



Crossing (B)orders: The Dutch Asylum Cis-tem and the Governance of Trans Refugees

A Thesis Paper

by

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Abstract

This thesis explores how trans refugees experience the Dutch asylum system, by focusing on multiple layers of exclusion and control at play. Drawing from in-depth interviews with trans refugees, the research introduces the concept of *(b)ordering* as a tool to analyze the practices at play in relegating trans refugees to a queer necropolis, a city of death. The study identifies three main (b)ordering mechanisms: spatial and symbolic control, the performance of worthiness and authenticity, and the instrumentalization of arbitrariness as systemic negligence. Rather than offering safety, the asylum system seems to demand conformity to a normative understanding of gender and refugeehood, which results in the isolation of those non-conforming subjects.

Finally, this research illustrates the tactics of survival used by trans refugees while revealing the structural contradictions of the asylum system in the Netherlands, which prides itself for its progressiveness regarding LGBTQ+ rights, and yet relegates trans refugees to landscapes of abjection.

Keywords: trans refugees, asylum regime, (b)ordering practices, Netherlands

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I, Monster Mine

Susy Shock

Translated by Joseph M. Pierce, Mayra Bottaro, and Juliana Martínez

I claim my right to be a monster.

Neither man nor woman.

neither XXY nor H₂O.

[...]

I want no more positions to bear or boxes to square

Or even the precise name bestowed by science.

I, butterfly alien to modernity,

to postmodernity

to normality.

Oblique,

cockeyed,

feral,

handmade.

[...]

I claim my right to be a monster.

Let others be Normal!

[...]

my beautiful monstrosity,

my craft as inventor,

as a pigeon-house whore.

[...]

Only my vital right to be a monster

or whatever I call myself

or whatever I come up with,

whatever my pinche desire fucking feels like.

My right to explore myself
to reinvent myself.
To make of my mutation a noble exercise.

Summering, Autumnning, Wintering:
my hormones,
my ideas,
my ass cheeks,
and all my soul
Amen.

Introduction

“For [the Dutch asylum system] there are just two categories: man and woman, nothing out of this binary. It’s really hard for us trans refugees. People do not understand that my body, that each body is unique,” explains Azar, a trans nonbinary refugee in the Netherlands. Despite having received their refugee status months ago, Azar is still waiting for social housing. We meet at the squatted building in which they are currently staying. Housing instability, among other things, they tell me, keeps them in a constant state of alertness and survival – one that mirrors the precarity of the asylum procedure.

Azar’s story is unique, and yet very similar to that of other trans refugees in asylum systems. Across the Global North, asylum systems reflect and reproduce entrenched power dynamics based on race, class, sexuality, and gender (Bhanji, 2011). These systems operate as asylum *regimes* – complex networks that reinforce global inequalities. They do so by imposing externalization and internalization of borders, controlling who may access rights, services, and citizenship (Menjívar, 2014). These processes demonstrate how borders function as liminal and evolving spaces that govern inclusion and exclusion (Anzaldúa, 2012).

These dynamics are particularly salient in the Dutch context, where the tension between perceived progressiveness and lived reality becomes especially clear. The Netherlands has an international reputation for its openness and progressiveness regarding LGBTQI+ people. Yet, this reputation is not lived up to when accounting for the experiences of trans people – particularly trans refugees (Equaldex, 2024; van der Pijl et al., 2018). Trans people seeking medical care often face pathologization and psychiatrization, and these dehumanizing processes are experienced even more severely by trans refugees, who must also deal with the hostile nature of the asylum system. Parallel to these barriers, many trans refugees also face racialized and Islamophobic narratives, which hinder their inclusion in the cultural queer mainstream (McNeal and French Brennan, 2021). Too often, their lives are pushed to the margins and rendered invisible (Haritaworn et al., 2015).

Hence, once trans refugees have crossed physical borders to reach the Netherlands, the institutionalized hardship is just about to begin. The asylum process is characterized by several *(b)ordering practices*, conceptualized here as non-physical, shifting, and invisible borders that refugees encounter along their way and which significantly hinder their livelihoods. These practices include limited access to gender-affirming healthcare, a lack of safe housing, exclusion from one’s ethnic community, and demands for “proof” of one’s trans identity (van der Pijl et al., 2018).

These practices illustrate how asylum procedures reproduce cis-normative and Eurocentric assumptions about gender, and they expect trans refugees to comply with them (Luibhéid & Chávez, 2020). This creates paradoxical situations in which, for instance, the Dutch asylum system requires

trans refugees from countries where being visibly trans is criminalized to provide proof of their transness – such as medical documentation, photographs, or other evidence.

In defying the logic of binarism, trans refugees are considered a threat to the imagined normative order – not only because of their gender but also due to their condition as refugees. This otherness forces trans refugees to navigate multiple intersecting and contradictory systems that seek to surveil, regulate, and discipline their bodies and identities.

Despite the growing literature on queer migration, there is still limited attention to the specific experiences of trans refugees. This obscures the struggles of surveillance, pathologization and (b)ordering faced by them. Additionally, in the Dutch context, there is little empirical work that centers the voices of trans refugees themselves and that critically examines the institutional dynamics of the Dutch asylum system. This study addresses these gaps and the need for context-specific insights, which not only illuminate current conditions but also inform possible future policies and interventions.

This research responds to a twofold need. First, it seeks to draw attention to how the asylum regime, compounded with transphobia and transmisogyny, restricts the freedom, limits the agency, and corrodes the dignity of trans refugees. The disregard for these practices allows for their perpetuation. Second, it aims to situate these processes within a wider structure of state categorization that relegates non-normative bodies to a “queer necropolis”, a city of death (Haritaworn et al., 2015). There, their possibility of leading a dignified existence away from discrimination and violence, and of freely expressing themselves, is impeded, and their life is reduced to survival (Haritaworn et al., 2015). This research aims to uncover, at least in part, the (b)ordering practices that incorporate trans refugees into the queer necropolis and that shape their access to care, inclusion, and visibility.

