

Proving gender and sexuality in the (homo) nationalist Greek asylum system: Credibility, sexual citizenship and the 'bogus' sexual other

Sexualities

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journals.sagepub.com/home/sex**Sophia Zisakou** 

Lund University, Sweden

Abstract

The aim of this article is to analyse and critique Greek authorities' expectations for a 'credible' account in queer asylum claims. As some of the caseworkers' accounts portray, through 16 semi-structured interviews, in order to be deemed 'credibly queer' applicants are expected to have passed through a painful, discursively narratable process of self-realization and have suffered enough in their 'queerphobic and oppressive' countries of origin. At the same time, they are supposed to find safety and protection in Greece, following a linear 'affective journey' from oppression to liberation, happiness and pride. However, as this research argues, decision-makers do not always comply with normative expectations but, simultaneously, through their performative assessments, they go beyond them. This way, they do not only reproduce but they often resist the homonationalist discursive framework that governs intelligibility in the asylum process; a framework founded on Eurocentric and white-centred presumptions of the 'good and happy sexual citizen' and the 'bogus sexual other'. By drawing on this situated, from below critique, as well as on postcolonial feminist and queer theory, this article seeks to open up racialized, classed and gendered, normative definitions of queerness to different possibilities that do not conform with neoliberal sexual politics and urges for a more critical interpretation of the Refugee Convention.

Corresponding author:

Sophia Zisakou, Department of Sociology of Law, Faculty of Social Sciences, Lund University, Allhelgona Kyrkogata 18 C, 223 62 Lund, Sweden.

Email: sophia.zisakou@soclaw.lu.se

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Keywords

credibility assessment, Greek asylum service, homonationalism, queer asylum claims, queer happiness, sexual citizenship

‘Fantasy is what establishes the possible in excess of the real; it points, it points elsewhere, and when it is embodied, it brings the elsewhere home’

Judith Butler, *Undoing Gender*

Introduction

In September 2020, 4 years following the co-signature of the EU-Turkey statement, the EU Commission proposed a new Pact on Migration and Asylum ([European Commission, 2020](#)). Despite criticism and concerns about the minimization of protection standards, in June 2023, member states reached a new agreement on the future of the Common European Asylum System (CEAS), confirming their priority on deterrence ([ECRE, 2023](#)): The new Pact is strongly focused on the externalization of asylum, on border asylum and return procedure and on the massive extension of closed controlled camps at EU’s borders, normalizing the exceptional situation of the Greek hotspot islands and rendering Europe an even better guarded-fortress. In line with this policy, the current period, under the pretext of a ‘state of exception’ for EU’s security and stability, we are witnessing harsh (anti)migratory practices and violent push-backs in the Mediterranean, where refugee and migrant bodies linger between life and death and count as bare numbers and statistics. On June 14, 2023 the deadliest shipwreck in recent history took place inside the Greek Search and Rescue (SAR) zone, in front of the Hellenic Coast Guard, counting over 600 people drowned ([Forensis, 2023](#)). As Achille Mbembé (2003) would argue, the state of exception and the perception of the existence of the Other as a danger to Europe’s security and stability, has become the normative basis for European national states of the right to kill at EU’s borders. Under this necropolitical framework, where refugees’ lives are not recognized as liveable, queer asylum seekers are considered the ‘favoured refugees’ that fit perfectly into the definition of those who are ‘in need of protection’. ‘Saving’ queer asylum seekers from their ‘oppressive’ societies serves EU’s sexual policies on the promotion of LGBTIQ rights and its idealization as a geography of progress, and constitutes, in parallel, a self-justificatory apparatus of violent exclusionary practices. However, queer refugees’ right to enter the EU territory is not unconditional, but is rather premised upon their sexual truth. Only applicants that can prove their ‘genuine’ LGBTIQ identity should be saved and protected. In order to be deemed credibly queer by the state, asylum seekers need to meet authorities’ expectations for a credible account. Otherwise, their claim will be rejected and they will be deportable to third countries and their countries of origin. This way, EU holds a double agenda to serve its policy on border making: on the one hand, establishing a fortress Europe founded on securitization and control in the Aegean, and, on the other hand, promoting queer refugees’ rights. These two ostensibly contradictory agendas coexist and serve the same policy: border making through cultural othering.

In this article, I discuss with 16 caseworkers their expectations for a credible account in queer asylum claims, in an attempt to study how the Greek state defines and regulates *queerness* in order to distinguish the *genuine* refugees, those who deserve to be saved, from the *bogus* migrants, those who deserve to be deported. In this regime of sexual truth, in order for their claims to be judged as credible, applicants are expected to fulfil state's homonormative and homonationalist expectations for the 'good and happy sexual citizen'. Through this form of epistemic violence, as some of my interlocutors point out, asylum system reproduces further intersectional exclusions for racialized, classed and gendered queer applicants, serving its aims on border making.

Previous research on queer asylum and research contribution

In order to develop my analysis and critique of this queer necropolitical framework, and study how inclusion in the Greek nation-state is mediated through epistemically violent, exclusionary practices, I examine how, in the asylum apparatus, a neoliberalized form of sexual citizenship has turned into a measure of truthful queerness. Although problematizing the notion of sexual citizenship by itself is beyond the scope of this text, my aim is to draw attention to its exclusionary potential through examining the regulation and normalization of queerness. Sexual citizenship, as defined in neoliberal democracies, leaves unquestioned traditional and conventional forms of citizenship, which are reproduced in heterosexual, patriarchal, capitalistic frameworks (Duggan, 2002; Richardson, 2017). By claiming sexual freedom through consumption, homonormativity, domesticity and the individualistic self-willed subject, sexual citizenship has become a marker that idealizes the progressive modern West in opposition to the undeveloped, backward premodern East (Duggan, 2002; El-Tayeb, 2011; Sabsay, 2012). In this analysis of how neoliberal sexual politics through diverse epistemically violent forms of control differentiate the 'good sexual citizen' from the 'bogus sexual other', Jasbir Puar's (2018) concept of 'homonationalism' is central. In her book *Terrorist Assemblages*, Jasbir Puar questions the idea that the nation-state is always heteronormative and that the sexual citizen is always 'alien'. Instead, she examines how neoliberal democracies instrumentalize the inclusion of the marginalized sexual populations in order to produce new 'others' and secure their borders.

