



Secret Garden Foundation

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Project: "WE ARE FREE"

Introduction date: 27, 28 en 29 September 2012
Location: Mozeshuis / Mozes & Aäronkerk
Waterlooplein 205 / 207
1011 PG Amsterdam

The International Congress “WE ARE FREE” took place on 27, 28 and 29 September 2012. Secret Garden Foundation has focused on topics of the LGBT Muslim community. The themes that this congress focused on included: tolerance, acceptance and safety of Homosexuals men and women, bisexual men and women, and transgenders. ([see attachment](#))

In addition, Secret Garden placed special emphasis on the theme of “Asylum Seekers”; with professionals and experts the problems were carefully handled. The application for asylum, reception, the safety of LGBT people, and legal support from the Ministry of Immigration & Asylum is now being considered. ([see attachment](#))

Important:

Read the following report and if you agree with the content, we encourage you to print this statement/declaration ([see attachment](#)), sign it and send it back. (by email and/or mail) to the Secret Garden.

A copy of the forms to committee of second chamber and to EU commission sent to their attention

Thank you to all organizations that have done it.

André van Es, Sophie in the field, Amine Bozkurt, Judith Sargentini, Merhaba - Belgium, OMNYA Belgium, Fedasil - Belgium, ELLA - Belgium, Calem - France, Iraqi LGBT - Iraq, Iman Al Ghafari - Syria, COC Netherlands, COC Amsterdam, Derya Armancı - Turkey, Gemeente Amsterdam, Prog Gay Amsterdam, Police in Amsterdam Pink Blue, IRQR Iranian refugees Canada, Vluchtelinwek Netherlands Thamas Spijkerboer - Vrij University, Sabine janssen, M. Pot - Lawyer, Eric Hagenaars - Lawyer, Samira Bouchibti - Journalist/writer, ASKV - Refugee Centre Amsterdam, Gay Emancipation - Rotterdam, Association Bisexuality Netherlands, Dialogue Christians and Muslims on homosexuality, Human rights organization, Homosexuality in the Middle East and Asian countries - Hivos

Forgive us if we have forgot to mention your name.

Thursday, September 27th, 2012

1. Opening Performance: action by fashion designer Aziz Bekkaoui



"We Are Free" offers designer/artist opening performance, called "Up From Taurus". On 7-meter installations are 7 men; all wearing brightly colored skirts and veils. The performance opens with song; an original composition, entitled: "From Aries to Taurus".

2. Welcome by Emir Belatoui, Founder of Secret Garden



“First I want to thank many people who make this event “WE ARE FREE” happened. I really am in wonder.”

“My name is Emir Belatoui and I was born in Algeria. From a young age I knew I was different. This difference had caused me a lot of problems with my family, friends, surroundings, and of course with the authorities. It was not easy for me to live in an environment that does not except differences. Over time I learned to fight against all those who did not agree with me being different. A lost struggle, because it was impossible to fight against a society that refused to accept the natural things that God had created.”

“After having completed my University studies I was confronted with family obligations,

and with the dreams my parents had for me. Marriage of course, because my family was waiting for me to find a wife, have children, and start a family. Unfortunately, this confrontation was too big. I felt threatened by my family who did not understand who I was and am. The only option I had at that time was turn my back and run away, because I knew if I started to fight I would lose this battle.”

“I went to France to start a new life. A life as I wanted: free and independent. My family who lives in France knows what homosexuality means. My mother had no problem with her gay neighbor. She always said, “He is a nice guy and he is like that”.”

“But, his own son, no, no question. Then I was confronted with a second marriage and my family would arrange it as soon as possible. I ran away again and I came to the Netherlands.”

“Holland Holy Land, Amsterdam the city of freedom. I was happy, very happy. I learned to be myself and to accept the person I am. As the time went by, I discovered that the Muslim community living in Holland does not accept homosexuality; and the way of thinking about homosexuality is not really that different from the world I had left behind. Absolutely not. This community condemns sexual diversity, and therefore both the right and freedom to choose our own happiness.”

“I left Algeria and France looking for a place where I could be safe and free. But, everywhere I went I still came up against an undesirable storm that took all my powers to fight.”

“To flee and leave to start a new life. It is not easy. No. This time I had to stay and create my own place where I can be myself. I was very young when I learned that if I choose my happiness and my homosexuality I will suffer, because there will always be a family member, a friend, a colleague or a neighbor who would hate me just because I am different. But I choose my happiness and to be myself. It did not come easy for my parents, but my mother told me if you are happy, I am happy too.”

“All parents in the world wish their children to be happy.”

“Tonight, here among us, there are people who cannot drop their happiness, because of family, culture and religion. Others leave their countries in search for a better life, because in their country they are not accepted as they are.”

“Nowhere is the respect, nowhere is the dignity and nowhere is happiness.”

“Respect, dignity and happiness is in yourself. We must simply discover the way to get it.”

3. Introduction by: Andre van Es - Alderman Emancipation, Amsterdam



This speaker is a member of parliament, and has recently joined a Christian LGBTQ support group.

Thanks are given to Emir & Aziz for their work and for making this conference possible, so that expression that is not fully seen can be represented.

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“We must be free to be who we are: male, female, gay, straight, transsexual, and ethnic. We must be free. We are rich, we are proud, and we are human. We must be able to live our lives in freedom, to the extent that our actions do not harm others. I am elated to see such diverse and courageous people coming together from all of Europe and Holland, to participate in this conference to connect, in solidarity. In a time where being free, being yourself, is not self evident, and in many places it is forbidden, a gathering such as this provides new hope for our future. Here in Amsterdam, much has been done for the emancipation of LGTBQ people. But, the work is not done. After the legal approval of gay marriage, many people thought that the emancipation of gays was over, but this is not the case. Especially for LGBTQ people from ethnic/immigrant communities. Many of

these people are trapped, because they cannot express themselves fully. Research from UVA, finds that there is still much aggression and harm done to those who express love for the same sex.”

“I have seen and heard stories about human behavior against LGBTQ in the Muslim world, and how people get treated, and about the violence among the Islamic community. I once attended a meeting with the Pink Iman, where people were given scripture to protect themselves, and to affirm their self-identities. I advocate for solidarity, so people can fight and succeed to be who they really are. Forming alliances and coalitions, is the way to achieve a life where one can live openly, in peace, and in safety. I support discourse on homosexuality in education, to uproot the violence and oppression that LGBTQ people are subject to. New policy on zero tolerance of hate and violence against LGBTQ people must be implemented. Positive visibility of LGBTQ migrants, with innovation in Amsterdam’s gay scene, must be achieved. The parliament has approved homosexual education in schools, but the work of the legislation is not enough. Organizations like Secret Garden, and other activists, NGO’s etc, must come together in collaboration and solidarity.”

“The Struggle to be free never stops. The fight for freedom from oppression and discrimination must be fought over and over again. With networks within Holland and on the international platform, we must work together in this struggle.”

4. Introduction by: Emine Bozkurt - WPB (S & D)



Speech was given in Dutch.

Good evening ladies, gentlemen and everyone in between.

I think it is extremely important that an organization like Secret Garden exists, and I am grateful to have been invited to speak with you all tonight. The reality for gay, lesbian, bisexual and transgender people who are Muslim, or come from Islamic countries, is unfortunate and filled with adversity. This is because their orientation or identity is more likely not to be accepted by their family, social circles, culture, or their country.

Have you ever watched the soap opera, ‘Good Times, Bad Times’ (Goede Tijden Slechte Tijden)? Before yesterday I had not as well, but I tuned in because it was a historic broadcast. On yesterday’s episode there was a love scene. Ferry Doedens, who got especially toned for this scene, kissed with Bilala, a Turkish gay man still in the closet. A gay kiss between Muslim characters on primetime; that is a first and is certainly not normal television. And today, in the aftermath, I have not seen any demonstrations of angry Muslims.

In 2004 I ran for European Parliament for ‘Good Times’, to fight for gay, lesbian, bisexual, and transgender people. It is my belief that every person has the right to love someone of his or her choice. Only then can a person live a full and prosperous life.

There is so much work yet to be accomplished in the Netherlands, in Europe, and in the world. Just look to Uganda, and the death penalty that threatens all LGBT people. Look to Croatia, where so many battles are currently being fought to organize a Gay pride. Look to the crowd of hysterical people outraged over a boat of LGBT Turkish people on a boat in our very own canals for Pride weekend. Yes, even here in the Netherlands many gay men and women dare not to reveal their sexual orientation. It is clear that we are not in the ‘Good Times’ of life.