By exploring the categorization imposed on trans refugees, this research also provides valuable tools to understand what is simultaneously being enforced onto other non-normative groups, such as queer people, poor people, or people of color, who are also being categorized.

To do so, this study draws on in-dept, semi-structured interviews with trans refugees in the Netherlands. It answers the following research question: How do trans refugees experience the asylum regime in the Netherlands?

This study is structured as follows: Chapter 1 reviews the relevant theoretical frameworks on visible and invisible borders affecting the lives of trans refugees during and beyond their asylum procedure. Chapter 2 elaborates on the theory of (b)ordering practices and outlines the research methodology. Chapter 3 illustrates the findings of the research, demonstrating how the practices of (b)ordering practically take shape in the lives of trans refugees.

Notes on Terminology

When referring to the participants of the study, the term used will be that of “refugees”. While this term is often used to indicate people who have received their refugee status, here it will refer to all those who have experienced the asylum system, regardless of whether their status is still pending, has been approved or rejected. Although I am aware of the different barriers that individuals face based on their status, this is the term that the participants use to refer to themselves regardless of their status, which is why I will be using it throughout this study.

Language is constantly shifting and adapting to changes in society. In this work, I want to reflect these changes, which is why I will use the term “trans” to refer to both non-binary and binary trans people. The terms to refer to trans people have evolved from, amongst others, “transsexual” to “transgender” to “trans”, without one term being unanimously used by trans people themselves. In much of the literature, “transgender” remains common but increasingly carries a medicalized connotation (Taywade et al., 2023). It is often associated with people transitioning from “one binary gender to another”, with medical transition and passing as cisgender understood as the endpoint. Instead, I would like the reader to understand “trans” as the endpoint itself, in which no social nor medical procedures are required and in which the transit is itself the goal. This framing challenges a binary and fixed understanding of gender and rather portrays its fluid nature. Paul B. Preciado, a prominent trans theorist, explores this idea by describing his own experience as a trans man: “The voice that trembles in me is the voice of the border” (Preciado, 2018, p. 33): trans people embody and cross the border over and over – whether that be physical or invisible borders. The term “trans” best captures these experiences of the border and continuous transit.

Chapter 1 – Theory

This section enables us to understand how power dynamics reproduced by asylum regimes interact with the lives of trans refugees through their social, legal, and medical categorization. It also shows how borders – not only physical ones – are used to enforce norms and limit the freedom of trans refugees. The following concepts are drawn from an intersection of critical migration studies, gender studies, and disability studies. While many of the conceptualizations that follow have been developed about the broader migration system, here they are also illustrative of the mechanisms at play in refugee migration.

Most of this knowledge is produced in the Global North, and while it is critical of existing global power structures, applying such a framework carries the risk of unintentionally reproducing the very norm that it seeks to critique – for instance by reproducing a Western-centric idea of what it means to be trans, which itself contributes to the oppression of trans refugees.

The first part of the Theory chapter examines border regimes and the different layers that constitute them. It then explores the role of population categorization in the governance of migration. The second part of the Theory chapter is divided into three sections. The first engages with the concept of queer necropolitics; the second explores how hetero-cis-normativity operates as a tool of surveillance of trans refugees; and the third investigates the disabling and debilitating effects of the asylum system on those subjected to it.

1.1 Border Regimes

Moving away from an understanding of borders as fixed territorial limitations allows for a more complex and complete understanding of how refugee migration is restricted. Cobarrubias and colleagues (2023) argue that borders are dynamic and itinerant structures that shape mobility: they are embodied physically- for instance in the need to obtain a visa before leaving one's country - but also socially, in the denial of healthcare that comes with a lack of citizenship. These “itinerant border/ing assemblages” (Cobarrubias et al., 2023, p. 7) challenge the fixed understanding of borders as an inside/outside dichotomy, revealing that states, non-state organizations, private actors, and individuals take in the creation and reinforcement of borders, through internalization and externalization practices. These actors might not share the same interests, but their actions still align in defining people's mobility and enacting forms of governmentality. This decentralization of control reflects a shift from migration control – enacted by states – to broader migration management, in which responsibility is de-politicized, and externalization and internalization practices are questioned less and less by society.

As Roner Shamir suggests, migration management and global mobility regimes are based on

the “paradigm of suspicion” (Shamir, 2005, p. 199): mobility is limited and controlled because of a potential threat of the migrant *other*. Shamir identifies globalization as a restriction of access, rather than a “mobility turn”. Therefore, migration regimes are structured around “integrated risk management” (Shamir, 2005, p. 200) in which suspicion becomes a mechanism of migration management: all migrants are suspects until proven otherwise. This framework of suspicion disproportionately affects trans refugees, whose identities are often disruptive to normative expectations.

Gloria Anzaldúa (2012) conceptualizes borders or “borderlands” as places set up to divide the safe from the unsafe, and to separate “us” from “them”. The border goes beyond the physical territorial area, and it is a state of perpetual transition. “Los atravesados live here: the squint-eyed, the perverse, the queer, the troublesome, [...]; in short, those who cross over, pass over, or go through the confines of the ‘normal’ (Anzaldúa, 2012, p. 25). Trans refugees, who cross geographic and gender boundaries, inhabit this space, which often renders them to places of exclusion, where they become abject.

If, as argued by Anzaldúa, borders are crossed by those in transition - who challenge the boundary of what is the norm - then borders exist precisely to prevent this crossing and to maintain a normative system. According to Nael Bhanji (2011), the borders of gender work very similarly to the borders of states: both serve to preserve a certain binary logic: citizen/*other*, male/female. So, to cross the border one must perform according to this logic: presenting the right papers, looking woman or man enough, and showing to be harmless. The borders of states and social norms define who is normal and respectable and who is not; who can cross them, and who will have to be inquired, scrutinized, and analyzed before they are considered unthreatening enough (Bhanji, 2011). Perceived non-normativity can reactivate bordering logics even after geographic boundaries have been crossed. This perspective highlights how borders operate beyond the act of restricting entry—they are an apparatus that continuously monitors and disciplines.

