

# A Passage to Europe

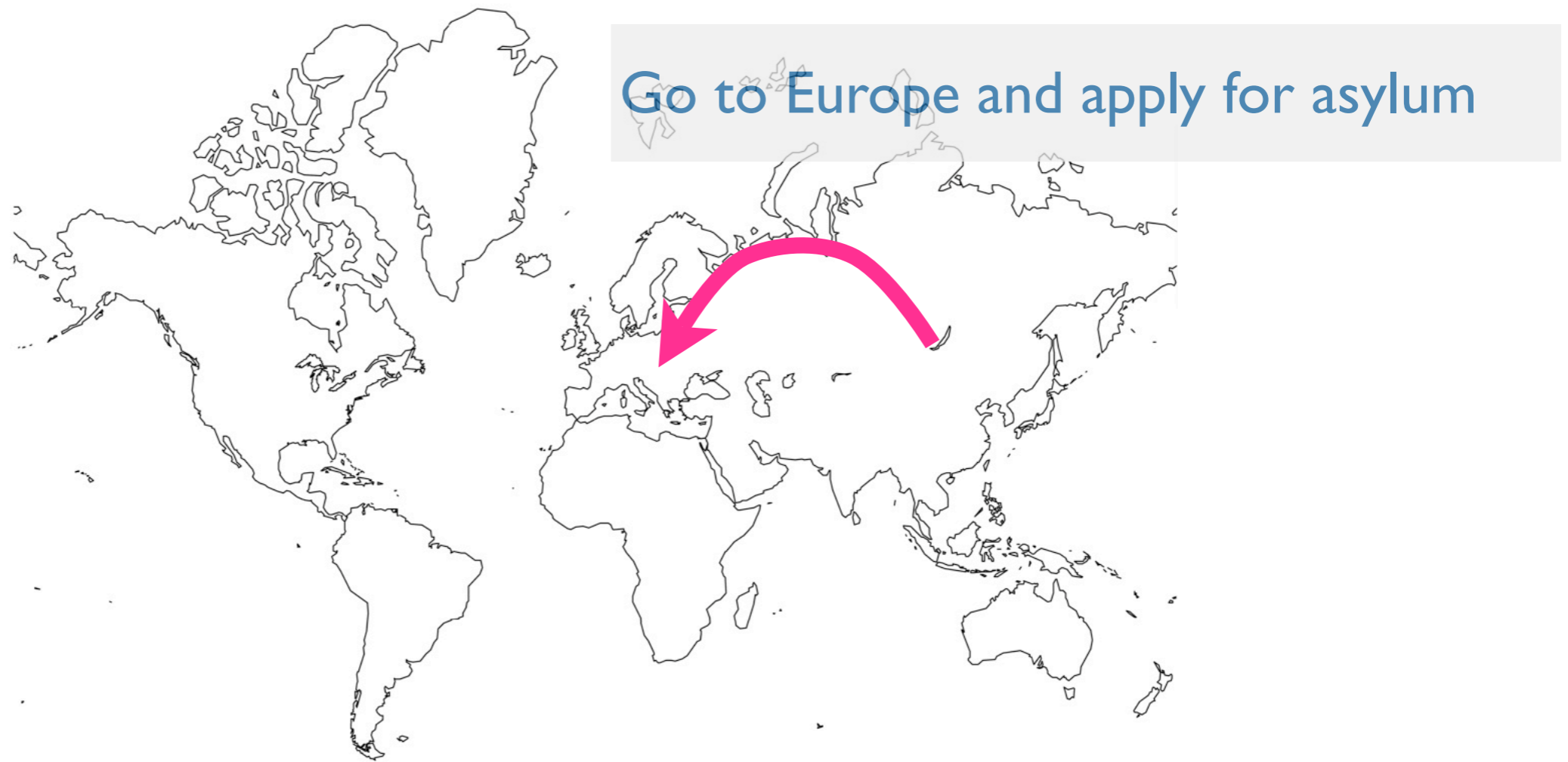
## Asylum seeking & Refugee resettlement



