This study explores the asylum claims of unaccompanied children concerning sexual orientation and gender identity (SOGI) and examines how case officers at the Swedish Migration Agency (SMA) responded to the credibility of their claims. The SMA provided one calendar year of asylum decisions concerning unaccompanied children, and 16 SOGI cases were identified. A thematic analysis of the cases was conducted. The results showed that case officers directed their focus to the quality of the children’s sexual relationships. This indicates that the case officers expect children to engage in long-term relationships similar to adults, despite their age. Furthermore, case officers tended to only render narratives credible if the society as whole was narrated as perpetrators. This indicates that case officers expect origin societies to be monolithic. The main conclusion, therefore, is that case officers are guided both by homonormative as well as homonationalist views in their decision-making process.

Keywords: Unaccompanied children, LGBT, SOGI, asylum, credibility, sexuality, Sweden

Introduction
Since the year 2000, the number of unaccompanied children seeking asylum in Sweden has been rising steadily, reaching a peak of over 35,000 in the year of 2015 (SMA 2018). Even if the number has dropped dramatically since 2015 due to changes in migration and border policy, Sweden remains a major destination country for unaccompanied children. A child arriving in Sweden separated from both parents or any other adult who can be
recognized as having assumed the responsibility of parents or who, upon arrival, lacks any type of before-mentioned legal guardian is to be seen as an unaccompanied minor according to 1 b § of the Swedish Act (SFS 1994:137) about the reception of asylum seekers and others. Like other asylum seekers, their reasons for seeking refuge are diverse, including sexual orientation and gender identity (SOGI), although, in previous research, little is known about children and SOGI claims.

Both researchers and activists have called for additional education and ongoing professional training for adjudicators and other staff involved in assessing asylum claims based on SOGI (see LaViolette 2013). Moreover, they have also argued for further attention to be given to diverse sexuality and gender expressions (see Raj 2017). After comparing United States and United Kingdom court decisions on asylum cases, Ponce (2012) has proposed that (sociological) awareness regarding the SOGI experiences of refugees could improve the application of asylum legislation. Similar calls for the training of professionals in child-specific forms of persecution, the principle of the best interest of the child, as well as the specific situation for unaccompanied children have also been raised (see Dalrymple 2006; Stern 2015). Yet, despite these demands for training in SOGI and child-specific persecution, respectively, we do not know much about asylum-seeking children and sexuality (Crawley 2011), and thereby little about how migration authorities respond to SOGI claims from this group. Since this knowledge is limited, it can also be difficult to determine what kind of training professionals would need to better understand SOGI claims from unaccompanied children or other asylum seekers. In addition, Jansen (2013) has argued that, following an increased responsiveness to lesbian, gay, bisexual, transgender (LGBT)1 rights in several European countries, there is, instead, an increased tendency among migration authorities to question whether an asylum applicant is really an LGBT person. This, she points out, should place credibility assessments at the centre of attention (Jansen 2013). Furthermore, Hazeldean (2011) has argued that there exists a paradigm about the capabilities of children based on popularized notions of psychoanalysis, in which children and adolescents risk being viewed as not fully understanding their own sexual or gendered identities or experiences. By assuming that their sexuality is unstable, children’s experiences may be therefore be viewed as ‘phases’, ‘experimentation’ or play acts. This could lead to the erroneous conclusion that the concepts of SOGI and child are mutually exclusive (Hazeldean 2011), which could make it challenging for an unaccompanied child to achieve credibility in the asylum procedure.

In response to this challenge, this study aims to explore the SOGI claims of unaccompanied children and examine how case officers at the Swedish Migration Agency (SMA) respond when evaluating their credibility. We achieve this by drawing on data from a larger project concerning unaccompanied children in the Swedish asylum system.
Terminology and Outline

SOGI is a concept that, in its simplest form, acknowledges that each individual has a sexuality and also a gender identity. It includes all individuals regardless of their bodies, experiences or identities. Consequently, the SOGI acronym accommodates, for example, heterosexuals and homosexuals as well as gender-binary identities and trans identities. Due to the issue at hand in this article, however, SOGI experience mainly refers to situations where an individual’s perceived sexual orientation or gender identity has generated a social difference that, according to the asylum claims, has become a threat to the life of that individual.

This is generally equalized with the initialism LGBT. However, LGBT draws on a historical struggle in the West in which individuals with LGBT identities are the starting point. From this struggle, particular legal frameworks and dominating legal rights discourses have evolved in which identity categories are emphasized. This means that an individual could have diverse SOGI experiences and claims but that these are not always included or acknowledged in the frameworks of LGBT rights and protection, which are interpreted and applied in a particular social and legal context, such as the Swedish in this case.

