

# Challenges and support for LGBTQIA+ refugees in Luxembourg and in the DACH countries<sup>1</sup>

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More and more people are fleeing the effects of climate change, war, and poverty. People are fleeing because they are being persecuted politically and/or religiously and/or because of their gender and/or sexual identity.

Across Europe, there are no statistics on how many lesbian, gay, bisexual, trans\*, queer, inter\* and asexual (LGBTQIA+)<sup>2</sup> people have applied for asylum in recent years due to fear of persecution because of their sexual and/or gender identity or other reasons. Even before the so-called European “refugee crisis” in 2015, it was estimated that there were LGBTQIA+ 10,000 asylum seekers in Europe (Jansen and Spijkerboer 2011: 15f.). More gay men appear to be fleeing than lesbian women and the number of trans\*, inter\* and non-binary\* and a\*gender people applying for international protection is also not (yet) systematically recorded and is estimated to be significantly lower.

In the last decade in particular, much research has been conducted on the experiences of LGBTQIA+ refugees in Europe, especially with regard to the difficulties of being legally recognised as a refugee on the basis of sexual orientation and gender identity (Danisi et al. 2021; Dustin and Held 2018; Shaksari 2014; Spijkerboer 2013; Tschalaer 2019). The social experiences of LGBTQIA+ refugees, as well as their physical and mental health needs and inclusion in social networks and queer spaces, are also of increasing interest to

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1 D: Germany – A: Austria – CH: Switzerland.

2 In this text, we use LGBTQIA+: lesbian, gay, bisexual, trans, queer, inter and asexual/ agender persons plus others; abbreviated LSBTQIA+ in German.

researchers (Alessi et al. 2018; Guðmundsdóttir and Skaptadóttir 2017; Held 2023; Kahn et al. 2017; Lee and Brotman 2011; Namer and Razum 2018).

The *SOGICA – Sexual Orientation and Gender Identity Claims of Asylum* project, funded by the European Research Council, is the largest and most comprehensive project to date focussing on the legal and social experiences of LGBTQIA+ refugees in Europe.

This article summarises the findings from the SOGICA study together with information from organisations that work with LGBTQIA+ refugees in Luxembourg and the DACH countries: Germany, Austria and Switzerland, which will then result in concise recommendations.

## Results of the SOGICA study

From 2016 to 2020, the SOGICA study, based at the University of Sussex in Brighton, UK, sought to find out how European asylum systems could treat asylum applications based on Sexual Orientation and Gender Identity (SOGI) more fairly, and how the social experiences of LGBTQIA+ refugees could be improved. Focusing on Germany, Italy and the UK, data was collected using various research methods, including individual and group interviews with 158 LGBTQIA+ refugees from 34 different countries.<sup>3</sup> The study found that LGBTQIA+ refugees face complex legal and social challenges. One of the biggest challenges is convincing decision-makers of their sexual/gender identity and the risk of persecution. As a result, a large proportion of cases are rejected due to a negative assessment of credibility and risk of persecution. LGBTQIA+ refugees usually face the difficult task of ‘proving’ their sexual orientation and gender identity, with decision-makers often using stereotypical assumptions about the behaviour (and appearance) of LGBTQIA+ people. The danger for LGBTQIA+ people in their countries of origin is also often misjudged or it is argued that they can relocate to another part of the

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3 The project used a mixed-methods approach consisting of 143 semi-structured interviews, 16 focus group interviews, 24 non-participant observations of court hearings, two online surveys and documentary analysis of asylum decisions. The individual interviews were conducted with SOGI refugees, asylum decision-makers, members of the judiciary, legal representatives, policy makers, NGO staff and other professionals; the focus groups consisted exclusively of LGBTQIA+ refugees.

country to be 'safe', sometimes under the assumption that they can hide their sexual orientation and gender identity.

Due to the persecution they have experienced, LGBTQIA+ refugees often suffer from severe psychological trauma and mental health conditions such as depression, dissociative disorder, panic disorder, generalised anxiety disorder, social anxiety, traumatic brain injury, substance abuse and post-traumatic stress disorder (PTSD) (Hopkinson et al. 2017; Kahn et al. 2017; Shidlo & Ahola 2013). However, the asylum decision process often places unreasonable expectations on asylum seekers; for example, that they feel able to be fully open and give complete, consistent and clear accounts of their SOGI and experiences of persecution.

