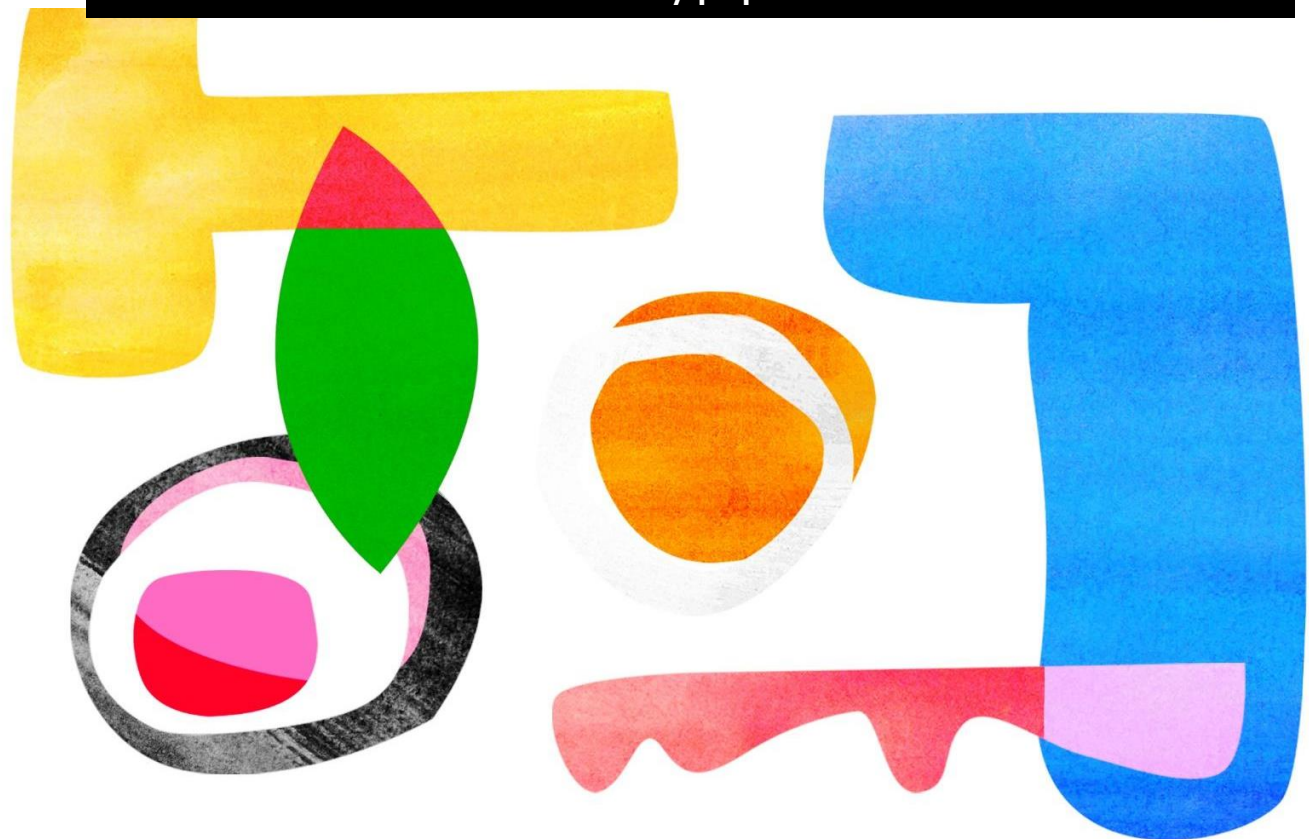




# Improving the reception of LGBTIQ+ asylum seekers and refugees in Europe

Policy paper





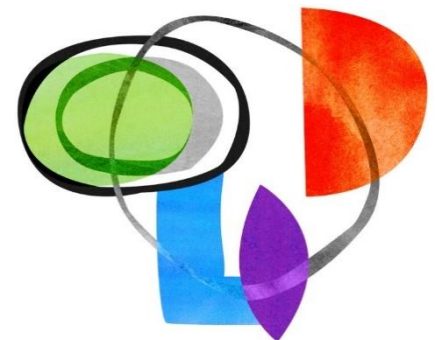
## Acknowledgements

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).

This paper builds on previous work carried out as part of the Rainbow Welcome project, as well as a policy paper previously disseminated by POUR LA SOLIDARITÉ-PLS as part of the Belgian RainbowW project "Improving the reception of LGBTQIA+ asylum seekers in Belgium" published in November 2021 ([link](#)).

November 2022.



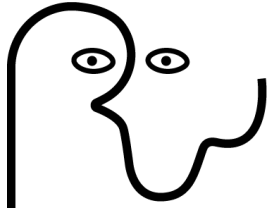
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With the European partners :



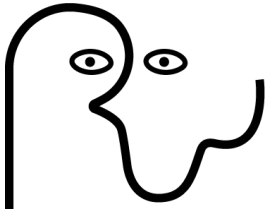
Co-funded by the Programme Rights, Equality and Citizenship of the European Union (2014-2020)



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## I. Rainbow Welcome project

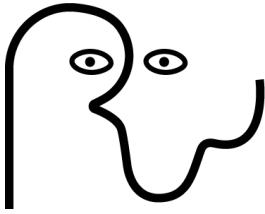
### 1. Improving the reception of LGBTIQ+ asylum seekers and refugees in Europe

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 LGBTIQ+ asylum seekers may experience other forms of vulnerability and violence.