The Asylum System and Unaccompanied Children in Sweden

The first decision-making authority in an asylum case is the SMA. The burden of proof concerning asylum claims falls upon the individual who ‘requests’ that a particular circumstance is recognized, such as refugee status. The principle also applies to unaccompanied and other asylum-seeking children (see Hedlund 2017). During the asylum process, every asylum seeker will be assigned a public counsel (most commonly an attorney) paid for by the state to be their legal assistance, unless it is certain that there is no risk for a rejection of the asylum application. Most commonly, the main evidence an asylum seeker can provide is the asylum narrative (see Noll 2005, 2006). According to the Swedish Migration Court of Appeal (MCA), a credible asylum narrative should be characterized by coherence, detail and absence of internal contradictions (MCA 2007), as well as being compatible with available country-specific information, which implies a ‘positivistic understanding’ of credibility (Wikström and Johansson 2013: 93).

At the asylum interview, which is led by a SMA case officer, the unaccompanied child’s public counsel participates as well as the child’s guardian, who is a layman. The guardian participates to safeguard the child’s best interest from a mainly socially supportive perspective. A legal guardian can, for example, ask for breaks, question the case officer’s attitude or even the legal council’s engagement, as a parent otherwise could have done. In addition, an interpreter will play a key role during the asylum interview. Communicating via interpreter can be a challenge of its own, as work by Keselman (2009) has highlighted that interpreters can restrict unaccompanied children’s
participation in the asylum interview context, as well as limit or change the narratives provided (see Keselman et al. 2010).

The SMA is responsible for conducting a sufficient investigation of the case, for example, by asking relevant questions during the asylum interview. This means that responsibility for investigating and highlighting the circumstances of the case is shared between the applicant and the SMA. Thus, the asylum applicant must contribute to providing information that may be of significance, such as his/her experience of SOGI persecution. Overall, SMA case procedure is strongly focused on individual assessment. In practice, however, Hedlund (2017) has highlighted that the argumentative techniques used by SMA case officers in the cases of unaccompanied children dismantle both the competency of the children and their asylum claims in such a way that credibility can be difficult to achieve. Consequently, the extent and depth of the individual assessment can be understood as limited (Hedlund 2017).

LGBT Rights in the Swedish Asylum System

The framework for refugee status in Sweden is modelled on the Refugee Convention and Protocol. This means that a well-founded fear of persecution and membership to a particular social group are core concepts of the Convention that relate to SOGI claims, which should be considered in respect to both these core concepts. In practice, the principles and concepts of the Convention are open to national interpretation and application. In the case of Sweden, the explicit obligation to award refugee status when a person is recognized as in need of protection due to sexual orientation or gender identity was incorporated into the 2005 Aliens Act (SFS 2005:716) that came into force on 31 March 2006. Consequently, if a person receives an asylum permit on subsidiary grounds, but not refugee status after requesting protection based on SOGI experiences, this means that these particular claims have not been considered credible, and that the motives for giving asylum are based on other circumstances.

Historically, it has been possible to provide subsidiary protection for SOGI claims in Sweden since 1997 and, before this time, it was possible to grant residency based on sexual orientation and gender identity on humanitarian grounds (Government Bill 2005/06:6). However, sexual orientation is defined in Swedish law primarily as a homo-, bi- and heterosexual ‘disposition’ (in Swedish (sw.): Läggning), henceforth referred to as sexual orientation. Even though the law primarily focus on sexual orientation, the SMA has also stated that sexual behaviours and acts are applicable to what the law regards as SOGI persecution, both based on actual or imputed differences from majority norms (SMA 2015). Imputed differences could, for example, mean that a person receives homophobic threats due to rumours, even if that person identifies and lives according to majority norms. A recent study of the preparatory works for migration laws concerning the possibility of non-EU LGBT individuals staying in Sweden shows that the law gives precedence
to individuals living in or having experience of long-term same-sex cohabitation (Wimark and Hedlund 2017).

The SMA recognizes that children can have asylum claims related to sexual orientation and/or gender identity and recommends that the assessment be adapted to age and maturity level, as well as the particular situation in the country of origin (SMA 2015). Following the UNHCR (2012) Guidelines on SOGI, asylum interview questions concerning, for example, the applicant’s childhood, family life and relationships can be posed during an asylum interview, but not questions about sexual acts (UNHCR 2012; SMA 2015). Moreover, the SMA has also concluded that there are no right or wrong answers and has acknowledged that applicants may feel ashamed about their sexual orientation or gender identity, and that an applicant may not identify with particular ‘identities’ (SMA 2015). However, the main Swedish LGBT organization RFSL has argued that SMA decisions are based on the applicants’ description of public displays of their sexuality in their country of origin and that decisions rely heavily on country-specific reports on criminalization (Gröndahl 2012).

Research on Asylum Seekers and Sexuality

For a long time, LGBT migrants have been deemed unwanted and have been denied the opportunity to migrate and attain citizenship in Western nations. LGBT rights have only recently been included in migration laws in many countries in the industrialized West (Luibheid 2005; Randazzo 2005; Luibheid 2008). However, it should be highlighted that this inclusion varies greatly between countries in the West. For example, in contrast to the United States, partner migration for same-sex couples has been possible in Sweden since before the 1980s (see Wimark and Hedlund 2017).