1.2 Categorization

Society is an entity that encompasses all social life but simultaneously produces “unintegrated” migrants as a residual category (Schinkel, 2017). Western societies have historically defined themselves by demarcating what they are not—excluding migrants, particularly refugees, from full belonging. This creates an inside/outside logic between “natives” and migrants, reinforcing the notion that migrants exist within society but are not fully part of it until they undergo integration. In this way, integration discourses function as a form of governance, legitimizing inclusion and exclusion. Society, in this framing, is portrayed as perpetually threatened and dislocated by migrants

who require "integration" and "cohesion" (Schinkel, 2017, p. 4). This imagined necessity for cohesion carries a violent undertone, often manifesting through mechanisms of control and domination. The governance of migrants, therefore, occurs through forms of categorization (Schinkel, 2017).

Categorization serves as a key tool in the governance of migration: it simplifies complex social realities and helps to regulate migration (Schrover & Moloney, 2013). These categories, while socially constructed and fluid, have tangible consequences: they determine access to rights, mobility, residence, and even survival. Categorization enables governmentality – understood as a diffuse form of power that governs not only through the state but also through societal norms and institutions, regulating bodies and populations (Butler, 2004; Foucault, 2007). Here, categorization functions as an instrument of governmentality, legitimizing differential treatment, and shapes who is deemed legitimate and who is excluded (Butler, 2004). For those who are excluded, the consequence is being relegated to a “queer necropolis” (Haritaworn et al., 2014), a landscape of death – which will be explored in the following section.

Trans refugees experience two layers of categorization. Their complex identities are reduced to two dominant systems: the migratory, which positions them as refugees, and the gender system, which positions them as trans – categories often perceived as contradictory. This makes trans refugees particularly vulnerable to mechanisms of control and exclusion. Their access to recognition – whether medical, legal, or social – is conditional on their ability to conform to the normative expectations of both systems. Hence, (b)ordering practices stem from these processes of categorization, where trans refugees are reduced to simplified, governable identities. As such, their bodies, their freedom of movement, and their rights are easily regulated.

In the following section, I analyze three processes that, through mechanisms of categorization and subsequent exclusion, increasingly negatively affect the lives of trans refugees in the asylum regime. These mechanisms are: queer necropolitics, hetero-cis-normativity as a tool for surveillance, and disabling borders. Each reveals how the asylum regime at a broader level intersects with issues of gender, identity, and surveillance. They collectively form the conceptual basis for what I refer to as (b)ordering practices: the material and symbolic barriers that regulate access to rights, restrict movement, and reduce trans refugees’ livelihoods to mere survival.

1.3 Queer Necropolitics

The apparent insurgence of a societal order in which there is increased accessibility to rights for queer¹ subjects is frequently accompanied by the exclusion of some gender-nonconforming others, often racialized or poor (Haritaworn et al., 2014). These excluded subjects are killed or left to die.

¹ The term queer, in this context, refers to individuals who defy the norms and traditional ideas of gender and sexuality.

Jasbir Puar (2007) defines “queer necropolitics” as a mechanism where queer subjects are “folded into life” or “marked for death”, the latter being the racialized ones (Haritaworn et al., 2014, p. 2).

According to Haritaworn and colleagues, the “unequal regimes of living and dying” (Luibhéid, 2008, p. 190 as cited in Haritaworn et al., 2014, p. 3) take shape in today’s world order. Governmentality emerges as a tool for excluding all those who fail to conform to a normalized order, which is rooted in racism, border regimes, and cis-normativity. This exclusion leads to “everyday deadly abandonment” (Haritaworn et al., 2014, p. 12), to a queer necropolis. In this city of the dead, conditional rights are allocated to those whose deviance and immorality can be hidden behind an image of normalcy. Those who do not want to or cannot abide by prescribed social norms are, indeed, abjected or left to die. In the words of Jin Haritaworn, we should ask: “Who must die so that we can live?” or “Who must live so that *they* can die with impunity?” (Haritaworn, 2015, p. 141)

Applied to the context of trans refugees, queer necropolitics operationalizes (b)ordering by relegating trans refugees to deathscapes, where survival is conditional. In fact, by failing to assimilate to cis-normativity and to live according to the hegemonic societal model, trans refugees are relegated to the margins. There, they face dehumanization, abandonment, removal from society, and administrative landscapes of death – not only through overt violence but through the cumulative effects of institutional disregard and social abandonment.

My research will use the theory of queer necropolitics to provide a concrete analysis of the role of the asylum system in the creation of “deathscapes” (Haritaworn et al., 2015, p. 9), especially those to which trans refugees are relegated.

1.4 Hetero-cis-normativity as a Tool for Surveillance

Queer and gender non-conforming refugees - who defy social and gender norms - face heightened violence, policing, and detention (Luibhéid & Chávez, 2020). Luibhéid (2020) differentiates between heterosexuality - a sexual orientation - and heteronormativity: a set of gender and sexual norms that normalize heterosexual behaviors for sexual reproduction, which are channeled into patriarchal forms of domination, and are interwoven with racial, capitalistic, and colonial logics of resource distribution, and categorization of people. This norm produces a series of sexual subalterns, who do not conform to this norm, such as queer people (Luibhéid & Chávez, 2020). Heteronormativity also assumes cis-normativity, which is a cultural and social system that assumes that cisgender people are the norm, rendering gender non-conforming people to marginalization and invalidation (Linander et al., 2024).

Immigration laws enforce hetero-cis-normativity, resulting in the targeting of those who are seen as crossing these norms, including trans people (Luibhéid & Chávez, 2020). Hetero-cis-

normativity's dependence on the reproduction of racial hierarchies makes it unstable. Its anxious need to be sustained becomes reflected in changes in citizenship laws, in ever-changing migration policies, as well as in the forms of scrutiny imposed on those who deviate from this norm (Luibhéid, 2008b).