Under this framework, asylum systems, founded on Eurocentric and white-centred discourses on sexual citizenship, in a self-justificatory effort, invest on narratives of freedom, protection, liberation and rights. In recent years, there is a burgeoning field of scholarship in queer migration studies which, through both theoretical analysis and empirical research, challenges these epistemically violent, exclusionary – and simultaneously assimilative – mechanisms of western nation-states. This research draws on this ongoing discourse in critical sociolegal studies on how asylum systems insist on scrutinization of sexual truth in order to provide access to citizenship, rights and national identity only to 'authentic queers' (Akin, 2017; Berg and Millbank, 2009; Fassin and Salcedo, 2015; Giametta, 2017; Hertoghs and Schinkel, 2018; Lewis, 2013, 2014, 2019; Murray, 2014a, 2014b, 2020; Shaksari, 2014). More specifically, there is a body of literature on how asylum apparatuses in the global North, in order to control who will have

access to their territory, insist on monolithic, essentialist, temporally and spatially fixed notions of sexual identity (Akin, 2017; Berg and Millbank, 2009; Giametta, 2017; Gordon-Orr, 2021; Jansen, 2019; Llewellyn, 2017; McNeal and Brennan, 2021; Nasser-Eddin et al., 2018; Ricard, 2014; Saleh, 2020; Shakhshari, 2014; Shuman and Bohmer, 2014; Tschalaer, 2020). This corpus has noted that asylum authorities, in their effort to distinguish the ‘authentic’ queer refugee who deserves to be saved from the ‘fraudulent’ migrant whose aim is to abuse asylum procedures, establish regimes of sexual truth by recognizing as ‘real’ queer refugees only those that can be assimilated to their national imaginary about the progressive queer neoliberal citizen (Akin, 2017; Giametta, 2017; Hertoghs and Schinkel, 2018; Lewis, 2013; Murray, 2014a, 2020; Shakhshari, 2014).

Through this inclusion, as many authors have highlighted in their research, nation-states in the global North reproduce further inequalities and intersectional exclusions for gendered, classed and racialized applicants who do not fit in the model of the homonormative, middle-class, secular, male, gay consumer-citizen (Akin, 2017; Danisi et al., 2021; Giametta, 2017; Hertoghs and Schinkel, 2018; Lewis, 2013; Murray, 2014a, 2014b, 2020; Nasser-Eddin et al., 2018; Saleh, 2020). By setting concrete requirements about how queer identities should experience and express their gender and sexuality, they appropriate queer as inherent to western civilization and reproduce new dichotomies of backwardness and progress (Giametta, 2017; Murray, 2020; Nasser-Eddin et al., 2018; Shakhshari, 2014). This way, as this literature has highlighted, asylum apparatuses erase the complexity and the nuances of queerness, and normatively define how queer claimants should perform their gender and sexuality (Giametta, 2017; Saleh, 2020; Shuman and Bohmer, 2014). This is how, as this research also argues, the biopolitical, productive mechanism of asylum, through its various networks and multiple functions, not only decides who are the ‘genuine’ queer refugees and who can be deported as ‘bogus’ claimants but, at the same time, how the ‘real’ queers, as the legitimate bodies to be saved, will live as national subjects (Akin, 2017, 2019; Murray, 2014a, 2014b, 2020).

Despite this burgeoning literature on queer asylum, there is no sustained enquiry on Greek practices in this field. Previous, limited research on the topic has noted this lack in a very central migration pathway (Avgeri, 2023; Zisakou, 2021). Due to its geopolitical location, Greece receives every year numerous asylum claims, many of them based on Sexual Orientation, Gender Identity, Expression and Sex Characteristics (SOGIESC). However, practices on SOGIESC asylum as well as experiences of queer asylum seekers in Greece remain, more or less, invisible (Avgeri, 2023). In my pursuit to address these aforementioned gaps, I conducted an analysis of first instance asylum decisions, which critiqued the reproduction of homonationalist and orientalist discourses, in a rather malfunctioning asylum system (Zisakou, 2021). This – mainly legal – analysis highlighted authorities’ homonormative, exclusionary and discriminatory practices and their incomppliance with human rights standards and the CEAS (Zisakou, 2021). While this study’s findings resonate with the conclusions drawn from my earlier work, this sociolegal research seeks to approach asylum law and policies through decision-makers’ accounts and focus on caseworkers’ motivations and criteria beyond the official guidelines. My idea was that discussing with caseworkers, who are responsible for the evaluation of

cases, could provide me with a deeper understanding of their expectations and motives in decision-making.

To address this aim, this research analyses the legal process of Refugee Status Determination (RSD) through the lens of postcolonial feminist and queer theory. This goal is by default challenging since, on the one hand, law claims to taxonomize reality in an objective and impartial manner, while on the other hand, postcolonial feminist and queer studies aim to call into question these presumptions of objectivity. However, the current article argues that this at first sight contradictory intersection constitutes a pivotal tool towards a more critical interpretation of the Refugee Convention. As this study seeks to illustrate, these practices not only raise issues of incompatibility with human rights standards and the Refugee Convention, as the relevant legal scholarship has highlighted (Danisi et al., 2021; Dustin and Ferreira, 2021; Jansen, 2019; Zisakou, 2021) but, at the same time, by insisting on rigid, essentialist, white-centred definitions of queerness does not take into account postcolonial queer and feminist theories on gender and sexuality. This intersectional sociolegal analysis highlights the epistemically violent character of credibility assessment practices through various theoretical and practical angles.

Simultaneously, this study discusses the issue of credibility assessment with decision-makers who are burdened to apply – and justify – the relevant national and European legislation and policies in migration and asylum. Decision-makers are typically represented as uncritical supporters of nation-states' exclusionary asylum mechanisms. However, as this study illustrates, this representation of caseworkers as a unified, fixed and essentialist state authority whose aim is to blindly implement and enforce asylum law and policies, ignores and obscures their critical views, as well as their struggles and efforts to, sometimes, resist a regulatory system that separates applicants to 'real' and 'bogus' queers. As this study argues, in the process of credibility assessment, decision-makers not only apply the official guidelines but simultaneously, through their practices and decisions, they go beyond them. This is how at the same time they *become* and *resist* the state (Fassin, 2015). And so, my endeavour in this study is to critically engage with my interlocutors' daily struggles and impasses in a system which massively disbelieves and rejects asylum claims (Zisakou, 2021) producing deportable and disposable 'bogus' queer bodies. This internal, situated critique to a discriminatory, homonationalist system, from below, by its main implementing actors, constitutes one of the main contributions of this research and is an even more alarming proof, that this exclusionary and assimilative process needs fundamental, structural changes.