Søren Laursen

LBL - The Danish LGBT-organisation

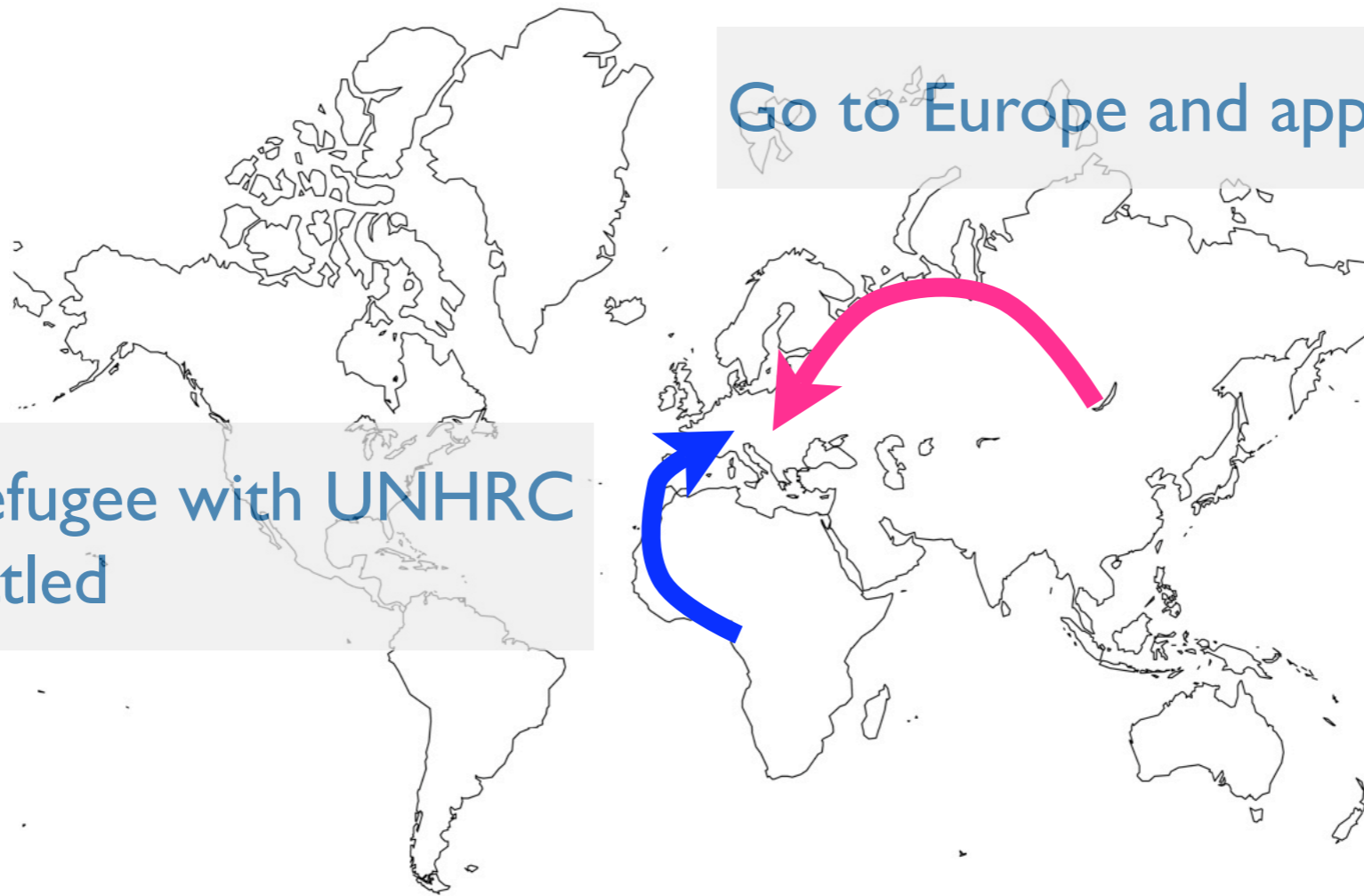
# Two ways to become a refugee in Europe



# Two ways to become a refugee in Europe

Go to Europe and apply for asylum

Become a refugee with UNHRC  
and be resettled





**AREAS OF OPERATION**



**CONTACT COMMUNICATION & PR**

**LATEST NEWS**

21.10.09

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Whilst Somaliland - contrary to the rest of Somalia - has enjoyed a fragile level of stability...

