to provide daily support for asylum seekers. We will look in more detail at how we can support LGBTQIA+ asylum seekers upon their arrival in the host country. We are, however, aware that the tools presented here are not exhaustive.

1. A breakdown of the experience of an LGBTQIA+ asylum seeker

Asylum seekers are often poorly prepared for the journey, dangers and emotional consequences ahead.

Pre-departure

The discrimination faced by asylum seekers and refugees due to their SOGIESC is manifested by a distinction, exclusion, or restriction which has the purpose or effect of erasing or impairing the recognition, enjoyment or exercise, on an equal basis, of their rights and freedoms.

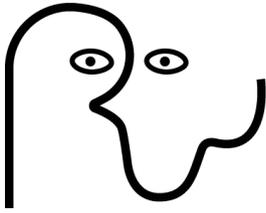
Departure and transit

The way in which a person leaves their country or flees persecution will be influenced by their education, their relative wealth and their skills. Multiple factors must be taken into account, depending on the factors of oppression and privilege that affect both the moment of departure from the person's home country and the entire journey that follows.

Some people migrate in the hope of joining other family members or members of their community, which can involve a high level of social control. As previously discussed, a community can provide support or act as a burden, depending on the situation and the person. However, migrating alone often pushes the person to reach out to reception resources and communities. But this can also lead to exclusion and isolation, and heavily depends on the individual's social skills.

Arrival in the host country

Asylum seekers may think that their arrival in Europe means the end to their troubles, but this is often not the case, and this can have a serious psychological impact. This is even more true for LGBTQIA+ asylum seekers, as there may still be a long way to go before receiving refugee status.



This is primarily due to the Dublin Procedure, which can take up to 11 months from the day the appeal for asylum is submitted. This procedure is based on the following principle: “Member States shall examine any application for international protection by a third-country national or a stateless person who applies on the territory of any one of them. The application shall be examined by a single Member State (...)” ([The Dublin Procedure \(eur-lex.europa.eu\)](#)). The aim of this is to prevent an asylum seeker from seeking assistance from several European countries and/or the country that will process their application.

This process can also be delayed due to “resettlement”, defined by the HCR as “the transfer of refugees from an asylum country to another State, that has agreed to admit them and ultimately grant them permanent residence. [...] Resettlement is unique in that it is the only durable solution that involves the relocation of refugees from an asylum country to a third country.” ([HCR - Resettlement \(unhcr.org\)](#)). In this case, refugees are once again forced to adapt to another culture and integrate into another society.

Asylum procedure

Each country has its own legislation concerning asylum procedures. To learn more about these procedures, here are links to some infographics representing each country's asylum procedure, as well as the Dublin Convention and the Common European Asylum System.

European Union: [12ceas2pg.pdf \(europa.eu\)](#)

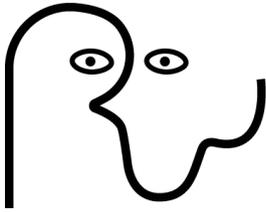
Dublin Convention: [Dublin Regulation: Into the infernal machine of the European asylum system - La Cimade](#)

Italie: [How to apply for asylum in Italy? Refugees in Italy - ALinks](#)

Belgium: [Standard Procedure I CGVS \(cgra.be\)](#)

France: [The Asylum Procedure in France - Legal design and legal infographics \(sketchlex.com\)](#)

Spain: [13_procedimientosolicitudproteccioninternacional-e1402909152589 - CEAR Pais Valencià \(cearpv.org\)](#)



2. How to support LGBTQIA+ asylum seekers...

a) ...through your language and behaviour

Here are a few tips on choosing what language to use:

Verbal communication:

- Ask the person how they refer to themselves rather than trying to guess;
- Always respect a person's preferred pronouns without asking for an explanation;
- Take care not to misgender someone, as this can be very harmful for some transgender people, and instead adopt a flexible behaviour that works around the individual. If you make a mistake, you can apologise, but it is unwise to go overboard in expressing your own feelings as you may end up offending the person even more;
- For transgender people who have gone through a social and/or medical transition, the present reality is the only one that exists and is the only one that should be made visible, so be careful when bringing up the past. Be mindful of the person's "*deadname*"⁹, which you do not need to ask for. It may be difficult for transgender people as it can remind them of traumatic events;
- Do not show an unhealthy level of curiosity towards LGBTQIA+ individuals or ask unnecessary questions.