The process of inclusion is often referred to as the new homonormativity, as coined by Duggan (2002: 175). As she explains, homonormativity describes a process in which some aspects of same-sex practice, desires and identities become acceptable to the mainstream public. She also argues that this process has been dualistic. On the one hand, the public has embraced non-threatening and depoliticized commercial identities. By contrast, other ways of being and acting that do not uphold the heteronormative institutions have been relegated to the private. Although Duggan (2002) does not discuss migration law in particular, other researchers have pointed out that homonormativity is present in this legal context (Wimark and Hedlund 2017). Moreover, inclusion in migration law seems to be conditional upon what Puar (2007) refers to as homonationalism—a concept that describes a process in which the West consider itself superior in issues relating to LGBT rights compared to ‘backward’ non-Western Islamic nations. Puar (2007) points out that the process is similarly two-sided. The individuals who fit into the liberal narrative of acceptable ways of acting, being, thinking and appearing are included in the national identity. Also, individuals from outside the nation could be viewed
as being in need of refuge from a ‘backward’ environment. These individuals must then be saved from other racialized, intolerant, homophobic and transphobic nations.

Studies in the field of SOGI refugees have been accentuated recently. Much of this research has focused on claimants and has argued that they are left in the position of the (very often) impossible task of conforming to homonational identities, such as LGBT definitions, despite the fact that they originate from situations in which they have been forced to hide their same-sex desires and non-binary expressions for most of their lives (Lewis 2014; Giametta 2015; Held 2015; Giametta 2017). In doing so, they tend to change their narratives as well as their behaviour in order to fit into the homonational Western narrative (see Shuman and Bohmer 2014; Akin 2017). This process entails highlighting intolerant homophobic/transphobic experiences in their countries of origin and displaying an open and proud identity, attending activities and events in the LGBT community and divulging sexual activities in their new country (see Giametta 2015; Murray 2016; Akin 2017; Giametta 2017). It has also been argued that sexual-identity narratives are essential for decision makers (Berg and Millbank 2009) and that claimants actually have to display an open identity in order to gain refugee status (Shuman and Bohmer 2014; Held 2015). Shuman and Bohmer (2014) discuss these processes and maintain that the decision makers’ pre-dispositions and the claimants’ change of narratives create ‘cultural silences’ in which the parts of claimants’ cultures that do not fit into a repressive and traditional culture must be removed in order to be understood and believed by the authorities.

As shown above, there is not much empirical research on unaccompanied asylum-seeking SOGI children, which further increases the value of this article.

Children as SOGI Claimants

In Sweden, persecution explicitly based on gender or sexuality is reason enough to be granted residency on asylum grounds, according to the Aliens Act (SFS 2005:716). As with other asylum grounds, there is therefore a need for a child to justify their fear of persecution and their membership to a particular social group, in this case concerning SOGI minorities. As children tend to be seen as asexual (Crawley 2011), SOGI experiences could lead to the Western-concept child and childhood becoming questioned or destabilized (Hazeldean 2011). Even so, as highlighted by Bhabha, there are practices of child persecution that can be construed as ‘nonspecific to children’ (2014: 229). This means that, for example, children belonging to SOGI minorities can be exposed to similar forms of persecution to an adult because of sexual orientation, but that the age factor could be a disadvantage to the child in asylum case processing because of adult-centred views on sexuality among case officers (see also Crawley 2011). The performative element required to be seen as a child means that a legal system can deny an
asylum-seeking child if claims of certain behaviours do not match the dominating perceptions of how a child should behave (Hazeldean 2011). For example, this can occur if unaccompanied children reveal to an asylum case officer that they have reflected upon and explored their sexuality or engaged in consensual sexual relationships (see Crawley 2011). This means that emphasizing sexual encounters and experiences could limit their chances of gaining status as a SOGI refugee.

Researchers have pointed out that it can be difficult for unaccompanied children to establish credibility (see e.g. Hedlund 2017). If a migration authority attempts to ‘authenticate’ sexuality claims, such attempts may add further complexity to case procedure. Indeed, the idea of the fake LGBT refugee manifests itself in several shades in different countries (see e.g. Murray 2014). Furthermore, this could mean that an unaccompanied SOGI child needs to show sufficient credibility at three additional levels: first, that the experience of sexual orientation is genuine; second, that they have experienced persecution because of this; and/or third, that they will specifically risk LGBT persecution in the future if they are sent back home (Murray 2014).

Method

The data was drawn from a larger project about unaccompanied children in Sweden. The SMA has been registering unaccompanied children as a specific category since 1996, which makes it possible to locate these cases. Asylum claims of sexual orientation or ‘sexual minorities’ in any other sense have, however, not been registered. This makes it impossible to find exact numbers of SOGI asylum seekers of any age, or follow the numerical development from year to year. For the larger project, the SMA had supplied all of the asylum decisions issued during 2011 (N = 2,368). This means that the data is representative rather than selective for the chosen year. After duplicates and misplaced decisions had been identified and removed from the data set, 2,321 decisions remained.