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**FACTS ABOUT DRC**

Danish Refugee Council is a private, humanitarian organisation founded in 1956.



**THE DRC STANDBY ROSTER**

The Danish Refugee Council is managing a standby roster with 250 members qualified for



**REFUGEE LAW**

Today there are 147 signatories to the 1967 Convention Relation to the status of Refugees.

**LBL is a member organisation of the Danish Refugee Council**

# I. Asylum seeking

# Background

## Disturbing knowledge

Study of cases at the Danish Refugee Appeals Board

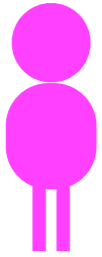


Søren Laursen  
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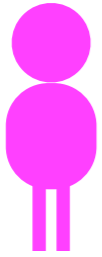
Mary Lisa Jayaseelan  
Danish Refugee Council

Download: [www.lbl.dk/dokumenter](http://www.lbl.dk/dokumenter)



## Police

- Registration report
- Police Report



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- Police Report



## Immigration Service

- Asylum Claim Form
- Interview
- First decision



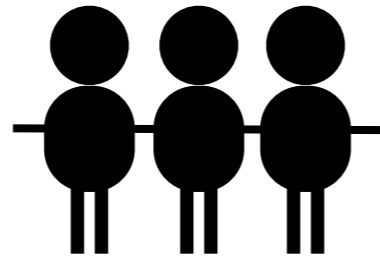
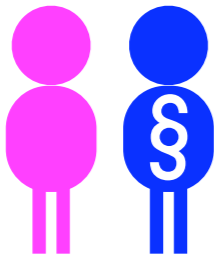
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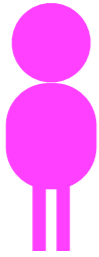
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## Refugee Appeals Board