Toby Beauchamp (2014) illustrates how surveillance is a core part of the life of trans people, who are disproportionately scrutinized within structures rooted in whiteness, hetero-cis-normativity, and class. For instance, the pathologization of transness, through diagnoses like “gender dysphoria” and the accompanying standardized treatment, provides a cis-norm for transness through which trans individuals can try to assimilate into cis-normative frameworks, for example using strategies like ‘passing’.² However, Beauchamp explains that the successful performance of hetero-cis-norms is not exclusively gender-related. Those whose bodies are subjected to additional structural and societal scrutiny are disproportionately seen as fraudulent and deceptive, which further fragilizes their ability to access necessary trans-related healthcare. This is particularly true for poor, black, or immigrant trans individuals whose legitimacy is questioned on the grounds of their intersecting lived experiences and identities. Particularly, as trans refugees cross borders and navigate asylum systems, their bodies challenge the narrow taxonomies used by biometric and surveillance techniques, which operate on rigid gendered and racial norms (Quinan, 2017).

Ali Bhagat (2018) explores how state violence embedded in the hetero-cis-normative urban space in Cape Town affects queer migrants. He argues that queer migrants experience state violence and structural barriers through the exclusion from spaces of consumption and the globalization of gayness. In Bhagat's analysis, queer migrants are unwanted, undocumented subjects who are purposefully forgotten. In this framework, performed hetero-cis-normativity is what, often, allows queer people to access employment, housing, and public health and to be protected from police violence. Those who fail to comply with hetero-cis-normativity are considered “diseased”, abject aliens who cannot be regulated (DasGupta, 2014 as cited in Bhagat, 2018, p. 158). For people who cannot hide their non-normative selves, Bhagat argues, their bodies become a site of contestation and exclusion. This puts them in a paradoxical position where invisibility and hypervisibility are both present. Their queerness needs to be hidden to avoid violence, while it also needs to be intelligible and visible enough for those who need to assess their asylum claims (Chaer, 2024).

Courtenay W. Daum (2015) explores how trans profiling by authorities, such as the police, works to marginalize and remove trans people from their communities and reinforces norms based on white cis-heteronormative privilege. By continuously apprehending trans people for alleged

² Historically, the term “passing” refers to racial passing, where African American people sought to be perceived as white. This was a way to avoid enslavement, and in later years to access education and other services solely accessible to the white population (Hobbs, 2014). Today, within the trans framework, it refers to trans people being perceived as cisgender in alignment with their gender identity, rather than with their gender assigned at birth.

solicitation, the police operate based on myths about trans people being naturally inclined to sex work. Such profiling foments the criminalization and incarceration of trans people, and the deportation of trans migrants. Daum illustrates how, in the US, policing is more likely to happen in poorer neighborhoods where there is a higher percentage of trans immigrants. Here, trans profiling is understood as a tool of governmentality, resulting in the marginalization of an already disadvantaged group (Daum, 2015). This form of governmentality particularly affects trans people of color, poor trans people, and migrants. Specifically, trans refugees are threatened by such policing in a context where the application of migration policies actively works to exclude and “retroactively remove” (Daum, 2015, p. 575) them from society.

Hence, hetero-cis-normative standards function as (b)ordering practices: they regulate the bodies and identities of trans refugees. They operate as forms of surveillance, determining who is deemed intelligible and therefore acceptable, and who – due to their perceived deviance – is rendered illegible and excluded.

My research will provide an in-depth analysis of how hetero-cis-normativity is used as a tool for surveillance within the Dutch asylum system, which is crucial considering the context-specific implications of such theories and their potential use for the improvement of national and local policies.

1.5 Disabling Borders

Migration controls and border crossing have an active disabling effect (Yeo, 2025). For people in the asylum system, disabling impacts may be related to restrictions on the fulfillment of basic needs. Rather than the result of oversight, these impacts are the direct consequence of everyday practices used to regulate migration. Furthermore, Yeo shows how, despite the stipulations of the UN Convention on the Rights of Persons with Disabilities (UNCPRD, 2006), which recognizes mental distress as a form of disability, the distress caused by and within the asylum system is considered separate from disability. Yeo explicitly includes the disabling effects of the asylum system in a social model of disability, which, instead of treating disability as an individual tragedy to be fixed, calls for collective and systemic change to address the disabling system (Yeo, 2025).

Jasbir Puar offers a complementary lens to understand the disabling system, through her theory on debilitation. She describes the “deliberate debilitation of a population” (Puar, 2017, p. x) as the practice of maiming, a form of control that does not aim to kill but rather to permanently injure, both mentally and physically. The “right to maim” enacts a lasting state of debilitation, where the power of the oppressor is made visible on the body of the individual. The asylum system imposes similar practices of debilitation on trans refugees. While this debilitation might not always be visible

on the body, it inscribes itself psychologically - through surveillance, neglect, and erosion of dignity - leaving lasting scars on the minds of trans refugees.

Therefore, (b)ordering practices are mechanisms within the asylum system that contribute to the disabling and debilitation of trans refugees. Such mechanisms include the pathologization of transness and the denial of needs like accessing gender-affirming healthcare or connection with trans communities in urban areas - a form of support particularly important when experiencing isolation and lack of access to services and information within the asylum seekers' centers.

Extending her analysis to the societal scale, Yeo argues that the restriction of basic needs and human rights enacted by the disabling asylum system allows for its normalization and subsequent extension to larger segments of the population. This process leads to the uncontested societal acceptance of the erosion of rights. Applied to the treatment of trans refugees in the asylum system, the lack of basic support for their nonconforming selves is seen as a step towards the general deprivation of trans-specific rights.

My research will analyze how the Dutch asylum system imposes disabling and debilitating effects on trans refugees, particularly regarding their mobility, their access to basic needs like gender-affirming healthcare, and their participation in social life.

Chapter 2 - Methodology

The abovementioned literature, combined with my findings, allows me to offer a nuanced and practical understanding of the mechanisms at play in the Dutch asylum regime and their intersection with gender, identity, and surveillance regarding the experiences of trans people.

This research will answer the following research question: How do trans refugees experience the asylum regime in the Netherlands?