Written language:

- Try to use inclusive verbal agreements when using gendered languages or neutral terms in written communication so that no one feels excluded.

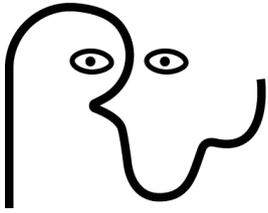
Titles (Mr., Mrs.):

- Avoid using titles in written language, in verbal communication, or as options on questionnaires.

When addressing a group:

- When dividing a group (into teams, for example), base these divisions on something other than gender;
- Mention people by name whatever the activity, avoid using language like "ladies, you can do this" or "guys, you can do that";
- Use neutral language even when addressing that seems to be only made up of girls/women or boys/men (e.g. "kids" instead of "girls").

⁹ Birth name or former names of people who have changed their name as part of their gender transition



To make sure you always have a resource to refer to on good language practice, we have put together an infographic in the form of a glossary, outlining some of the ideas mentioned above.



Good communication

regarding Sexual Orientation, Gender Identity or Expression and Sex Characteristics (SOGIESC)

Transphobia, homophobia and biphobia represent a broad range of hostile attitudes and feelings directed towards people who identify or are perceived as **Lesbian, Gays, Bisexual, Transgender, Queer, Intersex, Asexual**, etc. (**LGBTQIA+**). These may take the form of contempt, antipathy or prejudice and may be expressed as physical or verbal aggression, harassment and discrimination.

Some handy definitions:

Coming out

The act of disclosing your SOGIESC to another person.

Outing

The act (to be avoided!) of publicly revealing someone's SOGIESC without their opinion or permission.

Heteronormativity

The system in which heterosexuality and cisgenderism are seen as the norm.

Romantic and sexual orientation

And sexual non-identity since an identity can be defined by something other than sex, which is a biological criterion (beware of the confusion between gender, sex and social gender roles).

Intersex

Not to be confused with hermaphrodite, which is a biological term that has a different definition altogether.

Passing

When a member of a minority or marginalised group "passes" for a member of the dominant group. This may evoke the idea of concealing one's identity or place the responsibility of social inclusion onto the oppressed person.

Cisgender

A person whose gender identity corresponds with the gender they were assigned at birth.

Transgender

A person whose gender identity is different from the gender they were assigned at birth. Remember not to use the word "transsexual" which is pathologising and comes from psychiatric terminology. A person can identify as transgender without going through any medical transition.

Transition

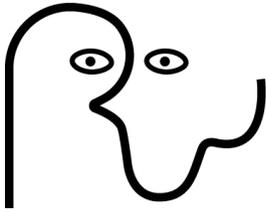
A process or state of being of a person who has a gender identity different from the gender they were assigned at birth. It refers to a social change that may or may not involve hormone therapy and/or gender reassignment surgery.

Deadname

The name that was given to a transgender person when they were born. Regardless of what changes have been made to their legal name, you should refer to them by their preferred name.

The use of **abbreviations** should be **avoided** as they may be interpreted as insulting or dehumanising.

LGBTQIA+phobic slurs, commonly used in everyday language, carry prejudice about the LGBTQIA+ communities and fuel discriminations. Their use must be **prohibited**.



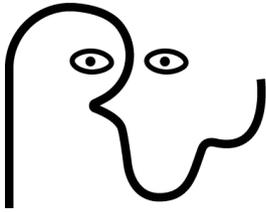
b) ...when providing specific additional support

In basic terms, LGBTQIA+ individuals are at a higher risk of not being able to access the services available to all asylum seekers and may require specific additional support:

- Safe and appropriate reception and care resources that respect the choice and privacy of the person seeking asylum, including those targeted towards adolescents or young asylum seekers who arrive with or without their family;
- Assistance in accessing asylum procedures, state services and services provided by humanitarian partner organisations;
- Protection against harassment, physical threat or violence based on their gender, in general and in detention centres;
- Access to legal advice or representation, as well as information on the possibility of seeking asylum based on SOGIESC-based persecution;
- Safe and decent accommodation;
- Mental health advice and safe, confidential and appropriate psychosocial support;
- Safe, confidential and appropriate healthcare, including treatment associated with sexual and reproductive health and rights, such as hormone therapy, support for transgender men who get periods or are pregnant, as well as surgery and treatment of HIV or sexually transmitted infections (STIs) or diseases (STDs);
- Access to decent means of subsistence, taking into account the physical risks that some LGBTQIA+ individuals may face if their work involves a high level of public exposure in a homophobic or transphobic environment;
- Specific protective measures when they are at a high risk, sometimes including access to local LGBTQIA+ support groups, quicker resettlement or inclusion in additional third country admission schemes.