- Interview
- Final decision



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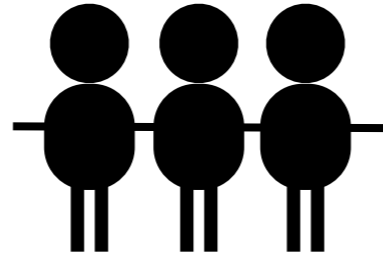
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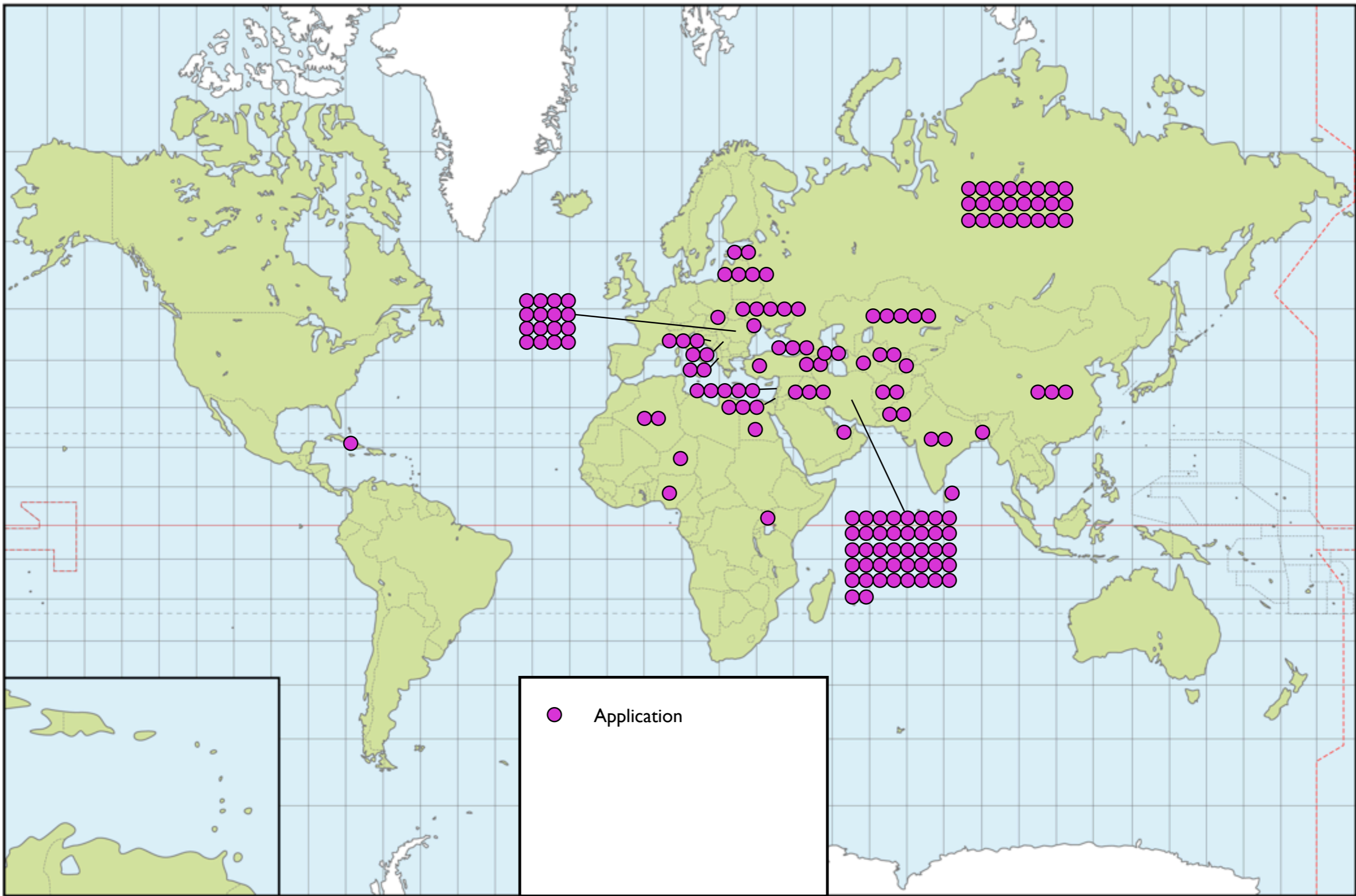