I theorize that the mechanisms at play in the asylum system are part of a series of practices, which I refer to as practices of (b)ordering, that contribute to restricting the mobility, freedom, and livelihood of trans refugees. The formulation of this term is rooted in the conception of borders as going beyond physical national barriers, into invisible and shifting borders. Additionally, it is inspired by Michel Foucault's *The Order of Things* (1966) where the author explains how knowledge production changes over time with knowledge systems shaping reality and epistemes. In contemporary Dutch (and beyond) societies, gender minorities continue to be treated as requiring categorization and ordering. The construction of gender and sex³ as a fixed binary – male and female – requires a perpetual reproduction of norms and categories that are conditional on compliance with constructed hetero-cis-normative standards (Haritaworn et al., 2014).

(B)ordering practices encompass operations enacted by state and non-state actors in the medical, social, and psychological realms which seek to regulate refugees through systemic categorization and the reproduction of a hetero-cis-normative social order. (B)ordering practices, as discussed in this thesis, come with the pathologization of trans people and their relegation to deathscapes (Haritaworn et al., 2015). This aspect of (b)ordering practices is unique to trans refugees because of the effort that has been put in historically to control and “fix” trans people.

Paradoxically, identifying trans refugees as a homogeneous group is in itself a form of categorization and is distant from the reality of things, yet this necessary generalization is provoked by the understanding that when refugees are perceived as trans or define themselves as such, they face similar forms of (b)ordering.

Concretely, (b)ordering captures the multiple layers of restrictions at play: from hyper-surveillance experienced in the AZCs (*Asielzoekerscentrum*, asylum seekers' centers), where trans people face disproportionate scrutiny due to their non-conforming gender identities, to institutional barriers that limit access to healthcare, employment, housing, and legal recognition.

Despite the uniqueness of the (b)ordering practices experienced by trans refugees, I argue that

³ It is important to note that social construction of norms happens both in the realm of gender and sex. The assumed binarity of sex is indeed scientifically wrong and disproved when we consider the existence of intersex people, who *biologically* transcend the categories of “male” or “female”.

(b)ordering, as a broader concept, can help frame the experiences of different groups of people who experience borders and face control and scrutiny when they fail to conform to normative systems. These mechanisms, which take place at large in society, are exacerbated within the asylum system and in other types of migration control.

This research entails an explorative investigation and interpretation of the lived experiences of trans refugees in the Dutch asylum system. While work on queer migration is increasing, there is still a lack of knowledge on trans migration - especially concerning the asylum system. In the previous section, I drew heavily from literature on queer migration in the US, disability studies in the UK, and critical border studies in the US and South America. I understand the risks of relying on knowledge produced in the Global North, particularly when trying to raise a critique of the systems of this very region. Although this theory is critical, it often reproduces normative assumptions about gender, migration, and identity that may not be consistent with the experiences of trans refugees. In order to prioritize the lived experiences of trans refugees themselves, I have based my work on ethnographic research.

To complement the Theory chapter with findings that are context-specific to the Netherlands, I have conducted nine in-depth, semi-structured interviews with trans refugees with varying statuses in the Dutch asylum system and diverse gender identities (binary and non-binary). Conducting interviews allowed me to deeply investigate – through questions, reflections, and visits to AZCs - how the asylum regime affects trans refugees in the Netherlands. As Yeo notes, “insights that stem from lived experiences [...] have a central place in developing solutions to injustice” (Yeo, 2025, p. 2), which highlights the importance of prioritizing the voices of trans refugees in this research. After collecting the data, I conducted a thematic analysis to identify and interpret recurring themes on which I developed my argument.

Through my involvement in a collective for trans people, I had previously gotten to know some trans refugees and had nurtured friendly relationships. When I proposed this research, several of them responded with great enthusiasm, appreciating the possibility to share their stories. Through their networks, I was able to connect with more willing participants. The recruitment of participants largely through a space that I am personally engaged in constitutes a limitation of this research, as it may narrow the range of perspectives presented. However, this same involvement facilitated the development of relationships with the participants and reduced the extractive nature that often characterizes such research.

Throughout the research process, I reflected on the ethical implications of my work, and I made efforts to ensure the research was conducted as ethically as possible. All participants were informed about the purpose of the study and their ability to withdraw from it at any point. To ensure

anonymity, I used pseudonyms, and no locations that could identify participants are shared. Participants were encouraged to skip any questions that made them feel uncomfortable, and consent was obtained at the beginning of every interview and throughout the conversation.

There are a few other limitations and challenges I encountered during the data collection. Most participants had some form of access to the trans community in the Netherlands or to some services catered to them as trans refugees. As such, their experiences may not fully reflect those of trans refugees who remain more isolated. The language barrier constituted another limitation, as I was only able to interview people who could communicate in English or French. This inevitably excluded those who may face the most extreme forms of isolation due to linguistic exclusion. Lastly, while the sample size is relatively small, this research provided a saturation of key themes, allowing for in-depth insights into the issue explored.

2.1 Positionality

I strongly believe that knowledge is made in relation to people. In this research, there is no pretense of objectivity, as I am aware that my positionality as a researcher greatly influences how I frame my research. My positionality affects the observations I make, and the way I relate to the content of the research. If it were not for my own experience as a trans non-Dutch person in the Netherlands, I would not have conducted this research in the same way. In this sense, my positionality as a trans researcher gives me in-depth knowledge of many shared experiences of pathologization and marginalization trans people face. This offered a possibility to relate to some of the lived experiences of the participants, which has allowed me to enter non-physical spaces otherwise inaccessible. At the same time, I recognize my role as a white European researcher and the effect that the European conceptions of what transness is, are largely used in the asylum system as a norm to which refugees need to conform. Additionally, I lack the experience of transness being criminalized in my country of origin, and many other experiences shared by the participants, like the instrumentalization of religion for the demonization of transness.

I am well aware of my ambiguous and ambivalent role in this, and the care and alertness that must be put when doing research in such complex environments. I best attempted to hold myself accountable through ongoing reflection, peer review, and consultation with colleagues and participants. Therefore, while I do not claim objectivity and I am aware of potential biases in conducting this research, I was mindful of those and made sure to represent the findings in the ways the participants framed them and not mold them to fit my expectations.