Framing the research

Methodology. The main aim of this research is to discuss how decision-makers in Greece assess credibility in queer asylum claims and how *queerness* is defined and deployed within the Greek asylum system. In order to address the research question, in this research, I conducted semi-structured interviews with 16 caseworkers, during which I discussed with them the issue of credibility assessment in queer asylum claims. Interviews were conducted online, in September and October 2021, due to COVID-19 restrictions and since participants were located in various places, either on Greek islands (Lesvos, Samos,

Chios, Kos, Leros and Crete) or in the mainland (Athens, Thessaloniki, Ioannina). Caseworkers were approached through my previous network, as an asylum lawyer in the field, and using the snowball technique. The only criterion for caseworkers' participation was their availability and there was no selection process. However, in an effort to study a representative assemblage of the methods and criteria that the Greek Asylum Service (GAS) applies to assess credibility, I approached caseworkers from various Regional Asylum Offices across the mainland (seven participants) and the hotspot islands (nine participants). Prior to the discussion, interviewees provided their informed consent to participate in the research. They were informed that their participation will be anonymous and that their names will be pseudonymized. Interviews were recorded upon their consent and following the transcription of the discussions, files were destroyed. Interviews were conducted in Greek and they were transcribed and translated to English by the author.

The method used to analyse interviews' content was thematic analysis. My analytical approach was bottom-up, in the sense that I did not try to fix coding data in pre-existing categories although latent, given the fact that my aim was to critically analyse caseworkers' narratives beyond their surface-level content. Despite its inductive approach, analysis was informed both by this study's poststructuralist feminist and queer theoretical framework as well as previous research in queer migration studies. Although thematic analysis has been criticized in feminist and queer research (King and Cronin, 2010), as a limited and constrained method which aims to taxonomize research data to fixed categories, I rather approached it as flexible (Braun and Clarke, 2006), open to emergent, contradictory, conflicting patterns, which allowed me to determine my themes of analysis and deconstruct predetermined categorizations. My aim through the analysis was not to give voice to research participants, neither objectively and exhaustively present GAS credibility assessments methods. Instead, the process of analysis was approached as a performative act, during which findings were, unavoidably, mediated by my positionality and epistemological approach.

Interlocutors' profile. Participating caseworkers were deployed either by GAS (five participants) or by the European Union Agency for Asylum (EUAA) (11 participants). My interlocutors were cisgender, middle-class, white, Greek citizens and their age varied between 25 and 45 y/o. Their educational background varied greatly from legal studies to psychology, international and European studies, languages, theology, political sciences, sociology and education studies. The majority of the participants (12 participants) held a master's degree, while two of them were PhD candidates. Their profile, especially in terms of their high educational background could be considered representative of caseworkers' profile in general, in post-crisis Greece, especially taking into account EUAA's high remunerations. As some of the EUAA caseworkers highlighted, 'their job is well-paid' and this factor was among their main motives to follow this professional career, despite their general feeling of frustration related to the current strict, (anti)migratory policies. However, it is worth mentioning that none of the participants had a permanent position and they all had short, fix-term contracts. Years of experience in caseworking were also not standard and varied between 1 year and a half, to 7 years of experience. With regard to the number of queer asylum cases that they had handled, this varied between two and 100

cases. Concerning previous professional experience, 12 of my interlocutors had previously worked in the field of migration and asylum in various positions while four of the them had no former working experience in the field. My initial intention was to provide more information about each interlocutor's background, such as their former education, their professional experiences, etc. However, anonymity and confidentiality were the key for many of them to share their views on GAS' practices and describe difficulties, struggles and feelings of abandonment by a system which, as Kiki, one of the research participants, put it, 'has the rejection of asylum claims as its main goal'. In some cases, I was even asked directly by the participants not to mention their educational and professional background that could personalize them, in order to prevent any troubles in their working environment. For this reason, I omitted these references and I kept only their gender, identifiable through their pseudonym.

Interviews with caseworkers were semi-structured and their approximate duration was one and a half hour. During the interviews, participants were initially asked to provide some general information about themselves (previous working experience, years of experience in caseworking, approximate number of SOGIESC cases handled etc.) As it came up through our discussion, only five of my interlocutors had attended training on SOGIESC asylum claims assessment, conducted by the EUAA. Nancy mentioned, for instance, that she attended the training, 4 years after she was hired as a caseworker. According to her, the training was helpful but 'when you are dealing with SOGIESC claims for 4 years, you have learnt how to do it on your own'. Furthermore, some of the participants mentioned that although they asked GAS and EUAA to attend the training, this was not always feasible. As they shared, in lack of training, their personal experience and contacts with members of the LGBTIQ+ community helped them to familiarize better with such claims. They also noted that cooperation among case workers (exchange of transcripts of previous interviews and drafted opinions/decisions) was also important in lack of specialized personnel on SOGIESC cases.

Regarding interviews' content, following information on their background, in the first part of our conversation, I shortly discussed with my interlocutors their perspective on what 'credibility' is, its intersection with the notion of truth and their understanding of the role of the caseworker in the procedure. The main part of the interview was on credibility assessment practices in queer asylum claims. Participants were asked to elaborate on practices they use in their assessments. Among the topics discussed were fields of enquiry as suggested by [UNHCR \(2012\)](#) guidelines and GAS model questionnaires, such as applicant's self-identification, childhood, self-realization process, religion, applicants' life in Greece, family and community relationships, as well as previous relationships. My focus was on participants' critique of the applied practices and on whether they consider them 'effective' in the assessment process. During our conversation, I was inciting my interlocutors to use examples from their practice, when possible, to help me understand their approach. Although interviews were semi-structured, gradually, as I was proceeding with the study, they were becoming even less structured. Progressively, I limited my contribution to the discussion, I was asking less questions and I was providing more time and space to my interlocutors to focus on topics they deemed important and share their experiences. During the study this method proved very useful and helped me to approach

issues which my interlocutors would be reluctant to elaborate on if a specific question was asked. During the discussion, for example, some of the participants elaborated more on their political ideology and sexuality. Some of them stated a clear opposition to government's policy on migration and asylum, defining it as 'anti-migratory', 'racist', 'neoliberal' and 'nationalist'. On the contrary, some of the participants remained neutral and seemed to perceive themselves more as state's representatives whose role was to defend state's migration policies without calling them into question. In terms of gender and sexuality, although all of the participants were cisgender, three of them were identified as LGB in our discussions (a gay man, a lesbian woman and a bisexual woman). Through their accounts, it was noticeable that they had a (self)reflective background and were more open to accept as credible varied expressions of gender and sexuality than GAS proposed restrictive definitions.