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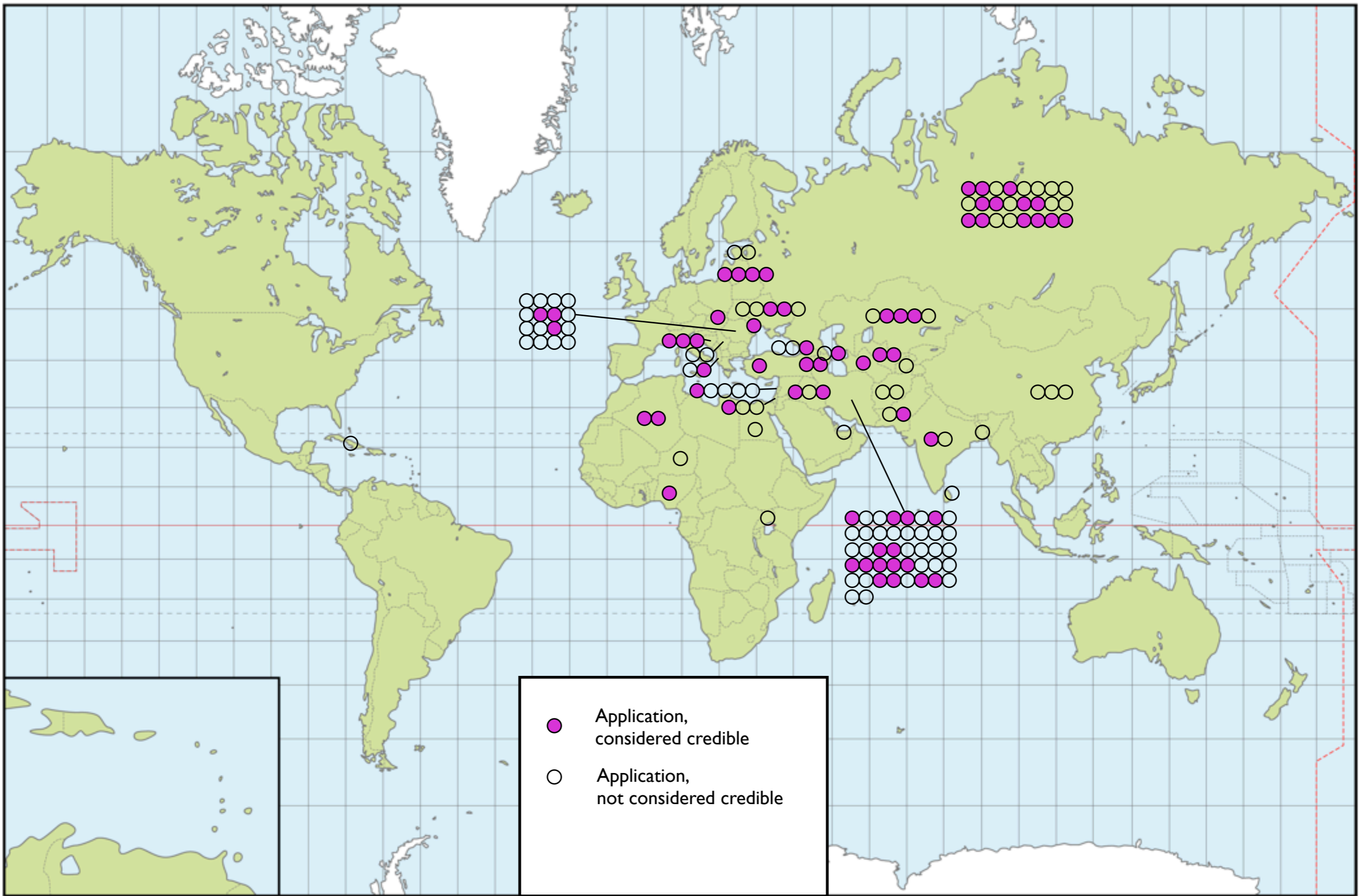
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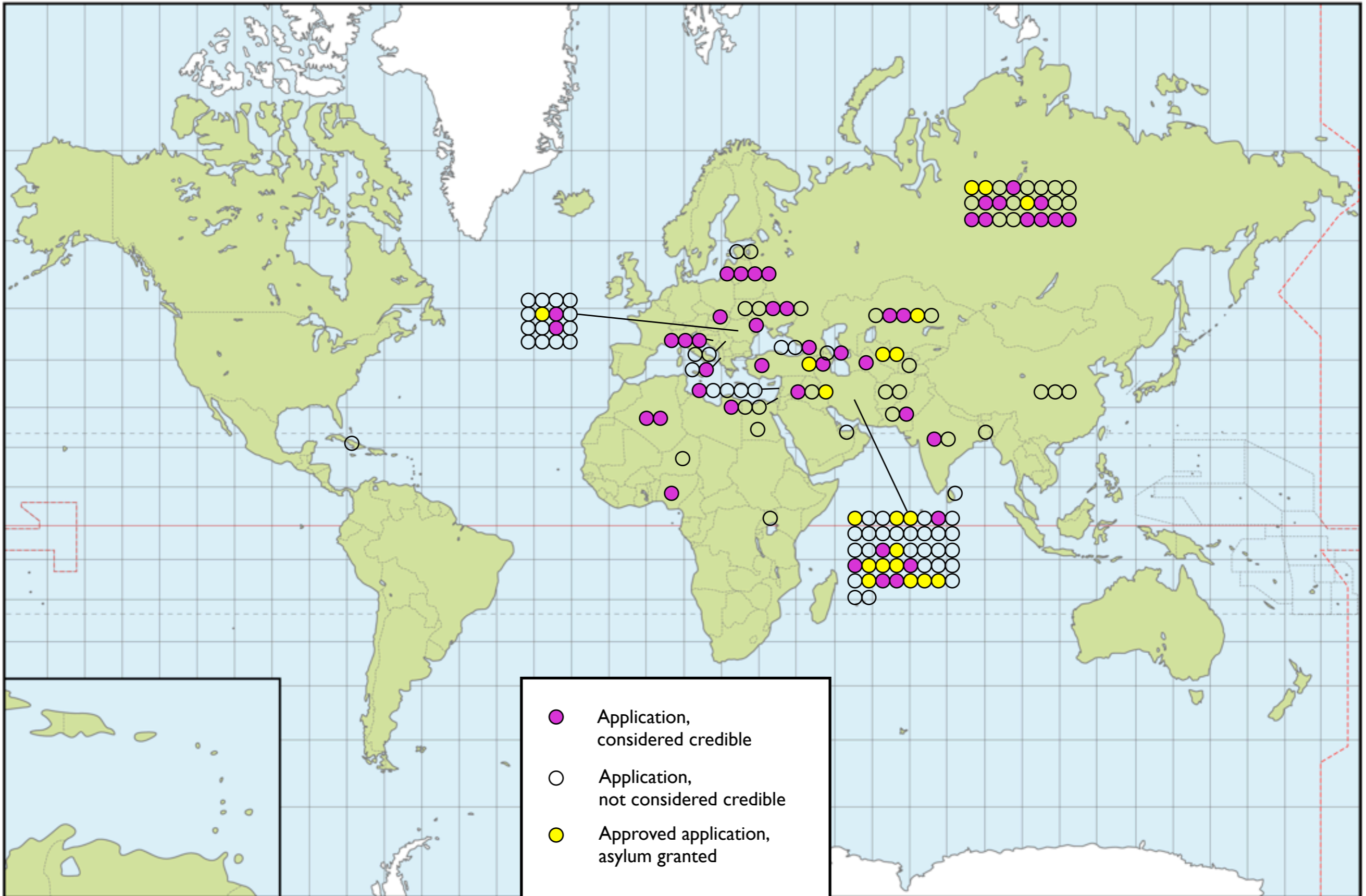
- Interview
- Final decision