I want ‘Good Times’ for gay, lesbian, bisexual, and transgender people in the Netherlands, in Europe, and in the World. The pursuits of my work pertain mostly to achieving equality in the law. I believe that legislative policy that ensures the liberation and empowerment of LGBT people to be the most important step in the struggle of equality. To ensure the safety and security of all the people’s hearts and minds, so that LGBT people can not only be tolerated, but also accepted and respected. I have been asked by the leaders of Secret Garden to speak on the legal situation of LGBT people here in Europe, so this is what I have to say: We must do this together, so I will try to propose some strategies on how we can work together in solidarity. For how do we achieve ‘Good Times’?

Legislation, the first step towards change

In the Netherlands LGBT rights are well established in the Law. Discrimination is prohibited, and gay couples are allowed to marry. This is great! It is good to consider how much has already been achieved, and how far we have come.

In the EU, the Legislation is better. However, in any country if gay couples were to marry each other and then move to another country where gay marriage does not exist, they then lose their rights. For example, there is a lesbian woman I met here in the Netherlands who had a partner from Italy. They married each other and had children. But, this story has no fairytale ending, because if they want to move to Italy, their marriage will not be recognized. Furthermore, their state recognized parental guardianship over their children would also not be recognized/validated. The rights that are granted to married couples, for example, issues concerning shared property, inheritance, parenthood, etc, will all not be upheld. While for heterosexual couples there is no problem at all.

This is simple discrimination. States should respect each other's civil laws, and the basis of sexual orientation should not be withheld on any exception. My colleagues and I have raised this concern with the European Commissioner who is responsible for these oversights. On the one hand the Commissioner acknowledges that this is unlawful discrimination, yet they argue that the Member states must rectify this, and that this is a very difficult process that must take into account cultural differences.

For me, this is a clear point where the European Union shows its inadequacy. If the European Parliament has appointed me to make change, then I will continue until things are put right. It is important the members of the European Parliament and the Netherlands lead by example; in order to ensure the issues of LGBT people stay on the forefront of the political agenda.

What can we do together?

In Europe, negotiations on improving the position of gay rights within European anti-discrimination legislation are of the upmost importance. Let us work together with the Dutch government to strongly insist on making improvements.

In Europe there have been victories. For example, the European Parliament fought for the legalization of LGBT migrant people to be able to claim asylum in Europe, because homosexuality was punishable in their country of origin. This required specific legislation. That was a very important step.

I also fought hard against uncivil practices within the Czech Republic. Refugee asylum seekers, who fled their country of origin in fear of persecution of their homosexuality, were subject to a 'sex test' by the Czech government. The asylum seekers were made to

watch straight porn. If they were to be aroused during this test, then their application for asylum would be rejected. Through my actions and those of others, we were able to pressure the Czech Republic to stop this procedure. However, these kinds of “weird” and unlawful tests are not specific to the Czech Republic.

A research project conducted by the COC Netherlands and the University of Amsterdam, entitled “Fleeing Homophobia”, showed that there are significant differences in the way European countries grant asylum. Within the European Commission I have raised this issue several times.

The investigation proved that asylum seekers who claim refugee status based on their sexual orientation are often challenged on the basis of not being “gay” enough, and are accused of being liars. This is certainty more often the case among asylum seekers who were previously married or have children. And, this is something quite common among LGBT asylum seekers from Islamic countries, where the struggle for LGBT survival is most severe. Also, the stories of LGBT asylum seekers in Europe are not taken seriously or respectfully by local governments, because it is often the case that these individuals are too afraid to speak about their sexual orientation, or because they do no explicitly seek out gay or lesbian circles. This is also the case here in the Netherlands. Sometimes asylum seekers in the Netherlands are rejected refuge because, according to the “authorities”, the persecution in their country of origin based on their sexual orientation does not warrant the need to claim asylum. On this issue there is much work to be done. We have asked to future Minister to address this issue swiftly.

The European Commission has promised to me that Member States will respect the law, and that the European Asylum Office will help to identify the best practices for addressing asylum claims based on sexual orientation and gender.

Furthermore, two weeks ago in Strasbourg, a new directive was adopted on the protection of victims of violence. This was the first attempt to address violence based on sexual orientation, gender identity, and gender expression within EU Legislation.

The powers of the EU are limited. As we pass through the borders of the European Union, it becomes unfortunately clear that there are many problems. However, there is hope that the EU can be given the authority to offer boulder contributions to address this problem. First, bilateral legislation among all the member countries must be implemented. We are clear in this need. We must demand for our voices and concerns on LGBT rights to be heard. Otherwise, this struggle’s potency will dissipate.

At this moment, 8 of the 9 largest countries within the EU do not meet the criteria of LGBT human rights. These countries must significantly improve their legislative stance on LGBT people. In this way, the rights of other countries within the EU can be fully achieved and protected.

An encouraging example is Croatia. Last year the PRIDE festival was out of control: participants and visitors were threatened with violence, and some were actually attacked. This year however, as the country is about to join the EU, there is a change in attitude towards PRIDE. NGO's and even some politicians were seen walking along the PRIDE festival, with adequate safety of all participants ensured.

On October 6th, the LGBT PRIDE in Belgrade took place. Despite violence in the past, they were determined to have an uncontroversial event. Since Serbia would eventually like to become a member of the EU, the European Parliament will eminently exert pressure on these countries to reexamine their stance on LGBT rights. This will become an important test for these new-fangled candidate countries when it comes to respecting fundamental rights.

And what about those countries who do not qualify for EU membership? The EU is an economic powerhouse, which can exert a lot of pressure with the use of economic sanctions. I believe that Europe should use more of its power to contribute to this struggle. This can be done by putting pressure on potential trading partners to respect LGBT rights.

In 2011, a law in Uganda was almost passed that would sentence convicted homosexuals to the death penalty. Under pressure from the international community, including the European Parliament, this was ultimately not adopted. Another example: My initiative with the European Parliament in collaboration with the World Health Organization, advocated for the removal of transgender identities from the list of mental disorders. Furthermore, we advocated for transgenders to be insured for any medical treatments.

To the extent of the law. As far as what is on paper.

I want to talk about the practice of procedure, because in the Netherlands and in Brussels we are very satisfied with our liberal progressive laws and guidelines. This is great, and something we can be proud of. However, we must also be critical of our problems, despite the theoretical equality we have ensured through legislation.

I can imagine that some people listening to my words are thinking that the European anti-discrimination directives are great. I would say, thank the European Commissions, who have publically stated that homophobia has no place in Europe.

When it comes to the implementation of legislature and various measures, we arrive at a place where we can see where things go well, and where they go very wrong. So, I would much rather hear from you what needs improving. You are our eyes and ears in the community. You see what's wrong; you have suggestions for improvement when it comes to the European dimension of LGBT rights. Please contact me: my contact details can be

found on my website eminebozkurt.nl

Some years ago I remember the case of an Iranian gay boy who about to be deported from the Netherlands to England, where he ran a high risk of being sent back to Iran where his friends had been hung and killed. The European Parliament actively campaigned against this. With much contact with my Labor colleagues who worked within the British Government, and a deal was eventually brokered. A lot of noise and protest really helps.

“Good Times, Bad Times” is a long-running soap opera. And, unfortunately the fight for equal rights is also a difficult and lengthy process. I am fighting for it, and we are fighting for it. March off to ‘Good Times’ we must go!

I wish everyone here in attendance a lot of fun and good luck!

Thank you!

5. Personal Story by: Derva Armanci (Transsexual from Turkey - Istanbul)



Speech is given in Turkish, w/ English translator:

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“I will give a short speech, because it is impossible for me to speak on all of the

struggles of LGBTQ people in Turkey, so I will share a few intimate stories from my life.”

“Unfortunately, in Turkey, the President does not even speak or even acknowledge the existence of LGBTQ persons. The government will not accept the people’s freedom of gender identity, or acknowledge discrimination against LGBTQ people. Because of this, LGBTQ people are being killed, and the killers are not being brought to justice.”