As LGBTIQ+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, LGBTIQ+ 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 LGBTIQ+ 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” will be attributed to these individuals in addition to those associated with the LGBTIQ+ 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”.

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.



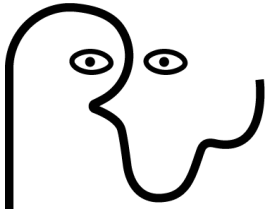
## 2. The partners

- **POUR LA SOLIDARITÉ-PLS** (Belgium) is a European independent “Think & Do Tank” committed to building a more socially conscious and sustainable Europe;
- **ACATHI** (Spain) is an association of LGBTIQ+ migrants and refugees working to promote the recognition and inclusion of cultural, sexual and gender diversity and to fight discrimination;
- **Croce Rossa Italiana** (Italy) 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 LGBTIQ+ community between the ages of 14 to 25 who have suffered from homophobia or transphobia or those experiencing family difficulties;
- **Le Refuge Bruxelles/Het Opvanghuis Brussel** (Belgium) is a shelter and support centre for LGBTIQ+ individuals between the ages of 18 to 25 who have suffered discrimination due to their SOGIESC.

## 3. The objectives

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



## II. Policy paper

### 1. Methodology

The Rainbow welcome policy paper aims to offer a set of recommendations to improve the reception of LGBTIQ+ asylum seekers and refugees in Europe.

This policy paper is the result of the experience of the five project partners, but also the research and works carried out in the four partner countries during the 2 years of partnership:

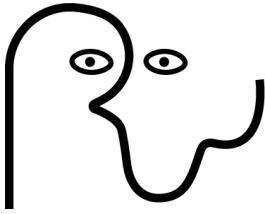
Firstly, the **quantitative and qualitative diagnosis** carried out in Belgium, France, Italy and Spain allow the partners to identify the relevant resources and the main institutional capacities that these countries have to provide services to LGBTIQ+ refugees. This assessment also allowed the project partners to understand the specific needs of the target groups, the main challenges they face, the needs of the organisations in contact, and also to collect good practices in the EU Member States.

Secondly, the **legislative study "The Reception of LGBTIQ+ Refugees in Europe"**<sup>1</sup> developed in the project provides a prerequisite for a better understanding of how LGBTIQ+ asylum seekers are received in the consortium countries and is part of a broader analysis of their needs and existing practices in this regard. This study provides insight into and understanding the particularly complex context for LGBTIQ+ asylum seekers in Europe.

Finally, throughout the development of the project, the partners have been **collaborating with European actors**, such as social workers, activists, relevant structures, and LGBTIQ+ asylum seekers and refugees. The partners interviewed 20 social workers and LGBTIQ+ refugees for the awareness-raising campaign and trained around 100 people working closely or remotely with LGBTIQ+ refugees and asylum seekers in the four partner countries which further substantiated these recommendations. Therefore, this policy paper is the result of numerous exchanges with various actors and includes the conclusions and evaluation of the final conference of the project, organised with the support of the LGBTIQ+ Intergroup, in the European Parliament on 12 October 2022.

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<sup>1</sup> Rainbow Welcome, "The Reception of LGBTIQ+ Refugees in Europe", available on: <https://rainbowwelcome.eu/>



Moreover, taking into consideration all the activities carried out during the project and all the outputs produced, the paper focuses its attention on three main aspects:

1. The administrative and legal procedures,
2. The accommodation,
3. The accompaniment,
4. The settlement and inclusion processes.

This policy paper is addressed to various stakeholders such as policymakers, social workers, professionals and organisations working with asylum seekers and refugees at local/regional, national and European levels.

## 2. Needs assessment

During the diagnostic carried out in 2021 among some fifty European structures and conducted among refugee reception centres, LGBTIQ+ associations, LGBTIQ+ shelters and LGBTIQ+ refugees and asylum seekers, the project partners identified some indicators of the main obstacles and specific needs enabling us to develop awareness-raising and training tools. The main findings are, among others:

### 1. Information and awareness-raising

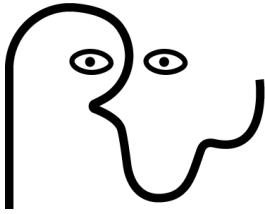
Generally speaking, **orientation** is a crucial need for asylum seekers and refugees. **Information** about their own specific needs, about the legal system applying to them, and about support services (housing, social, medical, psychological...) are topics that need to be covered. Most of the organisations consider they do need to translate information and provide it to those who enter and request asylum. This implies resources for enhancing capacities and producing material.

### 2. Specific support

Organisations have to consider the needs of LGBTIQ+ refugees, particularly to continue their life and achieve their inclusion. For instance, **social inclusion** and **psychological services** are reportedly important and little considered needs. This is considerably important because LGBTIQ+ refugees sometimes are still suffering discrimination and their social inclusion is not easy in a reception country, while psychological effects of persecution and cultural clashes may create critical emotional or mental aftermaths.

### 3. Financial resources

Organisations declared that they suffer from a **lack of resources** to consider properly the LGBTIQ+ refugees in particular situations. Resources include money, time, and staff members; as respondents of the study declared that there is a lack of knowledge about LGBTIQ+ people's special needs.

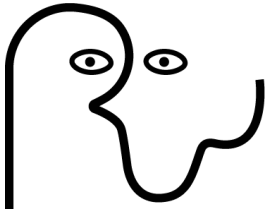


#### 4. Need for training

The qualitative diagnosis confirms the **need for training**. The lack of interest and information of officials and other social agents, as well as the need to incorporate an LGBTIQ+ perspective in all activities, put on the table the need for training, to enhance the capacities of all these actors in LGBTIQ+ issues. Considering the number of volunteers increases and, at the same time, it is very volatile, there is a permanent need for training which could be very costly and difficult to realise without permanent financial aid.