The 'affective turn' in legal framework

Following the abolishment of the discretion clause by various national and European adjudications (at the EU level the requirement was abolished by the Court of Justice of the EU (CJEU) in the *X, Y and Z* judgement)¹ credibility assessment has been the main challenge in queer asylum adjudication and the main reason for queer asylum claims' rejection (Jansen, 2019; Millbank, 2009; Zisakou, 2021). Despite variety and lack of harmonization, European states' practices in credibility assessment could be divided, in two time periods: Prior and following the *A, B and C* judgement.² In this judgement, which constituted a benchmark and a paradigm shift in credibility assessment in queer asylum claims, the CJEU – the only judicial body, at the European and international level, that has provided guidance on the topic – elaborated on SOGIESC evidentiary matters and defined some practices as forbidden. Even though before the judgement emphasis was put on questions around sexual practices, on evidence such as photos and videos – often with sexual content – and on the submission of the applicant to medical and psychological tests, according to the Court, these practices are not in conformity with human rights standards and cannot be used as means of evidence. Furthermore, according to the CJEU, the use of stereotypes around SOGIESC cannot be the sole basis for the rejection of the claim's credibility, since this would be against the legal obligation for an individualized assessment, as derived from the CEAS. Despite the fact that the Court described the abovementioned practices as forbidden, it did not proceed to define though what kind of practices could be applied in the assessment. This obscurity was not clarified further in the *F* judgement that followed.³ In the meantime, Greek authorities, following UNHCR and EUAA guidelines on the topic (UNHCR, 2012; EASO, 2018; EUAA, 2023), started moving the weight from the external behaviour of the applicant to their *inner emotional journey* by exploring their lived experiences of difference, shame and suffering (Zisakou, 2021). Although GAS has not issued specific internal guidelines for the assessment of queer claims, caseworkers have received some model questions as a supportive material. In the questionnaires, there is a section about the formation of the applicant's identity where questions around the process, the time and the conditions of self-realization and acceptance are included. Furthermore, it is suggested to caseworkers to ask applicants to elaborate on their feelings and experiences of difference, shame and stigma. Other fields

of inquiry that are suggested in the model questionnaire are the societal and family's reaction to applicants' SOGIESC, extended questions around applicants' previous relationships, their knowledge with regard to the LGBTIQ+ community in the country of origin and in Greece, and inquiry about incidents of violence.

Homonormative expectations in the (homo)nationalist Greek asylum apparatus

Becoming credible, becoming queer: (De)constructing a 'lived' experience

As defined by UNHCR (2013: 27) 'credibility' in asylum law refers to whether something or someone is capable of being believed. Credibility assessment according both to UNHCR and the CEAS, should be held in an objective and impartial manner and 'it should be a neutral assessment of the material facts in which subjectivity should be kept to a minimum' (UNHCR, 2013: 37). In an effort to minimize subjective assessments, UNHCR (2013) suggests that credibility indicators, such as sufficiency of details, specificity, internal consistency and plausibility, should be used by caseworkers. During the research, reflecting on their own participation in the processes of credibility assessment, some of my interlocutors mentioned the specificity and the sufficiency of details – what they called 'experientiality' – as something they find useful. As Tina put it, 'what helps me to assess applicants' credibility in SOGIESC claims is the experientiality in applicants' answers, the details that accompany a lived experience'. Applicants need to describe their experiences in detail and put them in a chronological order, since, as Fani adds, 'inconsistencies in time and date is a sign for non-credibility'. According to some of the participants, the provision of details by the applicant is a key indicator of their credibility, because it gives caseworkers the chance to 'dive' into the applicant's world and assess the veracity of their experiences. As Mona explains, 'What I personally look for to consider the claim as credible is to be able to *imagine* what the applicant narrates to me. In order to do that, the applicant needs to provide details'.

However, during the research, not all the participants agreed that the provision of details is an indication of credibility. In spite of the fact that for some of my interlocutors experientiality of an account was the key element for its credibility, according to some others, the so-coveted objectivity in credibility assessment procedure cannot be achieved because there is no universal or impartial way of perceiving what counts as a 'real' experience. Instead, our understanding of what is 'real' is intermediated through our positionality, which is related to our gender, race, religion, origin, social class and the space and the time an experience is lived and narrated. According to their views, a detailed narrative is a convention for the needs of the assessment, a construction that is neither objective nor stable. As Tasos describes, caseworkers are co-responsible for the level of specificity in applicants' answers: 'Someone who wants to reject a claim, they will find the basis to reject it. On the other hand, if we want to work with the applicant, we will find the grounds to consider their claims credible. We can pose follow-up questions to what applicant describes and find the consistency and the details related to a lived experience'.

As observed during the research, caseworkers' interpretations and views around credibility of applicants' stories and experiences varied and it was highly contestable whether an 'objective and impartial' assessment could be held. During the interviews, some of my interlocutors focused, for example, on the situation in Afghanistan, especially for men who have sex with men. In an effort to generalize and explain the conditions under which this happens, through their answers we are presented with three different versions of reality: According to Mona, for instance, even though it is very common for men to have sex with men in Afghanistan, applicants *do not have feelings* for their partners. This phenomenon is due to women's societal role and their absence from social life. Consequently, according to Mona, in such cases, 'homosexuality' is not part of applicants' identity and applicants cannot be deemed eligible for asylum. On the other hand, according to Panos, even though men have sex with men in Afghanistan, due to cultural reasons, the war conflict and the lack of access to education, applicants *are not able to express their feelings* towards their partners. Finally, according to Tasos, due to oppression and prohibition of same-sex relationships, even though applicants are falling in love with their partners, *they pretend that they do not love each other* to avoid having trouble within Afghani society. These three different versions of reality could amount to different adjudications regarding applicants' credibility. Factors such as caseworkers' educational and theoretical background around gender, sexuality and migration, political views or sexual orientation, as Tasos pointed out, seem to affect their assessment and deprive decisions' objectivity and impartiality.

Judith Butler (2004, 2009), drawing on Michel Foucault's thought about truth as always already interconnected with power, argues that what distinguishes experiences is not their truth, since there is no true speaking voice or unmediated account, but the authority that intervenes and makes them more or less visible and intelligible. Bearing truth is a prerogative of having the power to define what counts as neutral and objective and consequently nothing can exist as 'real' if it does not conform to an authority and a set of rules which validates its truth. In order for someone to make themselves recognizable as subjects, they need to be substitutable into norms, categories and expectations about truth which in the asylum process are mainly focused on linear descriptions, concrete in time and space, on the provision of details, on spontaneity and on the effortless speech flow. This is what Maja Hertoghs and Willem Schinkel (2018) have described in asylum adjudications as 'performative believability'. However, as participants narratives portray, not all the applicants are able to perform 'believability' as expected. As Sophia describes, for instance, during an interview with a minor gay boy from Pakistan, the applicant started laughing when he was describing her how he was raped.

In the beginning I couldn't understand why he is laughing. I know that this reaction could be assessed as an indication of disbelief by other colleagues, because it is not an expected reaction. Progressively I understood that there were many reasons why the applicant was reacting in such a strange way for me, among them his awkwardness to discuss such an experience with me. The problem is that the asylum process does not allow space and time for such complexity.

As this research shows, caseworkers' assessment about applicants' credibility is not socially disengaged and neutral but it bears the biases and presumptions that are well-rooted in the western imaginary about how the 'good' sexual citizen should behave and look like. In order for an applicant to be believed and be read as 'credibly' and 'genuinely' queer, they have to perform believability according to national state's expectations. In a biopolitical, legal system which emphasizes the precision of details and insists on monolithic definitions of space, time and truth, applicants need to reduce the complexity of their experiences and to disempower their own perspective of what has happened in order to produce an account that will be suitably recognizable by the authorities (Murray, 2018). This is how the state, by possessing and distributing 'narrative authority', defines which experiences are authentic and thus authorizes the terms of reality and truth (Hertoghs and Schinkel, 2018). Through caseworkers' accounts, this article seeks to illustrate and critique how, under the pretext of a neutral and value-free assessment, the nation-state deploys its 'authoritative objectivity' as a self-justificatory apparatus to shape and regulate a genuinely recognizable and exclusionary queer identity, in order to save the deserving – that is, assimilable – queer refugees.

Looking for a 'genuine' sexual identity

In its effort to limit who will have access to its territory, the Greek state establishes a regime of sexual truth to distinguish genuine from bogus experiences, where applicants are supposed to have – and be able to prove – a determined and immutable sexual identity. As this study showcases, the figure of the queer refugee is premised upon a limited definition of sexual identity and all enactments that do not conform with it render applicants' claims as non-credible. This essentialist expectation has been already highlighted in queer migration studies (Akin, 2019; Danisi et al., 2021; Dustin and Ferreira, 2021; Giametta, 2017; Hertoghs and Schinkel, 2018; Jansen, 2019; Murray, 2014a, 2014b, 2020; Shaksari, 2014; Tschalaer, 2020; Zisakou, 2021). Under this process, asylum system, as a biopolitical mechanism which apart from repressive is also productive (Akin, 2017, 2019; Murray, 2014a, 2014b, 2020), not only decides which queers deserve to be saved as genuine and who can be deported as bogus, but also how the 'real' ones are supposed to experience and perform their identity as queer subjects in the Greek society.

According to some of my interlocutors, applicants' gender and sexuality are supposed to be fundamental and unchangeable elements for their identity and they should have followed a hard linear process of self-discovery which moves from a position of 'closeted' to 'coming out', and takes place at an early age to be believed (Berg and Millbank, 2009). In Irene's words, 'I found it strange when the applicant realizes their SO at a later stage in their lives. I remember an applicant from Pakistan who told me that he realized his SO in his 40s. To be honest, I found that strange'. Applicants are expected to be conscious about their subjective process of self-realization, and to be able to describe it in the context of the RSD procedure. This process, which is defined as a cornerstone to applicant's identity formation, is deemed by authorities as always precisely locatable and identifiable in time, and thus narratable as such and is expected to be accompanied by deep inner thoughts and feelings. As Manos describes, the moment of self-realization is expected to be related to

existential thoughts, while being sexually attracted to others' bodies without reflecting on your identity is an indication of non-credibility: 'In this case, the applicant was telling me that during a summer camp, he was playing karate with some other peers and by touching others' bodies he became gay, without being in a position to explain his internal processes and his thoughts about this transition'.

In this epistemically violent framework, rooted on the idea of the sovereign self-sufficient and (self)knowing subject, a 'genuine' sexual identity is premised upon discursively narratable, inner processes of self-realization and awareness. However, some of my interlocutors criticized this requirement as a restrictive Eurocentric and white-centred notion of queerness which excludes and obscures queer applicants' experiences and performative enactments. As Kiki claimed:

I found it very problematic that we, who belong to what is called global North, define what sexuality and gender are for the applicants. I don't think that we have the tools to proceed to such a definition. Not even caseworkers among themselves define such terms in the same way. However, by assessing their accounts we have the authority to apply a kind of limitless power on applicants' bodies by deciding their future and their lives.

According to some of the research participants, expecting applicants to describe their identity as innate and immutable is restrictive because sexual identity is always at stake and negotiable in space and in time and cannot be defined exhaustively, let alone under the duress of the asylum interview. As Kiki argues, 'In asylum adjudication we are trying to find cornerstones and rigid definitions of a stable and well-defined identity when identity is something that is being shaped continuously in space and time. It is something that is always pending and that is always changing'. As Lydia adds:

There is no single moment of realization, and I can verify it as a lesbian woman. I can provide more than 40 moments of 'self-realization.' Most of the applicants are 18–19 y/o. Today they may self-identify as gay and tomorrow they may understand that they are bisexual, for instance. However, the whole procedure is structured based on the single moment of self-realization, and when this is not provided the applicant is disbelieved.

As it was understood through my interlocutors' accounts, a monolithic and essentialist perception of sexual identity, invariable in space and time, dominates the asylum procedure. This perception of the subject who is always self-conscious and capable to express themselves and define who they are has its roots in enlightenment, modernity and secularism, when the human subject and its experiences were universalized by the dominant, hegemonic Euro-American civilization (Costas Douzinas, 2000). Respectively, the theory of self-realization and awareness – a theory widely suggested during the previous decades in Euro-American contexts (Berg and Millbank, 2009; Jansen, 2019), founded on the experiences of white, middle-class, gay men – epistemically and epistemologically violently excludes and erases queerness' ambiguity, contingency and complexity. Queer and feminist theorists, since the '90s have challenged the idea of thinking of gender and sexuality in terms of pre-existing, fixed and taxonomic identities

and rather conceptualized them as complex performative instantiations of social processes, as constantly changing and fluid (Ahmed, 2006; Butler, 2002, 2004; Duggan, 2002; Eng et al., 2005; Halberstam, 2011; Muñoz, 2006; Puar, 2018) As Fadi Saleh (2020: 47) puts it, queer is what ‘escapes identity categories and their fixed narratives and structures’. At the same time, queer, as a political movement, opposes to national states’ practices to exhaustively name, categorize and (homo)normalize their citizens (Eng et al., 2005) and seeks to denaturalize and deconstruct the well-ordered classification of queer subjects in sexual politics. As Sara Ahmed (2006: 161) has argued, queer always causes a sense of discomfort, disorientation and trouble because ‘to make things queer is certainly to disturb the order of things’. Opposed to an apparatus of sameness, which does not leave space for different, non-normative expressions and performances, queer theory suggests a more nuanced reading of social phenomena where complexity, incommensurability, ambiguity and contingency have their own space to be articulated and performed (Athanasίου, 2020). Queer theory, as a low, weak theory (Halberstam, 2011), does not aim to fully, exhaustively describe what it seeks to represent, and provide tidy, fixed, quick and effective explanations but, as an enabling and transformative critique, it entails a contingency, a call for openness to new possibilities, expressions and changes (Butler, 2004).

However, according to epistemologically violent, restrictive rules which govern intelligibility in asylum process applicants’ experiences that do not correspond to this strictly defined, identity-formation model become invisible and unintelligible, such as cases where applicants relate their sexuality with sexual gratification and sexual acts instead of innate dispositions and fixed identities. This discourse represses queer desires, expressions and performances and results either in exclusion of those refusing to be assimilated into the national-sexual epistemology of identity, or in an epistemologically violent assimilation. Despite the fact that asylum process constantly ignores the spatial and the temporal situatedness of sexuality and gender, these categories are not fixed and formed prediscursively, as if waiting to be uncovered at the borders of the nation-state (Akin, 2017; Shakhshari, 2014). As Butler (2002) describes, sexual identity does not pre-exist but is formed constantly through itinerary practices of identification. And so, at odds with authorities’ expectations for a well-ordered classification of tangible and fixed queer identities, queerness is constantly shaped throughout the migration process. Under this productive process of subjectivation, in order for the applicants to become intelligible, they are deprived of their experiences and are expected to provide a narrative about a rigid and recognizable sexual identity. Through this practice of subjectivation, applicants transform and redefine their reality by conforming to a Eurocentric and white-centred queer identity which is visible, well-defined and does not allow space for different qualities, nuances and contradictions. This is how the asylum apparatus, apart from setting the legal requirements of the procedure, regulate and normalize queerness and define how queer refugees, as future citizens should think, feel, desire and behave.

(De)stabilizing dichotomies: The truth from the oppressed, suffering body

Normative understandings of gender and sexuality do not cover only essentialist notions of identity, fixed in space and time, but they also expand to essentialist, orientalist

representations of applicants' cultures and societies. According to my interlocutors' accounts, applicants are expected to have suffered enough in their 'oppressive and premodern' countries and provide a narrative of pain, difference, stigma, shame and harm to be considered 'credibly' queer. As Sima [Shakhsari \(2014: 1004\)](#) has written, in asylum procedure, state works to erase difference – by perceiving sexual identity as universal – while emphasizing difference, based on the binary scheme 'Third World barbarism versus First World freedom'. According to Lila, 'It is expected from the applicants to have negative feelings and a negative opinion about their countries of origin. In any case, this is the reason why they fled their countries and came to Europe, where they could find safety, regardless if they have been persecuted or not'. As Lila describes, in this affective economy of truth, applicants' cultures and societies are inscribed as geographies and sources of pain, suffering and oppression, reproducing a simplistic dichotomy between progressive and queer-friendly Greece and backward and barbaric countries of origin.

Furthermore, in cases of queer Muslim applicants, authorities expect an extra disassociation from applicants' 'oppressive' religion to believe their claims. This orientalist expectation has been highlighted in literature in other European asylum systems ([Tschalaer, 2020](#); [McNeal and Brennan, 2021](#); see also [Dustin and Held, 2021](#) who discuss religion and asylum in general). In order to prove the credibility of their SO-GIESC, applicants need to answer, to what Jasbir [Puar \(2018: 21\)](#) has defined as the fundamental 'dilemma of their subjectivity': Are they queer or Muslims? According to some of the participants, Islam and queerness are not compatible. As Nikos put it, 'I always check the applicant's religious beliefs before the interview. I would find it strange if a faithful Muslim was at the same time gay. Until now, this has never happened to me. In cases that I have handled, applicants were non-religious. In any case, if this happens, it will surprise me, I don't think it is compatible'.

In the Greek asylum context, Islam under an oversimplified Eurocentric discursive figuration, is identified as a religion of terror and death, inseparable from sexual backwardness, where sexual minorities and women have no other choice than suffering. This representation was evident in Stephanía's words:

Religion is related to applicants' SO. Iran for instance is a theocratic state. It is an Islamic republic. Applicants cannot disobey the religious rules or believe in anything else. Asylum seekers from Iran have reflected on the interaction of their religion with their sexuality and most of them feel a deep aversion to Islam. They dislike their religion. Most of them are non-religious, few of them are atheist. Their view of Islam is that Islam is the religion of war and terror and diversity is not tolerated.