“In my life, I have been fortunate not to be constantly assaulted, but I have been subject of physical violence for being who I am. In my family I am accepted, but this situation is very rare. I am transgender person, but I have been able to pass by calling myself an artist and a performer. In this way I have been able to avoid prosecution. I am currently working as an actress, and even when I face discrimination, I stand strong against my oppression.”

“If I were to compare my life to other LGBT people in Amsterdam, I would be seen as a person struggling with lots of discrimination. But in comparison to other LGBT people in Turkey, I am relatively free of major discrimination. I think that here in Amsterdam, the LGBTQ people are not as visible, or gay looking.”

“Transsexuals in Turkey: The police in Turkey laugh and ridicule LGBT people, especially transsexuals. Beginning in the 1980’s, if Transsexuals were identified, they would be beaten on sight. When I was 17, I did not consider myself transsexual; but I was still singled out for being sexual subversive.”

When I tried to go to police to report my abuse, the police said to me that I was lying, and that because I was a gay person I must have been asking for the abuse. They did not listen to my story. Instead, I was put in a special room, where the walls were cushioned, so when I was slammed and beaten against the wall I would not bleed. The police officers beat me because they thought I was a liar. The police began to taunt me, asking for my sister so they can have them sexually. After the abuse, I was bleeding and in extreme need of hospital care. The police would not take me to the hospital. I was able to find a cab that could take me to the hospital, but only under the condition that I were pleasured the cabdriver. At the hospital, I was ignored, and the discrimination continued. After the hospital, I was taken to the police office again. There they continued to ignore me, and my friend and I were left alone near a bus station.”

“This all occurred when I was just 17 years old. I consider myself lucky, because in other parts of Turkey I could have easily been killed. When transgender people walk in

the streets, the police try to catch us to give us fines for being gender subversives. The fine is always given on false charges, but it is direct discrimination. In the police reports, they write down that I was in the middle of the street with my boobs showing, tongue out, and soliciting sex. No one at the police station would listen to my true story. Then I tried to call her lawyer, and I was finally able to find some help.”

“My story does not only belong to me, because many of my friends experience the same thing. Just for trying to get in a cab, the police will stop us on false charges. Not everyone can get a lawyer, and the fines we are given are too expensive to afford. My story might seem very strange, but this is the norm in Turkey.”

6. Secret Garden Documentary: “Struggle to Be”



Emir Belatoui explains about the work the Secret Garden Foundation has done in the last couple of years. The debates and other exhibitions that the foundation has organized will be shown in the documentary, and also the work of many gays, activist, and psychologist.

7. Closing Remarks:

Thanks are given to all in attendance. Tomorrow’s topic will be about Asylum Seekers, and issues on transsexuality.

Friday, September 28th, 2012

1) Words of Welcome & Explanation of the Programming: by Emir Belatoui



“Being different is not an issue anymore, because everyone is different. The biggest problem is getting society and people to understand each other, accept each other, and respect each other. There are three groups of discussion today: The first is on women’s issues; the second group for men’s issues; the third group is on issues surrounding Asylum Seekers. Creating a safe place, not only in Amsterdam and in Holland, but also for all of Europe is of the upmost importance.”

“Good morning everybody!”

“First I want to thank all of you, because your presence, your concern, and your passion about the issues that we will handled today is extraordinarily important.”

“For the participants who don't know Secret Garden: The Secret Garden foundation is for lesbian, gay, bisexual and transgender (LGBT) Muslims. Established in Amsterdam. The idea is about bringing LGBTQ people in contact with one another, and to empower individuals to stand up for their rights. Secret Garden aims to open up the discussion within the society, and in particular within the Muslim community concerning LGBT issues. Secret Garden focuses on reaching LGBT Muslims and the Muslim community in general.”

“Today, though this congress, we want to tell the whole world that being different is not an issue, because everybody is different. The only important thing is that we accept each other, understand each other, and respect each other.”

“In order to reach this goal, today we will focus on the following 3 topics:”

- Discussion group for Bisexual & Trans Women and Lesbians: lead by Samira Bouchibti, Journalist and writer - a lovely woman who supports LGBTQ community
- Discussion group for gay & bisexual men: lead by Marten Bos, professional Advisor and supporter for people and organizations.
- Discussion group for Asylum Seekers: Lead by Tavid Teigeler, works by ASKV organization (Support asylum Seekers).

“We tried to make contact with many different organizations that work on transgender issues, transsexual work, and the secretary of minister of the justice. But this call for collaboration failed. In their absence we ask those interested in transgender issues to go with men's Gay group, or lesbian women group. Make your choice.”

“After the break we will start again to talk about the important issues, and about the work that must be done to bring change in future. In beginning of each discussion the leaders will explain what they will do and what they expect from you. At 5 O'clock we will come back here in this big room and the debate leaders will present the results of the day's congress.”

2) Presentation by Sophie in 't Veld - Member of Parliament



“I am very pleased to be here, and I give thanks for being invited to this conference. I will not be able to cover all the issues in great detail, but later today my colleagues and I will be participating in the break off sessions to discuss more specifics. Within the European Union, I was part of an organization that is on the forefront for LGBTQ rights. Here in Holland and within the European Parliament/European Council, LGBTQ rights are now being seriously considered. Within one of the three branches of legislation, LGBTQ rights are being advocated for, and I have been a part of that process.”

“Anti-Discrimination Legislation of LGBTQ peoples: Initiatives in LGBTQ equal rights and directives to protect equal treatment in the workplace are of serious importance. Now, people have the right to go to court if an individual faces discrimination in the workplace. But this is not enough; there must be legislation to protect LGBTQ rights and people in all spaces, not just the workplace. But this legislation is currently on hold. The European party has consistently advocated for this legislation, so people can go to court, and claim their right for respect and equal treatment.”

“Besides Legislation, funds have been allocated (on behalf of the EU) to NGO’s and other community/activist organization to help support LGBTQ communities. Support for “Gay Prides” has also been of importance for the EU, so freedom of expression and visibility can be achieved. It is important for society to recognize that homosexuals and other sexual subversives are not seen as evil monsters, but as real people deserving of equal rights, respect, and humanity. Embassies of the European Union have used their power to put pressure on other countries, so that every country in the EU can support and protect people of diverse backgrounds.”

“The fight for human rights, LGBT rights, and civil liberties of all people is of extreme importance. Therefore, Asylum policies are important to advocate for. I am very ashamed that even here in the Netherlands, the governmental officials have to be convinced that there are individuals in extreme need of asylum, because their lives are in physical danger in their native countries. It is not good enough to be talking about equality and LGBT rights only within the European Union, but we should be advocating for those coming from different regions around the world”

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a) Question & Answer:

- i) Anonymous Speaker: Within this very xenophobic climate, what is the government of Holland doing to pressure other countries, like Norway, who is outside the European Union, to protect LGBT people and Asylum seekers?
 - (1) Sophie’s Response: There is very little besides political pressure that can be done to advocate for bilateral legislation. It is abhorrent that even within the European union, there is not a standard for equal rights, and that in one country you can be safe, and within another you are not. That is why organization like Secret Garden is very important, to bring diverse people and stories together.
- ii) Anonymous Speaker: We know that gay refugees are the most vulnerable populations here in Europe. They are subject to much xenophobic violence, and are caught in a very pernicious location, because they are forced to hop around Europe until they are

given protection and safety. What can be done to better this situation?

(1) Sophie's Response: It is of upmost importance to establish a bilateral legislation, so that all LGBT people, across the European Union, can be given Asylum and protection. This is a very tough and uphill battle, but we need to fight it. Publishing and promoting the stories of real people is the greatest tool in determining the direction of this struggle.

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Emir asks that all questions be put on hold until later.

Sophie apologizes that she must leave the conference early, but that she stands in solidarity with all the people in attendance, and fights for the protection, safety and equality of all LGBT people.

3) Presentation by Dr. Iman Al Ghafari: Research Fellow @ UVA



The speaker is an assistant professor and research fellow at UVA, and she has been given a grant to explore the “Problematic ‘Lesbian’ Issues in Contemporary Arab Cultures”.

The speaker came here because of her research, publications, and teachings. She would like to give a brief idea of what she does:

“Using Gender as an Analytical Practice to Re-examine the essentialist identity formations and the constructed sexual politics. The issue of “coming out” is a political agenda. In Arab culture is about how to define oneself, and sexuality is practice, not identity. The concept of being gay, or having homosexual sex is not seen as an identity. I advocate for people to remain critical that visibility in the LGBTQ community can be dangerous in some spaces. It is important to remember that visibility and ‘coming out’ as an identity is a very western concept, which does not automatically translate to Arab culture.”