Finally, to understand the institutional complexity of the asylum process, we advise you to refer to the legislative study “The reception of LGBTIQ+ refugees in Europe”. Over the years, asylum has become a more recurrent feature of international protection. As a result, asylum based on SOGI has gradually been formally recognised in international, European and national standards, although **gaps and problems remain**. This study interrogates standards and regulations at the international, European and national levels in four EU Member States (Belgium, France, Italy and Spain) and identifies the relevant rules and the basic features of the applicable procedures. It also addresses some of the criticisms of existing regulations.





### III. Recommendations

#### 1. For European policymakers

##### a) Review the concept of a “safe country”

The “safe country” concept aims to keep potential asylum seekers away and make their deportation/removal possible. It has three consequences:

1. It may allow the Member State to process an application for international protection of a national of that country through an accelerated procedure;
2. the Member State can reject an application for international protection;
3. It may allow the Member State not to carry out, or at least not to carry out in full, the examination of the application for international protection.

We demand, at the European level, that for LGBTIQ+ asylum applications a case-by-case analysis is carried out and all procedural guarantees are respected. This concept should not be applied to these applications, as it is already covered by Directive 2013/32/EU.

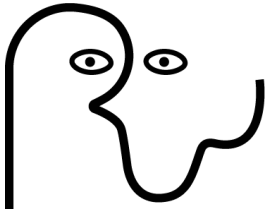
##### b) Ensure flexibility for LGBTIQ+ persons in the Dublin process

The EU Dublin return system risks jeopardising relocation guarantees for LGBTIQ+ refugees and asylum seekers within the EU. It is important to take into account the challenges that the EU Dublin return system creates for LGBTIQ+ asylum seekers - especially given the increasingly politically motivated homo and transphobia in some EU Member States - and being especially relevant to expand best practices for the protection of LGBTIQ+ identifying asylum seekers within the EU.

For this reason, avenues of flexibility should be sought, taking into account the improvement of the quality of life of LGBTIQ+ international protection seekers.

##### c) Safe passage to Europe: Issue a humanitarian visa before entry to ensure the safety of the applicants

There is little point in improving asylum law and policy if individuals at risk are unable to reach Europe to claim protection. Even when the passage to Europe for SOGIESC minorities



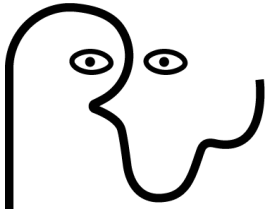
fleeing persecution is possible, it is almost always extremely risky and costly. Building on the 2018 motion by the European Parliament, the government should introduce humanitarian admission programmes and visas to help people in flight reach Europe safely.

European humanitarian visas should be complementary tools to existing national entry procedures for humanitarian protection, resettlement procedures and spontaneous applications under international refugee law.

The pressing need for safe and legal channels of access to the Union, which humanitarian visas should be part of, underlines that economic and other often vulnerable dependencies put people in third countries in a situation where it is even more difficult for them than for others to seek asylum safely. It is also particularly important from a gender perspective as women and LGBTIQ+ persons are especially vulnerable and thus more exposed to sexual and gender-based violence along the routes and in reception centres.

#### **d) Extend the period of the application process**

LGBTIQ+ asylum seekers are likely to file their asylum claim sometime after arriving in the host country for several reasons, including their lack of knowledge that LGBTIQ+ is a legitimate basis for seeking asylum and their likely fear of disclosure to officials or others with whom they come into contact. However, 'late disclosure' continues to be a factor that is opposed by claimants and used to discredit their claims. Asylum authorities should not discriminate against late applications, as confirmed by European case law.



**e) Directives should consider LGBTIQ+ asylum seekers and refugees as a vulnerable group**

The situation of LGBTIQ+ persons in reception centres and other collective accommodation centres has been frequently discussed after many reports emerged of LGBTIQ+ persons being harassed and attacked by other asylum seekers. In several cities, authorities and/or NGOs have opened specialised accommodation centres for LGBTIQ+ persons. Guidelines for protection against violence in refugee accommodation centres regularly refer to LGBTIQ+ asylum seekers and refugees as a particularly vulnerable group. Special protection measures should be taken after an individual assessment of the situation.

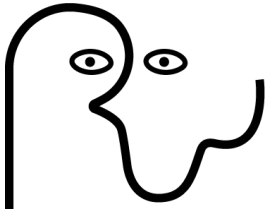
**f) Raise awareness and monitor their specific issues and needs**

The cornerstone of welcoming and integrating LGBTIQ+ refugees is without a doubt increasing visibility of 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 the visibility of an issue, you need figures. Violence against LGBTIQ+ 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 - to report on the problem and put in place concrete actions to rectify it.

The awareness-raising work - which includes training (see below) - must also be carried out with frontline actors and workers so that the reception offered takes into account the specific needs of LGBTIQ+ asylum seekers. To this end, synergies and collaboration between the voluntary sector and the migration authorities must be strengthened. Furthermore, in the second phase, the entire ecosystem around LGBTIQ+ refugees must be made aware of their specific needs.

It is also imperative to develop and set up awareness-raising activities for the other residents of the centres, who sometimes show extreme violence towards LGBTIQ+ beneficiaries.