Not only do LGBTQIA+ refugees face legal challenges, but their experiences on a social level are also characterised by their intersectional identities, which often make it difficult to find safe spaces. Xenophobia, racism, and Islamophobia are still on the rise in Europe and trans refugees are particularly vulnerable to discrimination or violence (TGEU 2016, p. 8). One of the biggest difficulties that LGBTQIA+ refugees face when they arrive in Europe is the mostly inadequate accommodation – shared accommodation in small spaces where there is no privacy. This is particularly difficult for LGBTQIA+ refugees, as they often fear and experience homophobia and transphobia. In Germany, for example, residents in initial reception centres and in shared accommodation generally must share a room, often for a long period of time, sometimes with one to four (unknown) people, but there are also accommodations where up to eight refugees share a room. In these heteronormative spaces, LGBTQIA+ refugees find it difficult to live their SOGI openly and often go back 'in the closet' for fear of verbal and/or physical abuse. This is particularly difficult for non-binary and trans\* refugees in binary-gendered accommodation centres. In general, refugees have little say in where they are housed. In Germany, for example, refugees are allocated to the various federal states and districts according to a specific distribution system (called "EASY"<sup>4</sup>), first to initial reception centres and then to shared accommodation. SOGI are usually not considered here and LGBTQIA+ refugees often end up in smaller towns, far away from any LGBTQIA+ support structure. Although it is possible to submit a relocation application (due to specific needs), this is often not approved. When LGBTQIA+ refugees are accom-

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4 Initial distribution of asylum seekers.

modated in small towns, they usually experience extreme social isolation, which is made even more difficult by experiences of racism, homophobia, and transphobia (which is not to say that these forms of violence do not exist in urban areas!). For trans refugees, this often means extreme visibility, but also often difficult access to medical treatment (in Germany, for example, refugees only have access to ‘basic medical care’, which does not include hormone treatment).

LGBTQIA+ refugees are ‘doubly’ isolated – not only as asylum seekers, but also as members of SOGI minorities. They often cannot rely on their families or expatriate communities of others who share their ethnicity and/or nationality to live freely and safely (Çalik & Hayriye, 2016). It is important to recognise that LGBTQIA+ refugees are not a homogenous group, and there are differences that can also make someone feel out of place in refugee spaces. Whether self-organised or not, most support groups are predominantly aimed at cisgender gay men, and self-help groups specifically for bisexual and lesbian refugees are rare. Refugees who identify as bisexual or queer are expected to fit into the available groups, and trans\* refugees also struggle to find specific social support and community groups, leading to particular forms of isolation (TGEU – Transgender Europe 2016: 7). LGBTQIA+ refugees can also experience discrimination in queer spaces (Held 2023).

## **NGO case studies**

In addition to these results from SOGICA, we present case studies from NGOs in Luxembourg, Germany, Austria, and Switzerland to show what practical work is being done in the field of LGBTQIA+ asylum and what challenges are faced in this work. Vignettes based on short questionnaires completed by representatives of these organisations were written for this purpose.

## Service Migrants et Réfugiés – Croix-Rouge luxembourgeoise and LGBTQ+ CIGALE<sup>5</sup> (Luxembourg)

The Service Migrants et Réfugiés of the Croix-Rouge Luxembourgeoise began working with refugees in 2004 and has continuously expanded its work over the years, now focussing on trans\*, inter\*, non-binary\* and a\*-gender people (TINA). However, not all refugees identify with these categories. Another problem occurs with refugee couples who are treated as individual asylum seekers. The authorities do not recognise their relationship, which leads to problems with accommodation, although the relationship could actually have a stabilising effect in the difficult situation of flight. In most refugee shelters in Luxembourg, it is difficult to maintain intimate relationships, especially when authorities refuse to recognise couple relationships in their administrative decisions. The Service Migrants et Réfugiés invests heavily in the training of its employees from 50 countries in order to break down conservative views and prevent discrimination against LGBTQIA+ people. Problems are and remain accommodation, lack of privacy and often ignorance on the part of interpreters when it comes to gender issues. CIGALE emphasises the social support of clients and the training of professionals who work with refugees, and CIGALE stresses the need to create opportunities for refugees to participate in activities aimed at the LGBTQIA+ community.