“The debates between Nationalism and Islamism: The problem for the Lesbian existence needs questioning within Arab Culture. Within the Arab world, men have more rights and are seen as more acting subjects. So the image of the Lesbian woman is very problematic within the hegemonic Arab culture. Therefore, the dual Invisibility of the lesbian in patriarchal/matriarchal structure is very important. Modern Representations of Lesbians are very diverse and mostly derogatory. All women are seen as potential lesbians.”

- i) The west is seen as responsible for the spread of “this dangerous epidemic”.
- ii) What is needed? → re-defining lesbianism; making a distinction between male homosexuality and female homosexuality in the Arab cultures.
- iii) Because of the time restraints, no questions will be received at this time.

4) Presentation by Koen van Dijk - Director of COC Netherlands:



“I give thanks to Secret Garden for organizing this event. For the foreigners in the audience, the COC is the largest LGBTQ organization in the Netherlands. The org has grown into a well-established civil society organization. We still produce social events, but much more work is done with legislative advocacy, in order to promote social acceptance of LGBTQ peoples. The COC works very closely with Holland’s educational department to support Gay-Straight alliances and other educational programing.”

“Since the late 50’s international solidarity has been a guiding principle of the COC. The COC now supports over 80 LGBT organizations on three continents. We are connected

very deeply with the Dutch government to help advocate for LGBTQ legislation. We were also the first LGBTQ organization to work with the Human Rights Council.”

“We are Free” -- “There is still much work to do. In over 80 countries it is a crime to be a self-identified LGBTQ person, or to engage in same sex love. So the battle is never over, but we must frame our current struggle by exerting our freedom, in order to embed a new standard within our culture. The cultural fight is of upmost important. In this speech I would like to highlight the defiance of LGBT people, innovations in social advocacy, and the changing framework in order to incorporate Muslim Sexualities and migrants.

“The Hungarian academic who coined the term “Homosexual” did so as an act of defiance and freedom, because even though homosexuality was seen as a disease, it was finally introduced into discourse where it could be discussed and highlighted as a topic of extreme importance. The discussion on the conditioning of homosexuality has a very long and arduous history. Culture changes very slowly, and it wasn’t until 1971 did issues of homosexuality begin to enter the world platform. During the slow process of legal change, social change was advocated by individuals (such as those in attendance) who were brave enough to pronounce “We are Free”. LGBTQ people all across the world face great danger and harm in their daily lives.”

“In 1964, the first man went on Dutch television to talk about homosexuality. This sparked an entire cultural revolution. In the 1970’s, LGBT people within the Christian community, found arguments within their faith to reframe the God-given law, to reframe their holy texts. Now Religious leaders are challenging the cultural interpretations of their holy texts, and same sex marriages are now celebrated in many churches.”

“Yesterday, a transsexual speaker from Turkey talked at this conference. What struck the speaker about her story was the fact that after a long episode of violent discrimination, all they could do was laugh. This was a sign that whatever doesn’t kill us makes us stronger, and the fight against bigotry in this world must be met with the same fierce aggression, but with hope and humor so we don’t loose ourselves. The time has come to extend rights

to the LGBTQ community. Now we must change our framework in order to institute educational change, so homosexuality is not just tolerated but accepted.”

“Reported hate crimes by the Human Rights Council, brought tears to my eyes. That’s why I support the UN human rights law to extend protection and support to all LGBTQ peoples. We must stop bullying of homosexual children in school, and asylum must be given to those who members of the LGBTQ community who seek protection and safety. If we strengthen our national governments and love for grassroots advocacy, those who are on the forefront of abuse and discrimination can one day we can truly pronounce “We are Free”

5) Presentation by Ali Hili - Iraqi LGBT Safe Houses



“My name is Ali, and I am the spokesperson and Chair of Iraqi LGBT; which is an organization established in 2005 in order to provide shelter and protection for LGBT people inside and outside of Iraq. Our original purpose was to raise awareness about the hate and violence directed towards LGBT people in Iraq. Especially after the American invasion of Iraq in 2003, the Iraqi LGBT communities and other religious and sexual minorities have been the main targets for radical and militia groups. These radicals oppose the lifestyles of the West. Under the new form of religious dictatorship, our work is of the upmost importance.”

“Our organization was able to find evidence of the role of the Iraqi Minister of Interior Forces in singling out and murdering LGBT peoples. With the help and support of Hivos, a Dutch based organization, we have been able to continue our work and establish safe houses in Damascus, Syria and other places. In 2008, we were able to establish contracts to help people find safety in western countries. But I am very critical of this, because the solution to the challenges the Iraqi LGBT people are facing is not to ship all the sexual minorities to western countries. The work must be done on a grassroots level within Iraq to reduce the number of fatalities. With awareness, campaigning, and pressure on the government, is a way to reduce the violence and casualties from 113 causalities in 3 months, to 46 causalities in 3 months.”

“Please Visit our Website at: www.iraqlgbt.uk “

“I am very proud that we have been able to lower the number of LGBT causalities. This has been done by forcing ourselves into the media and sparking active discourse among the people of Iraq. The more people can speak openly about these issues, is the first step towards emancipation. -- Is it possible to change a whole society and culture because of a small number of minorities?”

“As an Arab community, it is important to remember that not everyone is Muslim. People in our organization are Christians, Jewish, atheist, etc. The problem that we are facing is that there are centuries of social institutions and conditions to push back against. As humans, we need to be protected and that is our rights as citizens. We can't just be killed without government interventions. Killers must be brought to justice! Safety is a basic right of all humans, and we must continue to fight back and push. Lawyers and layers of culture and history is what stand in our way. “

“This organization has worked in baby steps, and getting funding and aid from western organizations like Hivos, is one baby step in their process/struggle for equality. It is

important to get this help from the western countries, because these western countries used to be in the same position Iraqi LGBT people are in now. Without help, there is not much hope for social change. With the help from western countries, and from organizations like Secret Garden, true progress can be achieved.”

6) Presentation by Samia Amrani -



This speech was given in Dutch. The English Translation is below:

“Merhaba (“Welcome” in Arabic and Turkish), we are a movement of women, men and transgender people with roots mainly in the Maghreb, the Middle East, Turkey and Sub-Saharan Africa. We support those who are attracted to people of the same sex and/or have questions about their sexuality or gender identity.”

“We are committed to the welfare, emancipation, social participation and acceptance of all gay (LGBTQI *) from ethnic minorities - regardless of age, nationality, ethnic background, sexual orientation, gender, religion, status, etc.”

“We do this partly by producing approachable, welcome activities for LGBTQI ethnic minorities, and by providing the community with important information (ethnic minorities, the traditional LGBTQI movement, education, social services the general population).”

“Merhaba simultaneously contributes to the interculturalization of the LGBTQI movement, through assistance and services, education, and community organizing. Through our emphasis on the intersection of multiple identities, Merhaba works between different frames of reference and social groups. From here we aim to create strategies of solidarity through respectful dialogue, with the goal of building bridges between the different groups themselves.”

7) Presentation by Judith Sargentini: Member of Dutch Parliament - GroenLinks/EGP



“I am amazed that we are here today. I been at this church many times, and this

geographical location has been the center of resistance, activism and struggle for equality throughout history. Today will talk about Asylum Seekers.”

“I advocate for a universal Asylum placement system to be established throughout all the countries of the European Union. We are working towards clarifying this policy, and the incorporation of ‘Gender Identity and Sexual Orientation’ is very important, but is warrant for more investigation by many parties. The struggle of European nations is centered on who takes in these Asylum seekers and who gets to repel them away. There is a fight going on between EU member states, and this fight is very nasty, because many countries are xenophobic and want to repel these foreign populations. Within this battle, people are forgetting what is most important: people’s safety. The personal stories of struggle and adversity are the greatest weapon to put a face on this issue. For the majority of LGBT people around the world it is very hard to live their lives to the fullest extent.”

“Looking at Senegal and South Africa: there have been Asylum seekers who claim that they cannot go back to their home countries. The Dutch government has responded by telling these asylum seekers to go back to their native countries and just act normal, and if they act normal then they wont face discrimination. By the end of 2013 and the start of 2014, I hope that a decision will be made within the European Union for bi-lateral legislation of LGBT Asylum Seekers. In the end, the courts have the final decision.”