For this study, the first author manually identified all the SOGI decisions within the data set. This meant that the author read through each of the 2,321 decisions in the data set and focused on asylum claims linked to sexual orientation and gender identities. The inclusion criteria were that (i) the unaccompanied child must have expressed an experience of gender and/or sexual difference, for example, as identity or practice, and that (ii) this was the primary reason for seeking asylum in Sweden. When the manual sorting of the data set was completed, 16 SOGI asylum cases had been identified and therefore form the data sample of this study. No cases contained remarks about gender identities. In sum, this also means that the sample of 16 cases relating to persecution primarily based on sexual orientation comprised about 0.7 per cent of the decisions issued concerning unaccompanied children during 2011.
Summary of the Children’s Personal Backgrounds

The children’s ages ranged from 15 to 17 years, with an average age of 16.6 years on the date that their decisions were completed by the SMA in 2011. In 2011, the average SMA case-processing time for an unaccompanied child was 144 days.5

The 16 children originated from a total of 11 countries. Six countries were located in East Africa, five in West Asia, two in Central Asia and one in North Africa, West Africa and South Asia, respectively. However, one child was deemed by the SMA to have two citizenships (both of these countries were located in the same region as grouped above), which meant that this particular child’s need for protection was tried against both countries. Consequently, a total of 12 countries were involved. Homosexuality was completely criminalized in eight of the 12 countries at the time the decision was made: for men, only in one country, and not explicitly criminalized in three countries. (However, SOGI claimants could in practice be at risk of being killed by militia or relatives, according to human rights reports.) This means that all the children in the sample originated from countries in which the possibility of receiving protection as an LGBT person from state authorities could be construed as impossible either legally (due to criminalization) or in practice (due to homo- and transphobia) (see Jansen 2013).

Of the children, 13 had been registered as males and three as females.6 In the decisions, the SMA had implicitly or explicitly summarized their claims under the umbrella of homosexual orientation. Of the children, only two males challenged the concept of homosexual orientation. One of these two males was unsure about his sexual orientation and the other had explicitly rejected the homosexual identity and instead emphasized consensual same-sex practice. Of the 16 decisions, 11 were granted refugee status based on SOGI, one was granted subsidiary protection, one was granted residency on the grounds of particularly distressing circumstances and three were rejected. This means that the SOGI claims of five children were not recognized, as they would otherwise have been granted refugee status. All these children were boys, and included the two males mentioned above who had expressed uncertainty about sexuality or rejected the homosexual identity.

Ethical Considerations

The Stockholm Regional Ethical Review Board approved the larger project on June 15, 2012 (registration numbers 2012/907-31/5 and 2017/1924–32). Personal data and references to places that could lead to identification have been left out in the presentation of results to ensure that none of the unaccompanied children can be identified. The data set from the SMA was delivered after the agency’s Procedural and Legal Administrative Unit had considered the release of the data in accordance with the Swedish Public Access to Information and Secrecy Act (SFS 2009:400).
In accordance with the overall aims of the research, the SOGI asylum cases in the data sample were examined for references to the backgrounds of the unaccompanied children and how the SMA case officers responded to SOGI claims as the basis for persecution.

**Analytical Procedure**

When examining the case officers’ arguments about credibility, particular attention was paid to how they had related the experience of sexual orientation to the decision outcome (rejected or approved). First, these details were exhaustively coded in each individual decision focusing on the semantic level of the text. At the next stage, the authors searched for patterns of convergence and divergence across decisions in the data sample. The 16 decisions in the sample were between four and 11 A4 pages long and averaged 7.2 single-spaced pages. The approved decisions were on average 6.4 pages long and the rejected decisions 10.6 pages, which stems from the fact that SMA case officers need to write more extensive justifications when rejecting rather than approving a decision (see Hedlund 2017). This is because they need to fully explain why it was not possible for the child to attain any of the grounds for asylum.

Both authors coded the data independently (see Braun and Clarke 2006). Thereafter, identified patterns were mutually organized into concepts and themes that are presented as results below.

**Results**

In accordance with the aims of the study, the first part of the ‘Results’ section will explore the SOGI claims of the unaccompanied children and the second section will examine how SMA case officers responded to these claims.

In the narratives, as summarized by the SMA case officers, attention was directed towards the establishment of relationships. It was more than twice as common for a child to meet a partner outside of a school environment, even though most children in the sample stated that they had attended some form of schooling. Meeting a partner could take place, for example, during work or in the local neighbourhood.

Both single sexual encounters and relationships of varying duration and emotional depth were identified in the children’s asylum narratives. However, after coding the children’s narratives, it appeared that most children stated that they had established varying degrees of relationships (in contrast to casual or anonymous encounters) with their partners. In addition, three children described having both relationships and one or more casual sex partner.