c) ...by creating a broad network of services

All those who work with refugees and asylum seekers must adopt a holistic approach in order to quickly and efficiently access other services, such as LGBTQIA+ associations, non-governmental organisations (NGOs), or any person that may be able to assist these individuals or families in their legal procedures and settlement. A rapid, evidence-based assessment will be necessary in order to deal with the particular trauma these people have experienced. But it is important to not fall into the trap of psychologising or pathologising their suffering; for most individuals/families, their current situation can be understood as a normal reaction to abnormal circumstances.



One of the most common ways for LGBTQIA+ asylum seekers to make new connections and share experiences in their country of arrival is through LGBTQIA+ associations and organisations, some of which are specifically targeted towards LGBTQIA+ asylum seekers and refugees. These groups all provide a safe space where they can share their experiences with their peers and quickly find more acceptance and positive self-identification of their gender identity or sexual orientation through exposure to other LGBTQIA+ people.

On that note, if you would like to find out more, discuss this topic or get involved, we have provided a list of partner associations in each partner country in the “Find out more” section at the end of the guide.

d) ...by helping them to write their asylum story

What is an asylum story?

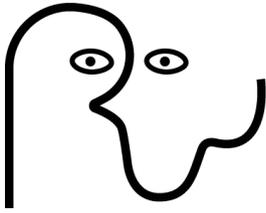
An asylum story is a written account that can be submitted as part of the asylum application. While the asylum interview will require answers to specific questions on the reasons why LGBTQIA+ asylum seekers fear returning to their home country, the asylum story is a written declaration that allows them to tell the full story. This declaration includes a detailed information about the person, their story, their trauma and their fears regarding any potential return to their home country.

For this reason, an effective story must:

- Be precise and detailed in order to paint an accurate picture of the asylum seeker;
- Be organised and easy to understand;
- Include information consistent with the information provided during the interview;
- Contain an explanation of how the asylum seeker fits the legal requirements for asylum;
- Finish with an outline of the risks incurred if the asylum seeker has to return to their home country.

What should be included in the asylum story?

The story is a detailed account that describes certain events that occurred during the LGBTQIA+ asylum seeker's life. To achieve this, it is important to provide as much detail as possible on past events, what the person saw and felt, for all the influential and traumatic moments the person has experienced, even if it is not easy...



The content of the asylum story may include several different elements:

- The harm suffered or their fears, in as much detail as possible;
- The reasons behind the aggression directed towards the asylum seeker, whether it was due to their (perceived) LGBTQIA+ status or for another reason such as their religion, nationality, belonging to a social group, etc., with a detailed account of the aggression;
- The experience, if applicable, of having been refused access to a service or fundamental right;
- The potential risks the asylum seeker will face if they return to their home country;

The asylum procedure itself may (re)traumatise LGBTQIA+ asylum seekers, as they will have to talk about and relive their experiences of violence and persecution in front of social workers, civil servants, police officers and lawyers, which may remind them of those responsible for their persecution in their home country.

e) ...by supporting them during their hearing

Making sure that the person conducting the hearing is capable of taking into account all of the personal and general circumstances involved in the request, including cultural origin, sex, sexual orientation, gender identity and the vulnerability of the applicant.

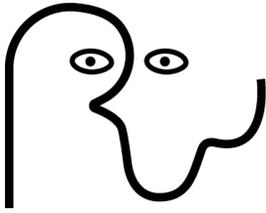
When possible, try to ensure that the interview is conducted by a person of the same sex, if requested by the applicant. When possible, EU Member States will offer to do so. This can help the asylum seeker to be as open as possible when it comes to sensitive topics.

Choose an interpreter capable of ensuring good communication between the applicant and the interviewer and when it comes to issues relating to the request for asylum.

The interviewer and the interpreter must avoid expressing, either verbally or through their body language, any judgement on the person's sexual orientation, gender identity, sexual behaviour or the relationship choices of the applicant.