● Application





# 'Soviet style' persecution

- Gay men were often referred to **mental institutions** when drafted, and here they were subject to medical treatment including injections and electroshock therapy.
- Typically gay men did not get the necessary **papers** to get access to education and work.
- If doing military service, homosexual men were often **sexually abused** by other soldiers and officers.
- Gay men were usually **threatened to inform** on other homosexuals.
- Because of the criminalization homosexuals were victims of **criminal offences**, against which they could not defend themselves nor obtain protection.
- Homosexuals were **extensively exploited** for bribes.
- Often **KGB** was involved in the repression and exploitation.
- Often homosexual men were victims of **sexual assaults** by private parties or persons from authorities.

# Iran

- Gay men are often **arbitrarily detained**, lots of bribery
- Examples of **torture** e.g. lashes.
- Because of the gravity of the potential consequences there is much **fear**
- Cases of **rape by police officers or basijs**
- In most cases, the information was **not considered credible**

# Algeria

## Case I

- **Imprisoned five times** – last sentence 4 month + suspended sentence of 1 year imprisonment.
- Application was **rejected** because
  - it had been **fair trials**
  - it is **only the** homosexual **act** which is **illegal**
  - he **left the country legally**

# Algeria

## Case II

- The applicant was **approached by Islamic fundamentalists**, who threatened him with a gun. He paid them off.
- Did **not dare report to the police**.
- Subsequent telephone harassment and **threats on life**.
- His **friend** also threatened – **killed by throat slitting**.
  
- Application **rejected** because
  - The homosexuality of the applicant **not known to the authorities**.
  - Possible **penalty not** considered **disproportionate** compared to Danish law.