## LSVD – Lesbian and Gay Federation (Germany)

Since 2017, the LSVD has been assisting and supporting asylum seekers with the application process and referring them to local contact points. The support includes initial counselling and materials in the following nine languages: Arabic, German, English, French, Persian, Russian, Spanish, Turkish and Urdu. In addition to asylum application counselling, the LSVD offers information material for asylum seekers and staff in asylum centres. These services are well received. The expertise of those seeking advice is included in the development of services, but there is no direct peer counselling. In terms of figures, the LSVD counselled around 4,000 people from over 107 countries of origin between November 2017 and December 2022; there is no age-specific information, and the gender diversity includes cis-male, cis-

5 <https://www.cigale.lu/?lang=en>

female, trans-female, trans-male, inter\* and non-binary\* gender. Reasons for fleeing, particularly in connection with gender identity, play a major role. The challenges for counselling vary depending on the urban or rural environment, with urban areas providing better access to services. LSVD's expertise and cooperation with various institutions at local, regional and (inter) national level are crucial to the success of its work. Nevertheless, the organisation sees an urgent need for more funding to achieve a broader impact in order to support even more people on their journey of flight and integration.

### **QueerNet Rhineland-Palatinate e.V. (Germany)**

QueerNet Rhineland-Palatinate has been supporting LGBTQIA+ refugees since 2000, primarily based on their sexual and gender identity. By 2022, around 100 people had found support in various areas, particularly through connecting them with existing groups in the region. The focus is on initial and referral counselling as well as meetings and group offers in Trier, Mainz and Kaiserslautern. The organisation incorporates the experiences of LGBTQIA+ refugees into its services and relies on peer counselling that benefits from different language skills. Following the “Long Summer of Migration”, the need for psychological counselling has increased, while staff, space and financial capacities have remained the same. Intensive training for local staff is a priority, although volunteers can only offer limited resources due to a lack of structured training. The need for full-time structures is emphasised. Supporting trans\* people from different countries makes it clear that many refugees must endure experiences of sexualised violence before and during their flight. The problem of hormone therapy and double discrimination as refugees and trans\* people is also repeatedly emphasised. QueerNet Rhineland-Palatinate notes the preference of refugees from urban areas to visit larger cities in their country of arrival. Effective cooperation and clear responsibilities in the various fields of counselling are seen as positive. The counselling centres call for their expertise to be recognised in official decisions and emphasise the need to eliminate prejudices against trans\* and inter\* people. Financial and personnel support is still necessary to ensure that the important work of the counselling centres is not solely based on voluntary work. A guiding principle for cooperation is: recognise – discuss – solve – and always educate.

## Queer Base – Welcome & Support for LGBTIQ Refugees Vienna (Austria)

Queer Base was founded in 2016 to support LGBTQIA+ people in asylum procedures or completed asylum procedures. By mid-2022, they had supported almost 900 people, most of whom are no longer “active” clients. However, some continue to make use of the counselling services even after the asylum procedure has been successfully completed. The people seeking advice mainly come from Iraq, Iran, Bangladesh, Afghanistan, and Nigeria and are predominantly cis-male, cis-female, trans-female, trans-male, inter\* and non-binary\* gendered. Queer Base’s work includes specialised counselling, support and educational work on the topics of sexual orientation, gender identity and flight. This includes violence prevention, accommodation, healthcare, assistance with visits to the authorities, community activities as well as housing and security issues in accommodation centres. Queer Base emphasises the importance of involving people who are LGBTQIA+ themselves or who have experienced flight in its peer-to-peer services. All full-time and volunteer staff at the advice centre identify as LGBTQIA+ people, and some have their own experiences of migration or flight. While the community acts as a surrogate family for many, finding accommodation, the length of the asylum process and discrimination when dealing with the authorities are major hurdles in everyday life. Queer Base cooperates on a national and international level with various organisations and NGOs, including LARES Vienna, Caritas, Tralalobe, and ILGA Europe (The International Lesbian, Gay, Bisexual, Trans, and Intersex Association Europe) as well as the LSVD. The organisation is emphatically calling for better and relevant training for decision-makers in the asylum process, a wider range of accommodation, especially for trans\* and intersex\* refugees, and basic funding for the entire operation of the organisation. Queer Base’s social counselling is currently funded by the City of Vienna. The work focussing on LGBTQIA+ refugees and asylum seekers is carried out on a voluntary or donation basis.