---Question & Answer---

- Question: Are the courts, ore more specifically the members of the judges, are they been prepared to deal with LGBT issues? The cases of LGBT asylum seekers are very unique, and these issues are very complicated. So have these judges been educated and informed about the complexities of these situations. These judges are mostly heterosexual and they usually look down on migrants and LGBT people.
 - Answer: Whether these judges are prepared or informed on these issues, I

would dare not answer or question. The job of the court is to interpret the Law; so if you read the legal text as such, the fact that you can live your life in another country in relative safety, as long as you are hiding your real identity... It is not the judge's choice to decide if that is right or wrong 'morally'; their only job is to interpret the law. But there must be more, because they haven't seen sexual orientation as a ground for Asylum until now. If you were a gay activist who was being singled out by the government, then you would have a political position/ground for asylum.

- Question: One of the main difficulties when LGBT people apply for asylum: The first difficulty is that you have to prove that you are being prosecuted by the country of origin. The second problem is proving that the applicant is truly a LGBT person. So, if Asylum is granted to gay people from Uganda, then what stops all people from Uganda claiming they are gay so they can get asylum? For example: if you look at transgender applications for surgical reassignment, it is only when a trans person has support/validation from medical professional can they then officially receive medical help. Now how do we officially recognize a person as LGBT or not?
 - Answer: This is a very difficult question. This is a conversation that should be taking place within the courts... and we can only hope for a consensus to be made.
- Question: For a lot of people the rhetoric that is used to deny LGBT rights is to say that sexuality is a private matter and not a political matter. As lobby groups, activist groups, and political parties, how can we over come this?
 - Answer: Hopefully the official outcome by the Court in Luxemburg can give an answer to this question. The current dominant political argument is that if you can live safely closeted, then you should stay in your native country.
- Question: In 2009, there was the first Asylum Seekers. The first one was a transsexual who came here to Amsterdam from Pakistan. With the help of the COC and other activist organization. How can we change the law and try to help people

like this transsexual woman, and make it so people are not harassed, and so victims can be helped and not ignored or blamed.

- Answer: The court case in Luxemburg is the answer to your question. This is the only way to create a consensus on an international level. This is a disappointing answer, but the only one that is available now.

Break For Lunch

8. Discussion Groups Part I: Social Acceptance of LGBT's

A. Men, Gay/Bi, & Transgender Group: Discussion Leader -Marten Bos (Summary by Houssain)

In this debate, it was remarkable to observe how diverse the guests were. The following is a list of primary topics of engagement:

- Gay emancipation (Rotterdam, Den Haag, & Amsterdam)
- Ancient Arab culture and art (including poetry)
- Research: on identity & double consciousness (Intersectionality & Pluralism)
- Research: on being Muslim and gay (Homosexuality within Islam)
- Association Bisexuality Netherlands
- Dialogue: Christians & Muslims on homosexuality
- Critical Sexuality Studies
- Homosexuality among 1st and 2nd generation immigrants
- Religion & homosexuality
- People rights organization
- Homosexuality in the Middle East and Asian countries



Primary Proposition: A life as a Muslim and gay, is this possible? What are the collective experiences? What can we learn from this intersection of identity?

It was a very interesting discussion, especially to hear from the diverse participants/guests. Each individual brought in their own experience to contribute to the following list of responses:

- Muslim homosexuals should be more visible, especially in the media.
- There must be a positive term for a queer orientation. Generally speaking, within the Arabic language there is no positive term for a Muslim homosexual.
- When we consider history, it is very important to remember that the Arab culture was once very tolerant of the LGBT community. We should be inspired by ancient Arabic writings that described homosexuality with much tolerance and neutrality.
- We should be very critical of labeling (in terms of only being labeled as ‘homosexual’, or a ‘Muslim’) because of the ways in which these categories can isolate individuals in a “caste system”.
- The representation of homosexuals in the media should be challenged, so a more diverse vision of this identity can be achieved. (in reference to the

hegemonic heterosexual romance story)

- There should be more awareness in education about the LGBT community, with special emphasis on the diversity within that community.

B. Women, Lesbian & Transgender Group: Discussion Leader -Samira Bouchibti (Summary by Jeroen van Dalen)



The goal of the women's group was to get to know each other and freely discuss any issues related to LGBT's with an Islamic background. The following is a summary of the discussion outcome & strategic goals.

- First we discussed the background of Secret Garden. People were wondering why it was called "secret", but the point of Secret Garden is not to be secret, but to provide a safe space for a community who usually lives in fear and anonymity.
- Ellie lust, spokesperson from "Roze in het Blauw" (aka the "Pink Police"), explained a bit about her work. Her wishes for the future are to have a team of pink police in every city in the Netherlands, and second (in hopes for a more radically liberated future) to not have any pink police anymore at all anywhere,

because it should not be necessary.

- One of the issues discussed was the lack of Transgender's in such networks. Transgender' do not necessarily feel supported by networks like this. An interesting view on this issue came from a guest of the conference named Asia, from Pakistan. She explained that in Pakistan transgenders' feel more supported, because there the concept of a third gender is much more accepted within the Pakistani society. Another participant, Seyhan Armanci, added to this by asserting that she feels in Turkey (and the rest of Europe) Transgenders' are often considered as "failing in being a full man or woman". Some people were questioning the position of visible role models in the media, and were questioning whether more extreme outings of LGBT's was actually contributing to emancipation and acceptance.
- Samia, (from the organization Merhaba based in Belgium), wanted to talk about the role of religion in the emancipation movement. She asserted that not everybody is willing to serve as a role model and fight for emancipation. But, an important key to emancipation is religion. Samia talked about Ella VZW., a knowledge center, that is part of Merhaba, where a lot of traditional Muslims work as volunteers. One thing the Dutch could learn from Merhaba in Belgium is to actively seek connection with religious groups. For most people their own identity comes first, followed by their religious duties. But you cannot deny that religion is an important part of that identity. Hasna added to this point by suggesting that the importance of religious leaders to take responsibility and actively engage in discussions on this topic. The stigma on homosexuality is not embedded in Islam, but within Muslim individuals. An example of this is the recent story of several atheist gays, who after studying the Quran made the decision to convert to Islam. There is no reference to homosexuality anywhere in the Koran. And religious leaders need to engage in that discussion.
- It was added that Merhaba does actively seek the discussion with Imams and other organizations. Of course they do not start the discussion with the Taliban, but they choose progressive imams to start with.

- Donna Fill asked the question on how the Islamic community deals with these issues, and stressed the importance for groups like Merhaba and Secret Garden to actively engage with Mosques on this topic. We need to educate young LGBT's about what is actually in the Quran. But the problem is that most of them will only accept that coming from the authority of an Imam.
- Another participant in the women's group was Aman. She participated in a meeting at Secret Garden for the first time, and is working on writing a story about a gay boy. She felt confident that Islam can be combined with homosexuality. There is nothing in the Quran about this, and the most important thing is that God loves everybody. Aman will be doing the presentation at the assembled meeting at the end of the day.



C. Asylum Seekers Group: Discussion Leader - David Teigeler (Summary by Mirjam Eikelboom)

David Teigeler from ASKV (Amsterdams Solidariteits Komitee Vluchtelingen) introduces himself and explains that this afternoon we will discuss a paper on Asylum Seekers by Secret Garden. The goal is to achieve a list of demands and observations that can be sent to the Dutch and/or EU Parliament.