## 2. For national policymakers

### a) Ensure the correct application of the principles of non-discrimination and non-refoulement and facilitate the procedures in force

EU Member States should promote the use of the UNHCR Guidelines (in particular Principle No. 9) among public officials, authorities, judges and MPs in the implementation of the SOGIESC regulations, their interpretation, the filing of asylum claims based on SOGIESC and their assessment.

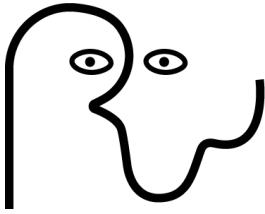
Member States should improve the rules and procedures for interviews and appeal hearings of asylum seekers on grounds of SOGIESC. There is a need to put in place guidelines and rules on how to properly conduct a hearing and avoid rights violations and double victimisation of asylum seekers. There is a need to avoid specific and embarrassing questions (like the evolution of LGBTIQ+ experiences, the dating and sexual experiences,...) to put in place protocols to protect privacy and confidentiality and to ensure the presence of non-homophobic interpreters (some advocate that only interpreters from the LGBTIQ+ movement should be offered, and that attention should be paid to the origin of interpreters to avoid conflict and cultural opposition).

### b) Move away from the notion of proof and truth of SOGIESC

In all countries, the main difficulty for LGBTIQ+ 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.

The policy of ‘proof’ is problematic and greatly contradicts the principle of non-discrimination. In many cases, LGBTIQ+ asylum seekers have to prove their sexual orientation or gender identity in front of different asylum process officers. Which is problematic in many ways.

Firstly, the legal texts are clear on the need to prove the ground of persecution. But in many cases, the focus is on proving LGBTIQ+ belonging or identity. This element is already solved by the procedural directive but is still poorly implemented.



Second, the criteria used to approve or not an asylum request based on SOGIESC should expressly take into account various aspects of an LGBTIQ+ asylum seeker's life, cultural background, experience, journey and persecution.

In its asylum application in front of different asylum verifiers or asylum processing officers, the proof of one's SOGIESC relies on consistency, plausibility and lack of contradiction throughout the hearing.

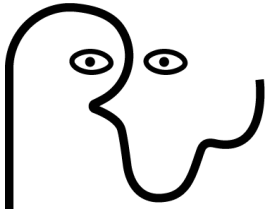
Whereas the persecution and repression suffered in their country of origin or during their journey, as well as the criminalisation of their behaviour in those same countries, can have drastic psychological consequences on the asylum seekers.

One consequence can be the fear and/or distrust of all authority representatives. Which is not going to work in their favour during an official CGRS hearing. Other consequences can be the difficulty of identifying as LGBTIQ+ and/or internalised homophobia, lesbophobia and transphobia. How could they prove their SOGIESC if they don't even identify as such because of what they have been through their whole life?

Furthermore, LGBTIQ+ asylum seekers in Europe have to match the "textbook definitions of typical gay men or lesbian or transgender persons". And those textbook definitions are problematic for two reasons. First, they are Western world visions of LGBTIQ+ people, seen through Eurocentric lenses, and do not take into consideration different visions and ways of life from different parts of the world. Second, those textbook-definitions of LGBTIQ+ people do not exist in real life as the LGBTIQ+ community is not homogenous and everyone who is a part of the community is different.

Last but not least, proving one's SOGIESC during a hearing often means telling and reliving the acts of violence and persecution suffered in the past, which can re-traumatise the LGBTIQ+ asylum seekers.

For all those reasons, proving one's SOGIESC shouldn't be a crucial part of the CGRS hearing of LGBTIQ+ asylum seekers, the application procedures for international protection based on SOGIESC have to be reviewed and softened.



### **c) Ensure the safety and prevent violence**

Many LGBTIQ+ asylum seekers have been exposed to permanent prejudice in their country of origin and during their journey but it doesn't stop once they get to an asylum country. In those asylum countries, they can still experience harassment and violence from their community of origin and other LGBTIQ+-phobic communities, within or outside of centres, but also from workers of reception and detention centres.

According to the UN High Commissioner for Refugees, the most worrying conditions are found in detention centres, particularly when a person living there has visible physical characteristics, which is the case for many transgender people.

Most of the time, due to discrimination and criminalisation of their SOGIESC in their country of origin, LGBTIQ+ asylum seekers consider these daily assaults and acts of violence as an everyday form of violence. Many are unaware that they can apply for international assistance and protection.

The situation has been further worsened by the rise of anti-LGBTIQ+ hate speech distributed by some politicians and leaders. This has led to an increase in countries of origin, as well as countries of asylum, of violence and crimes against LGBTIQ+ people.

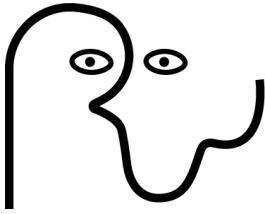
It is important to create safe spaces for LGBTIQ+ asylum seekers, protecting them from acts of violence. If they occur, they should be monitored, recorded and reported.

In the context of reception centres, preventive processes should be generated, clearly stating the legal context and possible punitive consequences.

### **d) Train officers in contact**

Training and capacity building of staff is necessary. The training of workers in reception centres for asylum seekers and other accommodation facilities, as well as those who accompany refugees in their socio-professional integration process, must include issues relating to SOGIESC.

On the ground, it is clear that frontline workers - particularly in reception centres, shelters and the civil service - lack tools and training on LGBTIQ+ issues.



This training needs to be holistic. But social workers cannot be aware of and master all the procedures. It is important to work in collaboration with LGBTIQ+ associations, reception centres, shelters, but also the police and legal services. Synergies need to be strengthened and everyone needs to know whom to refer the beneficiary to according to their needs or requests.