Moreover, when mapping the children’s SOGI experiences, it was also identified that the age of sexual debut among the children in the sample appeared to be low. The average age of the children was 16.6 years at the
time the decisions were issued. Since the average processing time was 144
days, which corresponds to about five months, this means that most of the
children’s experiences had occurred before the age of 16.

In all cases but one, the need for protection appeared to be connected to
the experience with a sexual partner. This experience had most commonly led
to being discovered engaging in a sexual act by a family member and/or
becoming the focus of rumours by the local community.

Over half of the children reported being physically abused after their SOGI
experience became known. Members of the local community, for example,
described as ‘villagers’ or neighbours by the children, most commonly carried
out this abuse. In a few cases, this type of abuse from the local community
could be carried out in combination with physical abuse from the child’s
family. The abuse from the local community appeared to take brutal forms
and, in two cases, the child had indicated that the partner had been killed as
a result. In general, the abuse from parents consisted of striking the child in
various ways. Three children also stated that their parents had incarcerated
them at home, sometimes for three to six months, which was also coded as
incarceration. Persecution from authorities came third place numerically,
after the local community and relatives. Persecution from authorities could
also lead to incarceration and physical abuse, such as being boxed on the
ears. There were also other stories concerning the police. One child reported
that he had been well treated, although the police had arrested and incarcerated
him. Two children also stated that the police had taken them into custody to protect them from the local community. However, these two cases
were not coded as incarceration.

In the next section, the patterns of responses from SMA case officers are
reported.

Overall Concept: A Circumscribed Response to the Children’s SOGI
Experiences

There was a broad theme corresponding to prior research about credibility in
the asylum system of unaccompanied children (see Hedlund 2017). Several of
the children had their competence questioned by the SMA case officer using
different techniques to question their knowledge claims. This meant that po-
tentially undetailed aspects of the child’s narrative were highlighted and scruti-
nized in such a manner that the narrative as a whole appeared less likely.
The themes below express how some of this questioning is presented.

The Authority to Define Relationships

To begin with, an explanation of terminology is required. In Swedish, there
are at least two words that translate into English as ‘relationship’ and that
are used when making decisions: relation and förhållande. There is a distinc-
tion between these two words. Relation is a concept that can include both
social activities with shorter and superficial degrees of commitment and, for
example, a long-term and exclusive marriage. Förhållande is more exclusively applied to either established relationships or new relationships intended to be of long duration. Most of the children had provided narratives of sexual experiences and relationships in the sense that they had lasted for such a duration that their sexual partner was addressed by name, or reference was made to some personal circumstances, rather than to anonymous casual encounters without any descriptions. In seven out of 16 of the children’s cases, the SMA case officers would refer to the relationship using terminology such as ‘sexual relationship’ [sw. relation], ‘sexual contact’ and/or to the sexual partner as an ‘acquaintance’ [sw. bekant].

Referring to a partner as an ‘acquaintance’ could serve to both desexualize the relationship or reduce its emotional currency. This usage could also lead to the importance of the relationship as a whole being diminished, even if the duration could be seen as substantial in relation to the child’s young age. The following excerpt illustrates this point:

You state that in [country] you have had a relationship [sw. relation] with a male acquaintance named [name]. This relationship lasted for about two years (Child 3, male, application rejected).

Even when a relationship was not questioned or diminished as such, it could, however, be combined with a critique of other undetailed aspects of the child’s story, such as the example below concerning specific times, which led to the seriousness of the relationship being questioned and contributed to the application being rejected:

You have stated that in [country] you have had a relationship [sw. relation] with a male acquaintance named [name]. You had been going out for a few months, but you cannot state exactly how long (Child 4, male, application rejected).

The opposite could also occur: that a narrative apparently consisting of a story about many brief sexual encounters appeared to be raised to the level of relationship. A possible interpretation is that the case officer attempted to reduce the sexual nature of the encounters. In turn, this could be due to an intention to reduce the sexual agency of the child, although it is also possible that the case officer was striving to preserve the child as a proper child out of ‘ethical’ concerns. The following excerpt illustrates this type of elevation of the encounters:

In your home country you have had several homosexual relationships [sw. plural förhållanden] with men (Child 15, male, application approved).

**Girls and Relationships**

Even when SMA case officers defined relationships in a way that placed relatively high requirements on the sexual experience of the children, there was also a counter tendency. Even though the sample is small, it is
noteworthy that all three girls in the data sample had their SOGI experiences described as relationships. This is illustrated thus:

At the age of sixteen you initiated a relationship [sw. förhållande] with an older girl (Child 7, female, application approved).

