



Queering Asylum in Europe

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This project has received funding from the European Research Council (ERC) under the European Union's Horizon 2020 research and innovation programme (grant agreement No 677693).



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SOGICA - What is it about?

- European research project funded by the European Research Council (ERC)
- Social and legal experiences of SOGI asylum claimants – across Europe
- EU, CoE and national case studies
Germany, Italy, UK
- Duration: 4 years (2016-2020)
- Based at the University of Sussex

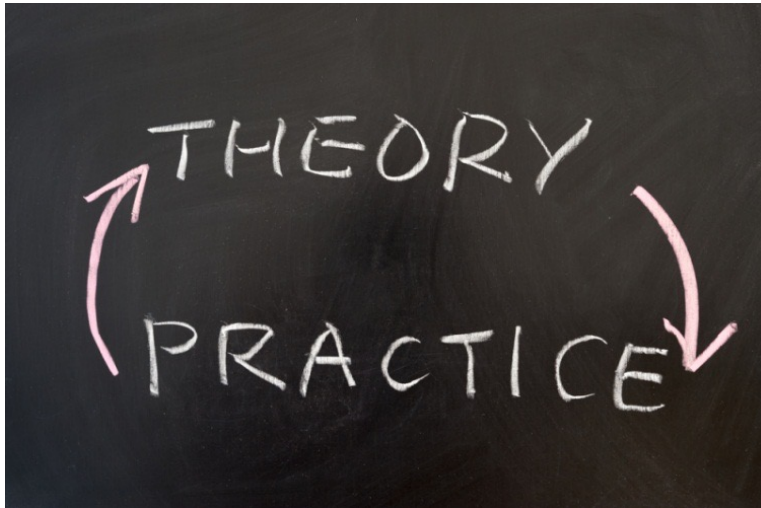


European Research Council

Established by the European Commission



Theoretical frameworks



- Human Rights
- Feminist Studies
- Queer Studies



Methods



- 143 semi-structured interviews
 - With policy-makers, decision-makers, members of the judiciary, legal representatives, SOGI asylum claimants and refugees, NGO staff and other professionals
- 16 focus-groups
 - With SOGI asylum claimants and refugees
- 2 online surveys
 - One for supporters; one for SOGI claimants
- 24 non-participant contextual observations in courts
- Documentary analysis
- Freedom of information requests



European-wide and domestic policy recommendations I



- Policy frameworks (inc. statistics and guidance)
- Departure and travel (inc. safe passage options)
- Arrival and submission of the claim (inc. information, legal aid, support)
- Accommodation (inc. SOGI-specific, safe spaces, no detention)
- Health, education, work (inc. access to services, protection from harm)
- Support services (inc. holistic and intersectional approach)
- Decision-making procedures (next slide)
- RSD procedure (next slide)



European-wide and domestic policy recommendations II - Decision-making procedures

- Doing justice to 'late' claims (no procedural or substantive detriment)
- Shorter – but still fair – procedures
- Adopt SOGI specific guidance
- Enhance flexibility in choice of interviewers and interpreters
- Ensure quality of interpretation services
- Ensure welcoming, confidential and supportive environment
- Avoid use notion of 'safe country' and accelerated procedures
- Accommodate adjustments to procedural arrangements
- Improve quality of COI



European-wide and domestic policy recommendations III – RSD



- Making use of all Convention grounds
- Assessment of membership of PSG (fundamental characteristic and/or social recognition test)
- Notion of persecution over membership of PSG
- Criminalisation of same-sex sexual acts as persecution
- Lack of internal flight or relocation alternatives
- Abolishing 'discretion reasoning'
- Apply correct evidentiary standards (inc. principle of the benefit of the doubt)
- Apply correct burden of proof (inc. sharing burden)
- Use of humane means of evidence
- Correctly assessing credibility (avoiding stereotypes / culture of disbelief / preconceived expectations)



To find out more

- Recommendations (tailored to EU, DE, IT and UK): <https://www.sogica.org/en/final-recommendations/>
- Open access book 'Queering Asylum in Europe' – for full, academic analysis.
- More about project, other publications and outputs: <https://www.sogica.org/en/>
- Follow project on Twitter (@SOGICA1) and Facebook (@SOGICAProject)
- Contact us on info@sogica.org