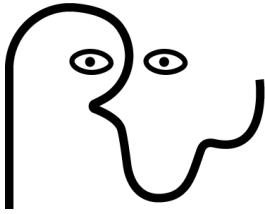
In addition, training is also essential to ensure appropriate psychological and psychiatric assistance. It should be noted that there are not enough psychologists or psychiatrists specialising in the assistance of LGBTIQ+ asylum seekers. Their assistance requires not only a better understanding of the experiences of the applicant for international protection but also of multiple factors, such as violent practices and the cultural reality of the country of origin.

Existing training courses are often project-based and not structural, which does not guarantee their sustainability. Valuing and structurally supporting the work of specialised associations, which have often already developed and still offer training on these issues, would help to fill this gap.

### **e) Provide appropriate financial support to LGBTIQ+ reception centres and LGBTIQ+ associations**

LGBTIQ+ asylum seekers and refugees must be aware of their rights and the support available (social, material, financial, legal, medical, etc.). To this end, grassroots organisations are doing remarkable work that should be further supported. Structural support for grassroots actors would ensure the sustainability of actions and promote synergies and networking.

The structures and projects active in Europe also highlight the intersectionality of discrimination and violence experienced by LGBTIQ+ refugees who declare being lost in the complexity of the procedures, feel abandoned in the cogs of the system and suffer greatly from these.



## f) Improve access to healthcare

Several studies show that LGBTIQ+ people are frequently discriminated against and stigmatised in healthcare facilities, and do not always have access to the services adequate to their needs, whether physical or psychological.

The causes can be found in our social and cultural norms that still, to this day, favour heterosexuality, heteronormativity, cisgenderism, endosexism and ethnocentrism.

As a consequence, many LGBTIQ+ people will avoid healthcare by fear of LGBTIQ+-phobia, discrimination and stigmatisation from healthcare professionals. The situation is even worse for transgender people who, on top of facing transphobia, are very frequently harassed by professionals and also see themselves being refused the necessary hormone therapies.

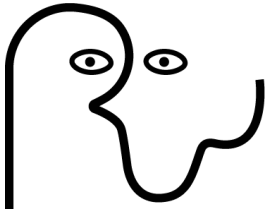
Native LGBTIQ+ people experience stressors that add to everyday stressors, which can be more burdensome for refugees fleeing their countries because of their SOGIESC. Persecution and acts of violence suffered in their country of origin become a constant pressure that weakens their mental health and often leads to a lack of self-esteem, depression, anxiety or even suicidal thoughts. Another consequence is their increasing lack of trust in other people, which will prevent them from seeking medical and psychological help and hinder the asylum application process.

LGBTIQ+ asylum seekers need to be welcomed and heard and acknowledged as soon as they set foot in Europe so they can have access to the medical and psychological services specific to their SOGIESC from day one.

Those medical services include but are not limited to, treatments associated with sexual and reproductive health and rights, hormone therapies, support for transgender men who have their periods or are pregnant, treatments for HIV and other sexually transmitted infections (STIs) and diseases (STDs).

On a psychological level, mental health advice and safe, confidential and appropriate psychosocial support have to be provided.





Therefore, healthcare professionals not only have to be trained on how to handle and care for the very specific medical and psychological needs of the LGBTIQ+ asylum seekers but also on how to be more open and welcoming and inclusive towards them.

### **g) Simplify access to social assistance**

National regulations should also consider developing strategies to ensure access to employment and health services from the time of the asylum application. Indeed, the process of accessing social assistance is often cumbersome and adds to the already complex administrative and legal system in which LGBTIQ+ refugees find themselves. There is a need to make the procedure more flexible.

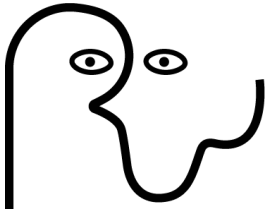
### **h) Develop the creation of specific shelters**

Furthermore, public authorities must pay attention to the safety of asylum seekers on grounds of SOGIESC in accommodation and reception centres. These applicants are particularly vulnerable to homophobic, lesbophobic and transphobic behaviour, racism, xenophobia, violence and hate. It is important to offer people seeking asylum on grounds of SOGIESC the possibility to choose standard or specialised accommodation. At present, there are very few reception centres specifically for LGBTIQ+ asylum seekers in Europe. Indeed, the common position is that the establishment of individual structures could lead to stigmatisation and self-discrimination of LGBTIQ+ asylum seekers.

This is an open question. However, given the reported violence experienced by LGBTIQ+ people in collective reception centres, a specific accommodation solution should be considered, at least temporarily (e.g. in the form of local reception initiative(s) dedicated to this target group).

### **i) Promote diffuse housing**

The concentration of people in large centres or grouped by origin can cause a risk of LGBTIQ+-phobic attitudes. And living in a reception centre with LGBTIQ+-phobic communities, whether it's their community of origin or others, can be dangerous for LGBTIQ+ asylum seekers.



It is recommended to use diffuse housing, to move LGBTIQ+ asylum seekers from reception centres to houses and flats disseminated among different neighbourhoods throughout the city. Or to house them directly in these houses and flats without placing them in reception centres first, if possible. And preferably as far away as possible from their community of origin.

On the one hand, this will avoid unwanted violence and persecution in the centres. On the other hand, this allows for a more realistic and less conflict inclusion for the neighbourhood.