In another female case, it is also notable that the described relationship began when the child was around 12 years of age and was with a woman who must have been much older, as she was presented as an aid worker. In Sweden, this type of adult engagement with a child under 15 would not have been legal or socially tolerated. Even so, it was defined as a committed relationship:

In 2005 [name] met a Swedish woman who worked for an aid organisation in [country]. They became friends and after a while they initiated a relationship [sw. förhållande] (Child 8, female, application approved).

No Reason to Question the Patriarchal Family

Half of the children gave accounts of family members being the source of the persecution. However, in essence, all children with parents stated that they could not count on them for protection. The SMA case officers would tend not to question such accounts as long as males or parents were the wrongdoers:

The SMA acknowledges that you have been the victim of abuse from your father when he beat you and humiliated you in front of his neighbours (Child 7, girl, application approved).

That your family is against homosexuality has been made clear based on the data in your case and it is therefore uncertain if they would accept your return if you were deported (Child 15, male, application approved).

Simultaneously, female family members are, in general, depicted as subordinate and unable to protect their children:

When you returned home you were told by your mother that the president of your local council had approached her and said that you were not welcome anymore. He had stated that if you returned, you would be killed. You immediately left the location and received help to leave the country (Child 6, male, application approved).

You could not move back in with your mother due to ostracisation from the community and consequently you moved to [city] (Child 9, male, application approved).

In cases in which a child recounted a narrative of parents or male family members showing compassion and aiding the child, the stories are, however, questioned by the SMA case officers. For example, one boy had expressed
that his older brother had abused him together with his father but helped him and also told him that he disliked the treatment when the father was not around. The SMA case officer questioned the credibility that the brother would have helped him. Case officers also highlight that the child does not have detailed knowledge of the parents’ motives for helping him or her, or, as in the next example, knowledge about the amount of money they paid for his release:

Thereafter, your parents came and bribed the police and the police released you. . . . You don’t know how much your parents paid the police to release you. Moreover, the SMA finds it remarkable that you state that your family does not care about you, even though they supposedly bribed the police to have you released and told you to flee from [city] to a church in [city] (Child 4, male, application rejected).

The questioning approach concerning detailed knowledge could also take the form of requesting specific information about family links:

Considering your age and maturity level, the SMA finds that you have provided a narrative that in substantial parts is vague and contradictory, which has a negative effect on your credibility. As an example can be mentioned that you initially named your paternal uncles’ wives and stated that both uncles have children . . . Also, the SMA finds it remarkable that you do not remember your parents’ phone number (Child 12, male, application rejected).

The Whole Society as Perpetrator

It is also evident that the authorities are sources of persecution. In addition, local communities and other social institutions are commonly referred to as perpetrators in the narratives. SMA case officers do not tend to question these stories as long as the entire local community is aligned in this oppression. Perpetrators could be narrated as ‘other children’ and the more abstract concept of ‘villagers’—that is, the local community:

When it became known that you had engaged in a sexual relationship [sw. relation] with another boy you began to be exposed to harassment from peers and other villagers (Child 10, male, application approved).

In the excerpt below, the threat towards the child’s sexual orientation came from the family and the general public:

Furthermore, the SMA has determined that you have made it likely that you were incarcerated for being homosexual and that your family was made aware of your sexual orientation and that it is also likely that this information has been conveyed to the wider public (Child 13, male, application approved).

Moreover, persecution could be organized through civil society organizations:

When the villagers found out that [name] had engaged in a relationship [sw. relation] with another woman she was threatened, harassed and assaulted.
Among other things, [name] was expelled from the church and summoned to a meeting at the church where she was beaten with sticks (Child 8, female, application approved).

In addition, incarceration by state authorities was generally not questioned if aligned with the country-specific information:

You were discovered and arrested. You were taken to a prison in an area called [name]. You were abused there, physically and mentally. You had been told that homosexuals were commonly placed in that prison and tortured to death (Child 6, male, application approved).

However, in cases in which the child stated that he or she had received aid from parts of society that were not in line with the ‘general oppression’, the SMA case officers more often questioned such assistance:

On the basis of your statement that the police helped and protected you after it had been made known to the public that you had participated in homosexual activities, the SMA questions your claims about your sexual orientation. As the country-specific information concludes, the authorities in [country] consider homosexual acts to be criminal, whereas the treatment you state you received at the police station is not supported by the available country information (Child 3, male, application rejected).

This seems to become more apparent when this theme is combined with the country-specific report and definition of relationship:

At 9 to 10 years of age you were caught engaging in a sexual relationship [sw. relation] with another boy at school. Since this is both a crime and a shameful act according to the Quran you were forced to leave the school and moved to a type of juvenile prison . . . . Against the background of the country information presented above, the SMA finds it strange that you were sentenced to a term in juvenile prison between the ages of about 9 or 10 to 14 years for homosexuality as the punishment is a maximum of 3 years. You have also not provided any documentation that confirms your claims (Child 9, male, application approved).