The use of non-offensive language and showing a positive attitude towards sexual and gender diversity are essential, particularly in the applicant's native language. Using inappropriate language may in fact prevent applicants from openly and accurately describing their fears. The use of offensive language can contribute to persecution through, for example, acts of intimidation and harassment. Even terms that appear neutral or scientific can have the same impact as slurs. For example, despite being a commonly used term, "gay" may be considered an insult in certain countries.

If the interpreter is originally from the same country, same religion and same cultural background, this may contribute to the feelings of shame experienced by the asylum seeker and prevent them from openly disclosing all pieces of information relating to their request.



Questions regarding incidents of sexual violence must be asked with the same sensitivity that would be given to any other victim of sexual violence, whatever the victim's gender. Respect for the asylum seeker's dignity must remain the priority at all times.

Furthermore, in order to better understand the demands of LGBTQIA+ communities, it is worth familiarising yourself with a few key dates in European LGBTQIA+ history. This understanding of LGBTQIA+ culture may be necessary during hearings, so we will focus primarily on European countries. It is important to point out that the information presented here is in no way exhaustive, since LGBTQIA+ culture differs depending on the country and the culture.

From the decriminalisation of homosexuality to the legalisation of same-sex marriage, the road to equal rights for LGBTQIA+ people was - and still is - long. From our Western point of view, we can start from **25 September 1791**, when sodomy was decriminalised in France following the French Revolution.

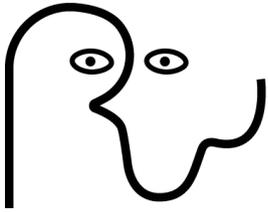
In our contemporary era, there one major event in the history of LGBTQIA+ people: **the 1969 Stonewall riots in New York**. The event started as a police raid at a gay bar, the Stonewall Inn, where the situation between the police and the bar customers quickly got out of hand. 2000 people faced 400 police officers. These riots marked the dawn of the LGBTQIA+ movement in the United States and in the world, giving rise to the Pride Marches we celebrate today.

In Europe the first Pride marches took place in England and Italy in **1972**, marking the first public demonstration attended by LGBTQIA+ people. They were followed by other countries in the European Union, such as France and Spain in **1977**. In Belgium, the first "gay day", the precursor to Belgian's modern-day Pride, took place in Ghent on 18 March **1978**.

In **1989**, the "Act Up" movement was launched in Paris, two years after its New York version, by Luc Coulovin, Didier Lestrade and Pascal Loubet. The aim of the association was to carry out direct actions with high shock-factor to push the public powers to do something about the devastating HIV-AIDS crisis.

Another important event took place on **17 May 1990**, when the World Health Organisation removed homosexuality from its list of mental illnesses. It is no coincidence that the International Day Against Homophobia, Biphobia and Transphobia is observed on the 17th of May.

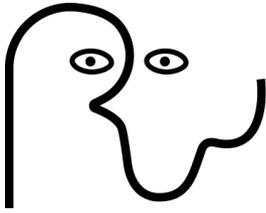
In **2001**, the Netherlands was the first country in the world to legalise gay marriage, followed by Belgium in **2003** and Spain in **2005**. It was not legalised by France until 17 May **2013**, following several months of intense debates and protests; in Italy, it was not legalised until **2016**.



All around the world, many associations are fighting for LGBTQIA+ rights, even though there is still a lot of work to be done.

The main role of an ally is to learn and to share, everything comes down to listening to the experiences of LGBTQIA+ people in order to understand their reality, which is different from that of heterosexual and cisgender people. Raising public awareness is essential. Heterosexual and cisgender people can help to pass on knowledge, but they should not take the place of those directly affected.





IV. Take action

One of the goals of the Rainbow Welcome project is to **train all actors on the ground working with LGBTQIA+ asylum seekers and refugees in the specific needs of these groups**. Indeed, it is important to remember that these people come from LGBTQIA+ communities, are migrants, but above all are LGBTQIA+ asylum seekers or refugees, which exposes them to particular vulnerabilities and involves specific care needs.