Chapter 3 - Findings

Through this research, I have been able to identify some of the most compelling (b)ordering practices experienced by trans refugees in the Dutch asylum system. During the data collection, these themes reoccurred multiple times and were described by the participants as significantly affecting their daily lives. They extend through several dimensions of trans refugees' lives and are performed by different actors.

Section 1 introduces the first practice of (b)ordering: one that is embodied – at a systemic level - in the spatial and material conditions in which trans refugees are made to live. This unfolds in the architecture and the location of the AZCs, as well as in the way trans refugees are treated by the staff and other residents. These aspects embody the ways in which the Dutch asylum system carries out the control of trans bodies, as well as the restricted movement that trans refugees are able to perform: they enable the bordering of trans refugees.

The second practice of (b)ordering, addressed in Section 2, regards trans refugees at a personal level. It is marked by the behaviors that trans refugees need to adopt to show they are worthy of staying in the Netherlands and receiving refugee status. They perform these acts of (b)ordering on themselves, as strategies of survival, to conform to the norms and expectations of the asylum system. Such practices are proving their “real” transness and performing neediness to the IND (*Immigratie-en Naturalisatiedienst*, Immigration and Naturalization Service) personnel. This set of actions, while actively carried out by trans refugees, is a result of the material conditions they are subjected to in the asylum system: such actions satisfy the need to “order” trans refugees into a homogeneous group, and to minimize the unsettling threat they pose to the preconceived social order.

The third and last practice of (b)ordering at play, addressed in Section 3, is that of arbitrariness as a form of systemic negligence. Despite having conformed to all the superimposed requirements of “good” and “worthy” refugees by practicing self-(b)ordering, trans refugees might still be denied humane treatment or the fulfillment of their basic rights. This results in them relying on arbitrariness: when things go well, it is seen as mere luck; when things do not, it is simply misfortune. This arbitrariness and reference to “luck” are not accidental but they embody systemic neglect.

3.1 Spaces of Control and Symbolic Threat

The first encounter with (b)ordering practices happens at a spatial level. It is embodied in the material conditions of the asylum system; its architecture, locations, and carceral logic enforce the exclusion that trans refugees face, both on a physical and emotional level.

3.1.1 Architecture of Surveillance

In recent years, many former prisons in the Netherlands have been repurposed into AZCs, with cells converted into “rooms” and colorful murals being added to the walls to soften the atmosphere. However, this architectural decision is telling: it shows how refugees are perceived and treated as criminals. Participants who were residing in these former prisons described how the feeling of being imprisoned, surveilled, and controlled persisted during and beyond their stay.

Others explained how COA (*Centraal Orgaan opvang asielzoekers*, Central Agency for the Reception of Asylum Seekers) would randomly show up at any point during the day for a “check” of the room, without notice nor a knock on the door. A participant highlighted how COA personnel would barge into his room while he was showering. While all refugees are subjected to such controls, for trans refugees these practices are particularly intense, when considering experiences of gender dysphoria, medical trauma, and violence that are shared by many trans individuals. The deprivation of privacy and dignity that comes with these intrusions creates forms of distress, anxiety, and discomfort. As one participant explained: “They want you to feel like an alien in a waiting room, waiting to be processed. So don’t get comfortable. Whatever you do, don’t get comfortable”.

These surveillance practices are part of a standardized protocol in AZCs. To reside there, refugees need to sign a contract that includes clauses allowing unannounced room checks and prohibiting alterations to the space, such as adding decorations (VluchtelingenWerk, 2022). Failing to observe these regulations might result in fines or other punishments, such as being transferred to a different location.

These policies act as a form of governmentality, regulating how trans refugees behave and making their access to rights conditional to their compliance with a set of norms (Butler, 2004). Trans refugees, then, perceive to be constantly under scrutiny. This creates a lasting sense of alertness and fear that often accompanies the refugees well after the asylum procedure ends.

Yet this spatial exclusion is not only about managing bodies in physical spaces; it also reflects a deeper anxiety about what trans refugees symbolize. Within the logics of the Dutch asylum system, transness is not merely tolerated but scrutinized, contained, and positioned as a potential disruption to dominant gender norms. Hence, categorization is central to rendering trans refugees governable and intelligible (Schrover & Moloney, 2013).

3.1.2 Spatial and Social Isolation

Participants emphasized that AZCs are usually located far from urban centers, which makes it difficult for them to find a queer and trans community, attend events, or access supportive spaces (Fein & Van Den Hoek, 2022). COA rarely covers the travel costs to major cities, and given the high

cost of public transport, many trans refugees are relegated to their room in the AZC, where they are excluded from participating in the vibrant and lively trans-friendly life found elsewhere.

This physical isolation is supplemented by a second layer of social isolation. Inside the AZCs, participants felt deeply unsafe being visibly trans. Harassment and violence from other residents were not uncommon. They reported being stared at, looked down upon, hearing slurs towards them, as well as insistently being asked for sex or being exposed to public masturbation. In only a few cases did COA intervene – by relocating either the victim or the aggressor. Participants explained how these events intensified the fear and anxiety that already characterized their daily lives in the AZCs.

One of the participants, Dalia, is a young trans woman. She fled her country because there, gender non-conformity is punishable with the death penalty. One day she disappeared and, once in the Netherlands, she told her family she left her country to study in the UK. Dalia described staying in the AZC as “living carefully”, because where safety is not ensured, one needs to be cautious about how visible their transness is, how daring their outfits, how loud their voices.

Azar told me how within the asylum system only the categories of “man” and “woman” exist, and explained the hardship of living in a (trans) body that no one perceived as a unique body but as a monstrosity instead.

The inability of the system to understand trans experiences results in unsafe housing arrangements, harassment, and bullying by other residents, but also deadnaming⁴ and misgendering by COA in front of everyone, causing trans refugees to be outed – which puts them at greater risk of violence.

These findings resonate with Bhagat’s (2018) analysis of how queer migrants are systematically excluded from urban life and space of belonging. Like queer migrants in Cape Town, trans refugees in the Netherlands are perceived as “unwanted subjects”, excluded through logics that reflect the hetero-cis-normativity of the asylum system. Trans refugees experience a paradoxical position of both invisibility and hypervisibility – a condition that at the same time erases their identities and puts them at risk of violence.