- **Theme 1: What is the present situation for LGBT asylum-seekers in general:**
 - Arsham Parsi of IRQR (Iranian Railroad for Queer Refugees) from Canada will introduce the topic. His organization has 12 years experience working with the LGBT community. Activities are: care for refugees, network, activism, & media. Last year they were involved in 600 cases of people seeking asylum, who self-identified as queer.
 - Arsham points out that there are two groups of Claimants: The first kind are individual's who apply through the UNCHR, and in general these refugees have a streamlined application process, because it is clear that they fall under UN resolutions. However, the second group of claimants are considered 'inland claimants' (people who have claimed asylum in an European country) and this group faces a great level of adversity. This may be people who have claimed/applied for asylum in Europe before (UK/Norway/Netherlands), but failed to inform the authorities they are GLBT in the first interview procedure. In the UK nearly 80% LGBT claimants were rejected at their first procedure.
 - *Arsham recommends people to choose the UNCHR track if possible. He also says that people should receive instruction as to how they should present their asylum claim. Sexual orientation alone is not considered enough ground for an asylum claim in most countries. People should be encouraged to describe their persecution in great detail. For example, it is common for a refugee to consider the punishment of 100 lashes to be lucky, because they were not sentenced to death. They will have to learn how to talk about all aspects of their daily life and the problems they face.
 - *Refugees should be helped to network with a diversity of organizations before they go anywhere to claim asylum. This is important so claimants can learn/fully understand how to present their case.
 - There is a possibility for potential claimants in Iran to get in touch with

IRQR to receive advice. They have started to help Afghan LGBT's as well, and are hoping to help the Syrians from 2014 onwards.

- Tania Barkhuis (Director COC Amsterdam) says that it is great that people can inform themselves on the internet. However, placing information on the web also carries a risk: Immigration Services will say that many people fake their claims and have used information from the internet in order to do so.
- Arsham replies that even the Canadian government gives out information on the internet.
- Tania says that that information is very vague by nature.
- Arsham reminds us that Iran has 75 million inhabitants, who - according to UN regulations - would all be eligible for asylum. People will often try to come as 'normal' immigrants; this is much better for them. If they fail, they will then apply for asylum. Another reminder: Dadaab, the biggest camp in Kenya, at the moment holds 400.000 refugees. *Making more information available on the internet seems to be a good idea.
- Thomas Spijkerboer (professor of migration at Vrije Universiteit Amsterdam) co-authored the rapport "Fleeing Homophobia"
 - <http://www.rechten.vu.nl/nl/onderzoek/conferenties-en-projecten/onderzoeksproject-fleeing-homophobia/index.asp> of which the main author Sabine Jansen was also present.
- He talks about changes in immigration law for LGBT's since the rapport came out and ways in which "late coming out" is now treated by the Dutch immigration services (IND).
- In Italy the Supreme Court ruled that all refugees from countries where LGBT is prosecuted should get a status.
- "Going back in the closet" is now debated in front of the European Court in Luxembourg.
- All Iraqi LGBT people are now safe in Holland as long as the authorities are convinced they are LGBT. This has made it interesting for the Dutch government to encourage other EEC countries to grant them the same

(categorical) protection. The reason that categorical protection for LGBT's was granted was the fact that the country report on Iraq from the Ministry of Foreign Affairs described very clearly how dangerous the situation for LGBT's was. There was very strong evidence that murders were systematic. COC and Human Rights Watch provided information to the Ministry which forced them to acknowledge these facts and adapt a report that was less clear.

- Arsham: it creates sometimes wonder if Iranian LGBT's get better protection than people from other countries. In Iran it is clear that there is a social taboo and that people won't get any support from their government.
- *But fact is that social taboo results often in honor killings everywhere and that these are in general not very well documented. So this is a very dark area that is not well known - shouldn't we look for ways to document that area better?
- Assaad Idrissi from Omnya (Belgian organization working for LGBT's from the Middle East and North Africa) says that he receives a lot of emergency e-mails from people who are still in their country. First they try to assess if there is a real fear for prosecution. Then they try to help the person inside their own country. If that is not possible they try to move the person to another country in the region - this will often be Beirut in Lebanon. In case people are still in trouble local organization Helem has options to take people to Norway. Palestinian LGBT often flee to Israel, here they run a high risk of getting exploited in prostitution or espionage. In Palestine they are not only at risk from their families but the government uses a lot of force to try to get the names of other LGBT people out of them.
- Thomas Spijkerboer also says that the Dutch government has now agreed that late coming out should not be a problem anymore, this will come into effect on the 1st of October.

- **Theme 2: What are judicial developments in cases of LGBT asylum-seekers/ amounts of LGBT asylum seekers/ information on changes in the countries of origin.**
 - We want to compare the procedure in Holland to the situation in other countries.
 - Margot Pot (lawyer at Pot advocates, most of her clients are gay/ transsexual, her office for many years held consultation hours at the COC) will introduce this topic.
 - *She sets out to encourage us to think ahead and wonder what will happen if the European Court of Justice rules to our advantage. European law will always come into effect over national laws. If Europe rules that people cannot be expected to go back into the closet, national legislation all over Europe will have to be adapted. In a similar way people cannot be expected to hide their religion either. Margot also confirms that not every asylum seeker tells their complete story: sometimes they don't realize that certain details are highly relevant, sometimes they are not free because they were trafficked in and afraid of the people who did that.
 - Marjan Sax (Vrouwen tegen Uitzetting): *we, as a community, should stronger counteract the arguments that the IND tries to present as 'facts'. It is up to us to state what gays look like and behave like. It is also up to us to remind the IND that most people from countries where gays are prosecuted don't want to be brandished 'gay' and will avoid it at all costs unless they are really gay.
 - Mirjam Eikelboom (works as a citizen for gay refugees): *it is also necessary that we educate governments on the principle of 'the gaydar'. People who do not choose to out themselves can still be recognized and outed by their environments for being gay. This puts them in a very vulnerable position in countries where gays are prosecuted.

- **Theme 3. Support for LGBT asylum-seekers in the present procedure.**
 - Roman (refugee from the Ukraine): I lived for months in an Asylum Seeking Centre and nothing was done to protect the rights of LGBT refugees. There are people who are terrified because the environment is so homophobic. The COA (responsible for the housing of refugees in the Netherlands) tells people that they are obliged to wait for an accident to happen before they can act to protect them. Asylum Seeking Centres do not feel as a part of a free country.
 - Bart Hermans from Fedasil (the federal agency for the reception of asylum seekers in Belgium) explains that refugees get an explanation of the law (violence is never allowed), but organizations may never find out what are the reasons behind fights.
 - In Belgium there is a project: “Rainbows together”, where gay refugees can meet every month in the Rainbow House in Brussels. Every meeting there will be between 50 and 150 people. They can share ideas and stories, prepare for their interviews and meet with people who work with refugees.
 - Tania Barkhuis (COC Amsterdam) says that COC Midden Nederland has a similar project, named Cocktail, that receives about 60 people a month.
 - *Bart says that LGBT refugees have to learn that it is important to talk about it. Also the people who do the interviews need to be thought, lawyers need to be informed. Gay refugees need to know that, in case of trouble, there is someone in the camp they can go to. In Belgium people are placed in camps with people from the same country, this sometimes makes refugees extra vulnerable. There is a high risk of people outing each-other or homophobic behavior.
 - *Tania Barkhuis: people that work in refugee centers change jobs so often that you can keep educating them forever. It is hard work to get stuff accepted at the higher management levels.
 - *Margot Pot: we have to be firm and pressure the COA to educate refugees on non-violence & freedom. Don’t play the policeman afterwards, educate

beforehand.

- It is also important to educate refugees on their human rights.
- Bart Hermans: homophobia within certain groups is going upwards in Belgium. Mentality is hard to change if you try to change it from without, but if they have young people that are gay from within we have to support them.
- There is an obligation for immigrants in Flanders to follow an integration course, but eg. not in Brussels. LGBT attacks in general are now better documented by the police. Someone who attacks people inside a refugee center will, in general, be transferred to another center. Unfortunately there are attackers who see this transfer as an opportunity.
- Tania: people that have lost all asylum chances in Europe may want to go to Canada.
- Arsham explains that this is easy if they find 5 people from Canada to sponsor them (those people have to guarantee all the expenses for the first year & they have to be wealthy enough to pay). A good thing about Canada is that there are no refugee camps - people can live where they want.
- Margot and a fellow lawyer Erik Hagenaars (Jans & Hagenaars advocates) state that good services we used to have in Holland are being taken away.
- *There used to be a 'pink asylum seekers house' in Amsterdam. The city of Amsterdam is eager to have it back, but COA doesn't want to support them with this.
- Erik Hagenaars explores the problems with asylum applications a bit further: if people don't get good legal advice, they will just try to survive no matter what! They'll panic and move everywhere, try to do it on their own and make mistakes. Immigration services will try to classify this as 'lying', but it isn't. It are more and lesser successful attempts to try to hide a sexual orientation. This because of the big paradox: first you have to hide, then suddenly you have to bring everything out in the open. In some stories there are parts missing that are crucial. If people receive a negative decision they

are encouraged to flee to another country and that is not ok. If they apply, they should get their right then and there.

