

# Fleeing Homophobia

Sexual orientation, gender identity and  
asylum

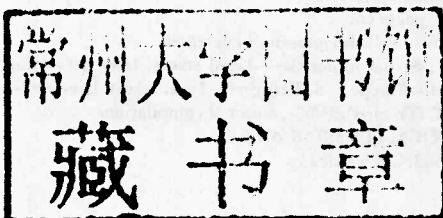
Edited by  
Thomas Spijkerboer



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# Fleeing Homophobia

Each year, thousands of lesbian, gay, bisexual, transgender and intersex (LGBTI) asylum seekers apply for asylum in EU Member States. This book considers the position of LGBTI asylum seekers in European asylum law. Developing an encompassing approach to the topic, the book identifies and analyzes the main legal issues arising in relation to LGBTI people seeking asylum, including: the underestimation of the large scale violence against trans people in countries of origin by some European states; the requirement to seek State protection against violence even when they originate from countries where sexual orientation or gender identity is criminalized, or where the authorities are homophobic; the particular hurdles faced during credibility assessment on account of persisting stereotypes; and queer families and refugee law.

The book gives a state of the art overview of law in Europe, both at the level of European legislation and at the level of Member State practice. While being largely focused on Europe, the book also takes into account asylum decisions from Australia, New Zealand, Canada and the United States, and is of relevance internationally, offering analyses of issues which are not specific to particular legal systems.

**Thomas Spijkerboer** is Professor of Migration Law at VU University Amsterdam. He has published on gender and sexuality (*Gender and Refugee Status*, Ashgate 2000; *Women and Immigration Law*, with Sarah van Walsum, Routledge 2007). He also publishes on the role of courts in migration law, and on border deaths.

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Louis Middelkoop has been instrumental in editing this volume. Reschin Hassan has compiled the case law index.

Thomas Spijkerboer  
Amsterdam, October 2012

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