

RFSL Newcomers: Going to Queer Clubs cannot be a Condition for Asylum

Swedish Migrationsverket has unreasonable requirements for LGBTQ people seeking asylum in Sweden. For a long time now, RFSL (Swedish organization for LGBTQ rights) has been critical of Migrationsverket and their insufficient handling of LGBTQ related cases, yet there have been no improvement.

When LGBTQ people seek asylum in Sweden, it is up to them to prove their sexual orientation, by referring to events or situations where they have been especially exposed or arrested and prosecuted for their sexual orientation or gender identity. In practice, this means that a person is required to have been exposed to physical violence or been officially outed in their home country for their application to be convincing. Whether the story is convincing or not, is decided by a caseworker at Migrationsverket, even though they are seriously lacking in both knowledge and competence when it comes to the actual situation of LGBTQ people – both in countries where their sexual orientation or gender identity is illegal, as well as in countries where the powerful forces of structurally and socially rooted homophobia cause LGBTQ people to flee, hide, or live in a heterosexual relationships. Some times Migrationsverket's refusal is even motivated by their claim that it is possible for the applicant to live in their home country if they keep their sexual orientation or gender identity a secret.

When making their decisions, Migrationsverket ignores the need for LGBTQ certificated interpreters with knowledge of different cultural connotations of language used by LGBTQ communities in different countries. There are several examples where the interpretation is completely different from the story told by the asylum seeker. Migrationsverket often also requires people who are applying for asylum to be familiar with gay clubs and bars in towns where they come from, as if that would say anything about someone's need for protection.

Even though Migrationsverket promise safety and protection for asylum seeking LGBTQ people, many are afraid, depressed and in despair over their situation and how they get treated. According to Migrationsverket's web page, LGBTQ people should be treated the same way as other asylum seekers, which allows no special treatment, neither positive nor negative. Asylum seekers that arrive in Sweden are accommodated in housing where they share rooms with other asylum seekers, and this is done without regard to the possible risks involved in sending people with non-normative gender expressions and identities to shared accommodation where the staff has no LGBTQ competence. To LGBTQ people, the housing situation is extremely exposing and dangerous.

According to Sweden's Aliens Act, everyone at risk of being exposed to violence, torture, or criminalization in their home countries should be offered protection. But in many countries, there is a gap between what the law says and what is actually practiced. Regardless of this, Migrationsverket sends people back to countries that promise protection, without investigating what actually happens when they get there. Unfortunately, people who are entitled to protection have a very low chance of being able to stay in Sweden, because of the Migrationsverket's nonchalant and ignorant attitude towards the actual reality of LGBTQ people around the world.

RFSL Newcomers is a network and a meeting place for LGBTQ people who are newly arrived in Sweden, either fleeing from prosecution and oppression or because of other reasons. The network exists in Gothenburg, Malmö, Sundsvall and Stockholm and offers workshops, advice and contact persons. Newcomers Stockholm has around 50 members that meet weekly.