- *Erik Hagenaars: It is clear that people should prepare for interviews. But lawyers are not allowed to spend a lot of time with their clients. He explains the eight day procedure where he has one day to prepare his client for the interview. Here is the advice he will give:
 - Start the story where it started
 - Tell if there was a big incident
 - Go into as much detail as possible
 - Not everybody is the brightest - but do not take the attitude the IS will understand you.
 - As a lawyer he would like to have more time, but time is limited as it has to be paid.
 - To illustrate how complicated things can be he gave the example of one of his clients from Cameroon. The refugee council and the translator (who also thought he was gay) and many facts in the history of the guy indicated that he could be gay. But when Erik asked him about it, he just ducked the question - he never came out or wasn't ready for that.
- Annemiek Wijker (Vluchtelingenwerk Nederland/ Dutch Refugee Council/She works in Schiphol/ Groningen): time is indeed a big problem; it is hard to establish trust in such a short time.
- *Another huge issue is the credibility issue. Someone just deems refugees not to be gay and it is almost impossible to do something about it. Even extremely credible cases can still be thrown out. The IND has to motivate the rejection and it turns out to be easy to motivate. People are said to contradict themselves when they answer a lot of very intimate questions: when did you have sex, when did you feel that way etc. etc.
- Assaad Idrissi brings up the issue of MSM: men having sex with men. For

the Middle East the first sexual relationship is almost always experimenting with the same sex. To them, they are straight, not bisexual, girls are just not available to them.

- *This results in conflicting information in interviews: people had sex with the same sex, but come out of the closet years later.
- Assaad Idrissi is asked how he supports people who contact him over social media, sometimes even from inside other countries.
- *He answers that his organization only gives professional advice and that no lay-people are allowed to make efforts at helping people.
- Roman from the Ukraine points out that the Dutch procedure is way too difficult. He came with all the paper-work you can think of, but even he was rejected. Even in the rejection-letter he could see that the IND completely believed his story. They rejected on ridiculous reasons. They told him to go back to his house while in the papers it was written that the house burned down and two people died.
- *The IND sometimes makes plainly dishonest and criminal decisions.
- Question for Sabine Jansen (Fleeing homophobia): When Uganda made their ‘death-to-gays’/Bahati bill the Swedish government withdrew all their money from Uganda.
- *Which kind of sanctions from the side of Europe can be effective to help LGBT’s in other countries?
- Problem: sometimes organizations may want help from outside and sometimes they don’t. Because it may give LGBT the image of some evil imported idea from the West.

9. Discussion Groups Part II:

A. Workshop on International Human Rights

Most of the participants in the workshop had not previously been involved in discussions about human rights. Therefore a large part of the workshop consisted of discussion about what human rights are, and how they relate to LGBT rights.

- For a good overview of LGBT issues in Human Rights, see also the brochure by the UNHCHR from 2012.
 - <http://www.ohchr.org/EN/NewsEvents/Pages/BornFreeAndEqual.aspx>
- The main five action points defined there are:
 - 1.) Protect people from homophobic and transphobic violence. As a part of that asylum laws and policies should recognize that persecution on account of one's sexual orientation or gender identity may be a valid base for an asylum claim.
 - 2.) Prevent torture and cruel inhumane and degrading treatment of LGBT persons in detention.
 - 3.) Repeal laws criminalizing homosexuality, including all laws that prohibit private sexual conduct between consenting adults of the same sex.
 - 4.) Prohibit discrimination on the basis of sexual orientation or gender identity.
 - 5.) Safeguard freedom of expression, association and peaceful assembly for LGBT and intersex people.
- From a personal perspective on this issue a number of participants noticed that there is still a lot to improve about the situation for LGBT's in the Netherlands. These remarks came from both visitors and immigrants, stating very concrete examples of harassment, where the Dutch police did not take any action. Even the "Pink Police" could do nothing, because their territory is limited to Amsterdam.

- The workgroup discussed the relation between human rights and the freedom of religion. It was noticed that in recent research on harassment of LGBT's in the Netherlands, showed that even when the perpetrators are youth with an Islamic background never had a religious motivation.
- Before closing the workgroup also discussed the question how much of what we call human rights are actually Western values, and how the fight for human rights could be seen as Western imperialism. This was based on a remark made in one of the presentations in the morning sessions, that in some countries LGBT's were seen as "Western", and therefore anti-Islamic.
- The most important conclusion at the end of the workgroup was that the role of western organizations in supporting LGBT's all over the world was not in imposing Western values, but to support the local fights of LGBT's, to listen to their issues, but most of all by showing solidarity. We are the same, and the most important to LGBT's all over the world is "You are not alone, we are there with you."

B. Asylum Seekers - Revisited -

Theme 4: A brainstorm for strategic & practical ideas to present to Parliament

- Question to the Belgians: how long can it take till refugees get their first interview?
 - Bart Hermans (Fedasil): *first they fill out a written questionnaire, then they'll get an appointment for an interview. The Belgian government can make political decisions to speed up or postpone interviews from certain countries. Sometimes a process can go very fast. But it can take up to a year or more before people get their main interview
- Emir: what do we need??
 - *It is clear that support-groups working in or around the countries of origin

are extremely important. They can gather information, work with lawyers, prepare people who have to flee. For every country a different group is fine. Eg. Railroad for Iraq, the Refugee Law Project for Uganda.

- *It would help if those groups documented violent incidents in their countries better, maybe Hivos could fund them for that?
- Emir: people who come to us for support often didn't talk to the IND about sexual orientation because they were not prepared. *Someone should educate them on gay issues. People don't know they can ask asylum because they are LGBT.
- Lieneke Luit (COC landelijk): the COA (Central Reception Asylumseekers) is very willing to put out more information. Not information that it is a ground for asylum, but information to tell people that it is allowed in the Netherlands.
- LGBT's can always get in contact with VVN (Society for Refugee Work), but here it is often not mentioned because volunteers tend to preselect and look for gay-refugees based on stereotypes. Also they give general information about the procedure to groups of refugees.
- Annemiek Wijker (VVN) replies and explains that refugees will only get one hour to prepare for interviews.
- *Margot Pot suggests putting out leaflets as a possible solution, because it is clear that the VVN in such a short time-span cannot really give good information on gay-issues.
- A refugee is pushed around in 8 days, there is never enough time. To hand out information on paper is a very safe approach. How do we recognize gay refugees, how do we pick up the right signals?
- *Mirjam leaflets/ paper is an old-fashioned approach, is it not possible to make digital information (also with film etc. in it)?
- “Being gay” is a very western concept - the language/ cultural barrier may be huge!! The gay asylum-seeker needs more time. They cannot be expected to come-out and make the complete procedure within 10 days.

- *Marianne Steijnis (social worker at Rotterdam V): I see clients and I train professionals in health care. I encourage them to use “gender neutral questions”: What sort of relations did you have with men or women?? Posing the questions this way (called inclusive questioning) will communicate to people that being gay is acceptable.
- *Remark from Fedasil: a simple thing like a rainbow-flag on the wall in an office, or posters of gay organizations can also help people to make the first step. Another idea is photographs, artwork.
- You have to open the door: that doesn’t mean they will come in. But it will give them choices and make them independent.
- *In the police-force there are officers who are out and proud - this helps LGBT’s to tell their story. Would a similar thing be possible for the IND?
- *Emir Belatoui: sometimes people can be referred on, by COA/IND staff, to eg. Secret Garden.
- Annemiek Wijker (Vluchtelingswerk Nederland): lack of time and trust is a huge issue. Everybody is under huge pressure. General question: Is it possible to state that the eight days is too short to consider an application seriously? Could we demand that it becomes a sixteen day procedure?
- Emir: IND should give people more time if needed.
- Erik Hagenaars: If there is a clear need to investigate, people will get extra time.
- *Margot Pot: a lawyer can indicate to the IND that a coming out process maybe coming up & that they may have to monitor that & they will.

Theme 5: a better and safe environment for LGBT asylum-seekers in asylum centre is needed including financial support for those asylum seekers wishing to participate in events organised for them or special care (Veilige Haven etc.)