3.1.3 The Symbolic Threat to Hetero-cis-normativity and Whiteness

Trans refugees experience (b)ordering practices because they are perceived as threats – not only by the asylum system but in broader Dutch society – as they challenge the perceived order of both hetero-cis-normativity and national identity (Ahmed, 2014). Their visibility highlights and amplifies

⁴ Deadnaming refers to the practice of calling or referring to a trans person using their birth name rather than their chosen name. This is cause of significant distress, not only due to the discomfort caused by hearing a name that no longer reflects their identity, but also because it might out them as trans to other people, exposing them to potential stigma and discrimination.

the inadequacies and violence of the system, disturbing the narratives of Dutch tolerance and innocence. Azar explained:

When I talk about my experiences as a refugee to white citizens, they don't want to listen to me. They cannot digest it [...]. When they see your life and your human pain, your misery, your history, they don't want to face it because it can destroy their illusion, their bubble.

Hence, refugees unsettle the foundations of hetero-cis-normativity and nationality simply by existing. They are a loud misfit in a system that is not built to cater to their needs, visible, for instance, by the binary bureaucracy of the asylum system. Participants also noted how all the actors at play in the asylum system do not know how to deal with trans people and their struggles. Too often this results in the pathologization and psychiatrization of trans refugees.

Despite the structural and multi-layered violence they face, trans refugees continue to affirm life and joy. According to Azar, the resilience of trans refugees is perceived as a threat by the system because it exposes the inefficiency of the tools of repression and control.

While this is not always the case, the forced visibility of trans refugees often leads to their multifaceted exclusion: from the asylum system, where they do not embody the common idea of refugees; from their ethnic community, where they are excluded because of their transness; and from mainstream Dutch queer spaces, where there are racialized and where their refugee status is a cause of discomfort. These overlapping exclusions create a hostile environment in which survival itself becomes precarious.

Hence, because of physical inaccessibility and intersecting aspects of their identity, trans refugees are excluded from most places. Here (b)ordering practices become clear and visible: the dynamics at place entail not only bureaucratic categorizations but also social and spatial processes that force trans refugees into places of exclusion – ultimately relegating them to a queer necropolis (Haritaworn et al., 2015). These forms of exclusion have disabling effects, often causing mental health issues and fantasies about death. Dalia, in a broken voice, told me:

I get these ideas in my mind that I will never get it (the refugee status), I am just going to wait here and get worse and worse mentally. I feel like this is the end sometimes: I asked for asylum, I stayed at the camp, and I am dead now. End of story. I can't even imagine the future.

The forms of control, spatial and symbolic isolation that trans refugees face represent the first practice of (b)ordering - enforced at a systemic level. This triggers the second practice of (b)ordering, which is enacted by trans refugees themselves as a form of survival. Due to the material conditions of the

asylum system, trans refugees take upon themselves a series of behaviors that prove their worth and their attempted conformity to normative expectations. This performativity partly shapes how trans refugees are treated both socially and institutionally.

3.2 The Performance of Worthiness and Authenticity

The Dutch asylum system constructs a framework in which trans refugees are constantly required to perform to access protection, care, and recognition. This performance, embedded in daily bureaucratic and social encounters, reveals how deeply worthiness and authenticity are institutionalized as conditions for belonging.

3.2.1 The Script of the “True” Trans Refugee

Applying for asylum means being given the label of “refugee”, which carries a series of expectations, stereotypes, and preconceived ideas. To be accepted, one needs to fulfill these expectations and demonstrate that they are worthy of staying in the Netherlands, (Ahmed, 2014). For instance, Azar describes how the asylum process made them extremely insecure about themselves and their worthiness as human because of the continuous surveillance they faced and the constant need to prove themselves. They also highlighted the recognition they needed to show for being given food and shelter. It appears that one constantly lives under scrutiny and yet must show gratitude for even the most basic concessions.

For trans refugees, complying with the system’s expectations also means proving to be “trans enough”, which is not always easy. Particularly for non-binary refugees, proving one’s non-binary identity is extremely challenging, especially if one does not wish to start a hormone replacement therapy (HRT) or to physically change their body. As a result, the interviews with the IND are often filled with dehumanizing and invasive questions like: “If you are nonbinary, and you found out when you were a teenager, why did you not leave sooner? How did you survive?”, “Have you tried moving to another city and finding a job?”, “What is your sexual desire?” “Do you enjoy being with a man?” “Did you ever have sex with a woman?”, “How do you feel in your body?”.

Azar remarks how these questions appeared less concerned with understanding their situation and more with satisfying the curiosity of IND employees, serving as a reminder that they were not seen as fully human. As other participants confirmed, the questions seemed to be designed to find contradictions in their stories, searching for a lie that could justify the rejection of their claim.

3.2.2 Staging Neediness and Emotional Credibility

The asylum system seems to require a certain level of neediness of its beneficiaries (Oliviero, 2018). Several participants felt the need to be seen as vulnerable and in distress in order to be heard by COA or to be granted their refugee status by the IND. Azar explained that one should show their weakness to satisfy the “savior” complex of IND employees. If one appears mentally strong, their case might be delayed for months or years, under the assumption that they are able to stay in the asylum system for longer. The same logic applies when trans refugees request to be prescribed HRT or similar forms of care: if they appear miserable and desperate, they have a higher chance of obtaining what they should be given by default. In Azar’s words: “You should be strong enough to be a useful citizen in this country, and weak enough to satisfy their big ego”.

As Bhanji (2011) argues, the borders of gender and those of the state merge in the regulation of non-normative bodies. As illustrated in the two previous sections, this regulation manifests by requiring trans refugees to perform vulnerability and a normative gender. When they fail to do so – by appearing too strong, or gender non-conforming - trans refugees are met with heightened scrutiny and surveillance, until they are deemed intelligible and finally harmless.