## Transgender Network Switzerland (TGNS)

The Transgender Network Switzerland (TGNS) has been counselling trans\* people since 2011. TGNS offers highly individualised help and attaches great importance to listening to and empathising with each person. The network focuses on dealing with housing problems and access to healthcare. In ad-

dition to constantly calling for state support, TGNS also helps to find quick, informal solutions. Social networking and support in the asylum procedure are key, especially after the introduction of the right to free legal representation in the asylum procedure in 2019. The number of people seeking advice at TGNS is around 50, mainly between the ages of 20 and 35, from various countries of origin. The reasons for fleeing include gender and sexual orientation, and often also religiously and politically motivated activism in the country of origin. The work of TGNS includes translations, explanations of legal correspondence, filling out forms and support in everyday life. TGNS links those seeking advice with other specific services such as medical care for undocumented migrants, language courses and legal advice. Resources such as laptops, mobile phones and clothing are also made available. The challenges often lie in the lack of knowledge and training of asylum system staff in dealing with trans\* issues. The housing situation is critical, from undignified common rooms to potential safety issues in single rooms. There is an increased need for translations, especially since the number of people arriving from Turkey has risen. Networking, monthly meetings and peer counselling among trans\* people from the countries of origin are part of TGNS's efforts. While the services are well received, the participation of refugees in the development of services should be further strengthened. The network is in favour of safe escape routes, better accommodation, and well-trained professionals. Trust in the needs of those affected and appropriate financial support are also of great importance. The vision for the future is a better and safer environment for TINA people, in which their rights and needs are respected and protected during the refugee and asylum process.

## Summary and conclusion

The results of the SOGICA study and the case studies from NGOs in Luxembourg, Germany, Austria and Switzerland show that the needs of LGBTQIA+ refugees and the resulting challenges in German-speaking European countries are diverse and complex: Traumatization; problems in forcibly shared accommodation; the difficulty of finding "safe" spaces; isolation, especially when LGBTQIA+ refugees are housed in rural areas; non-recognition of queer couples who have fled; difficulties with interpreters – to name but a

few. In this sense, the work done by NGOs to support LGBTQIA+ refugees in these areas is irreplaceable.

Finally, the following aspects for optimising support for LGBTQIA+ people in the context of migration, flight and asylum should be mentioned here:

- Housing options that guarantee the dignity and safety of *all* residents.
- Ongoing training for all people working in refugee, migration, and asylum contexts.
- Secure and sufficient funding for advice centres.
- Systematic research on causes of flight, flight routes, profiles of refugees, necessities and limits of peer counselling, profiles, and equipment standards of counselling centres – not least in international comparison.
- Incorporating the necessities and new empirical findings into training and teaching.

Whatever the case, the guiding principle for all authorities, NGOs and, above all, political decision-makers should be to guarantee, protect, and safeguard the dignity of all, and therefore of every single person. Furthermore, it remains to be considered:

A) Regarding to gender expression and all the feelings associated with it, it is about accepting and recognising the entire spectrum or continuum of variation. There is no *single* form of gender expression, no *single* emotional state of inter\*, trans\*, non-binary\* and a\* gender refugees. Divergences and similarities between external and self-attributions can run in three directions:

- 1) regarding the people in the country/region of arrival
- 2) regarding the members of the ethnic community who may be in contact with the trans\* or inter\*, non-binary\* and a\*gendered person, and who may – more or less – reject or recognise their gender expressions, identities, and feelings.
- 3) regarding to trans\*, inter\*, non-binary\* and a\*gender people of different ethnic communities and within the entire queer community in the country/region of arrival.

B) The spectrum/continuum of gender expressions and the associated emotional states of trans\*, inter\*, non-binary\* and a\*gender people should also be considered in the light of the cultural context of the respective region of origin and the lived experiences there (intersectional approach). It is always important that counsellors and decision-makers, but also employees in NGOs, keep in mind that refugees with potentially highly variant forms of gender expression, physical variations, highly variant emotional states, and forms of desire can meet in a specific counselling group for trans\*, inter\*, non-binary\* and a\*gender refugees. Space for diversity must be sought and granted here.

C) Recognising the actual diversity of trans\*, inter\*, non-binary\* and a\*gender refugees with regard to their desires; hetero-, homo-, bi-, pan- and asexual orientations are to be considered just as “normal” as for cis\*women and cis\*men and as for non-refugees; the same applies to the diversity of relationship forms, whereby the cultural variations they bring with them are significant (intersectional approach).

D) Counsellors and decision-makers should also be aware of the causes of flight and the hopes associated with the flight destination. This also involves distinguishing whether trans\*, inter\*, non-binary\* and a\*gender is considered a recognised reason for the flight, or whether other reasons motivated the decision/necessity to flee, or whether there was a combination of many causes of flight.

## Literature

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