- Emir elaborates on reasons why people don’t talk about their sexual orientation: they don’t know that is relevant to their asylum claim and they are afraid of being harassed by people *from the same country. Because of this harassment he wants a safer place for LGBT asylum seekers. Not only in the Netherlands

but in the whole of Europe. In France, for example, a lot of people end up in prostitution.

- *Lieneke: the COA is very willing to remove people who are aggressive, but they have serious problems to create the necessary speed. The COC wants action within 24 hours. Now sometimes it takes 3 weeks.
- Emir: someone was harassed in an asylum seeker centre. The result was a discussion between COA and the police who was responsible to help this LGBT refugee who was harassed. It should be clear at all times to all parties who is responsible.
- Lieneke: the COA mission statement says “we are here to provide safe shelter”. At the same time people should always have the right to bring their cases to the police.
- Emir: because so many people were harassed Emir send a letter to the headquarter of the COA- The Hague with lists *of incidents that were reported to him. These incidents were never registered at the COA.
- *Question from the group: is there a policy in all the camps about gay-people?
- Emir: the COA says that they give information once a month but this training is on a voluntary basis.
- *Lieneke: research has been done to see if people were willing to report if they had been threatened, attacked or violated. They basically told the COA that if they reported the situation, it did not always get better.
- Mirjam: violence is not acceptable at all, whatever the reason. Violence against gays should not be singled out but discussed together with other themes.
- *Emir: LGBT should get supported with time and money to travel to organizations like Secret Garden.
- Bart Hermans (Fedasil): in Holland people get 55,- euro a week, in Belgium 7,- euro a week plus food and they can earn 130,- euro extra a month. If they are six months in the country without refusal they can apply for a work permit.
- Fedasil pays money to refugees to enable them to visit the True Colours Cafe once a month.
- *Annemiek Wijker is in favor of a buddy system that is much closer to the AZC's.
- People feel very strongly that contact with other gays is a health issue and should be facilitated by COA nurses (prescribing it) and health insurance companies (covering the *costs). This would mean that gay organizations would need to be recognized as “health providers”. Travel costs would in that case also be covered. Everybody agrees that that situation needs to be improved. People hope that accessibility of specific gay support will somehow be drafted into the plan that the COC is writing. A discussion with health-care insurance companies seems useful.
- Emir: Secret Garden had to help about thirty Iraqi people over the last couple of weeks who were asked to go back after their staying permits were revoked. That puts people under a lot of stress and should not happen again this way in the future.

- Annemieke explains that these probably did not hold a ‘real refugee’ status, but something called ‘categorical protection’. This is a status that is always issued for a limited time and can be revoked because the authorities consider the situation in the country of origin as safe again. The problem is with the lawyers: sometimes they don’t realize that their clients are gay or that they could claim a better status based on their homosexuality.
- A refugee status is usually not revoked and allows the person to apply for Dutch nationality after five years.
- *Emir: is concerned about the housing of gay refugees. Sometimes they are placed in very isolated places with no gay scene whatsoever. He knows refugees who have killed themselves or have tried to do so.
- David Teigeler points out that it is difficult to blame this despair only on a bad housing policy. The moment a refugee gets a refugee status is often also the moment that all the experiences and trauma are starting to sink in.

10. Theme Session Presentations:

- A. Men’s Theme: How can we promote a more positive image to the Arab and Muslim LGBT community. Finding/creating new words to attach to the LGBT identity that are positive rather than negative. Providing positive Role Models. Education on sexuality, and education on sexual diversity is very important. Considering the safety of LGBT individuals: How can we find a way to protect/make it safer for LGBT to be more visible on the Streets.
- B. Grassroots Organizing Theme: Very inspiring just to hear such a diverse group of people, and the type of work these individuals were doing. Within Grassroots organizations, there is a fire/passion among the members that is very unique. It is important for Grassroots organizations to define themselves differently, instead of conforming to a dominant ideology or model. It is important to have a diverse expertise of grassroots organizations. It is also important to provide support for the leaders of grassroots organizing. This ties in with the need for balance within our society. Balance within individual identities (EX: Being Muslim and Gay), and balance within Grassroots organizing (EX: multiple ideologies & exchange of expertise). There should also be exchanges between white organizations and grassroots organization → it is always of the upmost importance for all organization to remain critical of themselves, and to always ask, “Who are we

excluding? What voices are being forgotten or erased?"

C. Women's Theme: Women's rights in the Netherlands have not been achieved. The 'pink police' are only in Amsterdam, and they should be created/supported in every police department in all of Holland. There was a discussion on support for LGBT rights among Muslim religious organizations, and support for the Pink Imam, in contrast to traditional organizations. There was a discussion on human rights; in particular focusing on the rights, visibility, and participation of Transsexuals. The relationship between LGBT and Islam is very contentious, but people will interpret Islam in their own way, and there should always be respect for others. There are a lot of people who feel like they can have faith in their own way, and still be gay or transsexual. It is a very important message to be inclusive of all identities. Along the theme of Human rights (which is such an abstract issue), transsexuals in the Netherlands need to be more visible and advocated for. Amsterdam may be such a diverse city, but there are still things wrong, and there is still a lot of work to be done. Conclusion - solidarity between LGBT organizations so there is more communication and support between diverse identities and people. Where should people go? If we can help each other in any way, it is by being there for each other, and by working together.

D. Asylum Theme: To begin with, this is a very broad and complicated issue. There is much to be approved/debated in the Dutch situation on asylum seekers. In each country there should be an independent group or organization that can follow the situation in each country (this organization can come from inside or outside the specific country). If we get information on what actually happens in these foreign countries, it can be helpful for LGBT individuals who are seeking Asylum. They thought of organizations like HIVOS that can fund these Asylum organizations/councils. There should be more time to process the applications for Asylum seekers, because right now the procedure is so short, that the possibilities of Asylum and validity of LGBT status needs to be investigated further. The housing in the Netherlands, or the creation of asylum camps, should be created.

The most important thing is to provide support and community for these Asylum seekers. If there is aggression within these support camps, then the aggressor should be placed elsewhere. Responsibility & Accountability about the safety of these individuals is of the upmost importance. There should be allocated money given to LGBT's for travel costs for asylum seekers so these individuals can come to gatherings, like the Secret Garden Conference, to find community.

Cultural Program

LGBTQ's movement in the Muslim world and outside (Europe and America): How organizations were invited to take part in these discussions.

Topics:

- How to keep in touch together and provide information in order the update knowledge.
- Writer Samira Bouchibti read a bit of her book (The Islam, The Muslims and I). She wrote in her book about the Secret Garden Foundation and the struggle of many Moroccans gays against the Muslim culture in a positive way. She describes also the Moroccans and Turkish society living in the Netherlands as people how don't know much about sexuality in general, but also about all taboo.
- Ludovic Zahed Talk about his experience as Gay, but also as expert and writer. He told about his marriage with his man and about his HIV Positive.
- Houssain ayoubi talked about his experience too and with a positive said that you have to find a balance in your life and to read as human being a positive level to be yourself and to. God created you and loves and you can be a good Muslim and homosexual in the same time.

The reactions were very positives. The invitees ask for more of these discussion sessions to learn more about the Islam and the sexuality and how they can manage that together.

Art Exhibition (photo's - video's):

The Art Exhibition it started just after the official opening on Thursday 27 of September.

1 - "Free in the Netherlands Pictures" (9 photos of LGBTQ - photographer Rosa Lux - Netherlands)

2 - Friendship In such an immoderate desire (2 panels - IHLIA - Netherlands)

3 - Iran in the picture (6 photo's of Iranians Lesbians - RABTA - Iran)

4 - Visionary Arts (Derya Hatipoglu - Turkey / Netherlands)



5 - Documentaries:

- Free in the Netherlands (asylum seekers - Secret Garden)**
- Born different (transgender - Secret Garden)**
- Hob al Nis (lesbians - Secret Garden)**
- Struggle to Be (Homosexuality among Muslim community - Secret Garden)**
- I am Gay and I am Muslim (Chris Belloni)**
- Rainbow Love with Strange Roots (Bart Hermans - Belgium)**

Walk for Hope:

Saturday a little group waked from Mozeshuis till the homo-monument to express themselves, but also the be visible and to let know that MUSLIM LGBTQ EXIST. At the HOMO MUNMENT it was very emotional moment, and a few of them cried.



Closing ceremony:

A very nice moment to close the a three-day international congress. See pictures:

