

Identifying queer identities of asylum seekers in the Netherlands

The friction between self-identification and identification by the IND



[\(Source of cover photo\)](#)

Master thesis by Viviane Verheijen

Student number	1044949
Study programme	MSc International Development Studies
Specialisation	Sociology of Development – Disaster studies
University	Wageningen University & Research
Chair group	SDC
Course code	SDC80736
Supervisor	Dr.ir. G. van der Haar
Second examiner	Dr. BJ Jansen
Date	July 1, 2022

Acknowledgement

I would like to express my gratitude to my supervisor, Gemma van der Haar, who guided me throughout this project and gave me valuable feedback along the way.

I am extremely grateful to all of my informants who were willing to share their stories with me and gave me (and the reader) insight into how the asylum procedure by queer asylum seekers is experienced.

Special thanks to Laura Melkert for proofreading and Vivien Doll and Phillipp Gorenflo for the spell and grammar check. I am also thankful for my parents, Mirjam de Haan and Matthia Barneveld for our brainstorming sessions and the moral support that helped me through this period.

Lastly, I would like to mention Marco van Wensen, Marietje van Laar, Anne Mondrian and Khaoula Kadiri for their support throughout the process.

Abstract

In recent years, there has been a positive development within the asylum policy of queer asylum seekers in the Netherlands wherein the self-identification of queer asylum seekers is taken as the starting point of their asylum procedure. However, this thesis argues that taking self-identification as a starting point is not enough, since too little attention is paid to what this 'self-identification' actually entails. By means of a literature study, thirteen semi-structured interviews and three life history interviews, I studied the way self-identification by queer asylum seekers is constituted.

The findings show that the self-identification of queer asylum seekers during their interviews with the Immigration and Naturalisation Service (IND¹) is influenced by their prior experiences, various social categories (e.g. cultural background, sexual orientation, religion, and more) and by the identification process of the IND (which rests on a power imbalance). I conclude that the friction between the self-identification and the identification by the IND does not take place between the queer asylum seekers and the IND as an organisation, but instead it results in an internal friction experienced by the individual queer asylum seeker.

When the self-identification of queer asylum seekers is influenced by the identification process of the IND (which causes this internal friction), the question arises to what extent taking self-identification as a starting point is actually a process of (uninfluenced) *self*-identification. This will be explored in the following chapters.

¹ The IND is a Dutch governmental organisation that evaluates the claims of asylum seekers and implements the Dutch asylum policy.

Table of contents

Chapter 1 Introduction	4
1.1 Content of the thesis	6
1.2 Set-up of the thesis	6
Chapter 2 Setting the scene	8
2.1 The refugee system	8
2.2 Asylum seekers as a threat to Europe	9
2.3 The asylum policy in the Netherlands	10
2.4 The asylum procedure for queer asylum seekers	10
2.5 Actors in the Dutch asylum procedure	12
Chapter 3 Literature review and theoretical framework	13
3.1 Literature review	13
3.2 Theoretical framework.....	15
Chapter 4 Methodology	21
4.1 Research methods	21
4.2 Ethical consideration.....	25
4.3 Researcher positionality	28
Chapter 5 Performance in the country of origin: hiding queerness	33
5.1 Country of origin contexts	33
5.2 Social context	35
5.3 Religious context.....	39
5.4 The ‘mask’ in country of origin.....	40
5.5 Reasons to flee the country of origin	44
5.6 Conclusion	46
Chapter 6 Performance during the asylum procedure	47
6.1 Arrival and stay in the Netherlands	47
6.2 The IND interviews: preparation and experiences	52
6.3 Performativity during the IND interviews.....	56
6.4 Conclusion.....	61
Chapter 7 Identification by the IND	63
7.1 The decision-making process	63
7.2 IND interview questions	66
7.3 Influence of identification by the IND.....	70
7.4 The IND’s identification: case study	73
7.5 Conclusion	76
Chapter 8 Conclusion, discussion and recommendations	78
8.1 Conclusion	78
8.2 Discussion	79
8.3 Recommendation	80
Bibliography	82

Chapter 1 Introduction

In the Netherlands, the IND decides whether the claim for asylum, based on someone's sexual orientation or gender identity, is deemed credible or not. This decision-making process challenges the self-identification process of the queer asylum seeker, since trying to identify the sexual orientation or gender identity of someone else is a debatable process. Although the IND takes self-identification as the starting point of the decision-making process (as will be explained later on), it leads to a friction between the identification of the IND and the self-identification of queer asylum seekers. During my fieldwork period, I delved into the experiences that fourteen queer asylum seekers had with the decision-making process.

Throughout the thesis, the word "queer" is used to refer to sexual orientations and gender identities other than straight and cisgender. Queer is an umbrella term for identities such as lesbian, transgender, pansexual, and many other identities. I chose to use this term over the commonly used term "LGBTQI+" because the latter is constituted out of categories that might not apply to all queer asylum seekers. This thesis is mainly aimed at self-identification and therefore I wanted a term that provides the space for each individual to identify in a way that fits best to that person. During the interviews with my informants and while writing the thesis, I went along with the terms and pronouns that my informants used to identify themselves.

To introduce the reader to the topic, I want to start with an example of one of my informants, a queer asylum seeker. The following conversation is from an IND interview with Pamu², wherein he had to support and explain his claim on asylum in the Netherlands. Pamu claimed asylum on the grounds of seeking protection because of his sexual orientation. Therefore, he had to prove that he is a homosexual during the interview with the IND to get his asylum claim approved. Before delving into the content of this thesis, I want to ask the reader to reflect on this short conversation from Pamu's interview with the IND:

IND: What do you mean by homosexuality?

P: For me it means that the person in terms of sexuality is different from other people.

IND: In what way is that person different?

P: It is a person whose sexual preference differs from normal people. A man is attracted to a man and a woman to a woman.

IND: In your case, does this also mean that you are only attracted to men?

P: yes.

IND: In your own words, could you tell me how you realised that you are a homosexual?

P: That was when I was a child. I was somewhere between twelve and fourteen years old. I was in boarding school. I stayed there for four years. The last two years I noticed that I felt attracted to boys and I was in a relationship with a fellow student.

(...)

IND: Was that also the moment when you realised that you liked boys?

² Pamu is a pseudonym for one of my informants. I interviewed Pamu for my research and after the interview he sent me the transcript of his appeal to the IND for me to use in this thesis.

P: I had that feeling earlier. But that was the first moment that I experimented with it. I had the feeling that I was attracted to boys earlier but I did not yet realise that such a feeling is considered deviant, until I got in touch with that boy.

I turn to you, the reader, and ask you...would you consider this man gay? On what grounds is your judgement based? Would you grant this man asylum? Or would you reject his application?

In Dutch asylum law it is sometimes argued that statements about belonging to a sexual minority can be easily made by straight asylum seekers who have exhausted all other forms of legal procedures (Jansen 2019: 42). In other words, the IND is sceptic about claims that are based on someone's sexual orientation or gender identity (from now on referred to as SOGI based claims³) because there is a huge fear of fraud. This leads to the attempt of determining the sexual orientation and/or gender identity of queer asylum seekers to make a distinction between 'true' and 'false' SOGI based claims. This attempt is problematic given the main argument from literature studies and queer-organisations which is that there is no uniform or objective way to assess someone's sexual orientation and/or gender identity (Jansen 2019; Schans & van Lierop 2019; LGBT Asylum Support 2018; Millbank 2009; Jansen & Spijkerboer 2011). As a result, we end up with a friction between how queer asylum seekers identify themselves and how they are identified by the IND/in legal respect. This friction is central to the thesis and is extensively set out and analysed in the findings chapters. For now, the reader can get a sense of this friction because the following fragment shows the identification by the IND in response to Pamu's self-identification mentioned above.

Pamu's first application was rejected because his stated homosexuality was not deemed credible by the IND due to 'inconsistencies' in his story. Although the IND's motivation for this decision is more elaborate than what will be mentioned here, the critique on the earlier mentioned part of the interview goes as follows:

"The person concerned also gave varying accounts of when he realized he was homosexual and when he found out that this was not accepted by society. On the one hand, the person concerned states that he found out he is a homosexual during the relationship with a fellow student from boarding school when he was twelve years old. On the other hand, the person concerned states that he only found out what it means to be a homosexual and that it is not accepted when he was fifteen years old and searched for information on the internet" (Pamu's appeal: p. 2).

What is key here is that Pamu never stated that he knew he was a homosexual at the age of 12 but he said that he noticed he felt attracted to boys at that age. He even states that he, at that time, was not aware yet that this was considered deviant. He only found out what the concept of homosexuality means when he was 15 years old and searched for information on this topic on the internet. What is interesting about this fragment, is that Pamu actually perfectly describes his *process* of awareness: from childhood onwards, he discovered more and more about his sexuality. From the perspective of 'self-identification', one could argue that Pamu is really trying to explain the complexity behind discovering his own sexual orientation during puberty.

However, from the perspective of 'identification by the IND', the decision-maker seems to be searching for one specific *moment* of awareness and therefore deems the varying answers

³ The content of this concept will be discussed in chapter 3.

of Pamu ‘inconsistent’. So, while self-identification is put central to the decision-making process, Pamu’s description of his complex *process* of awareness is deemed inconsistent by the IND and therefore Pamu’s homosexuality was deemed incredible. Although Pamu’s case will be discussed more elaborately in chapter 7, these two fragments from his appeal introduce the reader to the complexity of the decision-making process around queer asylum seekers already.

1.1 Content of the thesis

The aim of this thesis is to examine the friction between the self-identification of queer asylum seekers and the identification by the IND during the asylum process in the Netherlands. Over the years, there has been the conviction that decision-makers can make clear-cut decisions about whose SOGI based claim is credible or not (Hertoghs & Schinkel 2018: 697). However, in recent years various studies and advocacy organisations state that “as a general principle, establishing sexual orientation or gender identity should be based on self-identification of the applicant” (Jansen & Spijkerboer 2011: 53). Although this is a positive development that puts the queer asylum seekers central to the decision-making process, it is also very challenging for the IND to implement this ‘self-identification’ within a context wherein the IND is responsible for assessing asylum claims. This thesis contributes to filling the gap between the aim for putting self-identification central to the establishment of someone’s sexual orientation and/or gender identity and the difficulty that the IND has with actually putting this into practice while still deciding who deserves asylum and who does not. Besides that, there is the question what ‘self-identification’ actually entails in this context. How can the IND make a distinction between which identity is ‘true’ or ‘false’? To get a better understanding of these complex processes, I interviewed fourteen queer asylum seekers and two (former) IND employees. The interviews were mostly aimed at their experiences with the Dutch decision-making process. But in order to understand how the self-identification of my informants was constituted during their asylum procedure in the Netherlands it was also important to learn more about the reasons why they came to the Netherlands and what experiences in their country of origin contributed to their self-identification.

1.2 Set-up of the thesis

First, chapter 2 provides information about the wider context of the asylum system in which the Dutch decision-making process about SOGI based claims is placed. In chapter 3, a literature review displays the already known findings and discussions about the decision-making process around SOGI based asylum claims in the Netherlands. Here, it is also argued more extensively how this thesis can contribute to the existing gap in the literature, which leads to the presentation of the research question and sub-questions. The chapter continues with the theoretical framework wherein the theoretical perspectives that are at the core of this thesis are explained. Chapter 4 entails the methodology that was at the base of the fieldwork period, some ethical issues that came to the fore during the research and also the positionality of the researcher. After chapter 4, three chapters will present the findings. In these findings chapters, the data from the fieldwork period is analysed and the sub-questions are answered. The first findings chapter – chapter 5 – provides a brief outline of the contexts of my informants’ countries of origin and connects this to their performativity in their country of origin. The direct and indirect reasons to flee the country of origin are discussed here as well. The latter is a bridge to chapter 6, which starts with their arrival and stay in the Netherlands. In this chapter their experiences and performativity during the interviews with the IND is considered, which is a crucial part in

answering the research question. In the last findings chapter – chapter 7 – the perspective is switched from ‘self-identification’ towards the ‘identification by the IND’. Here, it is discussed how the decision-making process comes into being and is put in practice. It is important to highlight this perspective as well because it eventually leads to an understanding of how the self-identification by queer asylum seekers is influenced by the identification by the IND. The three chapters together lead to chapter 8, in which a final conclusion is given and the research question is answered. This chapter is ended by a discussion and some recommendations.

Chapter 2 Setting the scene

This chapter provides information about the context in which the decision-making process about SOGI based claims is placed. First, migration as a global phenomena is discussed to understand how the refugee system came into being. This system is then put in the European context and it is made clear that suspicion and fear play an important role in the European and, more specifically, Dutch asylum policy. Thereafter, the Dutch asylum policy and procedure are described to give the reader an impression of how the Dutch asylum system works. In the fourth section the Dutch policy with regard to queer asylum seekers specifically is discussed. Lastly, the actors involved in the asylum procedure of queer asylum seekers are mentioned.

Central to this thesis is not the entire asylum procedure, but more specifically the decision-making process and the way interviews with the IND are conducted. Since this also part of the analysis, this topic will be discussed in more detail in chapter 3, 6 and 7.

2.1 The refugee system

Migration is a process that has been ongoing since the beginning of mankind. There are various reasons why people migrate but in general it could be said that people migrate because they want to improve their situation/circumstances. Migration can be voluntary or forced. Forced migration and seeking refuge already exist since there have been political communities (e.g. the Greek and Roman empires) and became even more evident with the rise of nation-states (around the 1650s) (Betts & Collier 2017: 4). The modern refugee system was set in place due to the Cold War and the threats of Communism on Western democracies. At the core of this refugee system was the idea that people who were persecuted by communist regimes should have the right to flee and receive access to a safe haven or new home (Ibid.). This led to an international treaty: the 1951 Convention on the Status of Refugees and, next to that, the creation of the Office of the United Nations High Commissioner for Refugees (UNHCR).

Both the treaty and the international organization committed governments to allow people to flee persecution and provide them a safe haven. Important to note is that “it was unambiguously a product of its time and place, explicitly temporary and at the time intended only to apply to people in Europe” (Ibid.). However, both still exist to this day and although it was based on a Eurocentric problem and solution, they are now central to the global refugee policy framework. The 1951 Convention is not signed by all countries in the world because some do not think it fits the realities of refuge in their region (Betts & Collier 2017: 5). Besides that, the policy is also problematic because it is incoherent due to the wide variation in (legal) interpretation (Ibid.). This has partly to do with the definition of being a refugee. According to article 1 of the 1951 Convention a refugee is someone who has a:

“well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.” (UNHCR 1951: 14)

This definition is not clear-cut but highly depending on the interpretation of the decision-making country. The decision-making country has to decide whether this “well-founded fear of being persecuted” is really ‘well-founded’, which is a decision open for subjectivity and interpretation.

Before delving into the decision-making system and the difficulties of the decision-making process in the Netherlands, it is important to stress that decisions about refugee claims in Europe are always made in “the context of a permanent suspicion coupled to a will to classify” (Hertoghs & Schinkel 2018: 705). In general, there is already a tense relation between the international pledge to help and protect refugees and the fear of ‘aliens’ overwhelming ‘our’ country/Europe. This resembles the two competing frames on asylum seekers in which they are either seen as a threat (undeserving of refuge) or as victims (deserving of refuge) (Kalkman et al. 2018: 43). The first frame goes hand in hand with securitization and border control (Kalkman et al. 2018; Apatinga 2017; Hertoghs & Schinkel 2018). In light of this thesis, I will only address the European and Dutch asylum policy, securitization and border politics here.

2.2 Asylum seekers as a threat to Europe

Before delving into the European asylum policy, it is important to stress the difference between immigrants and asylum seekers. As long as someone is seeking international protection while their claim for refuge is not yet determined, this person carries the label ‘asylum seeker’. The term ‘immigrant’ is broader and entails everyone that is living permanently in a country that is not one’s country of birth. This includes people that have not (yet) got citizenship, that moved for work or a partner, etcetera. Generally speaking, immigrants are met by ambiguity in European countries. Through history, immigrants were often welcomed for their (cheap) labour, because migration stimulated trade and business and because it boosted population growth (de Haas et al. 2020: 1). In contrast, immigrants are also the first to be blamed for problems in the receiving country and are often associated with social unrest, criminality or terrorism (Léonard 2010: 231). Not only does this lead to discrimination of and sometimes violence against immigrants in general, it also leads to a certain level of suspicion towards people that want to seek asylum in Europe (Ibid.). In other words, migration has become a divisive political issue and is a highly debated subject within the European security politics (Ibid.).

In light of the ‘securitisation of migration’ – “the extreme politicisation of migration and its presentation as a security threat” (Léonard 2010: 231) – the European Member States started cooperating more with regard to external border politics. The Schengen Agreement and the creation of FRONTEX are examples of how the security politics are put into practice. According to Léonard (2010) this strengthening of collaboration between EU Member States was prompted by three main factors (p. 234): 1) migration flows became a controversial issue and EU Member States attempted to restrict the number of asylum seekers and migrants; 2) with the enlargement of the EU, the concern grew that the future EU Member States would not be able to control the external borders; 3) securing and tightening up the external borders was also in line with the ‘fight against terrorism’ in the aftermath of 9/11. This last point is often used to incite xenophobia to gain more political support by right wing politicians (Ibid.). Migration is presented as a fundamental threat for the receiving country’s identity, security and cultural integrity, and immigrants are portrayed as criminals, terrorists or rapists (de Haas et al. 2020: 2). This representation of immigrants in politics and (social) media does not only lead to increasing securitization of migration but also causes fear and anger among the population of the receiving countries. It is in this context of fear and suspicion that the ambiguity arises of, on the one hand, wanting to help refugees and provide them a safe haven, and on the other hand, secure Europe or one’s own country from the ‘influx’ of people that do not deserve refuge. As the following paragraph will show, the decision-making process in the Netherlands is not indifferent to this European context and the securitization of migration.

2.3 The asylum policy in the Netherlands

As stated on the government's website, the Netherlands grants asylum "to people who would be in danger if they were to return to their own country" (Rijksoverheid 2022a). Whether someone is believed to be "in danger if they were to return to their own country" is evaluated by the Immigration and Naturalisation Service (IND), a Dutch governmental organisation. The IND is an implementation organisation that executes the Aliens Act and the Netherlands Nationality Act on behalf of the State Secretary of Justice and Security (IND 2022). The IND works closely together with the Central Agency for the Reception of Asylum Seekers (COA) and the Repatriation and Departure Service (DT&V) in order to execute these Acts in the Netherlands (Rijksoverheid 2022b). The Acts and these organisations are part of the general Dutch asylum policy, that is aimed to "restrict and manage refugee flows to Europe" and must be seen in the context of a collective EU approach to "resolve the refugee problem" (Rijksoverheid 2022c). Thus, as is argued above about the European asylum policy, the Dutch asylum policy should also be seen in the context of securitization of the Dutch borders due to fear and suspicion (Jansen 2019: 42). As such, a lot of analysing, evaluating and weighing is done by the IND in order to reject or approve asylum claims based on their truthfulness or whether the asylum seeker is really in need of – 'deserves' – asylum.

When asylum seekers arrive in the Netherlands, they must report to the IND at ter Apel, where they need to identify and register (Rijksoverheid 2022a). Thereafter, they are transferred to a reception centre that will process the asylum application (Ibid). In case they arrive by plane, they can report to the Royal Netherlands Marechaussee at Schiphol Airport and a border procedure is started to deal with their asylum application (AIDA 2021). For the duration of this border procedure the asylum seeker has to remain in the application centre at Schiphol Airport (Ibid.). In both cases, before the asylum procedure starts, the asylum seeker gets six days to prepare (together with a lawyer) for the interview with the IND. During these days there is also a medical check to decide whether the asylum seeker has any impediments which the IND should take into account during the interviews or in the decision-making process (VluchtelingenWerk Nederland 2022). After these six days the general asylum procedure begins, which normally takes four to eight days. During this procedure, in the two interviews, the identity of the asylum seeker is determined and the way and reason of the flight is evaluated. When the IND is not able to make a decision within these eight days, because more research is needed or the file/proof is incomplete, the asylum seeker is sent to an extended asylum procedure (Ibid.). For queer asylum seekers this is often the case because the IND wants to conduct more and extended research on their SOGI based claim (AIDA 2021). During this extended asylum procedure the asylum seeker resides in an Asylum Centre (AZC), while waiting for their next interview ('het nadergehoor'). The IND has to make a decision within six months starting from the date of the asylum application (Ibid.). When the asylum seeker gets a positive decision, the asylum procedure is over. However, when the IND has given a negative *advise* (note: not 'decision'), the asylum seeker can respond and gets some time to gather more proof to strengthen their asylum claim. After evaluating the case again, a final *decision* is made by the IND within several days.

2.4 The asylum procedure for queer asylum seekers

As the definition of 'refugee' shows (UNHCR 1951: 14), there are various grounds on which people can ask asylum. This thesis delves into the decision-making process about the *well-founded fear of being persecuted for reasons of 'a particular social group'*. This entails asylum

seekers that have fled their country for the reason of fear that something will happen to them because of their sexual orientation or gender identity. With a decision in 1981, the Netherlands was the first country in the world that recognized someone's sexual orientation as a ground for refugee status (Spijkerboer 2016: 668). Ever since, difficulties have been arising with applying the refugee definition to queer asylum seekers because establishing what someone's sexual orientation and gender identity is a difficult and not so clear-cut process (which will be dealt with in more detail throughout this thesis). In the context of securitization of migration, decision-makers are even more suspicious of queer asylum claims since SOGI based claims are believed to be very sensitive to fraud: "it is argued that everybody can say that he belongs to a sexual minority that is suppressed in the country of origin, and a statement like this could be lucrative for straight asylum seekers from certain countries who have exhausted all legal procedures" (Jansen 2019: 42). To distinguish the 'true' from the 'false' queer asylum claims, the IND evaluates the claimant's story by means of at least two interviews (in the case of my interviewees they often had three interviews and in some cases even four). According to the working instructions of the IND, it is the responsibility of the queer asylum seeker to underpin the SOGI based claim by means of their 'authentic' narrative and documental proof (IND 2019: 2). In chapter 7 there will be more information about the content of these IND interviews and how decision-making is established and implemented.

It is not clear what the proportion of queer applications is within the wider scope of the asylum system in the Netherlands. The IND does not release statistics about queer asylum seekers but it is estimated that it involves around a few hundred queer asylum claims a year (Rainey 2017). The amount of rejected SOGI based claims is not clear as well but "lawyers and activists working on the issue say it is happening regularly and with increasing frequency" (Ibid.). However, it must be acknowledged that over the years, there has been a positive development with regard to the queer sensitivity of the asylum policy in the Netherlands. An example is the abolition of the discretion requirement in 2007 (Jansen & Spijkerboer 2011: 34). The discretion requirement holds that queer asylum seekers are rejected based on the reasoning that they do not have to fear living in their country of origin provided that they remain 'discreet' about their sexual orientation or gender identity (Jansen & Spijkerboer 2011: 33). This type of reasoning was critiqued since it forces people to return to their country of origin and suppress or renounce a part of who they are. Although the discretion requirement is still applied in some individual cases (Jansen & Spijkerboer 2011: 34), the formal abolishment is a great step towards the acknowledgement that queer people should never be forced to suppress their sexual orientation or gender identity. Another recent development is that in the interviews with the IND there will be no longer a focus on the assumed processes of awareness and self-acceptance (Schans & van Lierop 2019: 16). This has been adjusted in the working instruction in 2018 after Jansen's (2019 [2018]) critique that the decision-making process focused too much on 'Western' concepts and relied on the starting point that every queer person can tell a well-founded narrative about one's awareness and self-acceptance (Schans & van Lierop 2019: 16). The new working instruction states that someone's sexual orientation and gender identity are incomprehensible in measurable criteria and that the focal point of the decision-making process should be the personal experience and perception of the queer asylum seekers with regard to their sexual orientation and/or gender identity (Ibid.).

2.5 Actors in the Dutch asylum procedure

It is also helpful to highlight some of the actors that play a role in the asylum procedure of queer asylum seekers. In order to stimulate objectivity, every interview that the asylum seeker has, is carried out by a different IND employee (Interview with Laura, November 24th 2021). Important to note is that the interview is only transcribed and not recorded. The transcripts are sent to an (independent) decision-maker that has not seen or spoken with the queer asylum seeker and after reading the transcripts a decision is made (Ibid.). During the interviews there is always a translator present, so asylum seekers are able to express themselves in their own language. Furthermore, throughout their whole asylum procedure, asylum seekers are supported and advised by a lawyer. Next to that, there are various NGOs that are specifically aimed at helping queer asylum seekers during their asylum process. Examples are: COC (Cocktail project: to bring queer asylum seekers into contact with the Dutch queer community), Transvisie (who support transgender asylum seekers), LGBT Asylum Support (who give social and legal support to queer asylum seekers), Stichting Secret Garden (who foster participation of queer asylum seekers with an Islamic background), and more (Omlo & Elferink 2019: 14). Not to be forgotten, friends or relatives that live (already) in the Netherlands also played an important role in the asylum procedure of many of my informants.

Chapter 3 Literature review and theoretical framework

This chapter will start with a literature review, which introduces the existing literature on the topic and gives insights in the current decision making process in the Netherlands and about credibility issues around queer asylum seekers more specifically. The literature review leads to the knowledge gap in the literature and here I argue how my thesis can contribute to the academic and social debate around credibility issues that queer asylum seekers endure. Lastly, the theoretical framework explains which theoretical perspectives are at the core of this thesis and guided the data gathering during the fieldwork period.

3.1 Literature review

A lot of research has already been done on the problems that arise during the asylum procedure of queer applicants (in the Netherlands). For this thesis, the most relevant literature sources with regard to queer asylum seekers in the Netherlands are: Hertoghs & Schinkel 2018, Jansen 2019, Jansen & Spijkerboer 2011. These sources all discuss the complexity of the decision-making process in relation to queer asylum seekers, specifically in the Netherlands. That they contextualise the situation in the Netherlands is especially important in the case of *queer* asylum seekers because the way queerness in general is dealt with, differs per country and is thus hard to compare to literature from other countries about the same topic. Generally speaking, themes that are discussed in most of the research about queer asylum seekers are: the discretion requirement, credibility and the issues of the decision-making process, late disclosure of sexual orientation or gender identity, the status of criminalization in and other relevant information about the country of origin (such as state and non-state protection) and experiences in AZCs during the asylum procedure. When the reader is interested in all of these topics, I would recommend reading Jansen 2019 because there the themes are discussed individually. This thesis focuses primarily on credibility issues and the problems that arise in the decision-making process, which will be touched upon in the following paragraph and is discussed more elaborately in chapter 7.

3.1.1 Research on the decision-making process

As discussed in chapter 2, asylum claims – and more specifically, queer asylum claims – are met by a lot of suspicion by the decision-making country. For queer asylum seekers it is thus necessary to cross the bridge of suspicion in order to get a refugee status and be allowed to built up a life in the decision-making country. To get their asylum claim approved, queer asylum seekers need to ‘fit’ into the framework of what Hertoghs and Schinkel call ‘the credible LGBT refugee’ (Hertoghs & Schinkel 2018: 697). “One becomes a credible LGBT refugee by presenting, in the eyes of the IND officers, a worthy IND story of the sexual self and a certain measure of threat or suffering that sexual self has experienced in the (so-called) country of origin” (Ibid.). What this ‘worthy-IND-story’ is, has changed over time and is still changing due to politics, academic debate, NGO activism/critique and growing awareness about themes like sexual orientations and gender identities (Ibid.). However, despite the eagerness of the IND to improve its policy on SOGI based claims, there is still the conviction that decision-makers can make clear-cut decisions about whose SOGI based claim is credible or not (Ibid.). This goes against the conclusion of many studies that argue that there is no uniform or objective way to assess someone’s sexual orientation or gender identity (Jansen 2019; Schans & van Lierop 2019; LGBT Asylum Support 2018; Millbank 2009; Jansen & Spijkerboer 2011).

Some of these studies have focused more specifically on the critique that the decision-making process also involves (Western) stereotypes. An example of such a stereotype is the expectation that an applicant must be familiar with the ‘gay scene’ in the host country and that their claim has a greater chance of being rejected when they did/do not know or attend gay bars and clubs in their country of origin or in the host country (Millbank 2009: 400). Another example is that the new (2018) queer asylum policy of the IND was critiqued because they still regularly reject asylum claims on the basis of ‘not having experienced a process of awareness and self acceptance’, two criteria that were deemed unsuitable stereotypes in a report a year before (COC NL 2019). Consequently, one of the recommendations in the literature is to move away from stereotypical expectations and Western models of sexual orientation and gender identities, and focus on self-identification of the queer asylum seeker, whereby cultural differences are taken into account as well (Jansen 2019; LGBT Asylum Support 2018; Millbank 2009; Schans & van Lierop 2019; Jansen & Spijkerboer 2011). The difficulty here is that the IND argues that it focuses on this self-identification already and claims that the decision-making process is not based on stereotypes (IND 2019: 2). The working instruction – ‘hearing and deciding in cases where a LGBTI orientation has been leading as an asylum motive’ – consists of certain themes (for example: private life, former and current relationships, knowledge of the LGBT community in the Netherlands, incidents in the country of origin, etc), but it is stressed that these themes are only used to elicit the personal narrative of the queer asylum seeker and are by no means a checklist that asylum seekers have to comply with (Ibid.). In the working instruction and through the interviews (with IND employees as well as with queer asylum seekers) it became clear that the focus lies on the ‘authentic’ story of the queer asylum seeker and that the IND places the responsibility on the queer asylum seeker to underpin the SOGI based claim (Ibid.).

3.1.2 Knowledge gap

So, although one of Jansen’s main arguments is that self-identification should be made the main focus of the policy (Jansen 2019: 174), this is more complicated to implement for the IND than literature might suggest. Making self-identification the main focus of the policy, causes friction in the decision-making process. On the one hand, the IND is already trying to focus on the ‘authentic’ story of queer asylum seekers after the critical research of Jansen in 2018. On the other hand, there is still the conviction that decision-makers can make clear-cut decisions about whose ‘authentic’ story is credible or not. Therefore, this thesis will shift the debate from making self-identification the main focus of the policy (which the IND already did in its own way) towards a debate about what this self-identification as the main focus of the policy actually entails. As Berg and Millbank (2009) argue, “there seems to be little awareness of the psychological issues faced by lesbian, gay or bisexual individuals which can impact upon how such identities are negotiated in the asylum interview, and how any narrative of self-identity is framed in the initial application” (p. 197). In other words, the IND already focuses on self-identification of queer asylum seekers and uses these ‘authentic’ stories to make a decision about the credibility, but hereby the IND (and other independent literature studies) might take ‘self-identification’ as something that is unambiguous itself. Little attention is paid to how this self-identification comes into being and how queer asylum seekers experience this process of having to ‘self-identify’ during their asylum procedure. Therefore, it is important that there is more awareness created for the various ways of how self-identification is realised and how self-identification relates to the decision-making process of the IND. This thesis can contribute to fill this gap.

3.1.3 Research questions

As discussed in the theoretical framework (see section 3.2), by taking the notions of *identification*, *gender performativity* and *intersectional approach* into account, this thesis will make clear that self-identification is not unambiguous and that it is complicated to assess. Therefore, this thesis can give insights on how to navigate through the friction between self-identification and identification by the IND within the queer asylum seekers' procedures. The thesis is guided by the research question:

“How do queer asylum seekers experience and deal with the friction between self-identification and identification by the IND during their asylum procedure in the Netherlands?”

In order to answer this research question and foster productive data gathering during the fieldwork period, the main question was divided into the following sub-questions:

- How do prior experiences and other intersecting social categories play a role in the way queer asylum seekers perform or construct their identity during their asylum procedure?
- In what way is self-identification by queer asylum seekers during their asylum procedure influenced by the expectations and identification by the IND?
- Background question: How does the credibility assessment of queer asylum seekers' claims by the IND come into being?

The sub-questions are the basis of all of the findings chapters and will be dealt with throughout these chapters. In the conclusion, the findings and answers to the sub-questions are combined and form an answer to the main research question.

3.2 Theoretical framework

In this section it will be discussed from which theoretical perspective this thesis addresses the research question about the experienced friction between self-identification and identification by the IND. The theories and perspectives discussed in this theoretical framework have guided the data gathering during the fieldwork period and help to formulate an answer to the research question in the end. It goes without saying that the concept of 'identity' is important to discuss with regard to the topic of this thesis. From this analytical discussion about the concept of 'identity', the framework will shift towards the process of *identification*: self-identification as well as identification by others. By using the notion of *performativity* it becomes clear that self-identification is not unambiguous and that identification with regard to someone's sexual orientation and gender identity is a complicated and situated process (since it is shaped through experience and interaction in a range of settings; i.e. *social navigation*). To find out more about how the complex process of self-identification comes into being it is argued that an *intersectional approach* can help to remain open to various influences and factors that play a role in the identification process and move away from the danger of stereotyping.

3.2.1 Identity (as a category of analysis)

In most literature, the concept of 'identity' is discussed in relation to a certain type of identity, such as: gender identity, sexual identity, national identity, cultural identity, ethnic identity, and more. Whereas some authors take the concept of 'identity' for granted and focus more on the boundaries and various types of the phenomenon (as is argued by Mitchell 2010: 368), there

are also authors that question the essentialist nature of the concept and analyse the content of the specific identity that is relevant to their research (examples are: Valentine 2007; Wekker 1999). An important source that analyses the concept of 'identity' in an abstract manner is Brubaker and Cooper (2000). Their notion is useful for this thesis since it relates the concept of identity to the way my informants use and experience it but also displays the concept of identity in a more analytical way, which is closely related to how identity is discussed within this thesis. Brubaker and Cooper (2000) argue that a distinction can be made between identity as a category of practice and identity as a category of analysis (p. 4). 'Identity' as a category of practice signifies "categories of everyday social experience, developed and deployed by ordinary social actors" (Brubaker & Cooper 2000: 4), whereas 'identity' as a category of analysis is "the experience-distant categories used by social analysts" (ibid.). During the interviews with queer asylum seekers, the former was relevant since the interviewees talked about their lived, everyday experiences. However, for this theoretical framework and the decision-making process of the IND, identity as a category of analysis is necessary to explore because, as Brubaker and Cooper argue, it should always be questioned how a term is used in order to counter reification and essentialisation of the term (p. 5-6).

As a category of analysis there is often a distinction made between strong and weak understandings of identity. The strong understanding of identity holds a common-sense meaning of a certain identity whereby the emphasis lies on sameness over persons and/or time, and it is assumed that everyone/all groups have or should have an identity (Brubaker & Cooper 2000: 10). The weak understanding of identity sees 'identity' as a social or contextual construct which makes the term fluid and multiple (Brubaker & Cooper 2000: 11). Brubaker and Cooper critique both of these understandings and argue that 'identity' as an analytical category is neither necessary nor helpful because there are too many meanings entrapped in the term (Brubaker & Cooper 2000: 34). Instead, they unbundle the term 'identity' in three clusters of terms (1. Identification & categorization; 2. Self-understanding & social location; 3. Commonality, connectedness & groupness) that do the analytical work that 'identity' is supposed to do (Brubaker & Cooper 2000: 14). However, although the content of these three clusters is relevant and useful for this thesis, 'identity' as a category of analysis remains to be useful for this research because the fluidity and multiplicity of the term is exactly what is central in the decision-making process of the IND. Like Boellstorff (2007), I argue that the complexity of the use of certain terms is not a problem to be solved by not using the term anymore, but this complexity should be acknowledged, taken into consideration and carefully reflected on (p. 18). Therefore, when 'identity' is analysed and reflected on as a category of analysis in the context of the decision-making process, it becomes apparent that the IND uses both a strong and a weak understanding of identity. On the one hand, the IND allows the queer asylum seeker to tell an 'authentic' narrative and claims to judge every individual on their own specific story. This would suggest that the identities of queer asylum seekers are multiple and are constructed by the individual (i.e. the weak understanding of identity). On the other hand, the policy of IND is still based on the conviction that they are able to make clear-cut decisions about whose authentic story is *really* authentic (Hertoghs & Schinkel 2018: 697). This would suggest that there is a certain 'sameness' in authenticity and that queer asylum seekers fit or should fit into what this 'authenticity' entails (i.e. a strong understanding of identity). Although this friction will be dealt with more extensively, for now it is important to stress that using 'identity' as a category of analysis has provided the space to be critical on what 'identity' holds (in practice) throughout the decision-making process and that it exposes the friction that needs to be discussed.

3.2.2 Self-identification versus identification by others

By exposing the friction mentioned above, we arrive at the question: who is identifying who? Although central to this thesis is the self-identification of queer asylum seekers, this self-identification is influenced through the identification by others/the IND. Thus, the difference as well as the relation between self-identification and identification by others is relevant to examine. This is also what Watzlawik and de Luna (2017) take into consideration within their article about identification of ‘refugees’. It is not enough for asylum seekers to self-identify as ‘refugee’ and be deemed credible because they encounter the problem of recognition in official and legal terms. “To gain official status as a refugee, one must thus bridge the gap between one’s specific individual life experiences [...], and the legal and abstract category of “a refugee” [...] (Watzlawik & de Luna 2017: 247). The problem with this is that the identification of the asylum seekers rests on an imbalance of power between the one seeking asylum and the one assessing the credibility of the asylum claim. So although it can be argued by the IND that there is room for self-identification, the complexity of the friction is that the queer asylum seekers have to present themselves in such a way that it meets the expectation of the people that assess the credibility of that self-identification.

This imbalance of power dynamic relates to Foucault’s notion of *bio-power* (Foucault 1980: 140). Bio-power is a combination of the “anatomy-politics of the human body” and the “biopolitics of the population” (Apatinga 2017: 39). The former relates to the population that consists of individual subjects that are subjugated by disciplinary power mechanisms of the body, while the latter relates to the regulatory mechanisms of the population (Ibid.). In other words, “the population is not merely a collection of individual subjects but represents a social body that always requires security and management” (Ibid.). When bio-power is applied to the context of the asylum procedure, it becomes clear that there is a regulation of and control over asylum seekers’ lives. This goes hand in hand with a classification of ‘legitimate’ and ‘illegitimate’; a distinction between people who deserve to live within the borders of the decision-making country and the ones who need to be kept outside. In order to fit within this system, asylum seekers thus need to fit within this ‘legitimate’ category and adhere to a strong understanding of a specific identity that is expected/created by the decision-making country.

Now the relation between bio-power and the asylum process is discussed, the question arises whether self-identification by queer asylum seekers is even possible to begin with in the context of the asylum procedure. Are queer asylum seekers subjected to this bio-power of the decision-making country and thus identified by this power? Or do they still have agency and is there room for self-identification? The answer will lay somewhere in between, so, in furtherance of exploring the process of self-identification it is useful to analyse how *social navigation* and *agency* play a role in the power relation between self-identification by queer asylum seekers and identification by the IND. Utas (2005) discusses the distinction between *tactic agency* and *strategic agency*. The former is explained as short-term responses to people or social situations while the latter is about long-term strategic anticipation and reaction to people or social situations (Utas 2005: 407). What is interesting about this notion is that it shifts agency from something that you ‘possess’ to “something you maintain in relation to a social field inhabited with other social actors. Agency is thus highly dependent on specific social situations” (Ibid.). This way, agency is something that can be exercised. The combination of tactic and strategic agency is what Vigh (2003) termed *social navigation* (p. 136); it is the way an individual navigates through different circumstances and various social interactions. In the context of the asylum procedure of queer asylum seeker, the findings chapters will show that queer asylum seekers are aware of the identification by the IND and the power imbalance that

comes with it, but they find their own way of navigating through this system and maintain their own form of agency in the self-identification process.

3.2.3 Performativity

Where the notions of agency and social navigation already gave more insight into the process of self-identification, Butler's theory of *gender performativity* is interesting for understanding self-identification even more, specifically in relation to queerness. Butler (1988) argues that gender is not a given fact but a social construct that is performed over and over again through verbal and nonverbal communication (p. 520). It is "an identity instituted through a stylized repetition of acts" (Butler 1988: 519). What is interesting in this discussion is that although 'gender identity' is not a stable identity (ibid.), it is often perceived to be. This is what Ewing (1990) calls the *illusion of wholeness*. Both Ewing and Butler argue that all people have inconsistent self-representations that shift through context and/or time while the individuals themselves may experience wholeness and consistency (Ewing 1990: 251). In a legal procedure, the inconsistency of self-representations might (negatively) influence the credibility of a SOGI based claim since there is a lot of focus on the consistency of the asylum seeker's storytelling during the interviews. However, as we can take away from Ewing and Butler's arguments, the way asylum seekers might perform or construct their (gender) identity can differ per context and through time, and seeing it as a whole is only an illusion (or a way to make clear-cut decisions). With the help of this theory I want to query the IND's procedures that 'expect' a certain performance of queer asylum seekers and analyse how the (sometimes) evoked performance during the IND interview is constituted, interpreted and assessed.

Goffman's (1990) theory of *performance* is closely related to the process of self-identification as well. Goffman uses an analogy of social interaction and theatre and uses a conceptual framework of the theatre to describe how people (like actors) perform various roles in their daily lives (Goffman 1990: 246). In this setting, *performance* is defined as "all the activity of an individual which occurs during a period marked by his continuous presence before a particular set of observers and which has some influence on the observers" (Goffman 1990: 32). Hereby, a distinction is made between *front stage* and *backstage*. The former is the place where the performance is presented and seen by observers, while the latter is the place for relaxation because there are no observers (Goffman 1990: 116).

During the fieldwork period the notions of *gender performativity* and *performance* clearly came back. In this thesis a distinction is made between three contexts in which these notions play a role: 1) performativity in the country of origin; 2) performativity in the AZC; 3) performativity during the interviews with the IND. In all three contexts, the informants of this research were aware of a difference between what Goffman calls front and backstage. Their self-representation was subject to change in all of these contexts and they were fully aware of their 'front stage' (their sexual orientation or gender identity) being a social construct that was performed over and over again through verbal and nonverbal communication. Whereas the performance in the country of origin was mostly focused on coming across as heterosexual, they had to prove during the interviews with the IND that this had been in fact a performance; it had been a front stage that is not consistent with their backstage. Interestingly, this incites the following question: during the interviews with the IND, do queer asylum seekers open the passage from the front stage to the backstage or do they still hide the backstage from any observers (i.e. the IND)? As will become clear in the following chapters, it is argued in this thesis that the informants did not open the passage from the front stage to the backstage during

the interviews with the IND but that they either consciously or unconsciously constituted another performance at the front stage. This argument also relates to the notions of agency and social navigation because of the tactical and strategical element that plays a part in the performances of queer asylum seekers. Together these concepts and theories will help to better understand the process of self-identification by queer asylum seekers and the way that they navigate through the asylum procedure.

3.2.4 Intersectional approach

Lastly, the self-identification of queer asylum seekers is not only based on the complexity of gender identification and/or sexual orientation, but also rests on other social categories. In this thesis it is of importance to take an intersectional approach in order to understand how the interconnectedness of various social categories – such as race, class, level of education, gender, and so forth – play a role in the way queer asylum seekers negotiate and construct their identity. Also prior experience such as experience in the home country, during their flight and their time in the Netherlands during their asylum procedure influence the way they constructed and still construct their identity in their everyday lives. Important to note here is that some categories might have more implications for the construction of someone's identity than others (Yuval-Davis 2006: 199). For example, in the case of queer asylum seekers, their 'queerness' might play a more important role for them than their class. However, this is also context and time dependent and the importance of one social category over the other is therefore often fluid and contested (ibid.). Taking an intersectional approach might help to counter cultural differences that cause misunderstandings between the asylum seeker and the one assessing the credibility of the claim (Jansen 2019: 41). For example, in the Dutch asylum procedures there is a lot of emphasis on presumed and fixed processes of self-acceptance and awareness (Jansen 2019: 82). When queer asylum seekers did not experience this presumed struggle or have any other negative emotions or thoughts, it is often held against them in the final assessment of their claim (Ibid.).

The intersectional approach helps to move away from stereotypical or expected aspects of the asylum seeker's identity and takes into account the intra group differences as well (Crenshaw 2006: 9); how did the interconnection of someone's culture, ethnicity and gender for example lead to this specific way of self-identification? This might sound closely related to the IND's aim of eliciting the 'authentic' narrative of the queer asylum seeker. However, instead of only focussing on authenticity, an intersectional approach is helpful to connect certain social categories in order to understand the relationship between them and the way they eventually constitute a certain performance. The intersectionality in someone's life has to be understood as more than just an 'original' (i.e. authentic) narrative. For example, one of my informants is a middle-aged man that had a good life in his country of origin although he was hiding his sexual orientation. He was content with his job, his house, his car and just his life in general. Due to an incident with some friends he had no choice but to leave his country since exposure of his sexual orientation would lead to the death penalty. For him, the motivation to flee his country of origin is totally different than some of my other informants who are very young and to a great extent (next to the serious incidents that they have experienced) fled their country to have a chance for a better and free future. The IND's policy to counter stereotyping and see these stories as authentic narratives is a good development. However, by applying an intersectional approach one goes a step further. Focusing on 'the' authentic story of the queer asylum seeker evokes the assumption that there is one, explicit story the queer asylum seeker

can tell. But when we take the notion of gender performativity and performance into account, it becomes clear that someone's (gender) identity (i.e. someone's authentic narrative) is not a given fact. It is indeed a social construct that is performed over and over again through verbal and nonverbal communication. An intersectional approach can give a better insight into how certain social categories form a specific performance that is performed in a specific moment and goes beyond the idea of a single authentic narrative that the queer asylum seeker is assumed to have. In other words, it shifts the focus from the idea that every queer asylum seeker's story differs from other queer asylum seekers' stories, to the notion that the individual asylum seeker has a different story every time the story is told because different social categories or prior experiences play a role in the moment the story is told and to whom the story is told (i.e. performativity). Thus, taking in an intersectional approach can contribute to establish whether a queer asylum claim is credible or not because it helps to see the causes and effects of specific performances in the queer asylum seeker's life instead of only looking at the authenticity of that one, seemingly consistent/solid performance during the IND interview.

Chapter 4 Methodology

This chapter will begin with showing which research methods were used to gather data for this thesis. It is explained how the sampling was done and which types of qualitative research methods were used during the fieldwork period. After this, I will consider some ethical issues that I encountered in my research. Lastly, I will also reflect on my positionality as a researcher and place this thesis into perspective.

4.1 Research methods

For this thesis, qualitative research methods have been used as the main source of data gathering and analysing. Since this research was primarily focused on finding ways to explain the complexity of queer self-identification and it tries to counter stereotypical ways of thinking and assessing by decision-makers, the goal is not to quantify data or results. Instead, the emphasis lies on detailed descriptions (Geertz 1973; *thick description*) of the intersecting aspects that form the basis of the queer asylum seekers' self-identification. Descriptive detail in qualitative research is deemed important because researchers focus on the contextual understanding of social behaviour, whereby the ideas, values, behaviour and other aspects are understood in their specific context (Bryman 2012: 401). For queer asylum seekers, their cultural background, prior experiences (in their home country, during their migration process or during their stay in a AZC in the Netherlands), religion and other aspects from their prior 'context' have influenced their self-identification process. Therefore, it was important to get a better understanding of this prior context and their current context in the Netherlands, in order to get an idea of how their self-identification process is shaped and expressed. Note that hereby the context is viewed in terms of processes rather than wanting to present a static image of their current situation (Bryman 2012: 408). As the theory of gender performativity made clear, self-identification should be regarded in terms of change (through intersecting aspects) and fluidity instead of a static and permanent fact. As will become clear, the qualitative methods used for this thesis contributed to that perspective.

4.1.1 (Snowball) sampling

As is common in qualitative research, my fieldwork was based on purposive sampling (Bryman 2012: 418). Contrary to random-sampling which is often used in quantitative research, purposive sampling is about finding informants in a strategic way and selecting them on certain criteria that are relevant for the specific research (questions). For my research, I selected my informants on certain criteria:

- they had to be queer or at least applied for asylum on the basis of their SOGI identity;
- they had applied for asylum in the Netherlands or were still in the process of getting asylum;
- the period between their IND interviews and my interview was not too long so that they were still able to remember how the IND interviews went and what their experience was;
- they had to speak Dutch or English (or we should be able to find someone that could translate).

There are various forms of purposive sampling. The one that I used for my research is 'snowball sampling'. This is a sampling technique in which the researcher starts with a small sample group and through these informants gets in contact with new informants that meet the criteria of the research (Bryman 2012: 424). Through the Dutch language school of my mother

I came in contact with seven informants that met the criteria which I needed for my research. Two of these participants brought me into contact with four other informants and through one of them I got into contact with three others. In total I had 14 interviewees that met the above mentioned criteria. Next to these interviews, I had two interviews with informants who (had) worked at the IND. One of them is an old classmate from my bachelor studies. Through her I got three names of former colleagues of hers at the IND. Two of them replied but only one was willing to do an interview with me. The other person gave me three other names but none of them replied. I also tried to contact the IND directly but I never got a response.

Before my fieldwork period started I contacted multiple organisations that are somehow involved with queer asylum seekers because I hoped to get informants via these organisations. From some of these organisations I never got a response (even though I tried with one organisation in Amsterdam via a personal contact) but two organisations replied. One was SHOUT Wageningen, which is a LGBTQI+ association that also has a department for queer refugees. Unfortunately, their AZC support commission was not able to find any contacts that were available to do an interview with me. The other organisation with which I had contact was LGBT Asylum Support. Our contact started already in the beginning of September and looked very promising. They were enthusiastic and supportive of research about queer asylum seekers and said that were willing to help me. However, after exchanging some emails the contact stopped. Right before my fieldwork period began I contacted them again and got an enthusiastic reply back. However, after exchanging emails, texts and calls the cooperation did not get off the ground and I was not able to get any informants through this organisation as well. The effect of my inability to get access through LGBT Asylum Support or one of the other organisations will be discussed in more detail in the discussion section at the end of the thesis.

As Bryman (2012) argues, it is difficult to decide what the exact sample size should be in qualitative research (p. 425). Together with my supervisor I decided before the fieldwork started that 15 interviews would be enough to gather the data that I need to answer my research questions. When I had been able to do interviews with IND employees as well, I would have considered doing more than 15 interviews since the scope of the research would broaden in that case. However, in view of not getting access to this research group, I finished my fieldwork period with a sample size of 16 informants because I gathered enough relevant information to answer the research questions and reached a level of saturation.

4.1.2 Qualitative interviews with queer asylum seekers

One of the most important aspects of qualitative interviews is that there is a lot of interest in the point of view of the interviewee, while in quantitative interviews it is more about reflecting the researcher's concerns (Bryman 2012: 470). As mentioned before, the topic of this thesis is the friction between self-identification and the identification by the IND. Therefore, by means of qualitative interviews, this study puts the queer asylum seeker's point of view and self-identification central.

Moreover, qualitative interviewing techniques provide more room for the gathering of detailed and specific/personal information. Especially with an intersectional approach and the theory of gender performativity, this detailed and personal information is highly relevant to understand the intersecting aspects that form someone's self-identification. Since the goal is not per se to find similarities but actually zoom in on differences, the maximisation of reliability and validity deemed important in quantitative interviewing is not the main focus here. Qualitative interviewing is also flexible since there is no need to standardise the approach to

every subject. This way, the interviewer can follow or steer towards the information that the interviewee deems important and gains a more detailed and unique picture of the aspects and intersections that matter for that interviewee (Bryman 2012: 470).

4.1.2.1 Semi-structured interviews

For this thesis I used two types of qualitative interviews. The first is semi-structured interviews, the most common type of interview in qualitative research in general and also the one most used in this research. A semi-structured interview is an interview whereby the researcher has a list of questions or specific topics that need to be covered, but during the interview, the interviewee has a lot of space in what and how to reply (Bryman 2012: 471). I conducted 13 semi-structured interviews during my fieldwork period which were guided by a list of questions that I wanted to discuss. The interview process was very flexible and I deviated from these questions many times in order to make the interview more specific to the interviewee and to put their narrative central. Often I also did not get to ask some of the questions because they were already answered by the interviewee while replying to another question.

As with the life history interviews discussed hereafter, I recorded and transcribed all interviews. Recording the interviews and not having to pay too much attention to writing elaborate and detailed notes during the interview made it possible for me to listen carefully to what the interviewee was saying and ask more specific and detailed questions about their personal narratives. It also helped to pay more attention to the context and how they were talking and not only listen to the content of what they were saying. Nonetheless, during all of the interviews I was writing notes by hand to have a back-up in case something went wrong with the recording. Writing notes was also tactically important because it showed that I was taking the informants seriously and that I was paying attention to what they were saying. It also helped me with formulating more specific follow-up questions during the interview and editing the transcripts afterwards.

4.1.2.2 Life history interviews

Another form of qualitative interviewing is *life history interviewing*. “A life history interview invites the subject to look back in detail across his or her entire life course” (Bryman 2012: 488). This form of interviewing helps to focus attention to the processual aspects of social life whereby it shows the unfolding and interrelationship of certain events (Bryman 2012: 489). By focussing on the total life of the interviewee, I hoped that it would contribute to a better understanding of how certain identity ‘performances’ came into being and in what kind of situations a specific identity is performed or hidden. Bryman provides a list of categories which were also relevant for my thesis: birth and family of origin; cultural settings and traditions; social factors; education; work; historical events or periods; inner life and spiritual awareness; major life themes; vision of the future; closure questions (Bryman 2012: 490). Moreover, I zoomed in on the theme ‘love life’, their migration process and their experience during their asylum procedure in the Netherlands. The overall goal of the life history interviews was to find out the situational aspects of asylum seekers’ performances; what prior experiences have asked for the performance or concealment of a certain identity and how does that affect the gender performance during the IND interviews?

Since life history interviewing is a very intensive form of interviewing – on average: two or three sessions of 1/1,5 hour each (Bryman 2012: 490) – I did life history interviews with only three people during my fieldwork period. I asked three of my informants if they were

willing to do such an intensive form of interviewing with me and they all agreed. Per informant I did two interviews of 1,5 hour each. The two interviews were separated into two parts. The first interview was a contextual interview about their performativity and experiences in the country of origin. The second interview was about their migration process and their experiences during their stay in the Netherlands and with the IND interviews. I selected these three informants because they were all very talkative, open and very much aware of their performances in various contexts, which made them interesting candidates for such a detailed and elaborate interview about self-identification and performativity. The last informant I interviewed was most interesting because he was one of my two informants that had their first asylum claim denied. Doing a life history interview with him was therefore extremely relevant for my data gathering.

4.1.3 Non-participating observation

Participant observation – which is a prominent method of collecting data in qualitative research – does not play a very big role in this thesis. The goal of participant observation is to get familiar with the group that is being studied and gain a deep understanding of their way of life among other things. There are various roles a researcher can take on, and the role that I had during my fieldwork period was that of non-participating observer with interaction (Bryman 2012: 444). I neither participated in my informants' core activities nor observed them in their daily lives. My main source of data gathering was through interviews, documents and literature. But while I did the interviews I made some observations as well. Before the start of the fieldwork period I had planned to do most of the interviews in the personal environment of my informants. First of all, I thought this was important because I wanted them to feel most comfortable since we talked about certain sensitive subjects. But besides that, it was also useful to see them in person, in their own context, with regard to the gathering of data through observations. The most relevant finding through observations was that most of my informants did not have their own house (yet) and were staying at a friend's or generous person's house in order to avoid having to stay in an AZC while they are waiting for a house. It was interesting that this was the case for many of my informants, but it made observations about their personal way of life more difficult because they were living in a different context themselves and had to adjust to this context. Only the time I got invited to do one of the interviews in a hostel where refugees are accommodated temporarily, data gathering by observations had real added value.

4.1.4 Collection and analysis of documents

Besides the literature study, whereby I collected and analysed academic papers and books on the theories and concepts relevant to the queer asylum seekers topic, there are also other documents that contribute to the research. With regard to these documents it is useful to make a distinction in the kind of sources that are relevant for this thesis. The most useful documents I gathered during my fieldwork period are some transcripts of the IND interviews that my informants shared with me. The informants have ownership over these transcripts and four of them suggested themselves to share the transcript with me. These transcripts are crucial for understanding what type of questions are asked by the IND during the interviews and really contribute to the data gathering about the content of the interviews since I was not able to observe an interview myself and could only read about it in literature sources. Next to that, official documents from the state or private sources (such as documents produced by LGBT asylum support) are relevant for more background information on the asylum process in general

or on individual queer asylum seekers more specifically. Lastly, there are also virtual documents such as websites or internet postings on social media that are relevant for this research.

4.1.5 Characteristics of informants

For the research, fourteen of my informants were selected on the basis of three criteria: they have applied for asylum in the Netherlands or were still in the process of doing so, they are 'queer' and they speak English or Dutch. Except for the two IND employees, all but one of my informants met these requirements. One informant did not speak English or Dutch very well (although she understood everything that was said) but her wife was able to translate her answers during the interview and it did not form an obstacle for the gathering of the information.

Some other characteristics of my informants that are interesting to mention, are their age, gender, ethnicity, religion and sexual orientation. Most of my informants were in their twenties or early thirties. Only one informant, Ayman, was in his early forties. The major difference between Ayman and my other informants with regard to their age, was that the younger informants fled with the idea of having a better 'future' in another country where they could built up a life while being openly queer, while Ayman was actually already content with the life he was living in his country of origin and did not flee for a better 'future' per se but out of necessity.

All of my informants identified according to the gender binary 'male' or 'female'. Out of fourteen informants, four of them were female. The other ten identified as male. Besides that, the four female informants identified as 'lesbian' and the ten male informants identified as 'gay'. The fact that lesbians and other gender and/or sexual categories are underrepresented in this study reflects the underrepresentation of gender and/or sexual categories other than 'gay' among asylum seekers in the Dutch society (Jansen & Spijkerboer 2011: 15). However, it must be acknowledged that it is a shortcoming of this research that not more gender and/or sexual identities are included.

Lastly, the ethnicity and religion of my informants are also important characteristics in this research. Eight of my informants came from countries where Islam is the main religion. However, not all of these informants identified as Islamic. Since these categories are more complicated and deserve more attention, it will be dealt with more elaborately in chapter 5. For now, it is helpful to know for the reader that eight of my informants came from Arabic speaking countries and six informants came from Russia.

4.2 Ethical consideration

For the ethical consideration before, after and during the fieldwork period I have used sources like the American Anthropological Association (2012) code of ethics, the code of ethics for research in the social and behavioural sciences involving human participants by the Deans of Social Sciences (2018) and the Research Ethics Guidance of the Social Research Association (SRA) (2021). All these sources stress that they should not be interpreted as dictating specific measures and procedures that every researcher can use regardless of time or place. Rather, they offer general ethical guidelines that can help all researchers to reflect on ethical issues revolving around specific research. Although the principles in the code of ethics differ a little bit per source, I will reflect on some principles that are relevant for my research.

4.2.1 Informed consent and being open and honest about the research

Informed consent means that the participants have understood the purpose of the research, know what their participation entails, and after this, participate voluntarily in the research (SRA 2021: 2). For me, this goes hand in hand with another principle mentioned by the code of ethics which is being open and honest about your research. For my research, I deemed both of these principles very important. I found most of my informants via other informants which made the informed consent a little less complicated. When one of my informants suggested another friend for me to interview, they always asked that friend first before bringing me into contact. Therefore, people that were not able or interested to do an interview with me were more free to deny the request because they had not met me yet. The people that were interested contacted me on their own accord (since they got my number through their friend) and agreed to do an interview with me after they got more information about the topic and purpose of the research. Only in one case someone agreed to do an interview with me but cancelled a few minutes before the actual interview because of personal reasons. Except for the information that I gave my informants when we came in contact, I also explained the topic and purpose of the research again before the start of every interview. After this I provided some space for questions before I would start the interview. However, it must be stated that it is always very difficult to provide the informants with all the information that they need to make an informed decision about participating in research.

The consideration of being open and honest about the research in relation to not giving away too much information that might influence the informant's input or disrupt the daily context (Bryman 2012: 139) was not that difficult in this specific research. For me as a researcher there was no need in taking on a covert role in the interaction with my informants. Furthermore, I was alone with the informants in almost all cases and therefore no other people were (in)directly involved in the research that were not aware of my identity as a researcher. Only in one case – when I was invited to do the interview with my informant at a refugee hostel in Amsterdam where he was residing – the people that I encountered in the hallways and shared lounge were not aware of my identity as a researcher. I did not have any interaction with them and except for some observations they do not play an important role in this research.

4.2.2 Confidentiality and anonymity

For most of my informants confidentiality and anonymity are very important in their situation. They have fled their country of origin because being queer was problematic there and some of them are still keeping this silent from relatives or friends that live in the country of origin. While some of my informants were neutral about being anonymous or not, others specifically asked me to stay anonymous. To avoid their queer identity being exposed to the wrong people I have decided to anonymise all of my informants and use pseudonyms to refer to them in this thesis. Next to the fear of their queer identity being exposed, some of my informants also expressed a fear for the IND or other parties involved in immigration (such as COA) when they would critique them during the interview with me. Although all of my informants (except for one) already got a positive decision, there was a fear among a few of them that expressing critique would maybe influence their integration process (for example: getting a house through COA) or even reverse the positive decision into a negative one. It is highly unlikely that the IND or COA would follow up on individuals expressing critique. Nevertheless, I take these concerns seriously and therefore decided to anonymise everyone in order to preserve confidentiality.

Anonymity and confidentiality are closely related but are not the same. Anonymising my informants is not the only relevant action to ensure confidentiality. It is also necessary to reflect on other information that may disclose someone's identity. For example, for one of my informants it is of utmost importance to not disclose the name of his country of origin. Since there are not many queer asylum seekers from his country, mentioning where he is from would expose him very easily. Next to that, three of my informants asked me to not write down a specific story about their love life because they talked about former lovers and were afraid that this would have personal repercussions. In order to deal with every informant's shared information as carefully as possible, after every interview I asked the informants whether they had told me something they did not want me to mention in my thesis. I also told them that if they did not think of anything right away, they could always contact me afterwards. I noticed that specifically asking this question at the end of every interview helped the informants to think about and reflect on the information they provided me one last time. Since many of them really stopped, reconsidered and then came back to me with an answer, I am positive that my informants did not share anything that they later on came to regret. The self-identification of my informants is central to this thesis, so the information that I will share here is personal, but, confidential to the degree that my informants are comfortable with.

4.2.3 Avoiding harm

According to the AAA code of ethics (2012) it is "a primary ethical obligation" for researchers to do no harm. The definition of harm is very broad and therefore it is necessary to reflect on what this might mean for my specific research population. Before and during my fieldwork period, I was mostly worried about the mental impact that my interviews might have. As became clear while reading the literature and also during the interviews with my informants, asylum seekers experience the interviews with the IND as intense and tiring. These interviews can take up to 6 hours and a lot of personal traumatic issues are discussed. Therefore, for me it was very important to make it clear to my informants that my interview with them was not a repetition of the IND interview. I did this by:

- doing most of the interviews in a setting that was familiar to the informant (preferably at their house);
- telling them multiple times (also during the interview) that they did not have to share any information about which they did not feel comfortable;
- structuring the interview more like an informal conversation (by going with the narrative of the informant) instead of only asking questions according to my preparations;
- formulating my questions and reactions in such a way that the informants did not feel judged or obliged to give a (correct) answer.

From my perspective, this approach worked very well. I gained the trust of all of my informants and I do not think I caused any harm with regard to their mental wellbeing. In one case the informant told me a few minutes before the interview that a long interview would be too stressful for him. He only wanted to have a 20 minutes conversation online because otherwise it would be too much. Even though I was not prepared for a 20 minutes interview, I thought it would be interesting and I started by only asking some questions about his experience during the interviews with the IND. We had a great conversation and after 30 minutes I told him that I did not want to bother him anymore and that 30 minutes had already passed instead of the 20 minutes we agreed on. However, he said that he was actually enjoying the conversation and he

liked to continue. We ended up talking for more than an hour. This is just one example but it shows the reciprocity that I felt during all of the interviews.

Another form of harm with regard to my research participants is related to what I mentioned above about exposure of my informants' (hidden) queer identity. Exposure of their queer identity would cause serious harm to most of my informants and must therefore be avoided at all times. Next to that, I was also worried, before the fieldwork period started, that I would encounter informants that were not yet totally comfortable with their own sexual orientation or gender identity and I asked myself how I would deal with this during an interview. Luckily, none of my informants had any doubts with regard to their sexual orientation or gender identity and talking about these subjects was therefore not an issue in itself. Nonetheless, linked to the notion of informed consent and avoiding harm, is also the ethical concern of invasion of privacy (Bryman 2012: 142), and this was something that was an important aspect of the ethical considerations during my fieldwork period. Putting self-identification central to the research brought some very personal and delicate narratives to the fore during the interviews. It is not only important to deal with this information in a respectful and confidential way retrospectively, but during the interviews I also repeatedly mentioned that they did not had to share anything they did not want to share. As already mentioned, I also gave them the opportunity to withdraw any shared information after the interview was finished. Since most of my informants really took a moment to think about this question and in some cases actually withdrew some of the things that they shared with me, I assume that the information that I am allowed to share is not invading their privacy (as long as I take the ethical principles of confidentiality and anonymity into account).

4.3 Researcher positionality

According to Holmes (2020), researcher positionality both describes 'where the researcher is coming from' – the individual's worldview that is formed by ontological and epistemological assumptions - and the position that the researcher adopts within the research and context (p. 1-2). The positionality of a researcher influences the research, but instead of trying to eliminate the effect of the researcher, a reflexive approach helps to acknowledge and disclose the researcher's positionality in order to understand what this influence on the research entails (Holmes 2020: 3). Identifying the researcher's positionality is not an easy process: "no matter how critically reflective and reflexive one is, aspects of the self can be missed, not known, or deliberately hidden" (Holmes 2020: 4). It is important to acknowledge that all research is influenced by the researcher and that it is not possible to obtain and produce completely 'objective' knowledge (Ibid.). Finding one's positionality leads to the insider versus outsider debate (Manohar et al. 2017 & Holmes 2020). Hereby, Holmes points to the implication that it should first be considered whether the concept of 'insider-outsiderness' is perceived as a dichotomy or a continuum (Holmes 2020: 7). This implication is where I will start finding my own positionality. I perceive the insider versus outsider debate as two poles of a continuum because I do not believe that a researcher can be classified according to one position. I have noticed that my position as a researcher shifted back and forth from an insider to an outsider position during my fieldwork period or even more specifically, during the interviews. As a researcher, I have multiple characteristics and positions whereby the insider or outsider position also varies in every contact with my informants. While some informants were Muslim or Christian (where I had an outsider position), with other informants I could talk about similar beliefs or spirituality (where I adopted more of an insider position). Therefore, I could argue

that in order to find my research positionality, I could do this for every interview separately. However, I will reflect on my positionality in relation to some general characteristics and positions of my informants that I think matter most with regard to my own influence on the research.

4.3.1 Gender identity and sexual orientation

Before or during the interviews, I have never explicitly talked about my own sexual orientation or used this as a starting point for gaining their trust or narratives. However, I did not hide it either (for example: when it was relevant or fitting during the interviews I did speak about my own experiences) and I am pretty sure that all of my informants were aware of my identity as a lesbian woman. I assume this because of the “gaydar” of my informants. This term (combining the words “gay” and “radar”) refers to “the (assumed) intuitive ability of a person to assess others' sexual orientation based on verbal and non-verbal cues” (Murray 2016: 481). The way I dress, talk and think about certain topics (the verbal and non-verbal cues) give away my lesbian identity very easily. Thus, it is likely that my informants were aware of my identity and I think that this has influenced our interaction because it made me more of an insider in their SOGI based struggles. It is a shared experience that was not explicitly stated, but was understood by both parties. It probably made it easier to talk about their SOGI identity because they did not have to worry about my condemnation of queerness, something they have had to worry about their whole lives already. On the other hand, my own queerness was also something to be cautious about. It is easier to make certain assumptions about SOGI based struggles when I have experienced those struggles myself, which entails the risk that I did not follow-up on certain answers because I assumed to know what it meant. But with regard to my other positions, such as my lack of knowledge about the informants' cultures, the assumptions that I made could have been/were biased.

4.3.2 Liberal point of view

Because of my family and environment, I grew up with a pretty liberal view on certain topics such as sexual orientation and gender identity and I was even encouraged to have this view. Most of my participants did not grow up with this point of view but developed this during their life. For many of them, this liberal perspective is also a crucial point for leaving their country of origin in order to live freely as a queer person. Having this liberal view in common (which became clear by the topics we discussed during the interview, such as political notions about queerness for example) created a certain understanding between the informants and myself and made it easier to talk about their struggles with people that did not share this liberal view. We could talk about the same norms and values and bringing those up did not lead to uncomfortable confrontations. Some of my informants followed a certain religion but in combination with their liberal view, this also did not lead to a rift because we both respected each other's beliefs and ideas. Before my fieldwork period started I was already aware that building a relationship of trust and mutual respect would be very important with this specific target audience. And I think that having a shared liberal point of view created a form of trust and openness during the interviews that was pleasant for both parties.

4.3.3 Culture

With regard to cultural characteristics I was an outsider in all of the interviews. Although it is often argued that being a cultural insider is a better position to gather data (Manohur et al. 2017:

8), being a 'curious' outsider also helped to ask more specific questions about how their culture influenced their personal experiences and maybe even made my informants more talkative because they had the feeling they needed to inform me due to my lack of knowledge of their culture. Since self-identification is central to this research, having no assumptions and not much knowledge about someone's culture might have given the informants more space to express themselves. On the other hand, as an outsider I might have interpreted information in a different way while an insider would understand it naturally.

When I made the list of questions before the fieldwork period started, I tried to reflect on Western assumptions in my way of questioning. Examples of such assumptions are that queer people have always suffered an inner conflict with regard to their sexual orientation or gender identity or that queer people are familiar with and identify by one of the categories from the term "LGBTQI". These assumptions/stereotypes do not apply for every queer person and culture is one of the factors that can play a part in the variety of identification processes. Therefore I tried to avoid asking questions with the term LGBTQI in it, unless they had already explicitly identified themselves according to one of these categories. I also did not assume that they have had an inner struggle and only asked this/talked about this when it seemed relevant within the narrative of the informant. In general, I always tried to adjust to the terminology of my informants during the interviews and build on their self-identification in order to respect their (cultural) diversity.

4.3.4 Shared experiences

In relation to shared experiences I was more of an outsider as well. The incidents that my informants have experienced in their country of origin, their decision to leave everything that they know behind, their experiences in an AZC and during the interviews with the IND, are all experiences that I cannot relate to myself. Especially their negative experiences in the Netherlands (during their stay in the AZC or in the IND interviews) gave me a little bit of an uncomfortable feeling. They came to the Netherlands because they expected that their queer rights would be respected in the Netherlands. Since I am already familiar with Dutch culture and lifestyle, I know that even in the Netherlands queer rights are not always respected by everyone or everywhere. However, I have (had) the privilege that I could (and still can) avoid those people or environments most of the time and I have not experienced the same violation of my rights in my life as many of my informants and other queer asylum seekers have endured even when they already were in the Netherlands. So when they talked about their negative experiences in the Netherlands, I was even more aware of my privilege; I did not only grow up in one of the world's queer-friendly countries, but also within this country I have the privilege of not encountering violation of my queer rights. In a way, the violation of queer rights felt closer to home but my feeling of sharing a queer identity with my informants felt weaker because of the differences in experiences.

On the other hand, talking about their negative experiences in the Netherlands also evoked a different feeling in me that I was not even aware of having: nationalism. Although I am aware that even in the Netherlands the rights of queer people are sometimes violated, I am quite proud of and happy about the freedom for and acceptance of the queer community in the Netherlands. When my informants complained about the situation in the Netherlands, it evoked a feeling of being insulted and I found it unfair that the Netherlands was critiqued as a whole, while the queer rights are most of the time violated by specific people/groups or in certain situations. On top of that, the Netherlands accepted my informants exactly because of the conviction that queer

asylum seekers who are not safe in their own country must be protected, and now they were judging the country that provided this protection. It did not feel right to me. The first time this feeling came up was already in my second interview. I talked about my feelings with my parents afterwards and that helped me reflect. As I already said, I have the privilege of not having (really) negative experiences with regard to my queer identity, while my informants did experience this even in the Netherlands. Next to that, I cannot understand the hope and expectations that my informants had when they came to the Netherlands. When reality turned out to be different than their expectations were, of course that was reason for not being satisfied and to start complaining. After the second interview I encountered this critique from my informants (and the feelings it evoked within me) many times more. My way of dealing with it was not to start a discussion about it or stand up for all the positive that the Netherlands as a country has already accomplished with regard to queer rights. I accepted the complaints and tried to reflect on my own triggered feelings by putting their critique into perspective and trying to understand where it was coming from rather than judging it.

Findings chapters

In order to answer the main research question – *“How do queer asylum seekers experience and deal with the friction between self-identification and identification by the IND during their asylum procedure in the Netherlands?”* – it is necessary to find out first what this ‘self-identification’ and ‘identification by the IND’ entails for queer asylum seekers. In these findings chapters ‘self-identification’ is analysed by setting apart three settings that came to the fore during the interviews with my informants: the circumstances and incidents they experienced in their home country; their stay in the AZC during their asylum procedure; the interviews with the IND. In all three settings, the performance of their identity was different but interrelated: in order to understand the self-identification during the interviews with the IND it is necessary to understand their performances during the other two periods in their lives as well. The findings chapters together will answer the two sub-questions: *“How do prior experiences and other intersecting social categories play a role in the way queer asylum seekers perform or construct their identity during their asylum procedure?”* and *“In what way is self-identification by queer asylum seekers during their asylum procedure influenced by the expectations and identification by the IND?”*.

Besides that, the third findings chapter will also answer the background question *“How does the credibility assessment of queer asylum seekers’ claims by the IND come into being?”*. Here, the ‘identification by the IND’ will be analysed in relation to the self-identification of my informants.

The findings chapters consist mainly of an analysis of the information that I gathered during the interviews with queer asylum seekers. Especially in chapter 5 the life history interviews with three of my informants were most valuable because in these interviews, the life in the country of origin was discussed far more elaborately than in the other interviews. However, by and large, there is a good balance in the use of the various interviews with the queer asylum seekers. Overall it can be said that the starting point of the findings chapters is the perspective of the queer asylum seekers. Only in the third chapter, the two interviews with (former) IND employees are incorporated as well, to include the IND’s perspective in the decision-making process.

Chapter 5 Performance in the country of origin: hiding queerness

This chapter will start with a brief outline of the contexts of my informants' countries of origin. Since the cultural background is not the only category defining my informants, from then on, my informants will not be divided by their country of origin anymore and the focus will shift to the individual narratives. With this in mind, the social and religious contexts of my informants are discussed since these two social categories often came up during the interviews. The information about my informants' contexts make way for understanding their performativity in the country of origin which will be discussed in the fourth section. After this, the indirect and direct reasons to flee provide the connection to the next chapter and create an understanding of how my informants ended up in the asylum system. This chapter is concluded by partially giving an answer to the first sub-question.

5.1 Country of origin contexts

Most of my informants fled from Russia (6) and Lebanon (4), and the 4 other informants came from three different Islamic countries in the Middle-East. This paragraph is mostly constituted from the information that I gathered during the interviews with my informants. External information (such as online or literature sources) is deliberately left out to create an outline of the context from the perspective and experiences of my informants specifically. Especially the life history interviews were valuable in these paragraphs because in these interviews the starting point was the experiences and the performativity in the country of origin.

5.1.1 Context of Russia

My Russian informants described Russia as a conservative country where heterosexuality is regarded as the norm. It was dangerous for them to be 'themselves' because queer people are faced with a lot of discrimination by the government, police and citizens. "In Russia homophobia is a usual thing. It is something which is always there. It is average among the Russian population" (Interview with Vigo, February 9, 2022). Same sex couples are not allowed to marry and even when they get married abroad, their marriage is not acknowledged within Russia. My informants mentioned the federal Russian law that was adopted in 2013, which is widely known as the 'Gay Propaganda' law. The law was adopted to ban "propaganda of non-traditional sexual relationships among minors" (de Kerf 2017: 36). Although the law is said to protect children from information that advocates a denial of traditional values, in practice it meant a reinforcement of stigma and the encouragement of homophobia and discrimination (Rankin 2017). For none of my informants this law was a direct reason to flee from Russia, but they did notice the consequences through increasing discrimination and homophobia. The degree of oppression differs per region and/or city. In the South of Russia there are some Russian republics that are very strict. Especially Chechnya is known for the abuse and killing of queer people by the government, police, family members or other people from the community (ECCHR 2021: 2). While in bigger cities, like Moscow or Saint Petersburg, there are gay clubs and the queer community is somewhat more vivid. However, as the following quote of one of my informants shows, even in Moscow the attitude towards the queer community that he experienced was not much better (see example box 5.1).

Example box 5.1

V: is Moscow somewhat more open for the gay community than other parts of Russia?

I: I consider it a stereotype. I consider it a stereotype because it's more open in practical way. More gay clubs. And just more gay because more people living there. So, practically more gay places to go. But people are still the same. People are still the same, but maybe a little bit some people are more liberal. But I think statistically, overall, Moscow is the same dangerous as other places. Yes. Maybe some people are better in Moscow. Yeah. But if you will add migrants from some countries that are aggressive in Moscow. Overall, Moscow is the same.
(Igor, December 24, 2021).

Five out of six of my Russian informants moved a couple of times within Russia to try to improve their circumstances before leaving the country. But wherever they moved they faced discrimination and oppression. A Russian lesbian couple that I interviewed rented a house together but got into problems with the landlord because she suspected them of being a couple and therefore terminated their contract. Another homosexual couple experienced this problem as well: “we had to change our addresses sometimes. We could not settle down in any house because after a lot of suspicious and fear of course” (Interview with Ali, December 24, 2021). For none of the five Russian informants moving helped to create better circumstances for themselves. In the end, migrating within Russia could not provide them enough safety (anymore) and they felt like they had to leave Russia.

5.1.2 Context of Lebanon

The four Lebanese informants talked mostly about Beirut when I asked them about Lebanon. One of them moved from Tripoli to Beirut when he was in his twenties and he told me that there are differences between cities and regions with regard to the attitude towards queer people in Lebanon. In Tripoli there are a lot of Islamic people and the vast majority is homophobic. However, when he moved to Beirut, which is more liberal according to my informants, he still had a hard time living there because he endured a lot of homophobia there as well. The Lebanese religious diversity of Muslims and Christians is represented in Beirut and makes life for queer people difficult.

The other three informants grew up in Beirut. What all of them mentioned to love most about Beirut is the combination of the beach and sun on the one hand, and having mountains close by on the other. Besides that, they said that Lebanese food, shopping malls, hospitality and festivities were amazing aspects of their cultures.

When it comes to the attitude towards queer people, my informants were all less positive about the Lebanese culture. They all encountered homophobic and discriminatory behaviour from family, friends and other people in their surroundings. One of my informants told me that it is forbidden to have ‘un-natural’ sex and that it is punishable by at least one year of imprisonment (Interview with Majid, January 11, 2022). And although there are some places to go to for the queer community, overall, this needs to be done with a lot of discretion and secrecy. For example, in some gay bars it is not allowed to take pictures to ensure everyone’s safety and anonymity (Ibid.).

5.1.3 Context of Middle-East countries

The remaining four informants came from three different countries in the Middle-East. For one of my informants it is of utmost importance that his country of origin is not known, otherwise it would be easy to trace his identity. Since the other two countries are also exceptions in this thesis I have chosen to leave out the country names as well to make sure that my informants are

not traced back easily. Since the reader does not know where these four informants are from, this sub-paragraph provides some relevant information that goes for all three countries. More information about the specific country is not needed at this point and will be discussed further on whenever it is necessary for understanding the individual's narrative.

The remaining three countries of my informants all criminalise queerness – it is illegal and punishable by imprisonment and, in one of these three countries, also by death. In all three countries Islam is the official state religion. However, the Islamic religion did not seem to play a prominent role in the lives of my informants and we hardly talked about it. Two of them are atheist, one was a Christian but is not practising anymore and the fourth grew up with the Islamic religion but after he started to think independently (around the time he was 18) he stopped being religious. This last informant argued that the negative attitude towards queerness was more cultural than religious. He said that the word Muslim is just written on everyone's ID when they are born but many people are not all that religious. So the way people think about homosexuality is more from a cultural perspective than from a religious perspective. For example, Ayman had two Christian friends that also always had to hide their sexuality. When he told me this he repeated three times: *“culture is more important”* (Interview with Ayman, January 31, 2022).

Since the above mentioned context of Russia and Lebanon already show that attitudes towards the queer community differ per region and even cities, I will not try to generalise the context of these three different countries in the Middle-East any further. More relevant information about my informants' contexts is provided in the discussion of their personal narratives.

5.2 Social context

From here on, the focus shifts from a categorisation according to the country of origin towards the individual experiences and examples of my informants. Although there are many social categories that play a role in the lives of my informants, given the scope of this research, the social categories that came up the most during the interviews will be outlined here. The interrelation with family, friends and the wider queer community in the country of origin are important aspects of my informants' lives and need to be discussed in order for the reader to understand the performance that was constituted in the country of origin.

5.2.1 Family

In all of the interviews, informants talked about their families as an important aspect of their lives. Where some have very warm and loving feelings when they think back to their parents or other relatives, others do not or have at least very complicated relationships. Most of my informants kept their gender identity and sexual orientation hidden from their family out of fear for negative reactions or punishment. Some of them have never told their parents until this day. Others came out to their family when it was no longer possible to hide their identity due to external factors (see example in box 5.2), or when they accepted themselves for who they are and did not longer care about the opinion of their family (see example in box 5.3). Seven of my informants opened up about their identity to at least one family member that they trusted. My other informants did not mention whether they told anyone in their family so it is possible that they did as well but that I do not have this information. Regardless, during the interviews it became clear that all of my informants were very careful about whom they entrusted with their 'secret' identity. Especially support from (one of their) family members was very much

appreciated by my informants and in every case, the bond between the family member that was supportive and the informant was very strong. A clear example of this is the bond between Pamu and his sister. Pamu's sister suspected his homosexuality already before he told her about it and she has always been very supportive of him. Pamu told me about the great relationship he has with his sister and that she was the first one to tell him that being gay is not a problem and he did not have to worry about it. Also in the narratives of my other informants it became apparent that family members standing up for them, protecting them and accepting them really made a difference in their lives.

What is really important to mention about this subject is that the need for a 'coming out' in general, and the way of coming out more specifically, differed per informant. Jansen (2019) argues that it is often assumed (by the IND) that a person that has opened up about his/her sexual orientation or gender identity to one person, is also 'out' towards others (p. 121). "This expectation is based on the stereotypical idea that coming out is a one-off event, but in reality every new contact requires that a new decision is taken" (Ibid.). It is crucial to understand this in light of my informant's narratives, but also for queer asylum seekers in general. My informants had either no choice or chose very carefully about whether or not to come out and to whom. Where the example of Mahmood (box 5.3) shows that he decided to come out to his whole family, other informants chose a more discreet way of coming out or they actually did not say it in so many words but their family just knew and did not talk about it. In some cases, when the immediate family knew about the sexual orientation but had the idea that it brought shame to the family, it was not something that they would discuss out in the open with other people. In that case, the 'coming out' would only extend to the close family and would not affect more distant contacts/relationships. These examples show that coming out is not a one-off event but that it differs per informant and per informant's circumstances and relationships with others.

Example box 5.2

An ex of Pamu blackmailed him for a while, threatening to tell Pamu's family about his sexual orientation. When this blackmailing really escalated, Pamu decided that he would tell his family (mother, brother and sister) himself and took them out to a restaurant for dinner. He wanted to tell them in a public place to avoid an overreaction. When he told them, they immediately asked for the bill and left without finishing dinner. In the car his brother punched him and they had a big fight. They went back to the house, where Pamu had set up a backup plan. Before dinner, he had packed a bag with all of his important belongings. He went up in the room to get the bag, went out of the house through the backdoor and left for his best friend's house. He already had the visa for the Netherlands arranged for February and stayed at his friend's until then.

(Pamu, January 22, 2022)

Example box 5.3

Due to an incident at work Mahmood's parents found out about his sexual orientation and Mahmood decided to leave Lebanon. But while preparing for leaving he decided that he wanted to let his whole family know about his sexual orientation because they had given him a hard time growing up. The following quote displays Mahmood's confidence in relation to his family:

"Now really I don't care at all. Because everyone knows I'm gay now. Because I told them loudly because they had some question marks. So I told my dad, I want the whole big family to be there, on that day, on that time. So they did. And then they told him loudly that I'm gay."

Some of them they knew because they felt it, but I really don't care. And when I say I don't care, I really don't give a shit about it. Some of them were really shocked. Or they act like they were shocked. They start to talk about religion and blablabla. Then I was like, that's me. If you like it or not, you have to deal with it. If you like it I will be happy to stay in contact. If you're not happy you can cut the contact from now. And some of them they did this. Few of them they kept the contact as in 'hello, how are you', one in two weeks. But I don't contact anyone, no one. If they want to contact me okay, I will reply of course, I will be polite. If they don't, I don't care."

(Mahmood, January 17, 2022)

5.2.2 Friends

Information about the role that friends played in my informant's lives I got mostly from the life history interviews. In the semi-structured interviews I did not ask for relationships with friends specifically and in most interviews it was also not a topic that was discussed very elaborate on its own. In the life history interviews my informants touched upon the importance of trust in friendships. As stated before, all of my informants chose very carefully whom they entrusted with the truth about their sexual orientation. This does not only go for family members but was even more important in their friendships. Majid, Mahmood and Pamu did not (easily) talk about their homosexual feelings or relationships with their friends when they were younger. They got bullied at primary school and sometimes still in high school as well but they did not understand at that time *why* they got bullied and why it was hard for them to make friends. The three of them mentioned that it was easier for them to be friends with girls than with boys. On the one hand, this was because they liked the activities and conversations with female friends. But more importantly, they felt safe when they were surrounded by girls:

V: can you tell me more about this? Why was it a nightmare [to go to a high school for boys only]?

M: well....I am a homosexual and I did not accept myself back then. So I could not do anything or say anything. And I went to a school with only boys. What am I supposed to do?! I needed girls to feel a little bit safe. To sit with them. (Interview with Majid, January 11, 2022)

Interestingly, in many of my informants' cases it was in the contact with friends that they found out that they had homosexual feelings. For example, Ayman knew he was "different from other boys" since he was around 11 years old. At that time his classmates and friends were always interested in and talking about girls and he was not. When he was walking down the street he was always attracted to other boys. "*I felt that I am just a [the only] person in the world that is attracted to other men. So I felt myself that I am different from other boys. Why am I not attracted to girls? Why am I not like this?*" (Interview with Ayman, January 31, 2022). When he was 16 he had his first sexual contact and only when he was around 20 years old he was on the internet for the first time, he got to know himself better and came into contact with other gay people.

In other cases, my informants learned about their (homo)sexuality in actual contact with a friend. Pamu had a best friend in boarding school with whom he always acted in a "normal friends way" during the day, but at night their sleeping beds were next to each other and they sexually experimented with each other. The same goes for Majid, who had a friend in the neighbourhood that showed him gay porn for the first time and when Majid noticed he liked this, they also experimented together. Both Pamu and Majid did not experience this as a 'gay relationship' and did not even fully realize at that time what it meant. So, although "in Dutch

asylum practice the assessment of truth in a stated sexual identity is mainly based on presumed, set processes of awareness and self-acceptance” (Jansen 2019: 82), all three narratives show that getting to know oneself is a complicated and unclear process itself. For some this (un)consciously happens in the interaction with others while for others an awareness process might be absent for a long time or even for the rest of their lives.

5.2.3 Queer community

Another social factor that played an important role in the lives of my informants is the interaction with the broader queer community. The reason for this is twofold. On the one hand, their personal lives – when it comes to dating or finding like-minded people/friends in a queer-unfriendly context – were affected by the extent to which the queer community was present in their environment. For all of my informants, dating or getting to know other queer people was not easy. Given the queer-unfriendly context, being openly queer was not an option for my informants which made it harder for other queer people in their surrounding to know about their mutual interest. This is of course a two-way-street since other people hid their identity as well, making it hard for my informants to assess who is queer or at least positive towards the queer community. The internet and dating apps play a major role within the queer community (in queer-unfriendly contexts). For my informants the internet and dating apps were online places where they could meet like-minded people without being directly exposed in public. However, the internet and dating apps also carry a risk and my informants had to be very careful. The biggest problem was that they never knew for sure who was on the other side of the online interaction. Pamu explained to me that he heard about a lot of people getting killed or beaten up after meeting up with their online contact that did not turn out to be who they thought it was. After hearing these stories he did not trust it anymore and it made him really careful. Before meeting someone in real life through a dating app he always first gave them an email address for skype and video called a few times. After this, he first met a few times in a public place before inviting someone over to his house (Interview with Pamu, January 22, 2022). But even more dangerous is that not only queer-unfriendly civilians go online to harass queer people, the police did too in some of my informants’ cases. Both Ayman and Zemislav expressed how careful and scared they always were when it comes to the use of the internet or dating applications because they were afraid that the police were behind the profile that they were talking with. The example in box 5.4 shows that the police can even track queer people down that are not connected directly to the police’s fake queer profile but that it is already dangerous when they have a match with someone that has matched with such a fake profile because when arrested they go through their phone and track other queer people. Ayman said that it goes even further than only online tracking. He never had any video’s or other content on his phone that was related to his homosexuality (or just homosexuality in general) because if something would happen to him [unrelated to his sexual orientation], the police would go through his phone for files, pictures or video’s. If they would find queer content then, the person taken in for a problem or just a small arrest could get into serious trouble for being queer (which is punishable by death in his country of origin).

Example box 5.4

Z: in the Netherlands it is easy to meet someone. You can look someone up in your phone. It is not difficult. But in Russia it is difficult. There are a lot of fake accounts. Especially for

LGBT persons. So when you are texting with someone, you don't know who is on the other side. Maybe it is the police trying to get you. So that's why it is very difficult.

When you want to meet, then the police might arrest you.

V: did you have this problem yourself?

Z: yes I also had some problems with the police. When the Russian government started to get political about not wanting LGBT people anymore in the country - in every region this started - the police started to arrest people or give people a reason to go to another country because they don't want these people [LGBT people] to stay in the country.

[...]

V: and when did it start that you were having problems with the police?

Z: it started in 2017.

They put police people in a LGBT app. And when connected to one person, they found another guy with whom he was connected. And then I started to have problems. I also was connected with some LGBT peoples and then I started to have problems. And everyone that is having problems with the government like this, go to the EU. A lot of friends went to the Netherlands, Germany or Canada.

(Zemislav, December 19, 2021)

The second reason why the queer community is such an important factor in my informants' lives is because of the activism. In Lebanon homosexuality is strongly associated with HIV. Creating awareness about HIV and the negative connotation with homosexuality through NGO's or other queer organisations was an issue that is close to the hearts of Soufiane and Mahmood. Pamu mentioned that it gave him a lot of hope when the Gay Pride would be organised in Beirut, but unfortunately it was cancelled. Nevertheless, that such an event almost happened in Beirut was a very big deal to Pamu. This resembles the feelings of Mandisa and Amunet when the rainbow flag was raised for the first time in their country of origin. In this case it did not have the positive effect that they had hoped for but beforehand it was a sign of hope and trust that something like this happened. Both for Majid (Lebanon) and Zemislav (Russia), queer organisations in their country helped them with some psychological and practical problems and also brought them into contact with other queer people. All these examples show the importance and involvement of the queer community in the lives of my informants.

5.3 Religious context

Lastly, religion played an important role in the lives of my informants back in their countries of origin as well, whether direct or indirect. During the interviews it became apparent that a distinction can be made in the relation between religion and queerness: in some cases it was clear that religion and queerness had a very complicated or even destructive relationship, where in other cases, religion and queerness go hand in hand.

5.3.1 Religion versus queerness

As already mentioned before, all of my informants grew up in queer-unfriendly countries and the negative attitude towards queerness has partly to do with the religious backgrounds in my informants' environments. Queerness was often seen as a sin by my informants themselves when they were younger or by family or other people around them. Although most of my informants found their own way of dealing with religion in relation to their queerness, Soufiane explicitly stated that religion and queerness do not go together for him. Even until today he has

problems with the Islamic attitude of his family and the way they think about homosexuality. For him it is hard to understand that a lot of people sin according to the Islamic beliefs but that it is not a problem for them as long as it is ‘under the table’. So in that line of thought, he could be gay as long as he would hide it. For him this is not a religion that he wants to follow; “I will follow what represents me” (Interview with Soufiane, January 21, 2022).

For others the relationship with their religion is somewhat more complicated. At the time that Ayman had his first sexual experience he was still religious, which made him feel very guilty because in his eyes he committed a sin and God must hate him because of it. He described himself as not religious anymore but interestingly, during the interview he mentioned that he always used to wonder about the question “if God created me like this, why would he punish me for those feelings? It is not my fault. It is not my problem” (Interview with Ayman, January 31, 2022). Besides that, he took comfort out of the words of a homosexual Mullah who said: ‘God created me like this and I am sure God will never punish me because of his creation’. Ayman found his own way of establishing a relationship between God and his homosexuality, outside of his former religion. This also goes for Mahmood, whose mother is Christian and his father is Muslim. For him, his faith is a mix between Islam and Christianity: “I love everyone, I hurt no one, I don’t steal. I am trying to be a good person. In how I treat people. That’s for me the religion. For me there is one God and if you don’t do anything bad to people then you will be okay” (Interview with Mahmood, January 17, 2022).

5.3.2 Religion and queerness

On the other hand, there were also informants for whom religion was an important aspect of their lives and for them this went hand in hand with their own sexual orientation. Pamu is a great example of this perspective. Pamu grew up in a Christian family but his parents were not really strict about it. For him, his religion was more of a lifestyle when he grew up. He went to a Christian boarding school and after high school he decided to go to a community group because this was also a way to make friends. By the time he went to the community group he was already more aware of his sexuality and behaviour and he thought that he might be cured when he would go to church or when he would commit himself to these kind of activities. But at a certain point Pamu decided that his homosexuality does not relate to his religion or whether he is going to believe or not. He is a believer but in his own way. He is not going to follow the way that is often taught, but he follows his own instinct on how he believes in God. For others, God is very strict, has rules and does not accept certain people. But for Pamu, God is a loveable person that accepts and forgives. This perspective on religion has been his base already since the moment that he started believing. He has had a lot of struggles with it growing up, but when he met a priest that was supportive of his sexual orientation he was strengthened in his religion as well as his identity. As a result, his confidence grew. In the end, this is also what helped him to come out to his family. Although the example of Pamu is very personal and specific, it gives a good impression of the possibility of a positive relationship between religion and queerness. Other informants found their own way in this as well.

5.4 The ‘mask’ in country of origin

In this section, the performativity in the country of origin will be discussed by means of various examples. The use of multiple examples is important because the performativity of my informants is a highly individual process that cannot be generalised that easily. It is important for the reader to see the various processes in order to understand how someone’s identity is

constituted in the country of origin but also how this eventually affects the performance of each individual during the interviews with the IND.

Given the contexts that my informants lived in, it was dangerous and scary to be open about their sexual orientation and/or gender identity. What is crucial to understand here, is that each of my informants found their own way of navigating through this challenging and dangerous context by means of a certain *performance*. This performance is an unconscious process in certain contexts or situations (it became a behavioural pattern that the informant was not even aware of sometimes), but overall it was also definitely a conscious process. The latter became very clear through the terminology that each of my informants mentioned during the interview to describe how they constituted a certain role to fit in their heteronormative context (see example box 5.5). During the interview I used the terminology that was used by that informant, to stay close to the narrative of that informant. But from here on, I will take the term “mask” to capture the variety of terms used by my informants unless the specific term used by one of my informants is relevant for the argument.

Example box 5.5

The terminology that my informants used to describe the role they played in their heteronormative and queer-unfriendly contexts:

Igor	“second skin”, “mask” or “I was like a mirror of my friends”
Ali	“two faces” or “a face or mask for the community” or “crazy theatre”
Mahmood	“two personalities”
Soufiane	“living a double life, and had a double face”
Pamu	“living in a bubble” or “new persons ghost on my face”
Ayman	“we have our second life. Everything is underneath”
Mandisa & Amunet	“two personalities”
Vigo	“mask”

According to the Cambridge Dictionary, the definition of a ‘mask’ is “a covering for all or part of the face that protects, hides, or decorates the person wearing it”. This definition therefore resembles the process of performativity: through the way they talked, dressed, looked and so on, my informants covered all or part of their queer identity to protect themselves from harassment, (verbal) abuse and/or violence. How this performance was constituted is best displayed by some examples from the interviews (see examples box 5.6 to 5.9).

The first example (box 5.6) displays my informants’ personal perspective on their ‘masks’.

Example box 5.6

V: And for both of you, I want to dig a little deeper into what you said. You said [looks at Igor], it feels like a second skin.

I: yeah like a mask also.

V: And can you tell me a little bit more about how that look for you? So how did you act? Maybe even dress? What did that second skin look like for you?

I: Clothes, it's not that much, maybe. Because I just used to look like this. It's normal clothes like everybody else. But still more fashionable, maybe. And I controlled my voice. I controlled my movements. And most of the time, I tried to copy my friends. Like how they behave I behave. So they will not think something about me. But still some of them... sometimes it can

be suspicious. And I didn't like to pretend like 'I like girls', so I just didn't speak about it. Most of the time, I was like a mirror of my friends. What they liked, I like also. When they like cars, okay, I will like cars. So yes, this is like second skin.

[...] V: and for you? [looks at Ali]

A: for me, I'm always keep this humorous character and careless sometimes. I wasn't playing manly as well [imitates a manly man] Just trying to be like everybody else. Trying to mimic other guys. [...] It's like stereotypes that everybody should be like that [a certain type of 'manly']. You know, a lot of testosterones and all. In such communities you know, it's because the religion, because culture. It's a manly society. What do they call the society? Like, alpha males or whatever. Yeah, so you should be as they expect you to be. So I'm trying to be like that. Smoking like a man, dressing like them, like really manly. But even their dress I didn't like. I'm trying to sort my dress as much as possible. But yeah, but after all, I managed to convince at the end. Already I went to college, I already started to act like them.

(Ali & Igor, December 24, 2022)

All of my informants had a hard time keeping up their masks day in and day out. It was a tiring process, mentally as well as physically. In the interview with Mahmood he described the constant insecurity and awareness about his mask (see example box 5.7). But in other cases my informants had trouble with implementing their performance because it went against their nature. This comes back in the narrative of Majid about his way of moving (see example box 5.8).

Example box 5.7

V: and around your family, you didn't have the feeling that you could really be yourself?

M: I don't tell anyone, no no no. I had two personalities.

V: [...] Can you describe how the two personalities look like for you?

M: when you are home or when you are around family (the big or small family), or at work, you have to be more focused on not to be feminine or say something gay or not to look a bit gay. But I can't. It's hard. It's really hard. It's like, it kills you from inside if I can say. Cuz, oh my god, what should I do now? Do I look gay today? Blablabla. You feel like you're lost. What do I have to do? Do you know a rollercoaster? It's the same.

[...] Try to go out more with cousins, the guy ones. But they think differently. I have to act like we are on the same level. Especially when they speak about girls, I feel like, 'what would I say now, if they will ask me?'. And I lie. I was a liar. This is not okay. I lied about a girl...if they asked me 'what do you like about girls?'. Oh my god, what should I say? What should I say? I try to say anything you know, you have to lie, you have to act. So yeah, I don't like it. I don't like it.

(Mahmood, January 17)

Example box 5.8

During the IND interview Majid told the interviewer that people insulted him on the streets because of the way he walked. When I asked him if he changed his way of walking sometimes because of these insults Majid replied: *"I cannot change my way of walking. I tried a little bit but I could not. I do not feel comfortable if I walk like this: [stands up and walks really forced, up straight and straight with his arms besides his body, still]. I cannot do this. It is too much. Too much effort to do this. So I cannot do this. And I walked too much because I always walked home with my grandma. So I am used to walk. And when I am going to try this...then no....that is not going to work. Sometimes I tried, but I cannot concentrate on it when I am walking for thirty minutes or an hour. I am not going to pay attention to the way I walk the*

whole time. [...] It is too much effort. You cannot do that if you walk every day. Then I would not walk anymore”.

(Majid, January 11, 2022)

In order not to stand out, some of my informants felt forced to talk about the queer community or queer people in a bad way because that was how people in their environment talked and it would be suspicious when they would talk in a queer-friendly way. Having a negative attitude towards the queer community became part of their mask (see example box 5.9).

Example box 5.9

Soufiane always acted like he was straight with straight people. “‘Yeah bro, I love pussy’ ‘I love women’. ‘I had sex yesterday with this girl, and that girl’. You know. But which is not true because I am not into girls, I am into man” [He tells me that he was always acting like this around his friends and compliments himself on being a good actor].

[...] V: so how did you convince them that you were straight?

S: yeah, yeah. So at the same time I am talking about gay in a bad way. ‘You see this Luti?’ [Luti means ‘gay’ but in a very bad way]. So yeah, I am always acting like this because I want people around me to trust that I am not gay. Because if you are straight, you are going to talk about gay in a bad way. But if you are gay, no you cannot actually. So I am always like this actually.

(Soufiane, January 21, 2022)

In the theoretical framework, it was argued that all people have inconsistent self-representations that shift through context and/or time while the individuals themselves may experience wholeness and consistency (Ewing 1990: 251). The shifting of self-representations was in many cases a conscious act of my informants. However, the ‘mask’ that they wore is inextricably linked to who they are as a person and should not be understood as severable from their identity. When we see this in the light of Butler’s theory of *performativity* and Goffman’s notion about *performance*, it becomes clear that the identities of my informants are indeed not stable identities but are “instituted through a stylized repetition of acts” (Butler 1988: 519). My informants paid attention to the way they spoke, walked, dressed, looked and so on, and did their best to hide their queerness in contexts where that was necessary. However, as Majid’s narrative about walking in the streets already showed, putting on the mask the whole time can be difficult exactly because it is a constant repetition of acts. Pamu discussed this as well: “*But at some point it [his mask] was transparent. So people could also see behind it. I did my best to hide as much as possible. Yeah... I guess, if this was a really good mask, I would not be here actually*” (Interview with Pamu, January 22, 2022). Although every identity – not only queer identities – is constituted by these shifting self-representations and differs through context and/or time, some people experience an illusion of wholeness and are not constantly aware of this shifting self-representation (Ewing 1990: 251). Since my informants were oftentimes very aware of their performance, it required a lot of energy and work for them to put on their mask and when they let their guard down a little bit, there was always the risk of their mask becoming more transparent. But in light of Goffman’s notion of *performance* it can be argued that as well the ‘front stage’ as the ‘back stage’ are part of the identities of my informants and due to their agency they can navigate through the (social) context by putting up a fitting mask. It is not only important to be aware of the masks that queer asylum seekers had to wear in their country of origin, it is also crucial to understand that this was and still is part of their identity and therefore

also part of their self-identification during the IND interviews. This will be dealt with in the next chapter.

5.5 Reasons to flee the country of origin

Although in this section a distinction is made between indirect and direct reasons to flee the country of origin, it must be understood that this distinction is not clear-cut but is very much interrelated. Actually, the distinction in this paragraph is made to highlight that the direct reasons to flee are not isolated but are also a consequence of numerous indirect incidents and negative feelings that my informants experienced over the years. Vigo displayed this very clearly when he said: *“at the same time it was long decision and short decision [to leave his country]. Like...it was three years before I arrived to the Netherlands when I was like... ‘okay I need to leave this country’. But when I bought a ticket to the Netherlands it was just one month before. So it was really quickly. It was not something that I planned before for a long time”* (Interview with Vigo, February 9, 2022). For all my informants the idea of leaving their country of origin was already present for a longer time, but in most cases a specific incident pushed them to take action and make the decision to leave their familiar lives behind in order to find an environment where they could claim their rights.

5.5.1 Indirect reasons to flee

One of the most important indirect reasons that contributed to eventually fleeing their country of origin was the constant fear and insecurity that my informants lived in. *“But I was always hiding my identity, I was living double life. I was always acting with people around me ‘I am straight’, which is not true. And it’s very hard. Always you feel afraid, you feel insecure, you feel like someone behind you wants to kill you because of his issues. Not easy to live in Lebanon, so yeah, I came here”* (Interview with Soufiane, January 21, 2022). Although all of my informants found ways to navigate through the difficult context that they were in, this fear and insecurity always played a part in their lives. In some cases the already present fear was reinforced due to specific events. An example of this is the time that Pamu got arrested by the police. After his friends and he left a gay club in Beirut, they were pulled over by the police and after Pamu had to tell them to which club they had been, their car was searched. The police found a harness (which is a leather thing that you put on and is mostly used for gay sex). Pamu panicked when they found it and said that it was something for his dog. Fortunately, the police believed him. However, in the car there were also poppers (liquid drugs) which the police did not find. All in all, the incident got Pamu really scared and he has never gone back to the club anymore after this incident. It triggered a fear that he was not able to shake off anymore.

But it was not only ‘fear of’. My informants also actually experienced violence (see example box 5.10) or discrimination. This discrimination must be understood in the light of mental and practical implications. For example, discrimination and bullying in school or at work had a negative impact on some of my informants’ confidence and led to mental health issues such as depression. While in a practical sense, seven of my informants also had trouble with renting a house because they were kicked out of their house after their landlord found out that they were queer or they were not allowed to rent a house in the first place because of suspicion of queerness. Two other informants also lost their job after their boss found out that they were homosexual. These are just a few examples, but discrimination can be found in many forms and the impact can vary per individual. Altogether, it must be understood that the fear,

insecurity, discrimination and negative incidents contributed a great deal to the decision to leave the country of origin although it might not have been the direct cause.

Example box 5.10

When Mahmood was fifteen years old he was walking back home from school. He saw 4 or 5 guys that looked weird at him and they started to follow him. They made a lot of remarks and said bad words while they were following him and then attacked him. According to Mahmood they attacked him because he is gay, and they must have known this because he had a feminine appearance. Mahmood could not talk to the police or his family about the incident because it is a taboo. If he would have told the police they would put him in prison and not arrest his attackers. *“So yeah, you have to shut the fuck up, say nothing and just walk. Continue what are you doing. Don’t think about it again”* (Mahmood, January 17, 2022).

5.5.2 Direct reasons to flee

Then there are also incidents that were direct reasons for my informants to flee their country of origin. The reasons are very specific for each of my informants but overall it has to do with the fear of being ‘outed’ for being queer (see example box 5.11) or actual exposure of their queerness which led to issues in their social environment (see examples box 5.12 and 5.13).

Example box 5.11

Ayman’s reason to flee his country of origin was a realistic fear of exposure of his homosexuality. A close friend had invited him for a small party for a few queer people. He went there together with his friend but had to leave earlier because of work. The next day, Ayman heard that the police had arrested everyone at the party (including his close friend). He knew that his best friend had some videos on his phone that were related to him and he realised that he was in danger as well. Ayman worked at a company that was trading with a firm in the Netherlands and therefore he could easily take a visa and travel to the Netherlands. After two weeks in the Netherlands his father called him about the situation. This made Ayman realise that the problem was very big since his parents lived far from the city where he was living but were aware of the circumstances. His sister also said that the police had been asking for him. At first Ayman waited to see if a return to his country of origin would be possible, but after 20 days it became clear that a return would not be possible anymore and he applied for asylum.

Until this day he has not heard back from his close friend.

(Ayman, January 31, 2022)

Example box 5.12

For his birthday Majid did a photoshoot in his underwear and posted these photo’s on his social media. By this time his family and most of his friends already knew about Majid’s sexual orientation and gender identity. After he posted the photographs on his social media he had to report to his boss and he was told to take a two week vacation because all of his colleagues had seen his pictures and he needed to stay away until things had calmed down. The agreement was that he would get paid during this leave but the next day when he signed some papers it said that he would not get paid. After the incident with his boss and the reactions he got from colleagues he decided that he did not want to stay in a country that treated him this way and where he could not be himself.

(Majid, January 11, 2022).

Example box 5.13

Mahmood reported his manager because of fraud but was fired by his company because his manager told the board that Mahmood had HIV and outed him for his sexual orientation. When Mahmood was arrested he was brought to the police station where he was discriminated against and humiliated. When he finally left the police station he decided that he did not want to live in Lebanon anymore and when he got home and encountered his family's reaction it pushed him even more to go.
(Mahmood, January 17, 2022)

5.6 Conclusion

This chapter already contributes to the answer of the sub-question: “*How do prior experiences and other intersecting social categories play a role in the way queer asylum seekers perform or construct their identity during their asylum procedure?*”. It has become clear that my informants have been wearing a mask in their country of origin and performed different roles/identities in various contexts. Important to take away from this, is that their identity is constituted by the repetition of these performances and that these performances, in their turn, are based on various intersecting social categories. The contexts that my informants grew up in, the way their family supported them, the way they were treated by their friends, the role that religion played – and so on – all influence the way my informants experienced and performed their identity in various situations. For example, whereas Pamu could draw strength from his religion and it gave him more confidence with regard to his sexual orientation, for Soufiane religion and his sexual orientation did not go together. This is not just their individual perception or their ‘authentic’ narrative, but the way their sexual orientation and religion interrelate as social categories (i.e. *intersectionality*) have practical implications for the way they eventually construct their identity: when Pamu met a Lebanese priest to which he confessed to be a homosexual, the acceptance and support from this priest helped Pamu to tell his family about his sexual orientation and gave him the strength to decide to leave Lebanon in order to find an environment where he could claim his rights. Again, seeing this only as an authentic and individual narrative is not enough. By taking an intersectional approach, one focuses more on how (in this ‘authentic’ case) the social category of religion influenced the performance of ‘coming out of the closet’ to his family, which eventually helps to understand why Pamu decided to leave his country and deserves asylum in the Netherlands. As this chapter shows, taking in an intersectional approach helps to see the causes and effects of specific performances in the queer asylum seeker’s life. Consequently, the experiences and intersecting social categories described in this chapter are inextricably linked to the performance of my informants during their interviews with the IND, which will be discussed in the following chapter.

Chapter 6 Performance during the asylum procedure

This chapter focuses on the queer asylum seekers' performance in the Netherlands from their moment of arrival until they had their interviews with the IND. First, the arrival in the Netherlands and my informants first impressions and difficulties will be addressed. After arriving, my informants had to stay in an AZC. For all of them this was an intense period and environment and this aspect of their asylum procedure will be discussed in relation to performativity again. Chapter 5 and the first paragraph of this chapter help to understand the experiences around and the performativity during the interviews with the IND. The chapter will be concluded by (partly) answering the two sub-questions.

6.1 Arrival and stay in the Netherlands

In this paragraph the first impressions upon arrival in the Netherlands are outlined and it is made clear how the asylum procedure takes off for queer asylum seekers. Hereafter, the experiences and difficulties during their stay in the AZC are displayed. This helps to understand the performances that are constituted in order to find a way to deal with their stay in the AZC and the long waiting time.

6.1.1 Coming to the Netherlands

As explained in the previous chapter, the decision to leave the country of origin was in most cases a long term decision as well as a short term decision. There was quite some time between 'wanting' to leave and the actual 'leaving'. This gave my informants time to do some research and gather information about possible countries to go to. My informants searched for information about queer-friendly countries on the internet and/or heard from friends that already lived in the Netherlands that queer rights are protected there and that one can claim asylum on the basis of one's sexual orientation and/or gender identity. Most of them reached out to their friends or Dutch queer organisations to gather information about the asylum procedure before taking the plane. For example, Mahmood, Ali and Igor already were in contact with the Dutch organisation LGBT Asylum Support when they were still in their country of origin. Upon arrival in the Netherlands they already had a lawyer and were well-prepared for the interviews with the IND. Others only arranged a temporary stay with friends upon arrival in the Netherlands and were somewhat less prepared for the actual asylum procedure the moment they left their country. These informants gathered some intel about the procedure while they were staying with their friends the first few days/weeks. This gave them some time to get used to the Netherlands already as well. The third category among my informants were immediately sent to the detention centre at Schiphol by the Royal Netherlands Marechaussee. They were left to the knowledge that they did or did not gather before leaving their country until they got a lawyer appointed that could explain to them how the asylum procedure would continue. All of my informants that did not start their asylum procedure directly at Schiphol had to report to the application centre at the AZC in Ter Apel at a later point.

Many of my informants were very nervous upon their arrival in the Netherlands. They took the plane from their country of origin and a few hours later their whole life was different. For example, Pamu told me that the moment he left Lebanon he felt desperate and sad. When the airplane took off he was crying but after a while he knew that he would be starting a new chapter in his life now. The emotions of all of my informants ran high: nervous, excited, sad, happy, hopeful...one of them described it as a rollercoaster of emotions. It is in this state that half of my informants immediately turned themselves in or got arrested at Schiphol and had to

explain why they were coming to the Netherlands. For some of them this was not that easy since they had been hiding their sexuality their whole lives and did not know what the response would be when they told the Dutch authorities (see example box 6.1).

Example box 6.1

V: and when you arrived in the Netherlands, did you have any difficulties with authorities? Or people that did not accept you for who you are.

Z: no that did not happen. Just your feelings is another feelings. Because you don't know, the first time when I came to the Netherlands, I did not know what is the country. How does everything work here. But when it's a little bit time, you start to understand it's a nice country. Here is the government helping LGBT people. But feelings in inside for the first time is a difficult feeling because you don't know what can be happened and what can said another people about your orientation [explanation: it is difficult to have these feelings, especially in the beginning, because you do not know what might happen or what other people might say about your homosexuality].

V: but when you came by train to Ter Apel, I think you had to talk to the authorities right away right? How was that for you?

*Z: [...] the first time is a little bit difficult because in my country you cannot say to someone - to normal people - I am gay. That's why it was difficult for me. And my friend [Boris] you saw before, he was also the first time he came to the Netherlands, he also get these feelings and he said about his orientation.....because he did not want to say he is gay, he said he was bisexual. That's why the first time he got negative, here in the Netherlands.
(Zemislav, December 19, 2021)*

As described in the second chapter of this thesis, at Schiphol there is a special border procedure applicable to asylum seekers. In this short procedure, the decision on entry or refusal is made within eight days (which can be extended to four weeks maximum) as long as the application can be handled under the criteria of the border procedure (AIDA 2021). However, for most queer asylum seekers this short asylum procedure is not applicable because the IND concludes after the first hearing, that granting an asylum permit is based on *other* reasons than the 'sufficiently established identity, nationality and origin of the asylum seeker' (Ibid.). If this is the case, the asylum seeker will be channelled to the regular asylum procedure (Ibid.). Only one of my informants, Vigo, had his application handled in the border procedure and got his approval after 9 days (see example box 6.2). For all other informants their asylum procedure took between six months and two years. For many of them this long waiting time and their stay in an AZC has led to a lot of frustration, anger and/or depression. Among some of my informants there was the misconception that they would not have had to wait this long if only they had reported themselves at Schiphol and get a decision within ten days (see example box 6.3). However, the example of Vigo is a big exception and all other informants that applied for asylum at Schiphol were channelled to the regular asylum procedure and also had to wait for at least six months until they got their asylum claim approved. The dissatisfaction among my informants was not only about the length of the procedure but foremost about their stay in the AZC. *"The hardest thing was not even the waiting. People... the atmosphere in camp... This was the hardest thing. If people are good there, I will not be that depressed while waiting. I mean, the facility was really good. Yes, practically everything is good, okay. But people living*

there making it very bad” (Interview with Ali & Igor, December 24, 2021). The effect that this had on my informants will be discussed in the next paragraph.

Example box 6.2

Vigo arrived at Schiphol and reported to the Marechaussee. After two days in the detention centre at Schiphol he got his first (“*technical*”) interview. On the ninth day he had the extended interview which took around eight hours. Fifteen minutes after the interview he got the positive decision already. *“It was so unexpected for me”*. He heard that other people in the detention centre had to wait for days while he got the decision in fifteen minutes.

Vigo expressed that he has the feeling that the system is really random: *“it is like Russian roulette”*. He and a friend of him had almost the same case. Vigo even thinks his friend’s case is even more intense with regard to certain topics. But this friend is still waiting for his second interview, while Vigo’s whole procedure took nine days in total. Vigo cannot see any pattern and finds the system very random. During his stay in the AZC (while waiting for a house) he spoke to a lot of people and they all had different waiting times (some a few days, others a few months and some even for a few years). *“But some of them, like me, it was just a few minutes after that. So I guess I was extremely lucky”*.

(Vigo, February 9, 2022)

Example box 6.3

I: ...yes he [an informant from a Dutch LGBT organisation] told us: ‘do not ask asylum in Schiphol, go to Ter Apel. And it was the biggest mistake we had. Because if you ask in Schiphol, you will have positive decision within 10 days.

A: like your decision will be faster.

I: yes, 10 days. Yeah, but we had to wait one and a half year. So yeah. This...

A: Yeah, but he said that because in Schiphol we will be in prison for 10 days. Yeah. But yeah, we were in prison for one and a half. Actually, the camp we lived there...

I: ...It was real prison. It was previously like prison.

(Ali & Igor, December 24, 2021)

6.1.2 Performativity in AZC

All of my informants (including Vigo, after his claim had been already accepted) had to stay in an AZC during their asylum procedure. All of my informants but one, described their stay in the AZC as a (very) negative experience. Only Majid described his stay as a “little bit hard” because at that time he did not want to complain to the IND too much since he really wanted to stay in the Netherlands and did not want to come off as ungrateful. Except for not feeling at ease with his first (queer) roommates and requesting a transfer to another bungalow for queer people, Majid did not experience a lot of negative incidents. “It was a bad experience, but only with LGBT people haha” (Interview with Majid, January 14, 2022). Although there is a lot to find in literature or (news) articles about queer people that experience discrimination, abuse and violence during their stay in an AZC in the Netherlands, luckily none of my informants experienced any first-hand violence because of their sexual orientation or gender identity in the AZC. Many of them did experience at least one violent/negative incident but that was mostly about cultural differences or because they came in contact with ‘bad’ people (see example box 6.4). It has to be understood that these incidents often take place in a context of despair and frustration – which can lead to aggression – since there are many people in the AZC that are waiting for a long time until their asylum claim is approved or their claim has already been rejected and they are in anticipation of their return (Ufkes et al. 2017: 2). Of course, this does

not justify the behaviour of others or the lack of protection from COA and other Dutch organisations within the AZC. However, it is important to mention that the incidents that my informants experienced were not based on their queerness. They were just no exception from most other asylum seekers that are exposed to violence, abuse and discrimination in the AZC.

Example box 6.4

In Hoogeveen AZC Mandisa & Amunet experienced multiple incidents: one time some guys tried to open their door while they were inside of their room; there were people who spit on them; there was a man that followed them up the stairs to their room and in the hallway he tried to touch Mandisa. He wanted Amunet to open the room for him so he could go inside but she refused. When he tried to touch Mandisa again Amunet pushed her away. It got violent and he threw some hot drinks on the floor in front of their room. They called security which said that they would come to their room to check on them. But they never did. They reported the incident to COA but they said they could not do anything with it because the guy did not touch her in the end, he only 'tried'. *“Two hours later, this guy came...from COA...he told me that ‘I should be free, get out of my room, live my life. The guy is not in the AZC anymore.’ I was like, what? ‘They called the police and they took him out. He broke some stuff in the dentist room. He got violent there’. The same guy.... And they called the police and they took him out of the AZC because he broke some stuff in the dentist room. And you can see from his face [the COA employee] that he is coming with good intentions. I was like....okay fine... I closed the door and I was like [acts like she is screaming]”*. Mandisa and Amunet cannot understand that COA did not take measures after the incident but they did after he broke some stuff.

(Mandisa & Amunet, February 6, 2022)

The fact that my informants did not experience any queer-based violence mostly has to do with their performance during their stay in the AZC. All but one of my informants tried to stay in the background and were hiding themselves again (figuratively but sometimes even literally) most of the time. It is definitely true for all of my informants that they did not feel at ease and were always afraid that their sexual orientation or gender identity would be reason to be assaulted. Hiding and not getting in contact with other (heterosexual) asylum seekers felt like the best option for most of my informants (see example box 6.5). But even though staying in the background oftentimes kept them out of trouble, staying in these conditions for six months or two years was very hard for them: “as if you are living in the Middle-East. You are just undercover, you cannot express yourself. You cannot protect yourself and COA cannot protect you” (Interview with Mandisa & Amunet, February 2, 2022).

Example box 6.5

V: were/are there any moments where you felt you needed to hide your identity?

Z: in AZC's you have to live with people from your country that also have certain opinions about LGBT people. So you don't know for sure what they will say or do to you. [He was talking about Russian refugees that flee because of religion or political problems but not because of SOGI claims]

V: how did you deal with the fact that there were people in the AZC that might not accept you?

Z: I tried to not have contact or talk or meet these people. Just trying to not go somewhere with these people. This helped me to stay out of direct confrontations.

(Zemislav, December 19, 2021)

While Igor spend one and a half year mostly in his room because he was scared to go out, my other informants tried to seek the comfort of other queer people in the AZC while still avoiding other people (see example box 6.6).

Example box 6.6

Pamu was most of the time hanging out with a group of five other queer people. They spent a lot of time together and were avoiding everyone. One of them was not happy in his LGBT room so he asked a transfer to Pamu's room. From then on, they spent a lot of time together, which helped Pamu to take his mind off of all the stress and made him feel a little bit more relaxed in his own room. During the night, when he was hanging out with the queer group, he had the feeling that he could be himself. He felt safe then because they were alone and it was really cold so everyone else stayed in their bedrooms. They always went out during the night and walked freely together and behaved normal. But during the days it was *"fake it until you make it"*. For him, this was the same feeling as when he was still in Lebanon. *"So I had to act straight, feel stress about how I am going to react and how I am going to walk and everything"*. His friends had the same feeling.

(Pamu, January 23, 2022)

Some of my informants were placed in a bungalow for queer people, but these types of bungalows were not always available. In this case, queer asylum seekers are placed in regular bungalows and are often times placed with roommates from their 'own culture'. However, as Mahmood describes (see example box 6.7), having roommates with the same culture was not a base for my informants to feel safe. Actually all of my informants expressed that they did not feel comfortable around people from their own culture/country (that were asking asylum on other grounds than a SOGI based claim) because – generally speaking – the mentality of people from their own culture/country was exactly the reason why they had fled from their country of origin in the first place.

Example box 6.7

"The first unit, everyone was Arabs. All of them from Syria. But we do not have the same way of thinking. We do not have the same culture. Okay, we are neighbours for example with Syria. But we [Lebanon] are more open. [...] I had a lot of clashes with them". One of the remarks they made was: *"all you Lebanese guys they are gay. We don't have Syrian gays"*. Remarks like this made Mahmood feel very uncomfortable.

(Mahmood, January 19, 2022).

Another example was that during his stay in the AZC, Pamu felt hopeless and scared. He was crying a lot under his sheets (he always hid this because they were with four in a bedroom and he had no privacy). Pamu's roommates were from Arab cultures and were homophobic. He did not feel safe there. Therefore, he asked for a replacement to a LGBT bungalow but they told him there was no space available.

(Pamu, January 23, 2022)

One of my informants had a whole other approach to his stay in the AZC. Mahmood did not care for other people's opinions or attitudes anymore. "I do not care about anyone [...]. I was like, I am doing me. That's it" (Interview with Mahmood, February 19, 2022). He felt safe in the Netherlands and already claimed the rights for queer people that the Netherlands grants him. He took his mask off and did not feel forced anymore by others to hide his identity. It did not bother him if other people in the AZC might know about his sexual orientation: "I look gay. I

do not know if you see it. And I like it. I do not mind. Because I am gay. I'm proud of who I am. So why to hide it?" (Ibid.). Although this attitude is definitely admirable, it takes a certain confidence and attitude that is not for everyone. As the foregoing chapter displayed, my informants have endured a lot in their country of origin and this has affected their performance during their stay in the AZC to a great extent. Their fear, confidence, emotions, experiences, beliefs and more, are all interrelated and constitute the performances that they show to others in the AZC. In their turn, it is important to understand that both the performativity in the country of origin and the performativity in the AZC have an effect on their performativity during the interviews with the IND. This will be discussed in the following section.

6.2 The IND interviews: preparation and experiences

Before the actual interviews with the IND begin, (queer) asylum seekers have a period (sometimes a few days but it can also be a few weeks) wherein they can prepare for the interview with their lawyer or other parties that know how the asylum procedure works. This paragraph will mostly focus on my informants' experiences before and during the interviews with the IND. In the next chapter, the relevance of the preparation phase will be discussed more elaborately from the perspective of the IND.

6.2.1 Preparations for the IND interview

Most of my informants had two or three interviews with the IND (Pamu and Mahmood had even four interviews). The second or third interview is the extensive interview ('het nadergehoor') which takes up 4 to 8 hours. Here, my informants had to make clear that they are deserving of asylum. All my informants prepared for the interview by writing things down in order to get their story straight. Next to that, they knew that the IND would ask for dates, names, places and other practicalities so it was helpful to already look this up in advance and write it down to take with them to the interview (although not everyone took it with them). Since they were staying in the AZC already for weeks or even months before they had the extensive interview, they heard a lot about the interview already from their lawyer, queer organisations and/or other asylum seekers from the AZC. One small but important piece of information that some of my informants gathered already was that it is helpful to tell the IND upfront when you are bad with remembering dates or names for example. The interviewer will take that into account and checking notes during the interview is less of a problem then. Another informant had not been able to sleep the night before the interview. He also told the interviewer upfront that he was tired and the interviewer responded very understandingly. Telling the interviewer these things before the start of the interview is in line with the by the IND appreciated criteria of transparency and being upfront, which are likely to have a positive influence on the decision making process.

Although my informants heard a lot of bad things about the interviews from other people in the AZC, none of them really listened to this. Mahmood said for example: *"each file is different. Each person is different. Each reason is different. Even between LGBT people. [...] So, do not listen to anyone"* (Interview with Mahmood, January 19, 2022). They filtered information that was relevant or helpful for them to prepare for the interview and set aside the negative information. On top of that, they also learned a lot from the asylum procedure and the way the Netherlands dealt with queer rights within the weeks and months that they were waiting for the interview (see example box 6.8).

Example box 6.8

V: *and it [talking about his sexuality] was also no problem because of your former experiences with Lebanese authorities?*

S: *look. I am in the Netherlands for two years. Okay. So I did my interview maybe after one year. So like, I was preparing from everything around me. I am here one year before interview, so I know a lot. I know everything. And I hear from all people around me. You know what I mean. With time I know everything. I feel more comfortable because all people talk about police here nice. All people talk about IND 'just be yourself'. All people talk about IND 'not hard'. They don't want to send you back to Lebanon. They just want the truth'. You know. After this period, you are ready to do your interview. But from first day...no. If I am here from first day...I did my interview with police or IND.... 'what happened here??' You know.*

V: *but even then you still felt okay enough to say that you were gay right?*

S: *yes. But after long time.*

V: *and that was mostly because of your friend [someone that lived in the Netherlands already for a while and told him a lot about the asylum procedure]?*

S: *because of a lot of people. I am a social guy. I know a lot of people here. With people, you can understand the culture, the people, the police, the IND. So yeah.*

(Soufiane, January 21, 2022)

6.2.2 Interview experiences

Overall, none of my informants' negative experiences with authorities or governmental organisations in their country of origin influenced the way they interacted with Dutch authorities in a negative or problematic way. Talking about their sexual orientation or gender identity was not easy but they had a lot of trust in the Dutch government and in the way queer rights are protected in the Netherlands: *"the IND or other governmental organisations, they are really careful with all the information that you give them. And they do everything perfect. [...]* And you can believe them about your confidential information. And in Russia we do not have a system like this. That is why everyone that gets a problem with the government tries to get out and comes to the EU. (Interview with Zemislav, December 19, 2021).

For my informants the interview with the IND was one of the most important moments in their lives. Their future literally depended on it. It is not hard to imagine that the emotions ran high for my informants (see example box 6.9). Therefore, it mattered a lot to them when they were treated with respect and compassion by the IND interviewers. Almost all of my informants cried at some point during their interview with the IND and they appreciated it very much that their interviewer treated them with respect and patience in those moments. Oftentimes they got a break or at least a moment for themselves and the IND interviewers did not keep on pushing for more information in such a vulnerable moment. Eleven of my fourteen informants said something positive about at least one of their IND interviewers (for each interview they had a different interviewer and my informants were not content with all of them).

Example box 6.9

"Especially this IND guy, who was really trying to comfort me. He saw that I was shaking. Because I understood that this interview will....it means everything. Like, it's literally, this is the point in your life where it can go to one direction or another. And this is important". The IND employee saw this, tried to calm him down. *"It was something haha".*

(Vigo, February 9, 2022)

Less of my informants were positive about the translators. Asylum seekers are stimulated to do the interview in their own language since it is easier to express themselves and it helps to prevent things from getting lost in translation. However, doing the interview in their own language makes the queer asylum seekers dependent on their translator. As the translator is supposed to be a neutral party in the interview, in theory the issue of dependency should not be a problem. Nonetheless, in many cases the translator caused misconceptions or made my informants feel unsafe. This had mostly to do with the fact that they were not a neutral party in the background, but they were very much present and took part in the interview (see examples box 6.10 & box 6.11).

Example box 6.10

A: Let me tell you something here. You know.. In my first two interviews, I had an Arabic translator. I asked from the first interview that I wanted to change the translator. But they said – because the second interview is after just one week, or after three days – so they cannot change that. Unless you want to delay it for a little bit more time. I said “no, no”. Already waited long enough. Because I couldn't feel comfortable. Not because of she's Arabic, just because...

I: ...what about this... “Your wife, your wife?”

[...] A: just a moment, please let me continue. So, yeah, because I didn't feel comfortable with this guy especially. And like, most of Arabic people I think they are like this. Because he was not honest somehow. I'm saying answers, he is not translating. Even IND asking him to translate. Because, you know, not taking the job seriously, somehow. And I said, I had enough of this nonsense.

And also I had an experience. When we came to [...], I had an interview with police. And we had like, translator, we had translator on phone. And he said that.... he was totally in the beginning he was really nice. But his tone changed. When he said... The policeman asked me “Are you married?” I said “Yes”. And he translated that. And the policeman asked “what's the name of your partner?”. But he is translating: “What was the name of your wife?” I said Igor is my husband. [Igor is laughing while Ali tells this story]. I told “my husband”; he said “your wife?”, I said “my husband”, “your wife?”, “my husband”. He understood it and he became...I feel that in the air already...really aggressive saying question like... Anyway, I didn't pay attention to that. It was tough day. And I talked to the lawyer about it but I think somehow... she said it's not important. Just forget about it. I: the lawyer...it's also.... Hahahaha

A: okay. We'll come to that later. But yes, because this was really disturbing. Just this attitude.

(Ali & Igor, December 24, 2021)

Example box 6.11

“I came out once to one of my friends, who was my family. When I first started to accept myself as a lesbian. And there was a situation when she tried to involve someone, a psychotherapist. And he works in conversion therapy. His name is [inaudible]. And when that name came up during my interview and I told the interviewer that my friend said he is a psychologist...she [the translator] said that he is someone she knows personally and like...a personal friend... She waits till the interviewer asks the last question and then while she was translating she was like [talking in Arabic]. [I ask what it means]. Okay. He is the biggest name in conversion therapy in [country of origin]. He is Christian. He works with churches. And Christian people, when they like.... There is a look for very very conservative religious orthodox Christians in [country of origin]. And she [the translator] matched that picture.

And when she said that, I was so sure that she matched that picture. Because, like, if she knows [name of conversion therapist] personally it means that she participates in...or she at least agrees with his methods. And she thinks that he is doing the right thing. And it....well that conclusion did not only come from that, but it came from the whole interview. Because every time I talk about my sexuality or I talk about something that was happening with my husband, she was like 'hmmm'. And during the breaks she keeps on talking about her husband and how he loves her and how she feels so happy with her man. It was very weird". [...later on in the interview...]

V: did you hide some aspects of your identity that you actually wanted to tell the IND but you didn't because you were afraid of the translator?

M: yeah. With the first translator, yes. Many times she side-talked to me and told me 'focus on what you are saying' or 'pay more attention. Are you sure this is what you want to say?' or she repeats the question to me in a way that she hints that my answer is wrong. You know. Oh and there is something actually...I found out during the correction with the lawyer that she did that. It was no good because the question was if I faced any discrimination because of my religion or my life style. So I started answering about the discrimination in my life style and she did not translate. She asked me... she is like 'no no, they are asking about religion'. So I talk about something that happened in the religion and she was like 'Really?? That used to happen to you in [country of origin]??'. She is from there as well. I was like 'yes, if it did not happen to you then it is not my problem. I am talking about what happened to me'. And things like that. It was not so....".

Mandisa filed a complaint about this translator. A friend of hers had the same translator and she also found this translator terrible.

(Mandisa & Amunet, February 6, 2022)

Another problem that my informants experienced had more to do with the translation process. My informants often found mistakes in the transcript when they checked the transcription with their lawyer after the interview with the IND. Luckily, these mistakes can be corrected before sending it back to the IND which will assess the asylum claim based on the transcript. But another problem was (among my Arab speaking informants) that some of my informants did not exactly speak the same language as their translator (see example box 6.12). This made the interview more complicated for them because they felt frustrated and/or misunderstood.

But not only the difference in dialect was an issue for most of my Arab speaking informants, most of them also did not feel comfortable talking about their sexual orientation or gender identity in front of their Arab translator because they were afraid that the translator would be homophobic (see also example box 6.12). For my Russian informants this appeared less of a problem. Igor even called the Russian translators "angels" because they were so nice and professional. He thinks that this is because most Russians living in the Netherlands (or in Western Europe in general) are more liberal and therefore not that queer-unfriendly as most people he knew in his former context.

Example box 6.12

Pamu did not know if his translator was homophobic or not, but what was already hard was that they did not speak the same Arabic. So for these two reasons he was afraid that the translator might translate things in a different way. Next to that, Pamu uses a lot of English and French mixed up with his Arabic, because he cannot express everything in Arabic. The IND was not really happy about it and Pamu tried his best to keep it in Arabic. The last interview he almost had a fight with the translator because Pamu wanted him to understand that he does not know dates and numbers for example, in Arabic. The IND wanted to hear

everything in Arabic and they did not want him to speak in English. They said that he needed to speak his own language during the interview [but what if that is a mix of various languages?]. He did not mention to the IND that the translator was speaking a different kind of Arabic.

(Pamu, January 23, 2022)

At the end of this thesis, in the recommendations section, the wish to choose the sex or background of the translator and /or IND interviewer will be discussed more elaborately. For now it is important to know that many of informants felt more comfortable with a translator or IND interviewer that was female and/or queer. With a female and/or queer translator and/or IND interviewer they felt less condemned and it was easier to talk about sexual experiences or feelings. From the above mentioned examples and analysis it must be understood that the IND interviewer and translator influenced the performativity during the IND interviews. The following section will elaborate on this.

6.3 Performativity during the IND interviews

As argued before, the performativity during the IND interviews needs to be understood as constituted by the interrelation of prior experiences and interrelating social categories. The performance during the interview with the IND is a snapshot of their identity and must not be regarded as their ‘whole’ identity – hereby referring back to Ewing’s (1990) notion of an *illusion of wholeness*. As will become clear in this section, my informants talked more openly about their sexual orientation and gender identity during the IND interviews than they did in their country of origin. This might be misunderstood for thinking that they now performed their ‘true’ or ‘authentic’ identity and were finally ready to ‘drop the act’. Instead, it is argued here that even the opening up about their sexual orientation and gender identity must be understood as another (inconsistent) self-representation; another performance. In other words, in relation to Goffman’s (1990) notions about *front stage* and *backstage*, my informants did not open the passage from the front stage to the backstage during the interviews with the IND, but they either consciously or unconsciously constituted another performance at the front stage. To begin with, some examples will be displayed to show what the performativity of my informants looks like in practice. Thereafter, this performativity can be brought into relation with the prior experiences and performances, and other interrelating social categories.

6.3.1 Examples of performativity

The main conclusion of what ‘performativity’ during the IND interviews entails for my informants is that they were open about their sexual orientation and gender identity exactly because they knew that this was the only way they would get asylum in the Netherlands. There was no point in hiding their identity anymore since that would mean that their chance of living freely as a queer person would diminish. Although using different words (see example box 6.13), ten out of fourteen informants explicitly stated the gist of these two foregoing sentences. Three other informants did not explicitly state it like this during our interview but they did mention that although they found it hard to talk about their sexual orientation and gender identity, they did it anyway. Only one informant was too scared to talk about his homosexuality during his interview with the IND and therefore mentioned that he was bisexual because in his view this was less likely to be judged in a negative way (Interview with Boris, December 19, 2021). Next to the feeling of ‘having to talk about it in order to get asylum’, another reason why thirteen out of fourteen of my informants were able to talk about their sexual orientation and

gender identity with the IND employees and other authorities was that they trust the Dutch government and the way queer rights are protected in the Netherlands. Lastly, a few of my informants also had the feeling they had nothing to lose anymore which also made it easier to give in to the IND's questions and open up about their identity.

Example box 6.13

When Majid arrived at Schiphol he told the IND about his sexual orientation.

M: I had to.

V: Was it hard for you to talk about this?

M: a little bit. Because I am not used to talk about this. Using the words 'asking asylum', and also saying that I am a homosexual.

V: so you thought it was hard but did it anyway. How did you do that?

M: I had to. Because that is the reason why I came here, so... And they want to know about it. The IND is the organisation that can give you asylum. So, if you do not tell them....

Later on in the interview Majid tells me that upon his arrival he had an interview that took four hours and they kept on repeating the same questions. He was extremely tired and after a while he felt like he had no other option than to tell them the truth about his reason for coming to the Netherlands (instead of pretending to just be 'visiting' the Netherlands).

(Majid, January 14, 2022)

The feeling of having nothing to lose anymore and knowing that opening up about their identity would be their only chance of getting asylum in the Netherlands sometimes resulted in oversharing of information (see example box 6.14).

Example box 6.14

Pamu's claim was rejected and after ten days he had a meeting with the lawyer who explained everything that happened and asked him to provide more information. He had four months to provide the information, so the lawyer could send an appeal. This time Pamu also included old conversations, old profiles (Facebook and Twitter) and screenshots from when the accounts were made (so they know it was not that he started to be gay only when he moved to the Netherlands) and photo's of him and another man in bed. *"I told him, mention in the interview, if they want me also to have sex in front of anyone I might do it"*. The lawyer sent the appeal and in the three days that Pamu was waiting for a response he reached his lowest point: he had no hope, no beliefs and had really bad thoughts (also suicidal thoughts). After three days they got the news that his asylum claim was approved. He started screaming in the shower [because of happiness].

(Pamu, January 23, 2022)

Since the IND is not allowed to talk about sexual acts in a pornographic way or ask for/analyse pornographic material (Interview with Laura, November 24, 2021), they also need to pay attention to asylum seekers crossing that boundary and inform them that they do not have to share such details (see example box 6.15). It is hard to draw a line with regard to the violation of this rule. Although some of my informants were a little bit uncomfortable with sharing personal details, none of them refused to answer a question of the IND because they felt (at least in that moment) it was going too far. However, that they were willing to share information they were actually uncomfortable with, must be seen in light of the pressure they felt and the hope they had. Given the propensity of my informants to overshare and the circumstances that they are in, the main responsibility for respecting the privacy of the queer asylum seeker should be for the IND employees. Of course, queer asylum seekers should have a say in what crosses

their limits as well. But many of them are likely to stretch their limits, hoping it will help them to get asylum. Therefore it should first and foremost be the responsibility of the IND to protect and respect those limits. As example 6.15 shows, this informant but also other informants did not experience any (first-hand) violation of their boundaries by the IND.

Example box 6.15

V: Were there any questions during the interview that made you really uncomfortable?

I: Yeah, mostly it's sex, sexual questions. But as... I told them everything. They made me uncomfortable, mostly because of translator. Translators were perfect, my translators. But just... when you tell this to her, she's even got red. Her face was red haha. She did not want to translate or something. And sometimes even IND told me like, 'do not be so deep. Do not tell me so much details'. Because they are not allowed to hear a lot of details, especially about private life. But I had no problem because it is all secret [he means that the IND will keep everything secret/private]. It is very private. [...]

A: Yeah. They told us 'if you don't want to answer that, it's okay'.

I: of course, I knew that I can say no. But it's in my interest to say things.

(Ali & Igor, December 24, 2021)

6.3.2 Performativity put into context

The interesting thing about the performativity during the IND interviews, is that although my informants personally explained to me that they made a conscious choice to open up to the IND and sometimes even tell them more than needed, they did not experience their performance at the IND interviews as a 'mask' again, like the way they experienced their performance in their country of origin. For most of them, the performance during the IND interviews did not ask for the invention of a new 'mask' but felt like they were just 'themselves' (see example box 6.16).

Example box 6.16

V: This next question... it could be unconsciously but also consciously; but did you pretend to be someone you are not, during the interviews to get like a desired result?

I: Maybe I wore pink jacket to show I'm gay haha. It was maximum, maximum I did. But something like I did special for IND, no. No, because I believe that my story is strong enough.

A: yeah, no for me, I just came there. I'm a real person. I have real fears, real issues. Just tell them everything and I'm hoping that they will understand it. That they will take their job professionally and understand it. Yeah.

(Ali & Igor, December 24, 2021)

However, as argued before, although the self-representation in that moment might feel natural or consistent for my informants themselves, this is actually an illusion of wholeness (Ewing 1990: 251). Zooming in on some examples, one can actually find inconsistencies of individual self-representations within the interviews with the IND (see example box 6.17). During the break, Vigo makes a conscious choice to tell the IND everything. However, this does not mean that he consciously experienced a shift in self-representation as well. In both cases he might have felt he was 'himself', but the way he represented 'himself' differs before and after the break.

Example box 6.17

*"Because I was like 'f*ck it, I will tell them everything'. Because this is how I am feeling. And I will not try to hide anything". After reading the interview back he was like, "oh my*

god did I really say this". Especially the last four hours, after the break, when he was sitting in a playroom for kids, he was like *"you have nothing to lose so just tell them everything"*. And he told them a lot. Before the break he was shaking and nervous and closed. They asked him questions and he gave them short answers. But after break they would ask him a question and he would give them a 35 minute monologue. So he thinks that he made his reasons really clear. *"This is the main thing that you can do in the interview: to make yourself really clear and express yourself correctly"*.
(Vigo, February 9, 2022)

Another example of an inconsistency in self-representation came to the fore during the interview with Mandisa (see example box 6.18). Mandisa noticed that she was automatically putting her 'mask' from the country of origin back on during the interview with the IND because the translator made her feel uncomfortable. What makes this example even more interesting is that Mandisa kept on talking about her sexuality instead of hiding it like she used to in her country of origin. Here, the 'mask' from the country of origin – acting as if she is straight – and the performance during the interview – openly talking about her sexuality – overlapped. Hereby, Mandisa noticed herself that this self-representation was inconsistent and not a fully conscious process. Although this example is specific for Mandisa's interview, other informants also had issues with their translators and did their best to talk about their sexual orientation and gender identity. *"And in such situation you cannot maybe even... he [Ali] did not report about his translator because you're afraid that your interview will be postponed for another six months. So you're just 'okay, I will go with this'. [...] You have to because you just want this interview"* (Interview with Igor, December 24, 2021).

Example box 6.18

During the second interview she felt intimidated and was scared because of the translator. *"For some reason I was sitting and talking and acting a little bit the same way when I am pretending that I am straight. Even though I am talking about my whole sexual life but she gave me that feeling"*.
(Mandisa & Amunet, February 6, 2022)

So, whereas most of my informants did not consciously invent a new 'mask', one of my informants wore his 'mask' from the country of origin and another informant consciously 'invented' a mask when he arrived in the Netherlands. The former, Boris, was very afraid to tell the IND that he was a homosexual because of prior experiences. In the region where he came from it was less of a problem when you came out as bisexual because that meant that – as long as you stay discreet about your homosexual feelings – you can still marry a woman and have a family, which is perceived to be a 'normal' life in that context. When Boris arrived in the Netherlands he was still struggling with his own sexuality and he did not dare to tell the interviewer the (whole) truth. Therefore he told them that he was bisexual. After a while he was caught in his own web of lies but still did not dare to tell the truth because he felt it would be strange if he would change his whole story all of a sudden. Boris' asylum claim was rejected and he is still in anticipation of the decision about his second application. What is striking about Boris' narrative is that he was the only one that expressed that he was still struggling with his sexuality upon arriving in the Netherlands. My other informants were already far more comfortable about their sexuality and this helped them to talk about it with the IND (see example box 6.19). Since Boris is an exception in my research, it is not possible to conclude that having internal struggles upon arrival affects the decision of an asylum claim. However,

with regard to my other informants, being comfortable about one's sexual orientation or gender identity does seem to help in better expressing oneself during the interview with the IND and with convincing the IND that one is deserving of SOGI based asylum. In chapter 8 a discussion will follow about the representativeness of my informants for the broader target group of queer asylum seekers.

Example box 6.19

V: during the interview, did you have the feeling that you could talk about everything you found important to discuss? Or did you have the feeling that they pushed you towards certain answers?

M: no I did not have that feeling and I would not want that. I was going to answer everything, I would tell them everything. Everything I can remember, I will discuss. And everything that helps. I thought, when I tell them this, this would help my story as well. I did not want to take any risks.

V: yeah, so you wanted to be honest...

M: ...yeah I am old enough and more secure about myself than I used to be so now I am able to talk. I already arrived in the Netherlands. When I was younger I might not have done this. When I was 18, just had the incident with the gun, I do not know if I would have been able to say everything.... But I am finally older now so yeah...

For Majid, talking with a psychologist from a LGBT organisation in Lebanon made a big difference in his life and it was the moment that everything changed.

(Majid, January 14, 2022)

Then there was also the other informant, Mahmood, who 'invented' a new mask when he arrived in the Netherlands (see example box 6.20). This mask was mostly invented to create some safety for himself in the AZC but had to be upheld during the interviews with the IND in order to be deemed credible. Constituting a mask like Mahmood's is tricky since it involves another person and the IND will therefore cross-check the narratives and search for inconsistencies in the story. When inconsistency is detected, both applicants will be rejected since they are assessed as one case. Although Mahmood eventually told the IND the truth and it was not held against him, this example shows that inventing a new mask can result in complicated situations. This has to do with the truthfulness of the performance and the credibility assessment by the IND. As argued before, queer asylum seekers do not have one 'true' or fixed identity. However, for the IND one important criteria for the assessment is consistency in the narrative of the asylum seeker. So, the extent to which a queer asylum seeker stays close to the performance that s/he perceives to be 'whole/true' influences the IND's conviction that the narrative is indeed consistent. This criteria thus rests on the assumption that one's identity is fixed, which is problematic given the fact that these narratives show that performances are inconsistent and shifting.

Example box 6.20

Mahmood came with his best friend to the Netherlands. When they arrived at Schiphol they took an uber to his friends house in Amsterdam. After staying there for two days they turned themselves in and asked for asylum. They applied as a couple. *"What we did is that we applied as a couple first because we were scared with who we are going to sleep in the same room. Maybe we are going to face homophobic attacks. So I want to stay with someone I know. And he wanted to leave as well. Then...I told him 'let's do this then, we say the truth after'. Because it's better"*. After 4 months they went to their lawyer to tell him that they lied

and that they wanted to separate their file (also: if they would stay in the system together they would get one house and needed to live together). The fact that they first lied about them being a couple has not caused any problems for them in the rest of the procedure. They had multiple reasons to say that they were a couple; *“we did because of 1, 2, 3....we were scared, we know no one here, we don’t the people, we don’t know what is an AZC or how it looks, how the people are there....maybe we are going to die, no one know. Really. We were really scared. Then, when we saw that everything was okay...okay let’s stop the lying thing, let’s say the truth. And it was okay”. [...] “I don’t call it ‘we are lying’, because we were scared. Really, we were scared”. [...] “We told them, ‘we don’t want to lie, we want to say the truth’. That because of all of these reasons, we did this. We gave them about 10 reasons. So they can’t say anything. And one of them is my medical issue; that people will see my medication. They will google the name, they will know what I have...I am surrounded with Arabs....they will take attack me because of the HIV. I don’t want it, no. So that’s why. So when we told this, they were like ‘okay he is right’. I am right”.* (Mahmood, January 19, 2022)

6.4 Conclusion

Coming back to the first sub-question – *“How do prior experiences and other intersecting social categories play a role in the way queer asylum seekers perform or construct their identity during their asylum procedure?”* – chapter 5 already partly answered this question because it displayed what these prior experiences and other intersecting social categories entailed and how my informants dealt with it before they came to the Netherlands. When they came to the Netherlands and had to stay in the AZC, it was a hard period for my informants because many of them felt like they were in a similar context again where they had to hide their sexual orientation and gender identity from their environment. As argued at the end of chapter 5, the prior experiences and intersecting social categories are inextricably linked to the performativity of my informants during their interviews with the IND. This chapter has made clear that for thirteen out of fourteen informants their performativity during the IND interviews entailed that they were open about their sexual orientation and gender identity exactly because they knew this was the only way they would get asylum in the Netherlands. There was no point in hiding their identity anymore since it would mean their chances of living freely as a queer person would diminish. Everything they have been through, the intersecting categories in their lives, the ‘masks’ that did not fully protect them in certain cases, it all contributed to the ‘point of no return’ for them. Even though talking about their sexuality during the IND interviews was not easy for them, all (but one) of my informants did it anyway because they felt like there was no other option anymore and they had nothing to lose. Their trust in the Dutch system that protects queer rights – the main reason why they chose to come to the Netherlands in the first place – also contributed to the performance that they constituted during the IND interviews.

The answer to the first sub-question is linked to the second sub-question: *“In what way is self-identification by queer asylum seekers during their asylum procedure influenced by the expectations and identification by the IND?”*. How the decision-making process is structured and influences the self-identification will be dealt with in more detail in the following chapter, but for now it is already important to understand that the self-identification of my informants was constructed in a way they thought would help them to get their asylum claim accepted. Especially the examples of ‘oversharing’ clearly show that my informants were willing to go further than they were actually comfortable with in order to get asylum. None of my informants felt pressured by the IND to do or say certain things, but this does not take away that they felt

the pressure to do or say what in their eyes would be helpful to get their asylum claim accepted. As they heard from their lawyers, queer organisations and/or other people in the AZC what type of questions are asked and what to pay attention to for example, thirteen out of fourteen informants were aware of what kind of self-representation during the IND interviews would be beneficial to have a greater chance at getting their asylum claim approved. Therefore, it is argued in this thesis that the self-identification of my informants was definitely influenced by the expectations and identification by the IND. However, as the following chapter and the answer to the main research question in the conclusion of this thesis will make clear, this is not something where the IND plays a deliberate role in.

Chapter 7 Identification by the IND

The first paragraph of this chapter will answer the background question “*How does the credibility assessment of queer asylum seekers’ claims by the IND come into being?*”. Hereby, it is explained what the authentic narrative of queer asylum seekers entails and what role it plays in the decision-making process. On top of that, information about the country of origin and the IND’s principles are important aspects of the credibility assessment. Thereafter, the IND interview questions are analysed and experiences of my informants are displayed to show what the decision-making process looks like in practice. Lastly, the influence of the identification by the IND on the self-identification of queer asylum seekers is discussed. This results in the concluding paragraph that answers the sub-question “*In what way is self-identification by queer asylum seekers during their asylum procedure influenced by the expectations and identification by the IND?*”.

7.1 The decision-making process

As discussed in chapter 2, the decision-making process about queer asylum seekers is shaped in a context where there is a lot of suspicion towards migrants in general. There is a friction between wanting to provide a safe haven for refugees that are deserving of asylum (victims) and securing the Netherlands from the influx of migrants that are undeserving of refuge (a threat) (Kalkman et al. 2018: 43). In addition, it became clear that SOGI based claims are very sensitive to fraud because it is said that anyone can pretend to ask asylum based on their sexual orientation and/or gender identity, and establishing whether this claim is true or not is difficult (Jansen 2019: 42). In this light, the suspicion around SOGI based asylum claims even grows and the IND’s task to distinguish the ‘true’ from the ‘false’ claims is deemed very important. But how does the IND know which SOGI claim is true or false? In daily life, when someone self-identifies as queer it would be deemed strange when an outsider would question this self-identification and does the identification for the person in question. So, although from this perspective it is (often) understood that it is not possible to determine someone else’s sexual orientation and/or gender identity, somehow the general fear of fraud among queer asylum seekers does lead to attempts by the IND to try to identify the queer asylum seeker. In the literature review (Chapter 3) a lot of critique has been displayed about the decision-making process. The main argument from literature studies and queer-organisations is that there is no uniform or objective way to assess someone else’s sexual orientation and/or gender identity (Jansen 2019; Schans & van Lierop 2019; LGBT Asylum Support 2018; Millbank 2009; Jansen & Spijkerboer 2011). Furthermore, Spijkerboer (2016) argues that it is peculiar that the government prioritises its own view about one of the most intimate aspects of someone’s identity over the view of the queer asylum seeker (p. 671). However, in this paragraph the critique is set aside for a moment in order to focus on the perspective of the IND and give an answer to the background question “*How does the credibility assessment of queer asylum seekers’ claims by the IND come into being?*”.

7.1.1 The authentic narrative

The IND assesses the credibility of the SOGI claim, by listening to the authentic narrative of the queer asylum seeker. The starting point of the IND’s assessment is the self-identification of queer asylum seekers (IND 2019: 1). According to the working instruction, it is the responsibility of the queer asylum seekers to substantiate their SOGI claim and it is the IND’s responsibility to provide the queer asylum seekers the opportunity to tell their authentic story

(IND 2019: 1-2). It might go without saying that a SOGI based asylum claim is a combination of a claim on being queer, and a claim on deserving refuge. For the IND's assessment on SOGI claims this combination is crucial and the one does not go without the other; one can be deemed queer but will not get asylum when one does not have a "well-founded fear of being persecuted" – according to the definition of a refugee (UNHCR 1951: 14). So, for queer asylum seekers it is not only a matter of convincing the IND that they are in fact queer, they also have to prove that they have a well-founded fear of being persecuted in their country of origin and are therefore deserving of refuge in the Netherlands.

During the interviews, the IND uses a list of themes that are expected to elicit the authentic narrative of the queer asylum seeker. In the working instruction it is explicitly stated that these themes are not used as a checklist or as a default to test the sexuality of queer asylum seekers but as a guideline to enable queer asylum seekers to talk about their sexuality and experiences (IND 2019: 2). It is also stated that in every individual case it must be assessed which themes are important to discuss and to which extent the themes are relevant in the authentic narrative of the queer asylum seeker (Ibid.). The IND does not work with a list of (semi-structured) interview questions but starts with providing the space for the applicant to talk freely about the matters deemed important by the individual. Thereafter, the IND employee will ask open questions that build on the specific narrative of the applicant. Whether the queer asylum seeker is able to discuss all of these themes and answer the questions depends on numerous factors such as level of education, traumatization, disability, and more. The IND claims to take this into account as long as the queer asylum seeker can make clear that s/he is not able to talk about it and can support this with arguments (Ibid.). In other words, explaining why one is not able to talk about certain things is part of the self-identification and again, it is partly the IND's responsibility to provide the applicant the opportunity to talk about this (see example box 7.1 – Rob is an IND employee)

Example box 7.1

"[...] That self-identification...I think that is a very good one when it happens. But when will it happen? The moment you tell your authentic story... You do not have to be afraid... 'am I telling the right thing? Do I say what the IND wants to hear? Am I telling them what is needed to get a residence permit?'. Because if you are a sincere homosexual, or LGBT or transgender, then you are, so to speak.... But maybe you will say 'glad that I am given the opportunity to talk today, I am sincerely being listened to. I can finally talk about my feelings and emotions with someone'. According to me, I would say that maybe it is precisely the task of the IND to achieve self-identification for someone. Even the fear, or still finding it difficult to talk about it or whatever... you could also say that this is also part of that self-identification. But that must become clear and it should come to the surface. So yes, you get the same answer again... that authentic story of someone... And of course, self-identification is very much part of that".

(Rob, IND employee, December 24, 2021)

7.1.2 Information about country of origin

Next to the authentic narrative of the queer asylum seeker, the IND also takes (general) information about the applicant's country of origin into account. In many countries having same-sex sexual contact – or even 'unnatural'/'indecent' behaviour – is punishable by law and makes queer people vulnerable for persecution or serious harm (Jansen & Spijkerboer 2011: 21). However, assessing the criminalisation of queer people in their country of origin is also a

difficult process since it is not only/always enforced systematically but also often in an unofficial manner. In these cases, the persecution or inflicted harm is not always recorded and is therefore hard to use as proof during the asylum procedure in the Netherlands. Jansen and Spijkerboer argue that “it is important that scarcity of information about enforcement is not taken as an indication that enforcement does not take place” (Jansen & Spijkerboer 2011: 26). Here again, the individual narrative and personal proof play an important role in the assessment about the credibility of the well-founded fear of being persecuted. Whether one is able to prove persecution without information about enforcement has a big impact on the credibility and eventual assessment of the SOGI based asylum claim.

Nonetheless, the IND also tries to find information about the country of origin outside of the provided information by the queer asylum seeker. In many cases this is not that easy since statistical data and reports are not always available due to under-reporting of sexual violence for example (Jansen & Spijkerboer 2011: 71). Also here, it is a good practice that in many cases a lack of information is not sufficient to reject a claim, since Jansen and Spijkerboer even found that in many cases there is a substantial lack of information about the country of origin with regard to human rights violation (p. 75). In addition, there is a list of ‘safe countries’ which was composed according to the criteria of no war, no systematic persecution, torture or ill-treatment, and that a citizen can receive some degree of protection from discrimination, persecution, or ill-treatment (Boersema et al. 2019). Yet, again, these criteria are not clear-cut and the Netherlands has the longest ‘safe countries’ list in Europe, which thus includes countries that are not deemed ‘safe’ by other European countries (Ibid.). Besides that, it is argued that this list is based on a heteronormative perspective because “countries of origin which criminalise sexual orientation or gender identity cannot be considered as ‘safe countries of origin’ for lesbian, gay, bisexual, trans and intersex applicants” (Jansen 2019: 162).

All in all, although the starting point of the IND’s assessment is the self-identification of the queer asylum seeker, this self-identification is by far not the endpoint of the assessment. The IND tries to assess in many ways whether this self-identification is credible or not, which is a highly complicated process. The process of finding out whether the SOGI claim is credible or not has become even more complicated over the years due to the development of certain principles – which will be discussed now.

7.1.3 The IND’s principles

Over the years the decision-making process has been subject to change (see chapter 2). This has led to the development of certain principles that are at the basis of the interviewing process. The working instruction states that (IND 2019: 3):

1. “The IND does not conduct medical tests to determine sexual orientation”;
2. “The IND does not request documentary evidence in the form of explicit sexual visual material”;
3. “The IND does not ask explicit questions about sexual acts or activities”;
4. “The IND does not investigate whether the asylum seeker conforms to prejudices regarding LGBTers”.

The first principle does not only imply that the IND is not allowed to conduct these tests but it is also not allowed for queer asylum seekers to submit a medical test or examination themselves as proof of their sexual orientation or gender identity (IND 2019: 3). This is because the principle entails the acknowledgement that someone’s sexual orientation and gender identity is not a medical condition that needs to be cured or treated. With regard to the second principle,

queer asylum seekers are allowed to underpin their SOGI claim with photo's and video's of partners, parties or other material that can contribute to prove the sexuality or well-founded fear for persecution. Yet, this is not a requirement by the IND and, as the second principle states, the provided material cannot be explicit sexual material. In that case it is not considered as evidence and the material is not taken into account (Ibid.). For the third principle, the working instruction specifies that it is the responsibility of the IND employees to point out to queer asylum seekers that talking voluntarily about sexual acts is not required and will not be taken into account (IND 2019: 4). Lastly, according to the fourth principle, the IND is not allowed to ask the queer asylum seeker questions that are based on prejudices about queer people in general (Ibid.). When queer asylum seekers talk about stereotypes themselves, the IND employees are allowed to follow up on this, but in the first place the focus must be on the individual situation and personal circumstances.

Another important principle is the way the IND deals with late disclosure. Queer asylum seekers do not always tell the IND immediately that their claim on asylum is SOGI based because of fear, shame or ignorance (Jansen 2019: 113). As the working instruction states, the IND should not hold this against the applicant and in the following interviews and assessment the late disclosure cannot be the first or only reason to deem the sexual orientation credible or not (IND 2019: 6). The IND is allowed to ask what the queer asylum seeker's reason for late disclosure is and the answer to this question is taken into account in the assessment (Ibid.). Whether the late disclosure has an effect on the assessment of the SOGI claim is something that will not be dealt with in this thesis since all of my informants (but one) disclosed about their sexuality already from the start of their asylum procedure. Only Boris did not fully open up about his sexuality but in his case he is still in his second application procedure and it is therefore not possible to say whether his late disclosure plays a role in the second assessment.

7.2 IND interview questions

In this paragraph the IND interviews will be discussed more in depth. Since it was not possible within the scope of this research to find more informants that represent the perspective of the IND, the analysis in this paragraph is mostly based on the perspective of my informants again. It must be taken into account that this perspective is sensitive to bias because of the specific experiences my informants endured and the circumstances they were in at the moment they had the IND interviews. So, the underrepresentation of the perspective of the IND is a shortcoming in this thesis.

7.2.1 Transgressive questions

As explained before, the IND interviewers do not work with a given set of questions but use the working instruction to elicit the personal narrative of the queer asylum seeker (IND 2019: 2). Since there is no given set of questions it is hard to generally assess whether questions are too invasive or vague. Next to that, not having a given set of questions also has as a consequence that the quality of the IND interview is highly dependent on the skills and approach of each IND employee (see example box 7.2).

Example box 7.2

“One needs five questions while another needs fifteen or twenty questions [to come to self-identification]. And I am responsible for providing them the opportunity. But that self-identification...the authentic narrative...that is the asylum seeker's [responsibility]. I cannot

do that for them. [inaudible] I heard some coworkers say 'I still have half an hour so I will ask some extra [irrelevant] questions'. No. The questions are asked so the queer asylum seeker can give information which allows the IND to make a careful decision. This is very important. I get a little bit agitated when new people answer 'I still had some time left' when I ask them why they asked those questions. Because those questions are not relevant. This is not your job... It is not a tea-party...your questions should be relevant".

(Rob, IND employee, December 24, 2021)

When I asked my informants directly, none of them explicitly stated that they experienced the questions asked during the interview with the IND as uncomfortable or transgressive. However, further on in the interviews, one of my informants mentioned that his ex-partner did get questions about his sexual life that made him feel uncomfortable (see example box 7.3a) and another informant experienced this herself and felt uncomfortable (see example box 7.3b). Resembling what has been discussed in chapter 6, it is interesting to see that although the questions made them feel uncomfortable, they did answer the questions and talked about their sexual life because they felt like they had to in order to get their asylum claim accepted. Since I do not have the transcript of these IND interviews or a statement of the IND employees, it cannot be analysed why and how the IND asked these informants about their sexual life. What can be concluded from these examples is that it shows how important it is that the IND takes the responsibility for the third principle: "the IND does not ask explicit questions about sexual acts or activities" (IND 2019: 3). Either queer asylum seekers are unaware that they do not have to discuss their sexual acts or activities or they think that it will help their case and are therefore willing to talk about it, although it makes them uncomfortable. In both cases, it would be a good practice of the IND to protect the queer asylum seekers by taking the responsibility and tell them that it is not necessary to talk about their sexual acts and activities.

Example box 7.3a

V: and were there any questions that made you feel uncomfortable during the interview?

Z: for me, when I started the big interview, IND did not ask me questions like "how going in your sexual life?". In this moment [at that time] I have my partner and he said me that IND asked me about this questions about sexual life, you know. And I do not know how....how it's to love for IND.....okay we ask him about this and him we don't ask about it, I do not know how it is going. But you know, I think my ex partner he is look like....you know....no one is going to know when you see him....you cannot say he is gay. I think that is why IND ask him more than me....more questions about sexual life. [...]

Z: Also I want to talk, I want to say them this [talk about his sexual life] but then when I start to say about this, this workers from the IND said me: "no you not need to say this. Please do not talk about sexual life, intimate life".

(Zemislav, December 19, 2021)

Example box 7.3b

V: and were these hard questions?

I: yes....our lawyer said that the questions were not okay. They should not have asked such private [intimate] questions.

A: the lawyer said that it was not correct.

V: and the lawyer told you this after the interview? [yes] So the IND asked you this during the interviews and only afterwards your lawyer told you that this was not okay?

I: yes, lawyer said that it was not allowed. After interview.

V: *was it difficult for you to talk about this?*
A: *yes it was hard.*
I: *but Alina answered. [Alina shrugs]*
V: *so you answered all of the questions?*
A: *yes.*
[...] V: *and did your lawyer tell you why you got those questions?*
A: *no.*
V: *was it a big part of your interview or only one or two questions?*
A: *big. Many questions.*
(Izolda & Alina, December 16, 2021)

7.2.2 Frustration about questions

Although most of my informants did not experience the interview questions as transgressive, there was a lot of frustration among my informants about the questions. Igor (and others) experienced the questions as if they were asked from a checklist (see example box 7.4) – which is the opposite of what the IND states to do in the working instruction. Whereas the IND states that it wants to take the individual and authentic narrative into account, it is remarkable that the case of a married gay couple still takes as much convincing of the credibility of their queerness as any other case. It would make more sense when the IND would focus more on the ‘well-founded fear of persecution’ in such a case than asking questions about the sexual life of a homosexual that is married – by law – with another homosexual in order to see whether his stated sexuality is actually credible or not. Since the IND states that it takes self-identification as a starting point, one might ask oneself whether it would not be a good practice that the self-identification will only be questioned when there is a grounded reason for doubt or when the contrary has been proved. In other cases, dwelling on questions about the credibility of someone’s queerness would be unnecessary since the self-identification is taken as the starting point and their stated queerness can thus be believed (this argument is further discussed in the discussion section 8.2).

Example box 7.4

V: *But more specifically, like a recommendation about the interview itself?*
I: *maybe make the questions more personal than the instruction. Because when we hear other people, all questions are the same. And also, it's easier for fake people to prepare for interview when questions are known. So make questions on person. As you see person, you ask him, and only him. Not everybody the same. For example, we are couple. I don't see any reason to look if we're gay or not. It's pretty already obvious...*
A: *...yeah but not everybody is so obvious....*
I: *We got married. We are married. We live together. We have photos together. We give them photos. And still I got questions about sexual life. What for?*
(Ali & Igor, December 24, 2021)

However, what is complicated here for the IND employees, is that the aim of the IND interviews is to gather information without assessing the gathered information already during the interviews (IND 2019: 4). The assessment is done by an impartial party that reads the transcripts and forms a judgement based on the given narrative and supporting documental proof. In itself, this is a positive principle for the queer asylum seekers because the judgement is not biased through personal emotions or opinions of the decision-makers (since they have not seen the queer asylum seekers in person). But on the other hand, it is disadvantageous for the queer

asylum seeker since it requires more questions to prove the sexuality on paper although the IND employee might already be convinced that the queer asylum seeker is telling the truth. But due to the principle, the IND employee is not supposed to assume that someone is in fact queer, so, s/he cannot stop asking questions during the interview that prove the credibility of that person's queerness. An example from one of Rob's interviews shows how complicated this is in practice (see example box 7.5).

Example box 7.5

"He had a lot of support from homosexual organizations around him. [...] So they had all written letters for him, 'we know he is gay'. And I had that same feeling myself, that he could be. But for me it was more to see.... what could be important for him to be able to return to [country of origin]? Or how would he feel there? Among his family? Never being able to say he is gay. Never being able to let his partner come over. And then he was still saying 'yes but if I want to see my mother I want to go back to [country of origin]'. I tried to start a conversation with him about this. And precisely because he struggled so much with this and could not answer my questions, I had already passed the point of... 'I do believe that you are homosexual', but I am now trying to map out what kind of violation you would encounter if you returned to [country of origin].

My fellow decision-maker found his answers so unclear and vague that he did not even believe he was homosexual. While I, based on my questioning, wanted to see exactly those questions answered... 'he is gay, he is gay'. And this case went to court and then the new decision-maker, he called me and he said 'Rob, I do understand your questions'. He also granted him asylum.

But now you see how difficult it is to although we do strive for it.... I think it's an obligation to strive for, that you give that verdict with one view, in one way. While indeed I think that that first decision-maker completely misunderstood what my aim was. What was already clear to me...".

(Rob, IND employee, December 24, 2021)

Another frustration among my informants was that some of the questions are asked from a heteronormative point of view. Although the whole point of the SOGI based asylum procedure is that queer asylum seekers have to prove their queerness and thus have to talk about it, this can be a very frustrating process since questions are asked that heterosexual people would never get because it is deemed obvious or normal among heterosexuals (see example box 7.6). It is not a critique per se because from the IND's perspective it is necessary to know more about the experiences and feelings of the applicant in order to find out whether a SOGI claim is 'true' or 'false'. But it must be recognised that questions that emphasise the exceptionality or distinctiveness of queerness can be frustrating for people that actually want to identify as human being and claim their human rights, without having to feel 'different'. Even in my interviews some of my informants said that they did not like to identify as queer (or whatever category from the term LGBTQI+) because they are more than just that label. "I believe in humanity and I wish that one day we would not have to identify ourselves in any way because... I am just a person you know. Everything about me is different than everything about everyone so why should I put a label on that?" (Interview with Mandisa, February 6, 2022). But my informants were not naïve and were well-aware that their queerness also offered them the exceptional position to get asylum in the Netherlands in the first place.

Example box 7.6

“The fourth interview was about ‘you’.

[imitates the IND interviewer:] “How many relationships did you have?’ Why? Why did you choose this guy? What was your feeling with him? When you broke up with him, why you broke up and what was the feeling?”

Which is emotion and more emotion, to make sure that you are gay. In this way they make sure that you are gay or not. Euhm...what else? Yeah, you tell about your previous relationships. Each guy...each relationship, why and how and who?

[imitates the IND interviewer] “Why you loved him? Why you left him? What was the feeling when you are with him...like, making love sometimes.”

...One of the questions...which is really rude....

[imitates the IND interviewer] “Like, when you broke up....what is the feeling?”

M: I was like...you had a boyfriend?? That’s what I asked.

She told me ‘yes’.

M: Did you break up with him?

She told me ‘yes’.

M: Okay, the same feeling.

She was like, ‘what?’

M: I said, ‘yeah... the same feeling’”.

(Mahmood, January 19, 2022)

7.3 Influence of identification by the IND

This paragraph will address how the identification by the IND (un)consciously influences the self-identification of queer asylum seekers during their IND interviews. Again, this section relies mostly on the information that I gathered from the interviews with queer asylum seekers and does not fully represent the IND’s perspective.

7.3.1 The freedom of self-identification

As chapter 6 made clear, all of my informants were aware of the starting point of the IND’s decision-making process: the authentic narrative. Almost all of my informants pushed themselves to openly discuss their sexuality with the IND and they conformed to the IND’s expectation of telling their authentic narrative. Paragraph 6.2 also showed that queer asylum seekers prepare themselves for the IND interviews and most of the time they are aware of what kind of questions or facts (such as dates, street names, etcetera) will be asked. This preparation phase must be understood as the most crucial phase wherein the self-identification of queer asylum seekers is influenced by the identification by the IND. Interestingly, for the most part, the IND does not play a role in this. Lawyers and other queer organisations help the queer asylum seekers in this preparation period and thereby influence the self-identification of the queer asylum seeker (see example box 7.7).

Example box 7.7

“And for example Sandro [Kortekaas – LGBT Asylum Support] teaches them I believe....he really prepares them for those interviews and he really trains them for it. I do not necessarily know if he does that or someone else I have spoken to from an organization. But they really do train them in it... Like, pay attention to the data, because they can really get caught on that... when you are really inconsistent with dates, or place names. You really have to be able to give the details to be believed. And I do believe that these interest groups are drilling them [this has not been confirmed nor denied during my data gathering]. But then I really

think...to what extent do you still tell your own story. Because I believe that it is more like... well, I would not say invented story... but just a rehearsed story, just to meet the requirements. So I do not really believe that they are themselves”.

(Laura, former IND employee, November 24, 2021)

Although for most of my informants the influence of lawyers and/or queer organisations was mostly about what to expect and what to focus on during the IND interviews, the example of Mandisa’s interview preparation shows that lawyers and/or queer organisations can drastically impact the narrative of the queer asylum seeker as well (see example box 7.8)

Example box 7.8

Mandisa told me that her case is based on ‘being afraid of my husband’. This is true, she is afraid, but that was actually not what pushed her to go to the Netherlands. She already had the plan to go to the Netherlands when she was in Dubai [where she worked temporarily]. But she wanted to stay in Dubai for a while to save some money because she would need it here. But when her husband contacted her company and she got fired, she had to rush things. Her lawyer said that being LGBT and wanting to live with your girlfriend would not be enough to get asylum. So therefore her lawyer told Mandisa that she should really emphasise that she is scared of her husband and that that is one of the reasons why she fled.

“Being gay in [country of origin]your life is not safe. But all of that is not enough to get asylum. Even if they believe you are gay, they have to believe that there is real danger against your life in your country. And that is not easy to prove”.

(Mandisa & Amunet, February 6, 2022)

This raises the question to what extent the queer asylum seekers’ narratives remain ‘authentic’ when exposed to this preparation phase.

But Rob argued that the preparation phase and the authentic narrative go hand in hand, and that the first can even stimulate the second. At three different moments during the interview he mentioned how important it is for queer asylum seekers to have good guidance during the preparation phase. When I asked Rob what the IND could do to stimulate queer asylum seekers to talk about their queerness, he answered: “that they really explain them in advance what is expected of somebody and what he should tell. ‘Reach that self-identification and do not be afraid. Have faith. And if it is not going well, you can just say that. And if you do not understand a question, do not answer it out of politeness but just say that you do not understand the question’.” (Interview with Rob, December 24, 2021). Although the IND interviewers do their best to elicit the authentic narrative of the queer asylum seekers, Rob argues that there is too little time to elaborately explain what is expected of the queer asylum seeker during the IND interview itself. So, according to Rob, the preparation phase can thus have a huge positive impact on the queer asylum seekers ability to tell a clear and authentic narrative.

7.3.2 The impact of the IND interview itself

Not only the preparation phase affects the self-identification of queer asylum seekers (during the IND interviews). As already elaborately discussed in subparagraph ‘6.2.2 Interview experiences’, the IND interviewers and translators also had an impact on the way my informants performed their identity during the interviews with the IND. In case of most of my informants, they did not let negative experiences with their interviewer or translator withhold them from talking about their sexuality. However, seeing that thirteen of my fourteen informants did not have (a lot of) inner struggles (anymore) and were pretty self-confident about their sexual

orientation and/or gender identity, it is important to take into account that even they already struggled with talking about their sexuality; let alone what the impact must be for queer asylum seekers that still struggle with their identity upon arrival in the Netherlands. Since the working instruction states that it is the IND's responsibility to provide the queer asylum seeker the opportunity to tell the authentic narrative, I would argue that it is the IND's responsibility to address the problem of the negative impact that IND interviewers and/or translators can have on the self-identification process of queer asylum seekers during the IND interviews.

Loosely related, I also want to address something alarming that I encountered during two of my interviews. This is about the influence that the interview itself has on the queer asylum seekers. All of my informants expressed that the extensive interview was very tiring and hard (physically as well as mentally). Some interviews take up to eight hours and there is a lot of emotional content discussed. But two of my informants even indicated that the interview took a high toll and they got depressed after the interview. Mandisa gave a good description of why the interview was so intense for her (see example box 7.9). It is important to mention this because, as this whole thesis made clear, queer asylum seekers face difficult circumstances in their country of origin as well as during their asylum procedure. The prior experiences and intersectional categories do not only affect the performance during the interviews with the IND (as chapter 6 showed). The interview itself also affects the well-being of the queer asylum seekers after the interview. Again, it would be a good practice of the IND to take responsibility in protecting the mental health of the queer asylum seeker during the IND interviews since the queer asylum seekers themselves exceed their limits in the hope of getting their asylum claim approved. They might not be directly forced by the IND to share all this heavy content, but they do feel the necessity to open up about this, without realising what the effect might be on themselves. More sensitivity regarding the circumstances of the individual and mental health guidance needs to be available (whenever necessary).

Example box 7.9

*“So many things that we did not feel very comfortable to talk about but we had to talk about it and tell them about it”. The IND asked questions about their sexual preferences and sexual orientation and this was not something very easy to talk about for them. “It is not something you can put in/describe in words. If the person in front of you is not LGBT himself, it will be very difficult to get how you feel through words to them. So if you bring anyone who is LGBT friendly... tell them, listen it is not....it is not going to be as easy as if it is a LGBT person that is conducting the interview. We think of it that way. For me, the hardest questions...there are some questions that I actually did not feel that it would be very traumatic. Or that that situation in my life was that terrible until I had to talk about it with the IND”. She thinks that is why she got depressed after the interview. All of a sudden, she had to talk about “all the bad things that happened to her in her life in one go. And after that I was like ‘my God...my life. What happened to me? How did I go through all of this?’.... Everything on it's own, when it happens.... Like there is some good things that happened before and after that makes it a little bit neutral in your memory and in your mind until you have to say them and you talk about all the bad”. These are topics that are more suited for a session with a psychologist. But even then, Mandisa remarks, in a session with a psychologist you have the space to decide what you want to talk about. But with the IND you are just answering questions [and have to lay it all on the table]. In their language they do not call the interview with the IND an ‘interview’ but they call it an interrogation.
(Mandisa & Amunet, February 6, 2022)*

7.4 The IND's identification: case study

This section elaborately discusses one of my informant's cases. It must be said that in twelve out of fourteen cases my informants got their SOGI based asylum claim accepted at their first attempt. The fact that this section only deals with one of two cases where the first asylum claim was denied must therefore be understood as not representing all the other informants' cases. Nonetheless, it is very important to discuss this case because it does represent other queer asylum seekers whose sexuality is not deemed credible by the IND (during their first application) and gives the reader a better insight into how the decision comes into being. Why my informants (who got their asylum claim accepted at once) were deemed credible by the IND is not stated anywhere. Not even my informants themselves know on what grounds their claim is accepted. But when an asylum claim is rejected, the IND has to explain on what grounds the claim is rejected so the applicant can appeal. Therefore, a rejected claim makes it possible to analyse the grounds of the decision-making process albeit it only focuses on the negative decisions.

7.4.1 Awareness

In this section the appeal of Pamu is analysed. The appeal was written by his lawyer after he got the denial (note: after the appeal, Pamu got his asylum claim accepted after all). The reason for the rejection of the SOGI based claim was because Pamu's homosexuality was not deemed credible. In the IND's decision this is substantiated by various arguments. In the appeal, the lawyer refutes these arguments and makes clear that the IND's arguments are not substantial or are even based on assumptions. To begin with, one of the critiques of the IND was that Pamu gave an inconsistent statement with regard to the moment he realised he is homosexual (see example box 7.10).

Example box 7.10

A fragment from the IND's decision:

“On the one hand, the person concerned states that he found out he is a homosexual during the relationship with a fellow student from boarding school when he was twelve years old. On the other hand, the person concerned states that he only found out what it means to be a homosexual and that it is not accepted when he was fifteen years old and searched for information on the internet” (Pamu's appeal: p. 2).

The lawyer refutes this decision by arguing that during the interview Pamu clearly stated that he realised he had 'homosexual' feelings when he was twelve years old, but knew that he was a homosexual when he was fifteen years old.

Before the lawyer continues with the response to this statement of the IND, he includes some of Pamu's answers to questions that were asked during the interview with the IND:

IND: In your own words, could you tell me how you realised that you are a homosexual?

P: That was when I was a child. I was somewhere between twelve and fourteen years old. I was in boarding school. I stayed there for four years. The last two years I noticed that I felt attracted to boys and I was in a relationship with a fellow student.

*IND: Can you tell something more about how you discovered that you felt attracted to boys?
(...)*

IND: Was that also the moment when you realised that you liked boys?

P: I had that feeling earlier. But that was the first moment that I experimented with it. I had the feeling that I was attracted to boys earlier but I did not yet realise that such a feeling is considered deviant, until I got in touch with that boy.

IND: When you first felt attracted to boys, what did you think?

After this fragment, the lawyer argues that:

- 1) Attention should be paid to the fact that Pamu did not say that he realised he is a homosexual at twelve years old but said that he felt attracted to boys at that age. He even states that at that time, he was unaware that this is considered deviant.
- 2) The way the questions are formulated is ambiguous because it is not clear whether the interviewer wants to know about the awareness of homosexual feelings or the awareness that one's sexual orientation is categorised as 'homosexual'.

The lawyer concludes that the IND's interpretation that Pamu said he already knew he was a homosexual at twelve years old is unjustified and that the claimed inconsistency in Pamu's story is therefore not supported.

(Pamu's appeal: p. 3)

On top of that, the lawyer refutes at least three arguments of the IND wherein the complexity of Pamu's emotional process is not recognised and the IND assumes that there is one moment of awareness about his sexual orientation: "again it is considered that the person concerned has not stated unequivocally when he realised that he is homosexual and that this deviates from the society's norm and his thoughts and feelings on the matter" (Pamu's appeal: p. 7). In fact, as also mentioned in the working instruction, becoming aware of one's sexual orientation must be understood as a process (IND 2019: 5). The foregoing fragment from Pamu's interview with the IND – but also other fragments that the lawyer included in the appeal – clearly show that Pamu makes a distinction between the moment he was aware what the term 'homosexuality' entails and the longer process of awareness that started somewhere around the age of twelve.

7.4.2 Assumptions

Another critique of the IND was more focused on the content of Pamu's narrative but was refuted by Pamu's lawyer since the IND made some assumptions about Pamu's narrative that were not explicitly mentioned by Pamu himself during the interview with the IND (see example box 7.11)

Example box 7.11

A fragment from the IND's decision:

"It is surprising that the person concerned took his friend to his parental home, now that the person concerned has also stated how his mother and brother had reacted to the fact that he had looked for information on the internet about homosexuality. This reaction clearly showed that it was not acceptable to them. The person concerned also stated that he saw the men with whom he was dating in public, but then only amicably, so that the outside world would not suspect that this was a homosexual relationship. With regard to the statement of the person concerned that he took [boyfriend's name] to his parental home, it is considered that this is not considered credible in combination with his earlier statement about the reaction of his mother and brother which clearly showed that homosexuality was absolutely not accepted

for them. The foregoing damages the credibility of the alleged relationship” (Pamu’s appeal: p. 7).

Lawyer’s reaction in the appeal:

“The foregoing consideration is apparently based on the assumption that [Pamu’s] family was at home when he took [boyfriend’s name] to his parental house. It has not been stated or shown what this assumption is based on. This cannot be inferred from [Pamu’s] own statements. The State Secretary misunderstands that now it is clear that the family disapproves of his orientation, [Pamu] kept his relations apart from his family. Rather, it is therefore more reasonable to assume that they were not there. Since the aforementioned objection is based on assumptions that have not been specified in more detail, this cannot be regarded as a properly substantiated position. That [Pamu] took a risk by taking [boyfriend’s name] home, even when his family was not there, cannot reasonably detract from his credibility. First of all, [Pamu] had no other place to take him to. In order to be with him, he had to take some risks” (Pamu’s appeal: p. 7).

What is interesting is that the example in box 7.11 is not isolated. Another response from the IND to a fragment from Pamu’s interview is: “it is very strange that the person concerned would have taken this risk in view of his earlier statements that he tried to keep his sexual orientation anxiously hidden” (Pamu’s appeal: p. 8).

In the appeal, the lawyer refers to Jansen’s study (2019) where it is argued that many stereotypes that Jansen & Spijkerboer (2011) addressed in an earlier research, still play a role in the asylum procedure. One of these stereotypes is the assumption that people never take risks. The lawyer then argues: “in fact, risk-taking is inherent in dealing with a partner in a country where homosexuality is taboo” (Pamu’s appeal: p. 8). Besides that, in both cases the lawyer was able to diminish the magnitude of the ‘risk’ and showed that Pamu made a far more calculated estimation of the situation than the IND gives him credit for.

7.4.3 Complexity of emotions

As displayed in chapter 5, Pamu is Christian and cares about his religion deeply. During the interview with the IND, he told the IND about his conversation with a Lebanese pastor that had a huge impact on his life. In the IND’s decision this fragment was compared to another moment that Pamu talked about earlier in the interview. The comparison of these two (for Pamu unrelated) fragments led to the IND’s decision that Pamu had been inconsistent (again) (see example box 7.12).

Example box 7.12

A fragment from the IND’s decision:

“It is also considered that the person concerned has not provided sufficient insight into what the words of the pastor exactly meant and how they ensured a complete turnaround for the person concerned with regard to the acceptance of his sexual orientation, partly in view of the statement of the person concerned that he attempted suicide at the end of July 2019, because this seemed easier to him than that his family would find out about sexual orientation. In the corrections and additions to the extended interview, the authorized representative indicated that the conversation with the pastor was the first time that the person concerned heard someone say that he was not bad but good and that there was nothing wrong with him. This statement is not accepted, because the person concerned also stated that after the fight with his mother and brother at the age of sixteen, he told his sister about his relationship with

the fellow student. The person concerned stated that his sister told him that it was normal and that he was not to blame [for his feelings]. This shows that the conversation with the pastor was not the first time that someone had told him that he was normal. The foregoing undermines the credibility of the statements of the person concerned with regard to the moment [emphasis added] that he accepted his sexual orientation” (Pamu’s appeal: p. 9).

Lawyer’s reaction in the appeal:

“It is noted that the Secretary of State demonstrates an inadequate grasp of the complexity of the matter at hand here since he fully equates a statement from the sister of [Pamu] at 16 about his sexuality with a statement from a pastor to [Pamu] 10 years later after [Pamu] attempted suicide because of the problems he had encountered as a result of his sexuality” (Pamu’s appeal: p. 9).

Although the appeal is more elaborate than this paragraph shows, the examples mentioned here give a better understanding of how the decision-making process is put into practice. It must be kept in mind that every rejection is different and specific to the applicant’s interview. Next to that, the decision-making process is not objective and is therefore also dependent on the individual decision-maker. However, Pamu is one of many applicants in the Netherlands whose sexual orientation is not deemed credible and what can be taken away from these examples, is that the reason for rejection is not always justifiable. Luckily for Pamu, after the appeal, the IND reconsidered the decision and granted him asylum after all. But the rejection and period afterwards took a high toll on his mental and physical health; which would not even have been necessary when the IND would not have been so “childish” (in the words of Pamu’s lawyer). Not to mention all the queer asylum seekers that did not get a positive decision based on maybe similar unjustifiable reasons...

7.5 Conclusion

Although the question has been already partly addressed in chapter 6, this chapter makes it possible to fully answer the sub-question “*In what way is self-identification by queer asylum seekers during their asylum procedure influenced by the expectations and identification by the IND?*”. In chapter 6 it was argued that the self-identification of my informants was constructed in a way they thought would help them to get their asylum claim accepted and that none of my informants felt (directly) pressured by the IND to do or say certain things. On top of that, as this chapter displayed, the IND states that the self-identification of queer asylum seekers is the starting point in the decision-making process. From this point of view, one could argue that the self-identification by queer asylum seekers is not directly or at least barely influenced by the expectations and identification by the IND.

However, in this chapter it also became clear that the IND’s aim of taking self-identification as a starting point is complex and it is definitely not the endpoint in the decision-making process. In the end, it is still the decision-maker that decides whether the self-identification is deemed credible or not (as the case study of Pamu clearly displayed). This rests on an imbalance of power between the queer asylum seeker and the decision-maker and can be seen in light of Foucault’s notion of *bio-power*; the regulation of and control over the queer asylum seekers’ lives (as explained in chapter 3). In the context of the asylum procedure a distinction is made between the queer asylum seekers that deserve protection and fraudulent asylum seekers that need to be rejected. The wish to conform to this former category elicits a process of self-identification according to the expectations of the IND that is conscious as well

as unconscious. Here, the influence of the identification by the IND on the self-identification process of queer asylum seekers is apparent.

Notwithstanding, it must be noted that the notions of *agency* and *social navigation* play an important role here as well. As discussed in the theoretical framework, social navigation is the way an individual navigates through different circumstances and various social interactions by shifting between the *tactic agency* – short-term responses to people or social situations – and *strategic agency* – long-term strategic anticipation and reaction to people or social situations (Utas 2005: 407). My informants maintained both types of agency during their asylum procedure since their performativity was a short-term – opening up about their sexuality – as well as long-term – knowing that opening up would increase the chance of getting asylum – response to the specific social situation that they are in, namely, the asylum procedure. By making use of this social navigation, my informants were able to disengage at least a little bit from the power imbalance in the decision-making process and utilise the provided space by the IND for self-identification.

All in all, chapter 6 and 7 made clear in what way and to what extent the self-identification by queer asylum seekers is influenced by the expectations and identification by the IND. How this friction is experienced by my informants will now be discussed in the main conclusion of this thesis.

Chapter 8 Conclusion, discussion and recommendations

The first section of this chapter displays the answers to the sub-questions and will thereafter answer the research question that is central to this thesis. In the second section, a discussion is provided about the contribution of this thesis to the literature on this topic and the shortcomings of this thesis are discussed. Lastly, some recommendations are mentioned by my informants that could be the starting point for more and/or new research on these topics and thereby can contribute to the improvement of the asylum system (for queer asylum seekers).

8.1 Conclusion

This thesis will be concluded by providing an answer to the research question: *“How do queer asylum seekers experience and deal with the friction between self-identification and identification by the IND during their asylum procedure in the Netherlands?”*.

By using an intersectional approach during the fieldwork period and while analysing the data, it became clear in chapter 5 and 6 that the prior experiences and intersecting social categories – such as religion, culture, connection with family and friends, and so on – influenced the performance of my informants in their country of origin but also during their asylum procedure in the Netherlands. This was especially reflected in the examples where my informants ‘overshared’ (i.e. they shared more than they were actually comfortable with) and where they felt an internal pressure to say things that would hopefully help their claim to get accepted. It was argued that the intersectional approach is an enrichment to regarding the narrative as merely ‘authentic’. The focus on authenticity bypasses the interrelation between the social categories. On top of that, it does not explain why certain social categories (in)directly influence the performance of the queer asylum seeker more than others. Thus, an intersectional approach can contribute to establish whether a queer asylum claim is credible or not because it helps to see the causes and effects of specific performances in the queer asylum seeker’s life instead of only looking at the authenticity of that one, seemingly consistent/solid performance during the IND interview.

Furthermore, the IND’s focus on authenticity creates a certain assessment criterium wherein the queer asylum seeker should fit the IND’s framework of an ‘authentic’ narrative. This leads to the second sub-question that was answered in chapter 6 and 7. In these chapters it became apparent that the self-identification by queer asylum seekers is indeed influenced by the expectations and identification by the IND. Foucault’s notion of bio-power was useful to understand the power imbalance between the two identification processes that play a role in the asylum procedure of queer applicants. On the one hand, the IND states to take the self-identification of queer asylum seekers as a starting point in the decision-making process. But on the other hand, it is the IND that assesses which self-identification is credible or not and thereby regulates the entrance of queer asylum seekers in the Netherlands. As an effect, my informants (un)consciously constructed their identity in a way that thus fits the IND’s framework of the ‘authentic’ narrative. It must be noted that in order to do so, my informants made use of the little agency they had within the power imbalance and used this agency to navigate through the asylum procedure.

The answers to both sub-questions uncover the existing friction in the asylum procedure between self-identification and identification by the IND. However, the main argument of this thesis is that this friction does not exist between the IND as an organisation and the queer asylum seekers as individuals but that it must be understood as an internal friction for the queer asylum seeker alone. Because of the identification by the IND, my informants felt the need to

perform another (inconsistent) self-representation that would grant them the highest chance to get their asylum claim approved. They were aware of what the IND wanted to hear and constructed their ‘authentic’ narrative accordingly. This is not to say that they lied or faked their story in order to get asylum. The point made here is that the IND states to take self-identification by queer asylum seekers as a starting point in the decision-making process while the IND is not aware that the core of the queer asylum seekers’ self-identification is the aim to fit the identification by the IND. Therefore, it can be questioned whether the IND’s claim of taking self-identification as the starting point of the decision-making process has been successful so far.

All in all, as many prior studies and also the IND have argued, putting self-identification at the core of the decision-making process with regard to queer asylum seekers has been a good development. However, this study has shown that this has not proved to be enough in the current asylum procedure since the power imbalance causes an internal friction for the queer asylum seeker and therefore influences the self-identification of the queer asylum seeker.

8.2 Discussion

Up until so far, little research has been done on what ‘self-identification’ within the asylum procedure of queer asylum seekers actually entails. It has been a good development that the IND focuses on self-identification of queer asylum seekers and uses these ‘authentic’ stories to make a decision about the credibility. However, hereby the IND (and other independent literature studies) take ‘self-identification’ as something that is unambiguous in itself. This thesis has shown that it is important to pay attention to how this self-identification comes into being and how queer asylum seekers experience this process of having to ‘self-identify’. The main argument – that the prior experiences, various social categories and the identification by the IND result in an internal friction for the queer asylum seeker – evokes a discussion to what extent taking self-identification as a starting point is actually a process of (uninfluenced) *self-identification*. I would like to take this discussion even further by arguing that, if the IND would take the self-identification of queer asylum seekers as the starting point of their asylum procedure, one’s sexual orientation and/or gender identity should not be questioned along the way. The focus would then shift from the credibility assessment towards a check whether the person in question really has a “well-founded fear of being persecuted”.

For queer asylum seekers that have prove of this well-founded fear, this shift would not be problematic. They are able to prove that they had to flee their country of origin on the grounds of their sexual orientation and gender identity and – assuming that the IND purely takes self-identification as the starting point of their asylum procedure – their sexual orientation and gender identity should not be questioned and the IND would only assess the proof of their well-founded fear. No distinction would be made between a queer or heterosexual asylum seeker because in the end only their well-founded fear is important to get refuge. However, for queer asylum seekers that cannot prove this well-founded fear (e.g. because they fled before anything happened to them) the shift in policy would be more problematic since they merely have their self-identification to stand on during their asylum procedure. More research could be done to find out how queer asylum seekers that have trouble proving their well-founded fear can make a better case during their asylum procedure, without being assessed on their credibility with regard to their sexual orientation or gender identity.

This discussion brings me to a shortcoming of this thesis that is relevant to pay more attention to (as long as the asylum policy for queer asylum seekers remains dependent on the

identification by the IND instead of starting from the pure self-identification of the queer asylum seekers). As the literature and queer organisations made clear, there are a lot of SOGI based claims deemed not credible by the IND. In this study, only two of my informants got their application rejected the first time, which makes it hard to formulate well-founded arguments about this sub-group in general. The reasons why queer asylum seekers' claims are rejected vary. But one of Jansen's arguments is that "in Dutch asylum practice the assessment of truth in a stated sexual identity is mainly based on presumed, set processes of awareness and self-acceptance and the asylum seeker's capability to speak about this in detail" (Jansen 2019: 82). With regard to my informants, this is a very important point of discussion. Thirteen out of fourteen informants talked elaborately about their processes of awareness and self-acceptance during their interviews with the IND. Besides that, they were more than capable to talk about all of their experiences and inner struggles in detail. For my informants, this probably had a positive effect on the decision about their asylum applications. However, my informants only conform to the IND's expectations and do not challenge these expectations. Therefore, my informants are not representative for queer asylum seekers that do not conform to these expectations and thereby encounter complications in their asylum procedure.

The fact that my informants were capable of talking about their processes of awareness and self-acceptance is clearly a well-founded argument that should positively affect the IND's decision about their SOGI based claim. The point for discussion, however, is that the fact that some queer asylum seekers are not capable to talk about their processes of awareness and self-acceptance (because they simply did not experience this for example) should not be (the sole) ground for rejection. Whether this is the case or not cannot be argued in this thesis due to the lack of representative informants on this issue. Further research could contribute to find out what the IND can improve in order to make sure that SOGI based claims are not rejected on the grounds of the inability of some queer asylum seekers to talk about processes of awareness and self-acceptance, or a lack thereof.

Lastly, within the scope of this thesis I was unable to get access to organisations that are involved in the procedure of queer asylum seekers in the Netherlands. As discussed above, one of the implications was that I did not have access to a wider pool of informants and therefore I miss the perspective of queer asylum seekers that had their asylum claim rejected. However, another implication is that I was unable to study the influence of these organisations on the self-identification of the queer asylum seekers during their interviews with the IND. From a few of my informants I heard that these organisations involved, provide queer asylum seekers with information about the asylum procedure, support them along the way and also tell them what is necessary to do or say during the interviews with the IND. What kind of effect and to what extent this effect has implications for the self-identification of queer asylum seekers has not become clear in the scope of this research. Follow-up research on this issue could contribute to filling the gap about what 'self-identification' of queer asylum seekers during their asylum procedure in the Netherlands actually entails.

8.3 Recommendation

The recommendations in this paragraph stem from my informants and only one of them is directly related to this research. Notwithstanding, I think it is important to mention the recommendations by my informants because they can be the starting point for new and/or more research and thereby contribute to the improvement of the asylum procedure for queer asylum seekers in the Netherlands.

The first recommendation, related to this thesis, is that my informants suggested that the queer asylum seeker should be allowed to choose an IND interviewer and/or translator on the basis of their gender identity or sexual orientation. For many of my informants the gender identity or the sexual orientation of their IND interviewer or translator was an important factor in their own performance during the IND interviews. Five of my informants explicitly stated that it was easier for them to talk about their own sexuality with a (lesbian) woman than with a heterosexual man. They also stated, when they would know that the male interviewer or translator was a homosexual himself, this would also make it easier to discuss their own sexuality. Four other informants also said that having queer interviewers and/or translators would make the decision-making process easier for the IND as well, because they have experience with queer people already and therefore know better who is 'really' queer and who is not – this argument is probably based on the assumption that queer people have a 'gaydar'. Lastly, I (but my informants as well) would recommend to make sure that the IND interviewer and translator are at least queer-friendly (as paragraph 6.2.2 showed that this is not always the case).

The second recommendation from my informants is that there should be AZCs only for queer people so that queer asylum seekers do not have to encounter discrimination on the basis of their sexual orientation and/or gender identity during their stay in the Netherlands while waiting for their asylum claim to be accepted or rejected. Eight out of fourteen informants explicitly stated this as a recommendation and others also mentioned something similar during the interviews. Oftentimes, the asylum procedure of queer asylum seekers takes a long time because of the complexity in assessing SOGI based claims by the IND. During this period, my informants did not feel comfortable with regard to their sexuality because of the environment in the AZCs. More research should be done to find out whether it is possible and advisable to create an AZC only for queer asylum seekers, thereby taking especially the mental and physical wellbeing of queer asylum seekers into account.

Bibliography

- AIDA (2021) 'Border procedure (border and transit zones): Netherlands' <https://asylumineurope.org/reports/country/netherlands/asylum-procedure/procedures/border-procedure-border-and-transit-zones/>, Retrieved March 21, 2022.
- American Anthropological Association (2012) 'AAA Statement on Ethics' <https://www.americananthro.org/LearnAndTeach/Content.aspx?ItemNumber=22869&navItemNumber=652#weighcompetingobligations>, Retrieved March 1, 2022.
- Apatinga, G. A. (2017) "“Biopower and Immigration”: A Biopolitical Perspective on Anti-Migration Policies” *Research on Humanities and Social Sciences* 7-20: 38-45.
- Berg, L. & Millbank, J. (2009) 'Constructing the personal narratives of lesbian, gay and bisexual asylum claimants' *Journal of Refugee Studies* 22-2: 195-223.
- Betts, A. & Collier, P. (2017) *Refuge: Transforming a Broken Refugee System* London, Penguin Books.
- Boellstorff, T. (2007) 'Queer Studies in the House of Anthropology' *Annual Review of Anthropology* 36: 17-35.
- Boersema, W., Huisman, E. & Kootstra A. (27 November 2019) 'Waarom de Nederlandse lijst met 'veilige landen' voor asielzoekers wel erg willekeurig is' <https://www.trouw.nl/politiek/waarom-de-nederlandse-lijst-met-veilige-landen-voor-asielzoekers-wel-erg-willekeurig-is~be5ceb66/?referrer=https%3A%2F%2Fwww.trouw.nl%2F>, Retrieved March 28, 2022.
- Brubaker, R. & Cooper, F. (2000) 'Beyond “Identity”' *Theory and Society* 29-1: 1-47.
- Bryman, A. (2012) *Social Research Methods* Oxford, Oxford University Press.
- Butler, J. (1988) 'Performative acts and gender constitution: An essay in phenomenology and feminist theory' *Theatre journal* 40-4: 519-531.
- COC NL (2019) 'IND voert het nieuwe LHBTI-asielbeleid slecht uit' <https://www.coc.nl/homepage/ind-voert-het-nieuwe-lhbt-asielbeleid-slecht-uit>, Retrieved February 21, 2022.
- Crenshaw, K. W. (2006) 'Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color' *Kvinder, Køn and Forskning* 2-3: 7-20.
- de Haas, H., Miller, M. J., & Castles, S. (2020) *The Age of Migration: International Population Movements in the Modern World* London, Red Globe Press.

de Kerf, J (2017) 'Anti-Gay Propaganda Laws: Time for the European Court of Human Rights to Overcome Her Fear of Commitment' *DiGeSt. Journal of Diversity and Gender Studies* 4-1: 35-48.

Deans of Social Sciences (2018) 'The code of ethics for research in the social and behavioural sciences involving human participants' <https://www.utwente.nl/en/bms/research/forms-and-downloads/code-of-ethics-for-research-in-the-social-and-behavioural-sciences-dsw.pdf>, Retrieved March 1, 2022.

ECCHR (2017) 'Q&A: The brutal persecution of LGBTQ in Chechnya' https://www.ecchr.eu/fileadmin/Q_As/QA_Chechnya_April2021.pdf, Retrieved March 14, 2022.

Ewing, K. P. (1990) 'The illusion of wholeness: Culture, self, and the experience of inconsistency' *Ethos* 18-3: 251-278.

Foucault, M. (1980) *History of Sexuality* New York: Vintage Books: 1-168.

Geertz, C. (1973) 'Thick Description: Toward an Interpretive Theory of Culture' in C. Geertz: *The Interpretation of Cultures: selected essays* New York, Basic Books: 3-30.

Goffman, E. (1990 [1959]) *The Presentation of Self in Everyday Life* Harmondsworth, Penguin Books Ltd.

Hertoghs, M. & W. Schinkel (2018) 'The state's sexual desires: the performance of sexuality in the Dutch asylum procedure' *Theory & Society* 47: 691-716.

Holmes, A. G. D. (2020) 'Researcher Positionality - A Consideration of Its Influence and Place in Qualitative Research - A New Researcher Guide' *Shanlax International Journal of Education* 8-4: 1-10.

IND (2019) 'WI 2019/17 Horen en beslissen in zaken waarin lhbti-gerichtheid als asielmotief is aangevoerd' <https://ind.nl/over-ind/Cijfers-publicaties/Paginas/Werkinstructies.aspx>, Retrieved February 21, 2022.

IND (2022) 'Informatie voor studenten' <https://ind.nl/over-ind/informatie-scholieren-studenten/Paginas/Studenten-aan-het-MBO-en-HBO.aspx>, Retrieved March 8, 2022.

Jansen, S. & T. Spijkerboer (2011) *Fleeing Homophobia: Asylum Claims Related to Sexual Orientation and Gender Identity in Europe* Amsterdam, COC Nederland and Vrije Universiteit Amsterdam.

Jansen, S. (2019) *Pride or Shame: Assessing LGBTI asylum applications in the Netherlands following the XYZ and ABC judgments* Amsterdam, COC Netherlands.

Kalkman, J. P., M.T.I.B. Bollen & E. de Waard (2018) 'Helping Migrants While Protecting Against Migration: The Border Security Team in Crisis' [Chapter 3] in H.

Monsuur et al. (eds.) *NL ARMS Netherlands Annual Review of Military Studies* The Hague, T.M.C. Asser Press: 41-61.

Léonard, S. (2010) 'EU border security and migration into the European Union: FRONTEX and securitisation through practices' *European Security* 19-2: 231-254.

LGBT Asylum Support (2018) 'Krassen op je ziel: #NietGayGenoeg, de werkinstructie en de beoordeling van LHBTI-asielzoekers in LHBTI-zaken': 1-53.

Manohar, N., Liamputtong, P., Bhole, S. & Arora, A. (2017) 'Researcher Positionality in Cross-Cultural and Sensitive Research' In: P. Liamputtong (ed.) *Handbook of Research Methods in Health Social Sciences* Singapore, Springer: 1-15.

Millbank, J. (2009) 'From discretion to disbelief recent trends in refugee determinations on the basis of sexual orientation in Australia and the United Kingdom' *The International Journal of Human Rights* 13-2: 391-414.

Mitchell, J. (2010) 'identity' in: A. Barnard & J. Spencer (eds.) *The Routledge Encyclopedia of Social and Cultural Anthropology* Londen, Routledge: 368-369.

Murray, D. A. (2016) 'Queer Forms: Producing Documentation In Sexual Orientation Refugee Cases' *Anthropological Quarterly* 89-2: 465-484.

Omlo, J. & Elferink, J. (2019) 'Methodiek Levensverhalen van LHBT's met een vluchtelingenachtergrond' *Kennisplatform Integratie & Samenleving*: 1-24.

Rainey, V. (2017) 'Not gay enough': Dutch authorities challenge asylum-seekers to prove their sexuality' <https://theworld.org/stories/2017-11-09/not-gay-enough-dutch-authorities-challenge-asylum-seekers-prove-their-sexuality>, Retrieved March 30, 2022.

Rankin, J. (2017) 'Russian 'gay propaganda' law ruled discriminatory by European court' <https://www.theguardian.com/world/2017/jun/20/russian-gay-propaganda-law-discriminatory-echr-european-court-human-rights>, Retrieved March 14, 2022.

Rijksoverheid (2022a) 'Asylum procedure' <https://www.government.nl/topics/asylum-policy/asylum-procedure>, Retrieved March 7, 2022.

Rijksoverheid (2022b) 'Asielbeleid' <https://www.rijksoverheid.nl/onderwerpen/asielbeleid#:~:text=De%20IND%20onderzoekt%20omet%20land,in%20aanmerking%20voor%20een%20verblijfsvergunning>, Retrieved March 8, 2022.

Rijksoverheid (2022c) 'Asylum policy' <https://www.government.nl/topics/asylum-policy/tackling-the-refugee-problem>, Retrieved March 8, 2022.

Schans, J. M. D. & L. E. H. P van Lierop (2019) 'De geloofwaardigheidsbeoordeling van asielaanvragen met een LHBTI- of bekeringsmotief' *Wetenschappelijk Onderzoek- en Documentatiecentrum*: 1-31.

Spijkerboer, T. (2016) 'Uit de kast, maar ook uit de brand? Lesbische, homoseksuele, biseksuele en transgender asielzoekers in Nederland' *Ars aequi*: 668-672.

SRA (2021) 'Research Ethics Guidance' <https://the-sra.org.uk/SRA/Ethics/Research-ethics-guidance/SRA/Ethics/Research-Ethics-Guidance.aspx?hkey=5e809828-fb49-42be-a17e-c95d6cc72da1>, Retrieved March 1, 2022.

Ufkes, E.G., Zebel, S. & den Besten, A. (2017) 'Agressie-incidenten in de asielopvang' https://repository.wodc.nl/bitstream/handle/20.500.12832/2311/2755_Summary_tcm28-282989.pdf?sequence=3&isAllowed=y, Retrieved March 22, 2022.

UNHCR (1951) 'Convention and Protocol Relating to the Status of Refugees' <http://unhcr.org.ua/files/Convention-EN.pdf>, Retrieved February 21, 2022.

Utas, M. (2005) 'West-African Warscapes: Victimcy, Girlfriending, Soldiering: Tactic Agency in a Young Woman's Social Navigation of the Liberian War Zone' *The George Washington University Institute for Ethnographic Research* 78-2: 403-430.

Valentine, D. (2007) *Imagining Transgender* Durham & London, Duke University Press: 3-65.

Vigh, H. (2003) *Navigating Terrains of War: Youth and Soldiering in Guinea Bissau* (PhD Thesis) Copenhagen, Institute of Anthropology.

VluchtenlingenWerk Nederland (2022) 'Wat houdt de asielpcedure in?' <https://www.vluchtenlingenwerk.nl/nl/wat-houdt-de-asielpcedure>, Retrieved February 21, 2022.

Watzlawik, M. & I. B. de Luna (2017) 'The Self in Movement: Being Identified and Identifying Oneself in the Process of Migration and Asylum Seeking' *Integrative Psychological and Behavioral Science* 51-2: 244-260.

Wekker, G. (1999) "'What's Identity Got to Do with It?'" Rethinking Identity in Light of the Mati Work in Suriname' in: E. Blackwood & S. E. Wieringa (eds.) *Female desires: transgender practices across the world* New York, Colombia University Press: 119-138.

Yuval-Davis, N. (2006) 'Belonging and the Politics of Belonging' *Patterns of Prejudice* 40-3: 197-214.