



EASO Thematic Consultative Forum Meeting: gender-related persecution

Discussion paper for Workshop 4: Reception conditions for LGBTI applicants

Workshop leads: ORAM, EASO

Background and aim of the workshop

Whilst the rights of LGBTI persons in EU Member States have come a long way in the last decades, LGBTI asylum seekers and refugees are often forgotten about. They reach the EU with their hopes high, hopes for a better and safer life.

LGBTI persons flee their home countries alone, meaning they have no support from family and friends. Upon arrival in EU Member States, they are placed in reception centres, where they face homo and transphobia, discrimination, violence and abuse from fellow refugees. This is, however, the exact society they fled from initially and now they are expected to share houses and rooms with them.

Article 18(3) of the Reception Conditions Directive (RCD) requires Member States to take into consideration gender concerns and the situation of vulnerable persons within the premises and accommodation centres. Additionally, Member States are required to take appropriate measures to prevent assault and gender-based violence, including sexual assault and harassment, within the premises and accommodation centres. This is not always followed in practice. Whilst transwomen should be placed in houses for unaccompanied women, they are often placed in centres for men, making them susceptible to verbal, physical and even sexual abuse and violence. Lesbian, gay and bisexual persons should be given their own room but are often required to share a room with a fellow asylum seeker(s). Additionally, LGBTI asylum seekers should have the ability to request to be housed away from asylum seekers from their country of origin.

Article 21 RCD further stipulates that MS must take into account the specific situation of vulnerable persons and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence. LGBTI applicants should be considered as vulnerable, owing to the nature of the acts of persecution suffered. Additionally, LGBTI asylum seekers accordingly have special reception needs, due to a high level of discrimination and taboos in reception centres. LGBTI applicant are in need of services tailored to their specific needs.

Owing to the violence and abuse which they have often suffered from an early age, they require psychological help and counselling, to go through the trauma they experienced in their countries of origin and transit countries.

LGBTI asylum seekers, in particular transgender asylum seekers going through reassignment, require specialized medical treatment.

Sexual and gender minorities (SGM) applicants must be put in touch with local NGOs who work specifically with the community and are able to refer them to specific services, as well as teach them about their specific rights.



Structure of the workshop

Following a presentation delivered by ORAM aimed at framing the context of the discussions (20/30 min), the workshop will be articulated through discussions in smaller groups.

Participants will discuss a question/issue in small groups (4 or 5 persons) around small tables. At regular intervals, the participants will move to a new table. One table host remains and summarises the previous conversation to the new table guests. The conversations are thus cross-fertilised with the ideas generated in former conversations with other participants. At the end of the process, the main ideas are summarised across the whole group and consensus is reached on recommendations that they would want to put forward.

Proceedings:

3 rounds of conversation of **20 minutes** each. Every round of conversation will have 1 specific question:

- **Round 1:** What are the main challenges?
- **Round 2:** What are possible solutions/good practices?
- **Round 3:** What do we want to recommend to: i) to NGO counterparts; ii) state authorities; iii) EASO and/or other EU institutions

After the 3 rounds participants gather in a **plenary setting** and the table hosts will be asked to share the main insights from discussions held at their table (5 min). A joined discussion will follow during which the reporting template summarising the workshop's main results will be completed.

Key questions/issues to be discussed:

- What are the main challenges that applicants who underwent gender-related persecution face in member States' reception systems?
- What are good practices to counter these challenges?
- How can we improve the reception conditions for applicants who underwent gender-related persecution? What can we recommend to i) to NGO counterparts; ii) state authorities; iii) EASO and/or other EU institutions?