Under this narrative, faith in Islam is considered incompatible with liberation and freedom and an indication of repressed sexuality, void of agency ([Puar, 2018](#)). In this discursive context, Muslims are constructed as cultural others, as sexually undeveloped, primitive and religiously repressed, and their societies as sexually conservative, intolerant and constitutively anti-democratic ([Sabsay, 2012](#)). Only those who have disassociated with their barbaric religion and who have adopted 'European' values, values that could humanize Islamic societies and save queers and women from the oppression, could be

considered as real and admissible queers (Tschalaer, 2020). In this way, applicants' trustworthiness is evaluated, as Puar (2018: 13) would argue, through a 'regulatory apparatus of queer liberal secularity'. However, according to Saba Mahmood (2009), both the religious and the secular are not ahistorical, apolitical, immutable, essentialist notions, but constructions which gain their particular understanding with the emergence of the modern state. As she points out, secularism is a uniquely 'Cristian/western achievement' and a product of Judeo-Cristian tradition. During the research, Christianity, in contrast with Islam was assumed to represent a religion more liberal and tolerant to queerness. As Lydia argued, 'Religious beliefs play a role, only when the applicant is Muslim. If the applicant is a catholic Cristian gay man from Cameroon for example, I don't think that anyone will ask him about his religion. Nobody will tell him, being gay is not allowed by your religion, even though this is the case'.

According to some of my interlocutors, this perception of backwardness and oppression does not cover only their religion and society, but it is also extended on how applicants perceive themselves. Based on the stereotypical idea that the more queerphobic is the society the more different and abnormal would the individual feel (Akin, 2019; Giametta, 2017; Hertoghs and Schinkel, 2018; Jansen, 2019; Murray, 2014b; Saleh, 2020), applicants are expected to have passed through an inner struggle, to have developed negative feelings about themselves and to have felt different in their countries, to be believed. As Vicky described it, 'What I expect to hear from the applicant is the *pure* difficulty. What does it mean to be gay in Iran'. In this colonialist regime of truth production that regulates the asylum procedure, applicants' suffering bodies, are becoming, according to Didier Fassin and Estelle d' Halluin (2005), the evidence of their truth and trustworthiness: Only applicants that have suffered enough, have been deprived of their agency as vulnerable subjects, and expect to be protected by the morally superior and charitable West, are the 'morally legitimate bodies' to be saved (Ticktin, 2011). As Deniz Akin (2019), drawing on Butler's (2009) theory about social norms of intelligibility and recognizability, puts it, in the asylum process, an asylum seeker is recognized as a refugee only when their life is considered as precarious and losable.

In this colonialist representation of applicants' oppressed bodies, accounts of joy and pleasure, or experiences that deviate from the model of the oppressed do not have a place. As Ahmed (2014) would argue, queer intimacy as a source of non-commodified pleasure, fascination and desire, what challenge the designation of queer as object, have been cast out and rendered illegible in the asylum apparatus. According to Stephania, for instance, applicants' sexual experiences are not related to their sexual and gender identity and should not be shared. However, when applicants are tortured, raped or sexually abused, then this information turns to be relevant and details are asked about how the applicant has suffered in their country.

Applicants are often willing to discuss about their sexual experiences. I remember a case in which the applicant wanted to tell me all the details about his sexual life. These details are not relevant to asylum claims, except for the cases in which this is related to sexual abuse, rape or harassment. Only in such cases we ask for further details.

Despite the fact that accounts of oppression and suffering in applicants' culture and religion seem to be an indication of credibility according to GAS guidelines, some of my interlocutors doubted that queer applicants' experiences correspond to such a monolithic understanding centred around pain and repression. Instead, they emphasized applicants' complex realities and feelings, which do not move linearly from oppression and death to liberation and progress (Akin, 2017; Shakhshari, 2014). As they explain, applicants in many cases were happy and pleased with their same-sex sexuality in their countries of origin. As Tasos argues:

Sometimes applicants' answers are surprising. When I asked a lesbian woman from Senegal about her self-realization and feelings, she answered me: How should I feel, I was feeling perfect, I was horny, and I was doing what I wanted to do: a lot of sex. If she was afraid? Of course, she was afraid, but this doesn't mean that she couldn't enjoy her sexuality.

Furthermore, despite a well-rooted narrative of repressive Islam some of the participants explained that not all the applicants have passed through inner conflicts in terms of their religion. According to Vicky, for example, Muslim religion and homosexuality are not contradictory: 'Religion is not only the rules, but has to do with a kind of spirituality that the applicant may be in need of'.

Even though asylum system expects refugees to move linearly from oppressive homophobic societies to a queer heaven, applicants' realities and feelings are more complex and nuanced and they do not always showcase a movement from death to safety. According to some of the participants, this normative understanding of countries of origin as places of backwardness and Islam as an oppressive and conservative religion does not correspond to all queer subjects' experiences for which their community and religion can be at the same time a source of persecution and support (Dustin and Held, 2021). As Saleh (2020) eloquently puts it, experiencing persecution and having had a complex and rich queer life are not mutually exclusive. However, and since it constitutes an indication of a credible account, applicants strategically use emancipatory narratives, occupying the victimhood position that is assigned to them, so as to be recognizable within the asylum apparatus and to be believed (Akin, 2017). As Nancy said, 'Applicants, based on my experience, always have a negative opinion about their societies, their cultures and their religion. This is what we look for in the asylum procedure. They come to prove you their fear in their countries, they cannot come and say how much they love their countries'. As Nancy put it, in order for someone to be recognized as queer, they need to use a language that denies their experiences when they do not conform to authorities' expectations. Hence, under the fear of rejection, detention and deportation, applicants need to be violently assimilated to an apparatus of liberal secular diversity (Puar, 2018) and white-saviourism, where inclusion is premised upon exclusion. This controversy between how applicants feel in their countries and how they are expected to describe their experiences during the asylum procedure highlights the productive, regulatory mechanism under which the nation-state not only monitors, disciplines and actively shapes refugees' identity, but at the same time, as Saleh (2020) points out, it produces knowledge and truth about a whole identity group. This is what Wendy Brown (as cited in Saleh, 2020:60)

defines as ‘compulsory discursivity’: How knowledge extracted and imposed on the queer refugee suffering body, is normalized and enforced, defining every queer refugee body.