# Algeria

## Art. 338

Any person guilty of a homosexual act shall be punished with a term of **imprisonment of between two months and two years** and a fine of between 500 and 2,000 Algerian dinars

# Transgendered persons

- Massive stigmatisation and social exclusion
- Police brutality
- Rape and sexual assaults by police officers

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- Forced by police to undress in public places
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## **Turkey**

- Numerous arbitrary detentions
- Raped by police officers during detention
- While living together with transgendered friend, they were both raped at home by police officers

# LGBT-asylum seekers

**Would it be possible for us to obtain insight into decisions from all European countries ?**

**Do we have tools to approach states, which have lower standards as others ?**

**Do we have the proper COI ?**

**Does the applicants get the help they need ?**

## II. Refugee resettlement

# Inspiration

## Unsafe Haven:

The Security Challenges Facing  
Lesbian, Gay, Bisexual and Transgender  
Asylum Seekers and Refugees in Turkey

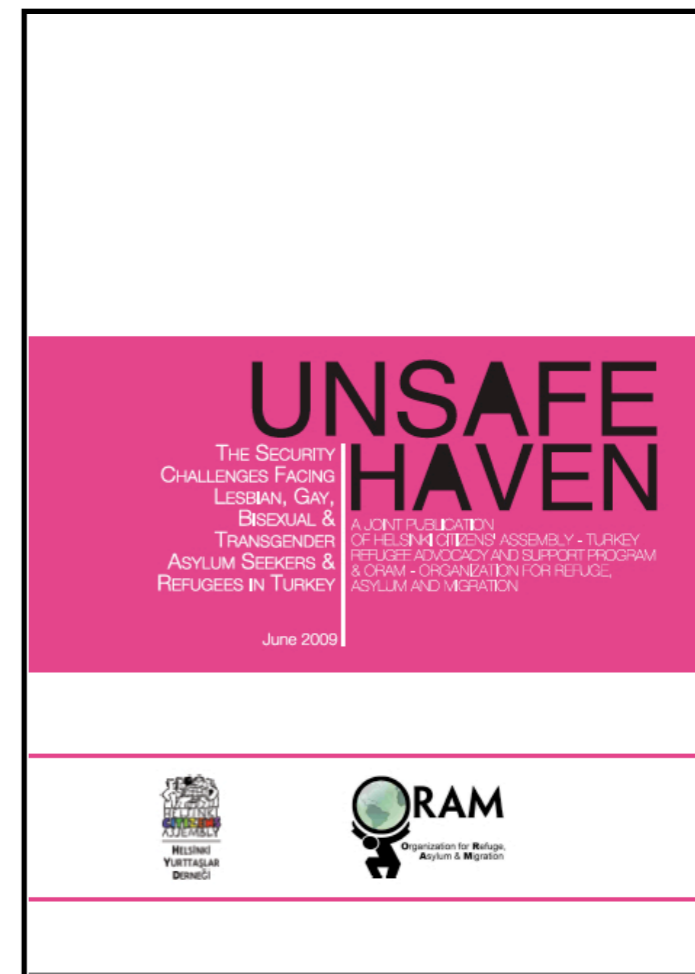
a joint publication of

**Helsinki Citizens' Assembly – Turkey**  
Refugee Advocacy and Support Program

&

**ORAM - Organization for Refuge, Asylum & Migration**

June 2009



Download: [www.oraminternational.org/publications](http://www.oraminternational.org/publications)

# Resettlement programmes with UNHCR

## Number of places available for refugees submitted for resettlement by UNHCR in 2008

Country	Number of places	10000 x p.c.
USA	56750	1.8
Australia	6500	3.0
Canada	6140	1.8
Sweden	1900	2.0
Norway	1200	2.5
Finland	750	1.4
New Zealand	750	1.7
United Kingdom	750	0.1
<b>Denmark</b>	<b>500</b>	<b>0.9</b>
Netherlands	500	0.3
Others	1000	N/A
Total	76740	N/A

# Resettlement programmes with UNHCR

In 2008, UNHCR referred the files of more than **121,000** refugees for consideration by resettlement countries

In 2009 Denmark has resettled:

- **Congolese** refugees from Rwanda
- **Bhutanese** refugees from Nepal
- **Burmese** refugees from Malaysia

# Resettlement programmes with UNHCR

**Could the criterion be something else than nationality/ethnicity, e.g. sexual orientation or gender identity ?**

**What can we do to make that happen?**