Despite compliance with the unspoken normative expectations that are supposed to make trans refugees worthy of care, protection, and dignity, the Dutch asylum system appears to be paradoxically unreliable when it comes to offering basic protections or consistent treatment. What emerges is a disturbing pattern: experiences of safety, recognition, or care are not the result of robust institutional support, but of arbitrariness, which many participants describe as “luck”.

3.3 Arbitrariness as a Systemic Mechanism

One of the most pervasive yet least visible forms of violence in the Dutch asylum system is its reliance on arbitrariness. Far from being evenly distributed or structurally guaranteed, care and protection often depend on individual actors, local COA staff, or even the goodwill of strangers. This arbitrariness is systemic, and it deeply destabilizes the lives of trans refugees. What appears as arbitrariness is, in fact, systemic neglect. While many of my interlocutors experienced (b)ordering practices to varying degrees, most of them identified instances in which they received better treatment than other trans peers – more respectful interactions with other residents, easier access to safe units in the AZC, or better treatment from the COA staff. However, this variability was not grounded in policy or rights; it was perceived, almost universally, as the result of mere chance.

3.3.1 The Myth of Luck

Participants attributed any positive experience in the asylum system to luck. While listening to them, it was impossible to find another explanation for these patterns beyond arbitrariness. Dalia, for instance, recounted how her doctor failed to show up for an appointment to renew her antidepressant prescription. The meeting was canceled and rescheduled for a week later. During this time, she did not have access to her medication, which seriously affected her mental health.

Similarly, whether or not one will be prescribed HRT seems to be completely up to the mercy of the GP in the AZC and their discretion. One of the participants, after begging the nurses was prescribed her HRT, while her roommate, also a trans woman, was denied the same treatment and placed on a waiting list to see a “specialist”, leaving her without access to life-saving medication. Furthermore, participants described as “luck” being assigned to a COA contact person who treated them with respect. Since this happens with such rarity, luck is found as an explanation.

On the other hand, a trans man who participated in the research recounted experiences he labeled as “unluck”, such as being transferred 16 times because none of the locations he was placed in were safe for him as a trans man. He also considered “unluck” being assigned to a room with three gay men who behaved inappropriately toward him and stole his belongings - including his phone. Neither COA nor the LGBT Asylum Seekers Support responded to his complaints.

These findings illustrate the relevance of the right to maim (Puar, 2017), a form of control that keeps populations under a constant state of debilitation, not only through violence but also through neglect and the withholding of care. As illustrated by these findings, the unpredictability of care does not overtly kill, but it debilitates trans refugees, eroding their mental stability and their dignity.

3.3.2 Negligence as Policy

The experiences described above, which are often understood as results of arbitrariness, are in fact, not random at all. They are evidence of deeper structural negligence and indifference embedded in the asylum system. Being treated with dignity or accessing one’s medication should not depend on individual mercy or goodwill. These practices should be guaranteed, not gifted. Yet what emerges is a practice of (b)ordering that is almost invisible, precisely because it lacks consistency and traceability. It cannot be easily recorded as a pattern – and thus it is hard to contest.

On paper trans refugees have access to HRT medication and safe housing (Transgender Network, 2024). Yet in practice, this access depends on the discretion of a GP or COA staff member, who may or may not believe them, support them, or even understand them. Participants felt like these policies or lack thereof, were specifically made to increase a sense of isolation in trans refugees, which might encourage them to return to their country of origin.

We must ask what kind of state allows luck to determine people's livelihoods - if not one fundamentally disinterested in their survival. In this context, arbitrariness is not the opposite of policy. *It is* the policy. The asylum system weaponizes negligence towards trans refugees as a deterrent system. Its cruelty lies precisely in its refusal to protect, care or even to function with minimum reliability. The arbitrariness of care leads trans refugees to a queer necropolis, where the rules are always changing, support is unreliable and livelihood is reduced to survival (Haritaworn et al., 2014).

Together, these three dimensions— spatial and emotional control, performance, and structural arbitrariness—reveal how the Dutch asylum system enacts layered forms of (b)ordering that target trans refugees not only as outsiders but as disruptions to the nation's imagined moral and gender order. This results in a system where survival is not guaranteed by law or policy, but negotiated daily through fear, (self-)surveillance, and what participants call luck. This is a systemic process, rather than an accidental occurrence. It is precisely this systemic instability one of the most insidious forms of state violence.

Conclusion

This thesis has investigated how trans refugees experience the Dutch asylum system, revealing a complex system of control that I have conceptualized as practices of (b)ordering. Such practices transcend the physical nature of borders: they are systemic mechanisms that regulate the lives of trans refugees, undermine their dignity, and reduce their livelihoods to survival.

The first (b)ordering practice operates at the spatial and material level, where the material conditions and the surveillance of AZCs reproduce carceral conditions. Trans refugees experience isolation – both physically and emotionally and are denied agency over their own space. From this first practice emerges the second form of (b)ordering: the performance of worthiness and authenticity, where trans refugees shape their behaviors to fit normative expectations of what a trans person and a refugee should be like. These performances are adaptive strategies caused by the institutionalized suspicion that trans refugees face. The third layer of (b)ordering is that of systemic arbitrariness that shapes access to care and support. What participants have described as (un)luck is structural neglect. This purposeful inconsistency of care acts as a deterrent and relegates trans refugees to states of perpetual insecurity. Through this logic of (b)ordering, trans refugees are confined to queer necropolis – where those not worth protecting are left to abjection.

In light of the international progressive reputation that the Netherlands has regarding the rights of LGBTQIA+ people, the lived experiences of trans refugees are unacceptable and prove how inclusion is only extended to those who can conform to normative structures and ideals of gender and citizenship.

Considering the lack of any such scholarship in the Dutch context, this thesis provides an important insight into the lives and hardships of trans refugees in the asylum system. It also offers a conceptual framework – (b)ordering – that might provide insights into how other marginalized groups who fail to conform to a normative order, encounter similar mechanisms of control.

Finally, this thesis has brought to light how trans refugees in the Netherlands are not only surviving the asylum system, but they are exposing its contradictions, which must no longer be ignored.

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