These houses and flats can have between two and four rooms and can then host up to four LGBTIQ+ asylum seekers. As long as they each have their room, and each room has its lock for everyone's privacy and safety.

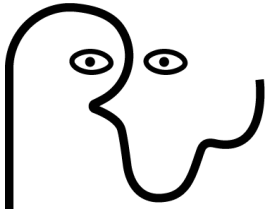
Aspects that generate security, privacy and respect for coexistence should be sought: a mediation service for coexistence is provided as well as the necessary accompaniment services. Social workers will visit the LGBTIQ+ asylum seekers regularly and provide them with the necessities of life, help them with administrative paperwork, answer all their questions, see if they feel welcome in their new neighbourhood,... and make sure they are/feel safe in, and become a part of, our communities.

This type of accommodation should have proximity or access routes to social and medical services, LGBTIQ+ associations, and public transport to help mobility and ease the inclusion of LGBTIQ+ asylum seekers in our communities.

## **j) Encourage their settlement in cities rather than in rural areas**

The infrastructure and organisations of cities are better able to respond to their specific needs: access to psycho-medical and social services, presence and visibility of LGBTIQ+ communities and events.

Encourage settlement of LGBTIQ+ asylum seekers and refugees in cities rather than rural areas. Try to place LGBTIQ+ people who have been approved for resettlement in a third country in countries that are supportive of LGBTIQ+ people. And within host countries, especially in cities, as they should be close to services and protected from transphobia and homophobia.



City councils are the public administrations closest to the citizens and to the people of foreign origin who arrive in our territory. Immigrants almost always turn to municipal services as their first point of access to public services. They are better prepared to respond to their specific needs. Training is therefore required for them to be able to facilitate access to asylum and the reason for accessing it, especially for LGBTIQ+ people. Their functions include those related to education, health benefits, housing, etc., which are also crucial for the social inclusion of refugees and especially LGBTIQ+ persons.

LGBTIQ+ asylum seekers have particular health needs that are often overlooked: like many asylum seekers, they are likely to have mental health problems. Hormone or gender therapy for trans people, including continuity of care, is also an area of need. Health authorities should increase service provision in both areas and ensure that LGBTIQ+ asylum seekers and refugees are aware of their healthcare entitlements. More generally, access to healthcare should be universal, not restricted to emergency provision, and include LGBTIQ+ and asylum-trained staff and interpretation services.

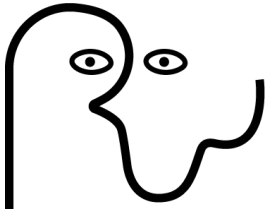
### **k) Post-procedure follow-up: moving from temporary accommodation to permanent housing**

Support and accompaniment do not stop once you have a roof over your head. We recommend allowing LGBTIQ+ asylum seekers who have moved into permanent housing to be followed up for the first few months (at least between 3 and 5 months) and helped in building capacities to address specific needs such as health, mental health, training, development of a social support network, etc.

It is recommended that the follow-up programmes take into account their possible vulnerability and difficulties in accessing standard services. Services that enable the development of autonomy should be proposed whenever possible, especially when it is difficult to find a clear path to these necessary support services.

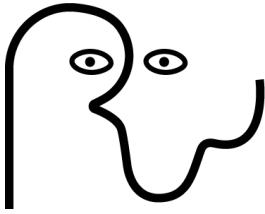
It is essential to help them develop their social support network, which can generate synergies that favour the full inclusion of LGBTIQ+ asylum seekers.

It is also essential to help and follow up on them, in areas such as administrative documentation, access to bank accounts, and access to employment services... as they could encounter barriers when dealing with them.



When housing them in shared flats, it is recommended to place them not only in single rooms but also in flats where the aspects of the flat being a safe place, free of violence and respectful of diversities have been worked on.

Paternalism should be avoided, but alternatives of accompaniment and development of autonomy should be sought.



### **3. For social workers and professionals**

#### **a) Improve access to information on their rights**

Working in collaboration with specialised organisations, ensuring the safety of those accommodated, and training staff in contact can help to meet the needs of LGBTIQ+ asylum seekers and refugees. In this regard, we invite you to consult the guidelines and tools developed in the framework of the Rainbow Welcome project: consult the [Rainbow Welcome map](#) which provides a series of associations active in Europe and good practices. Act now, and train yourself with the guidelines and the [toolkit](#) available on the website to improve the way to receive and orientate LGBTIQ+ refugees. This guidebook intends to answer most of the questions of social workers and field workers!

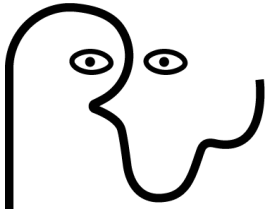
#### **b) Avoid grouping beneficiaries by origin**

In a community structure, one must be very careful to address the issue in a way that is healthy for everyone, without leading to cultural confrontation and stigmatisation of the public.

Managers and workers in community centres report difficulties in ensuring the safety of LGBTIQ+ residents, especially when their sexual orientation or gender identity is known. Harassment, symbolic, physical or psychological violence is a reality, too often kept quiet for fear of reprisals.

When an individual applies for international protection based on SOGIESC, it is because they are fleeing discrimination and violence in their country of origin. When they arrive in a reception centre in Europe, they find themselves with nationals from that same country and often face the same violence. The structure of reception institutions does not allow for the safety and inclusion of LGBTIQ+ asylum seekers. Indeed, field experiments show that perpetrators are often of the same origin as the LGBTIQ+ asylum seeker who is subjected to violence. One possible solution would be to be more vigilant when dispatching reception centres. While there are some general advantages to grouping people of the same origin together (interpreters, mutual aid), it is a source of tension and discrimination for LGBTIQ+ applicants for international protection.

Discrimination, and sometimes violence, can also be found in the access to and the quality of mental health support services and the access to specialised SOGIESC support services



(particularly outside of major cities). Inadequate medical care for trans\* and intersex people is very frequent in reception centres. These all lead to mistrust of the medical staff. Since the medical services in reception centres or shelters are not able to respond to all requests, workers need to be trained to refer to specialised medical services.

All of this leads to a feeling of insecurity and isolation which reinforces the structural violence that LGBTIQ+ applicants face daily.

### **c) Improving access to specific services**

Specialised structures and trained staff must raise the awareness of health professionals, in particular about the particular difficulties encountered by the LGBTIQ+ exile population.

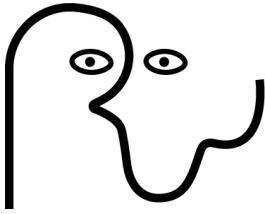
Access to professional, sensitised and neutral interpreting services has to be guaranteed. Interpreters therefore also have to be trained on LGBTIQ+ issues and LGBTIQ+ asylum seekers issues.

LGBTIQ+ asylum seekers, because of their multiple and very specific problems and vulnerabilities, need guaranteed access to a multifaceted care offer to help them overcome these problems and vulnerabilities. To that end, structures and staff specialised and trained in LGBTIQ+ asylum seekers' issues have to raise the awareness of health professionals in all particular difficulties encountered by the LGBTIQ+ population in exile.

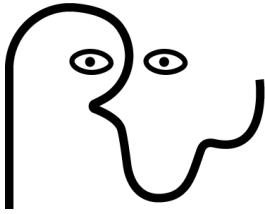
It is imperative to build strong and lasting relationships, a big social service network, between structures helping and hosting asylum seekers (reception centres, shelters,...) and associations and staff specialised in LGBTIQ+ asylum seekers issues.

### **d) Encourage their employment**

Employment plays a key role in inclusion and independence. Employment policies that promote the employment of asylum seekers are needed. It is important to raise awareness that companies should put in place policies and processes appropriate to ensure respect for the rights of LGBTIQ+ refugees and asylum seekers. Companies should ensure reporting procedures to prevent and address harassment and discrimination in the workplace while protecting those who report such abuse. In addition, they could train staff and particularly managers to make them aware of human rights issues faced by LGBTIQ+ refugees and asylum seekers, and ensure that they are aware of their responsibilities. At



the same time, companies must respect and protect anyone's right to privacy, including keeping confidential and protecting all information related to sexual orientation, gender identity, gender expression, or sexual characteristics, and not disclosing such information without the explicit permission of the person concerned. In addition, companies should put in place proactive measures to create a positive environment characterised by pro-minority actions within their organisations.



## 4. Additional recommendations

### a) Going beyond the gender binary

European regulations must take into account the vulnerability of asylum seekers. In this sense, it is necessary to integrate an intercultural approach and to make visible the reality of non-binary genders, which implies, among other things, the possibility of indicating preferred names on identity documents.

Indeed, the name and sex used in official documents are those indicated on the identity papers in possession of the person seeking asylum. So what about the national legislative context for a transgender applicant who wishes to change the gender on their identity documents?

Furthermore, this binary view of gender is also reflected in the infrastructure (e.g. shower rooms, toilets, etc.), and the reception and integration projects set up in the field (e.g. setting up a "women's" project from which the LGBTIQ+ public may feel excluded).

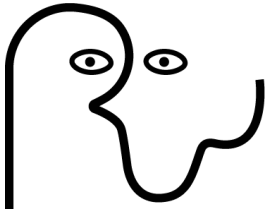
LGBTIQ+ residents do not feel accepted or safe in the activities set up for women or men. The needs of the LGBTIQ+ public need to be better addressed.

### b) Breaking with the Eurocentric vision of SOGIESC

During the hearings, LGBTIQ+ refugees are expected to fit the "typical gay person", the "trans\* person as perceived in Europe", etc. However, these "typical people" do not exist. **The LGBTIQ+ community is not homogenous, and all the questions asked during the hearings follow a Eurocentric posture.** This is a real problem as at no point is the cultural dimension of how SOGIESC is understood in the country of origin considered.

This Eurocentric view of SOGIESC is a double discrimination (foreign origin and LGBTIQ+ person), and new violence that LGBTIQ+ persons have to face. Again, this is a bias that professionals need to be aware of and LGBTIQ+ asylum seekers need to be prepared for.





## V. Conclusion

One of the goals of the Rainbow Welcome project was to advocate **LGBTIQ+ asylum seekers' and refugees' rights and specific needs towards the European Union**. Indeed, it is important to remember that these people who come from LGBTIQ+ communities are migrants, but above all are LGBTIQ+ asylum seekers or refugees, which exposes them to particular vulnerabilities and involves specific care needs.

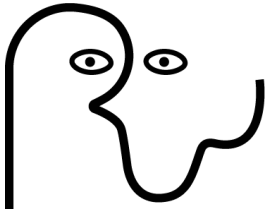
Remember that everyone has SOGIESC, but some are discriminated against and abused because of certain aspects of their SOGIESC that do not conform to the hegemonic sociocultural model. As a result, **displaced LGBTIQ+ individuals are particularly exposed to discrimination, abuse and violence in their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

Around the world, LGBTIQ+ 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.