When SMA case officers summarized country-specific reports, they could point out that leaders of African congregations, particularly if they were Anglican, had positioned themselves against homosexuality as part of a distancing process by churches in, for example, the United Kingdom. Consequently, narratives that provided examples of help from church leaders in a community were dismissed. This dismissal appeared to be based on cultural evaluations, treating the continent of Africa as one single monolith:

Against the background of Christian congregational leaders resisting homosexuality in Africa, it appears remarkable that a pastor would have helped you even after you confirmed that you were homosexual (Child 4, male, application rejected).
Discussion

In the ‘Results’ section, we have shown that unaccompanied SOGI children tend to narrate a great number of sexual encounters, desires and relationships despite their relatively young age. Thus, it is quite notable that asylum-seeking children have tended to be positioned as asexual by others (see Crawley 2011). Indeed, the SMA case officers do not appear to reflect upon or question that the children have extensive experience of emotional and sexual relationships.

Moreover, it did not appear that the case officers primarily focused on authenticating the sexual orientation as such, but rather mapped information, the chain of events and the knowledge of the partners. The case officers tended to find the children more credible when they elevated their sexual behaviours and encounters to the status of relationships. In such cases, the children also appeared to be more capable of providing the detailed narratives that the SMA requires. This is in contrast to concerns that migration authorities focus their attention on authenticating sexual orientation (see Berg and Millbank 2009). On the other hand, this is in clear alignment with previous research on adults discussing homonormativity and respectable forms of sexuality. This means that only when children state that relationships are lasting and serious can they be regarded as credible. Conversely, when they only narrate sexual encounters that have fewer details, they are not believed and are thoroughly questioned. This finding can be related to that of Akin (2015), where she shows that migration officers in Norway react with suspicion to asylum seekers who narrate sexual encounters without being prompted to do so by the officers. In a prior study, we (see Wimark and Hedlund 2017) have also shown that long-term relationships and cohabitation are the guiding principles of Swedish migration law. In Swedish legal preparatory works about sexual orientation in relation to the Swedish Aliens acts, long-term relationships and cohabitation as an ideological prerequisite are emphasized for inclusion. In Sweden, preparatory works have a strong influence on the interpretation of statutes (Frändberg 2005), which could contribute to the SMA case officers searching for stable or long-term relationship commitments in asylum narratives. It seems problematic, however, if SMA case officers apply the same standard for children as adults when assessing their prior experiences of SOGI relationships. Considering that SMA officers also appear to be searching for commitment and depth in relationships, this indicates that homonormative ideals are prevalent. This seems to be similar to the idea of a prevailing norm of romantic love guiding the SMA officers, as has been shown for case officers in Norway (Akin 2015).

Prior research has also proposed that the open display of sexual orientation and self-identification is key in the asylum decision-making system (Murray 2016; Giametta 2017). In this study, however, we have not identified any requirements for openness or a developed or ‘real’ SOGI identity. This may be because the asylum seekers are children (see Hazeldean 2011).
In the ‘Results’ section, we have also shown that children tend to recount several narratives of parents and male family members being perpetrators and female family members being subordinate. The SMA case officers do not tend to question such narratives. However, it appears that, in cases in which children speak of parents or male family members as being compassionate and aiding the child, the SMA officers question their narratives by asking for detailed knowledge. Indeed, many of the children flee countries where the welfare state is poor and the patriarchal family is the foundation of society (see e.g. Sakalli-Ugurlu and Beydogan 2002). Gender roles tend to be strict and the institution of marriage is essential both for the reproduction of the family and for the support of parents in their old age, such as in West Asia. Children who do not conform to these roles can be seen as a threat to the stability and existence of the family. Thus, harsh reactions are likely from parents and male family members upon discovering that the child is possibly not able to conform to the majority norm. This does not, however, mean a categorical rejection of children who do not fit in or that all families act in the same manner. As has been argued elsewhere, equating the whole of society as being full of patriarchal families, constructed in a single way in which duties and possible ways of acting are equally structured, would be simplistic (see e.g. Moghadam 2004). Showing compassion and aiding SOGI children is also possible (see e.g. Wimark 2016). Additionally, a common solution for families in West Asia regarding SOGI children is to force them to marry an opposite-gender partner upon disclosing their homosexual orientation (Whitaker 2011), not to reject them. For SMA officers, however, the world seems black and white in terms of how a patriarchal family is expected to react. A patriarchal family cannot aid and help their children upon disclosure of their sexual identities. Instead, families should reject or abuse the child in order to become intelligible. Seeing as SMA officers question the counter-narratives of the patriarchal family, SOGI children would be forced to adjust their narratives to align with the patriarchal narrative, or risk rejection.