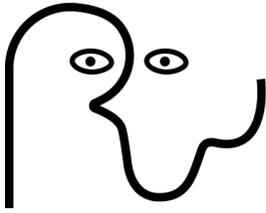
Remember that everyone has SOGIESC, but some are discriminated against and abused because of certain aspects of their SOGIESC that do not conform to the hegemonic sociocultural model. As a result, **displaced LGBTQIA+ individuals are particularly exposed to discrimination, abuse and violence in their home country, the countries they travel through, and their host country.**

Around the world, LGBTQIA+ asylum seekers are living through an experience marked by traumatic events. These may include verbal, physical, emotional and sexual assault and abuse, exile, harassment, discrimination in different areas, blackmail, forced prostitution, forced heterosexual marriage, and many others. This can result in psychological disorders, limited access to healthcare, racism, or even internalised homophobia/transphobia and the normalisation of violence experienced.

Deconstructing misconceptions

As a worker on the ground, actively helping to protect LGBTQIA+ asylum seekers and the LGBTQIA+ community in general, it is very important to understand the concept of **social perception** as it can have a major effect on how a certain target group is seen by society, in this case LGBTQIA+ people. The ways of naming (or not naming) LGBTQIA+ are determined by values, beliefs, norms, roles, taboos and stigma in a person's culture of origin and, in many cases, are affected by the criminalisation or demonisation of sexual diversity or anything "LGBTQIA+". Additionally, during hearings, and at the different stages of the person's naturalisation process in the host country, LGBTQIA+ asylum seekers face stereotypes and pre-conceived ideas about their country of origin and their SOGIESC. Once again, **they find themselves doubly condemned: unable to be themselves in their home country and in their host country.**

In all countries, the main difficulty for LGBTQIA+ asylum seekers is to "prove" their sexual orientation when seeking asylum. Credibility comes down to consistency, plausibility and lack of contradiction; criteria which do not take into account the consequences of fear, difficulties with self-identification, internalised homophobia or transphobia, all products of the constant repression and criminalisation of their behaviour in their home country. During interviews, LGBTQIA+ asylum seekers are expected to fit into the category of the "typical gay person" or the "transgender person as they are perceived in Europe", etc.



However, these types do not exist. **The LGBTQIA+ community is not homogenous, and all the questions asked during the interview will be based on a Eurocentric perspective.**

Placing the individual at the centre of the procedure, asking them about their needs, and adopting an intercultural perspective to understand cultural differences and adapt tools and methodologies appropriately are all essential.

Furthermore, asylum authorities in all countries must pay particular attention to the safety and specific needs of asylum seekers applying for reasons relating to their SOGIESC. Many of these individuals are **housed in standard accommodation or processing centres where they will face discrimination and a lack of recognition of their needs**. As well as poor accommodation availability, there is also the issue of stigmatisation of LGBTQIA+ individuals from members of their own community of origin. LGBTQIA+ individuals are therefore forced to face major difficulties when authorities are not able to provide appropriate accommodation, as most of the time they will not receive any support from their national communities.

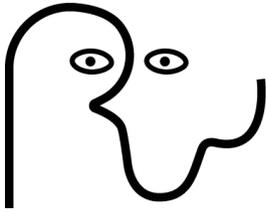
Regulations must take into account the vulnerability of LGBTQIA+ individuals in order to avoid human rights violations. Many LGBTQIA+ asylum seekers describe the wait, lack of understanding, discrimination, violence and insecurity as the main obstacles to their integration. Difficulties in accessing accommodation lead to difficulties in obtaining the official address required in order to access certain rights (social security, bank accounts, etc.).

Getting involved in the public debate and raising awareness

The aim of the Rainbow Welcome project is also to **offer a new perspective on the situation of LGBTQIA+ asylum seekers and the persecution they face on a daily basis due to their SOGIESC, and to raise awareness of these issues among political actors and the general public.**

The cornerstone of welcoming and integrating LGBTQIA+ refugees is without a doubt increasing visibility on the struggles and issues that affect them. This effort to raise awareness is carried out across various platforms and targets a variety of audiences.

To increase visibility of an issue, you need figures. Violence against LGBTQIA+ asylum seekers must be monitored - on arrival, in group reception centres, during asylum procedures, and during their socio-professional integration once refugee status is obtained - in order to report on the problem and put in place concrete actions to rectify it.

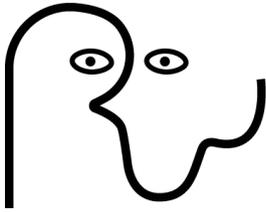


It is also important that we make the issue a part of the public debate and present it to policy makers at international, European, national, regional and local levels, as migration is a cross-cutting issue that concerns all levels of action. At this moment in time, there are several battles to be won, including:

- Moving beyond the gender binary and make official legislation more inclusive;
- Recognise the cultural aspects to SOGIESC;
- Improve collaboration between actors in the field of migration and human rights of LGBTQIA+ people;
- Loosen application procedures for international protection based on SOGIESC;
- Work towards the decriminalisation of homosexuality;
- Fight violence, abuse, and the criminalisation of homosexuality and non-conforming gender identities around the world;
- Improve collaboration between European countries to improve reception conditions for LGBTQIA+ asylum seekers.

And at our level, as active citizens, let's talk about the issue, let's open up the debate, let's show an interest in the life stories of LGBTQIA+ asylum seekers and refugees, let's get involved and share the online campaign [#RainbowWelcome!](#)





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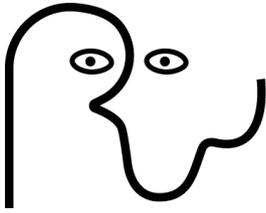
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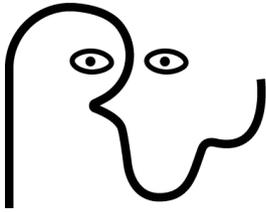
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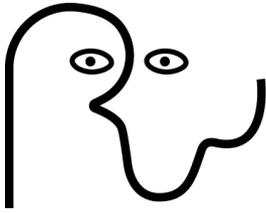
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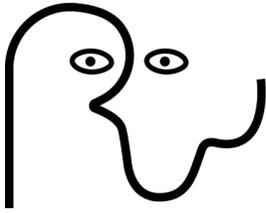
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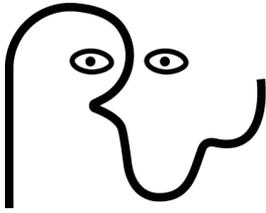
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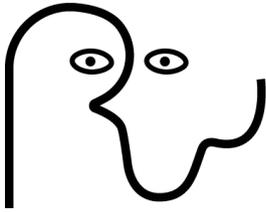
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VI. Find out more

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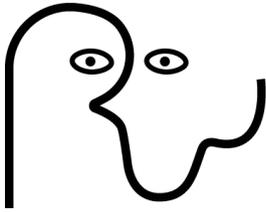
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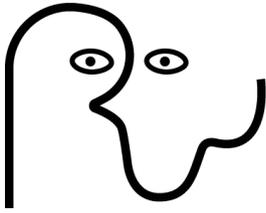
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Partner associations

Belgium:

Activ'elles.

[Activ'elles | Des femmes qui bougent \(activelles.com\)](http://activelles.com)

Alter Visio.

[ACCUEIL - ALTER VISIO \(alter-visio.be\)](http://alter-visio.be)

AmBlgu.

[Ambigu - Accueil | Facebook](#)

BALIR.

[BALIR | arcenciel-wallonie](#)

Balkan LGBTQIA+.

[Balkan Lgbtqi Balkan | Facebook](#)

CADAL.

[CADAL, le premier centre d'accueil pour réfugiés homosexuels à Bruxelles. \(ket.brussels\)](#)

Cavaria.

[Welkom | çavaria \(cavaria.be\)](http://cavaria.be)

English Speaking Gay Organization for Women (EGOW).

[English speaking gay organization for women in Brussels \(home.blog\)](#)

Ex Æquo.

[Qui sommes-nous? - Exaequo](#)

Genres Pluriels.

[Genres Pluriels - Personnes trans*, aux genres fluides et intersexes en Belgique](#)

InQlusion.

[Réfugié.e.s LGBT+ Le Parcours du Combattant | InQlusion](#)

Intersex Belgium.

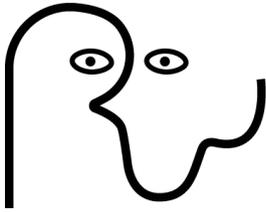
intersexbelgium.be

La communauté du Christ libérateur.

[Accueil ★ Groupe de chrétiens gays et lesbiennes belges francophones \(ccl-be.net\)](http://ccl-be.net)

Le CHEFF (Fédération des jeunes LGBTQIA+).

<https://www.lescheff.be>



Lumi

[Où trouve-t-on des informations LGBTI+ pour un pays particulier? Lumi](#)

Maison Arc-en-Ciel.

[Maison Arc-en-Ciel | Infos, actualités, associations & événements LGBT en province de Luxembourg \(lgbt-lux.be\)](#)

Merhaba.

[MERHABA](#)

Network of European LGBTQI* Families Associations.

[Network of European LGBTQI* Families Associations.](#)

Omnya.

[Omnya | RainbowHouse](#)

Rainbow House.

[rainbowhouse.be](#)

Rainbow Cops Belgium.

[Rainbow Cops Belgium LGBTQI+ Police | L'ASBL défend la diversité LGBTQI+ au sein de la police et la société. De VZW verdedigt LGBTQI+ rechten binnen de politie en in de samenleving. \(rainbow-cops-belgium.be\)](#)

Tels Quels.

[Tels Quels – Pour vivre heureux, vivons Tels Quels](#)

Transemble.

[Transemble \(cargocollective.com\)](#)

Transgender Info.

[Transgender Infopunt |](#)

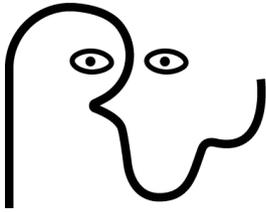
Why Me.

[Why Me | RainbowHouse](#)

Italy:

Arcigay.

[Arcigay – Associazione LGBTI italiana](#)



Spain:

Fundación Eddy-G.

[Hogar de acogida para jóvenes LGTBI víctimas de violencia familiar. \(fundacioneddy.org\)](http://fundacioneddy.org)

Kif-Kif – Iguales.

[Kifikif I Migrantes, refugiados y solicitantes de asilo LGTBI+](#)

France:

Afrique Arc-en-Ciel.

[Afrigue Arc en Ciel – RAAC-sida](#)

Arc-en-Ciel Toulouse.

[ARC EN CIEL Toulouse-Occitanie ARC EN CIEL Toulouse-Occitanie – Association et Collectif d'Associations LGBT de Toulouse et de la région Occitanie \(aectoulouse.fr\)](#)

ARDHIS.

[Ardhis – Association pour la défense des droits des personnes LGBTQI+ à l'immigration et au séjour](#)

Association Nationale Transgenre (ANT).

[Association Nationale Transgenre - Page d'accueil - Bienvenue ! \(ant-france.eu\)](#)

Centre LGBTQIA+ Côte-D'Azur.

[Centre LGBT Côte d'Azur \(centrelgbt06.fr\)](#)

Centre LGBTQIA+ Lyon (Umbrella organisation).

[Accueil - Centre LGBTI+ Lyon](#)

Centre LGBTI – Normandie.

[Centre LGBTI de Normandie – Association et Fédération LGBTI+ de Caen, Cherbourg, Saint-Lô, Evreux, Rouen \(centrelgbt-normandie.fr\)](#)

Centre LGBTQIA+ Paris et Ile-De-France (Umbrella organisation).

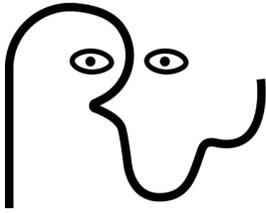
[Centre LGBTQI+ de Paris et d'Île-de-France, le Centre Lesbien, Gai, Bi, Trans, Queer et Intersexe de Paris et d'Île-de-France \(centrelgbtparis.org\)](#)

Centre LGBTI – Touraine.

[Centre LGBTI de Touraine \(centrelgbt-touraine.org\)](#)

Contact.

[CONTACT | Dialogue entre les parents, les lesbiennes, gays, bi et trans, leurs familles et ami-e-s \(asso-contact.org\)](#)



Equinoxe Nancy.

[Accueil - Équinoxe \(equinoxe54.com\)](http://equinoxe54.com)

Fédération Trans et Intersexes.

[Fédération Trans et Intersexes \(fedetransinter.org\)](http://fedetransinter.org)

ISKIS Rennes.

[Iskis - Centre LGBTI+ de Rennes](http://iskis-centre-lgbti+de-rennes.com)

Le Girofard.

[Le Girofard - Centre LGBTI+ de Bordeaux, Nouvelle Aquitaine \(le-girofard.org\)](http://le-girofard.org)

LGBT66.

[LGBT66 PERPIGNAN](http://lgbt66-perpignan.com)

Stop Homophobie.

[Accueil - Association STOP HOMOPHOBIE | Information - Prévention - Aide aux victimes](http://stop-homophobie.org)



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www.rainbowelcome.eu

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