As policymakers, 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, LGBTIQ+ people. The ways of naming (or not naming) LGBTIQ+ 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 "LGBTIQ+". Additionally, during hearings, and at the different stages of the person's naturalisation process in the host country, LGBTIQ+ asylum seekers face stereotypes and preconceived 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 their host country.**

**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.

Regulations must take into account the vulnerability of LGBTIQ+ individuals to avoid human rights violations. Many LGBTIQ+ 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 to access certain rights (social security, bank accounts, etc.).

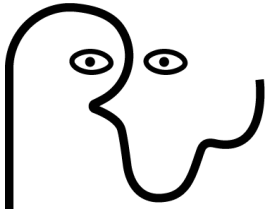
The aim of the Rainbow Welcome project was also to **offer a new perspective on the situation of LGBTIQ+ asylum seekers and the persecution they face daily due to their SOGIESC and to raise awareness of these issues among political actors and the general public.**

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

- Moving beyond the gender binary and making official legislation more inclusive;
- Recognising the cultural aspects of SOGIESC;
- Improving collaboration between actors in the field of migration and human rights of LGBTIQ+ people;
- Loosening application procedures for international protection based on SOGIESC;
- Working towards the decriminalisation of homosexuality;
- Fighting violence, abuse, and the criminalisation of homosexuality and nonconforming gender identities around the world;
- Improving collaboration between European countries to improve reception conditions for LGBTIQ+ asylum seekers.

In its « LGBTIQ Equality Strategy 2020-2025 », the European Commission has clearly stated its willingness to uphold the rights of LGBTIQ+ applicants for international protection by, among others, “foster good practice exchanges between the Member States on addressing the needs of LGBTIQ applicants for international protection, focusing on:

- how to guarantee safe and suitable reception conditions, including accommodation, for LGBTIQ applicants for international protection;
- protection standards that apply in relation to their detention (where applicable);
- and



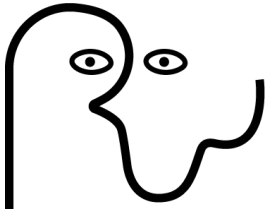
- how to prevent the examination of their applications from being influenced by anti-LGBTIQ discrimination and/or stereotypes.<sup>2</sup>

An EU strategy and guidelines<sup>3</sup> appreciated by the partners. At the end of the two-year partnership, the Rainbow Welcome partners have seen improvements mainly in the issue's visibility and awareness of those in contact with LGBTIQ+ asylum seekers. However, more needs to be done. It is time for the Commission and the Member States to take matters into their own hands, implement its guidelines and provide LGBTIQ+ asylum seekers with humane reception conditions.

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<sup>2</sup> European Commission (2020), "LGBTIQ Equality Strategy 2020-2025", available on: [https://ec.europa.eu/info/sites/default/files/lgbtiq\\_strategy\\_2020-2025\\_en.pdf](https://ec.europa.eu/info/sites/default/files/lgbtiq_strategy_2020-2025_en.pdf)

<sup>3</sup> European Commission (2022), "Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality", available on : [https://ec.europa.eu/info/sites/default/files/guidelines\\_for\\_strategies\\_and\\_action\\_plans\\_to\\_enhance\\_lgbtiq\\_equality\\_2022final16\\_05.pdf](https://ec.europa.eu/info/sites/default/files/guidelines_for_strategies_and_action_plans_to_enhance_lgbtiq_equality_2022final16_05.pdf)



## VI. The Rainbow Welcome tools

With the Rainbow Welcome! project, we intended to provide various organisations and professionals with useful guidance to better receive LGBTIQ+ asylum seekers and refugees. We produced different tools available in several languages, to everyone and for free.

### **a) The study**

The study on the legal processes to receive LGBTIQ+ refugees in Europe, Belgium, France, Spain and Italy: "The Reception of LGBTIQ+ Refugees in Europe".

### **b) The RainboWelcome map**

The RainboWelcome map shows LGBTIQ+ shelters and places in Europe where good practices have been put in place to better answer LGBTIQ+ refugees' needs.

### **c) The #RainboWelcome campaign**

The European campaign #RainboWelcome aimed to raise awareness among the public, social workers and public authorities on this issue. This large-scale campaign ran in Belgium, France, Italy and Spain during the summer of 2022. The photos and videos campaign can still be discovered on all project's website.

### **d) The guidelines**

The guide is aimed at all LGBTIQ+ shelters, LGBTIQ+ associations and reception centres for asylum seekers and refugees to improve their reception conditions. This guide is based on a diagnosis of reception problems and a benchmark of good practice, both of which were previously carried out as part of the project. The guide aims to better address the specific needs of LGBTIQ+ asylum seekers and refugees in Europe.

### **e) The training**

Rainbow welcome aimed to train as many stakeholders to improve how they receive and orientate LGBTIQ+ refugees. The training took place in the 4 countries of the partnership: France, Belgium, Italy and Spain. The tools developed in the framework of this training can be found in the downloadable toolkits accessible on the website. Feel free to train yourself and your team!

**All those tools are available on the website: [www.rainbowelcome.eu](http://www.rainbowelcome.eu)**



Coordinated by:



With the European partners:



Co-funded by the Programme Rights, Equality and Citizenship of the European Union (2014-2020)

MORE INFO ON OUR WEBSITE:  
[www.rainbowwelcome.eu](http://www.rainbowwelcome.eu)

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CONTACT



POUR LA SOLIDARITÉ  
Rue Coenraets 66  
1060 Brussels, Belgium



[info@rainbowwelcome.eu](mailto:info@rainbowwelcome.eu)

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