In a similar manner, the SOGI children described a high level of persecution from society at large—that is, from peers, local communities and the authorities. Most children had also fled countries in which same-sex activities are criminalized in some way. Thus, it is likely that individuals are subject to stigma, violence and persecution. The SMA case officers did not question narratives that contained violent reactions or incarcerations. However, in cases in which the child also stated that individuals acted in a manner contradictory to the formal laws of the country of origin, for example by offering assistance when fleeing, the SMA officers tended to question their narratives using country-specific reports on criminalization, and reject this information as unreliable. There is no doubt that homosexuality is stigmatized in many countries in West Asia, North Africa (see e.g. Whitaker 2011) and sub-Saharan Africa (see e.g. Thoreson 2014). Previous research has, however, warned of a tendency in the West to treat these regions as homophobic monoliths in order to reinforce tolerant national Western identities (Puar
2007). When SMA case officers question the existence of individuals such as police officers or pastors, who act in a manner that is contrary to what is expected, they assume that all individuals within the country are oppressive. This denies individuals courage and agency.

We find that these results are significant to research into both unaccompanied children and SOGI claimants in general. As we have shown, SMA case officers do take children’s narratives about sexuality seriously and do not regard them as being asexual, contrary to the concerns of previous research (Crawley 2011). Nor does it appear to be disadvantageous to the decision-making process if the child describes an extensive sexual life despite his/her young age, as has been argued by Hazeldean (2011). To a large degree, the results also confirm the findings of previous research about SOGI claimants in general, emphasizing that migration authorities are governed by homonormative and homonational ideals. However, it should be noted that previous research has argued that SOGI claimants must prove that they are in line with homonormative LGBT ‘out and proud’ identities (Giametta 2015; Murray 2016). Furthermore, there is also extensive research discussing the development of sexual identities during the childhood, often in stage models linking sexual behaviour and internalization of feelings (see e.g. Cox and Gallois 1996; Rosario et al. 2001). This review of unaccompanied SOGI cases has not found that SMA case officers generally question the sexual identities of the children, nor do they find it necessary to discuss the development of their sexual identities. This is particularly interesting since Wimark and Hedlund (2017) have shown that the law is written in such a way that discussions about identities should be expected. Thus, it seems that, in their decision-making, SMA case officers limit the interpretation of sexual orientation when applying the migration law. This could be an indication that SMA case officers have considerable scope for manoeuvring in their use of definitions, which is an aspect that is often lacking in previous critical research. This difference from previous studies could be due to the fact that we have looked exclusively at first-instance cases, while others have focused mainly on rejected appeals in higher instances.

The writing of this article started on approximately 15 July 2017 and finished on 18 December 2017.

**Conclusion**

The combination of unaccompanied children and sexuality appears to add further complexity to the asylum procedure as assumptions about them, their credibility, the experiences of SOGI minorities, the countries of origin and what it means to be recognized as a refugee are challenged. The purpose of this study was to explore the asylum claims of unaccompanied children concerning SOGI and to examine how case officers at the SMA responded to the credibility of these claims. The main overall finding was that case officers are
guided by homonormative and homonational ideals in their assessment and decision-making.

This study contributes to insights in a field where there is little research done. As children are continuing to seek asylum alone, the relevance to examine how their SOGI claims are treated increases. Moreover, prior assumptions in the literature about the requirement for an ‘open’ or ‘authentic’ SOGI minority identity were not identified here, which could be because the applicants were children. Instead, the children’s SOGI minority status was taken seriously to the extent that there appeared to be high demands on detailed narratives from the children about their sexual and emotional experiences, in particular considering their age. More empirical research is needed to explore these connections between age, sexuality and the asylum procedure.

The findings of this study can be of interest both to legal and social disciplines, as well as to practitioners. The practical implications are that professionals working with asylum-seeking SOGI children need to be better trained in making the credibility principles that they employ in their assessment transparent. Thereby, professionals’ use of terminology and critical evaluations of country-specific reports and contextualization of the children’s narratives can be improved.

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1. LGBT stands for Lesbian, Gay, Bisexual, Transgender. The authors are aware that there are other combinations such as LGBTQI (with Q for Queer and I for Intersex) within activism, research and policy development. However, the choice of LGBT is not to be viewed as a theoretical stance, but rather a practical issue.
3. In Swedish, the term orientation [orientering] also exists in relation to sexuality; however, Swedish legal preparatory works and legislation primarily applies the word läggning, which can be translated as ‘disposition’. Even if the terms orientation and/or disposition may overlap both in Swedish and English, läggning can more often suggest more fixed and involuntary patterns of attraction.
4. This was confirmed by the SMA Department of Statistics via email on 31 July 2017.
5. Furthermore, as the data set covers decisions issued between 1 January and 31 December 2011, some of the cases had been initiated at the SMA in 2010. In 2010, the average SMA case-processing time for unaccompanied minors was 146 days (P. Engman, personal communication, 10 August 2017).
6. There is no specific routine in place within the SMA on how to register gender. Nevertheless, if the child is the holder of a valid passport, this will be the starting point (S Sjöö, personal communication, 8 August 2017).
7. In one of the cases (Child 5), the case file was incomplete. One paragraph in the summary that would have described the sexual experiences is missing from the decision.