The ‘good’ sexual citizen: Productive, happy, active and proud

According to authorities’ normative expectations, not only applicants’ countries of origin are represented as deeply queerphobic and barbaric, but, on the other hand, Greece is considered as a friendly and inclusive society, a queer heaven, where queer refugees can find freedom and safety, what Murrey (2020: 70) called ‘queer migration to liberation nation’ narrative. As Lila describes, queer applicants in Greece have the chance and the support to freely express themselves and be out about their queerness. This imaginary inclusivity and equality, according to Lila, stands at odds with applicants’ ‘oppressive’ culture and religion:

With regard to their feelings here in Greece, the majority of the applicants are telling me that they are relieved. Even though in camps the situation is hard for LGBTIQ claimants, since they co-habit with Muslim population, they have the chance to access UNHCR or lawyers in the field, where they can discuss about their SOGIESC. I believe this is important because they understand that Greek society will accept them. However, in the future some of them remain closeted. I believe that this is due to their cultural background and their community, and not because of the Greek society.

Furthermore, as some of the research participants described, in order for applicants’ account to be deemed credible, they are expected to bear feelings of exclusive, true love for their partners and be in a monogamous homonormative relationship in Greece, where they are liberated and free. According to Mona, ‘Their feelings are like ours. Taking into account the hostile environment, when people are falling in love in these societies, they are falling deeply in love. When I recognize this love, this passion, I cannot refuse it as non-credible’. Respectively, according to Panos, homosexuality is not related to sexual attraction but can only be a matter of deep, pure feelings.

In another case, when I asked an applicant from Gambia what he enjoys in his relationships with men, he replied that what he likes is to have anal sex with men. I was very confused and I asked my team leader, how I could assess that claim. What she answered me was that sexual contacts have nothing to do with homosexuality. SO is about feelings and love.

Finally, according to authorities’ expectations, applicants are required to participate actively and visibly in the queer community in Greece. As Manos stated:

Applicants’ life in Greece is also a field of examination. Since in Greece they are free, it is an indication of credibility if the applicant has come in touch with LGBTIQ organizations, or if they are in a relationship here. When someone is free to express themselves, following years of oppression, I cannot find the reason why to abstain from this expression in Greece.

According to my interlocutors' descriptions above, applicants are expected to comply with visibility politics and be active, out and proud in the Greek society to be recognized as 'genuinely' queer refugees. Put it otherwise, they need to fit in a model of neo-liberalized sexual citizenship which is strictly defined, according to specific standards of recognizability. Sexual identity, as it has been constructed in the neoliberal asylum apparatus is a place of sameness, despite the fact that what 'queer' manifests strongly is the politics of difference (Sabsay, 2012). This juridical framework of sexual citizenship constitutes the place where the global queer identity meets nationalism, an essentialist notion where universalism intersects with cultural relativism. Under this homonormative context, applicants are expected to conform to a narrative grounded in visibility politics by manifestly stating their sexual identity (Lewis, 2013). As it has been highlighted in other asylum systems in the global North (Akin, 2019; Giametta, 2017; McNeal and Brennan, 2021; Murray, 2014a, 2014b, 2020; Tschalaer, 2020), in order for asylum seekers to prove their sexuality, they need to bear a formed, outed sexual identity, visible in the public sphere and fulfil the stereotype of the male political activist who is active and out as a sexual citizen. This way, silences and less loud expressions of sexuality that do not fit into the active, progressive, free to choose and to consume sexual citizen, are erased and could not constitute part of the common queer imaginary. As Lewis (2014) argues, sexual citizenship narratives in asylum process have a disproportionate impact upon queer female applicants, while the articulation of female desire is rendered even harder (Giametta, 2017; Lewis, 2014; Nasser-Eddin et al., 2018). According to research participants, women often lack knowledge about queer community in their countries of origin and their experiences are restricted to private meetings with their partners, a behaviour which cannot be considered compatible with a queer identity. By echoing the norm of capitalist patriarchy, where (masculine/universal) sexuality is always active, extrovert, intrusive and oriented towards a commodified queer pleasure and culture, silences and behaviours that are not manifestly declared are being translated as non-credible. As Manos put it:

In another case of a woman from Cameroon, the applicant wasn't in a position to provide any kind of information with regards to LGBTIQ people's lives in Cameroon. She only mentioned private meetings with women in houses. I didn't find this reasonable. When someone lives for years in a country and they have relationship with people of the same sexuality, it is expected to have an idea of what is going on in the country. It is not possible to ignore everything.

Furthermore, according to participants, another important factor, apart from the applicants' gendered experiences, that asylum procedure systematically ignores and excludes is applicants' social class which is interrelated with possibilities and prospects of education and the languages spoken. As some of my interlocutors mention, applicants from upper classes who speak English – the universal queer language under the western queer hegemony – have the chance to come in touch with the 'queer culture' as produced in the global North, and familiarize themselves with terms, notions and inner processes that are deemed to accompany queer identity. As Stephanina, explains:

In contrast to African countries, in Iran, LGBTIQ claimants are more educated and are able to discuss about their SO openly. Last week, I handled a case of a man from Iran. He didn't self-identify as gay regarding his SO. He told me that he feels attracted by both genders and that there are periods of time when he is not attracted by any gender. He couldn't find an LGBTIQ category to fit in. As he told me, if he had to, he would say that he is rather bisexual. Despite the complexity of the applicant's sexuality, this interview was not difficult for me. This had to do with the educational background of the applicant. He had gone to the university; he was speaking English and it was easy for him to elaborate on these matters and to make me understand how he feels. When applicants are coming from war zones, such as Afghanistan or Somalia or very poor countries, this is very rare, almost impossible. Applicants from Iran are usually coming from upper classes and have been working in cities. When they are leaving their country, they know what they have fled from, and they are ready to elaborate on this and on their feelings.

Highly educated applicants, with a westernized, urban background coming from higher social classes, according to my interlocutors' accounts, can easier comply with the Eurocentric, white-centred and classed idea of the deserving, good and happy sexual citizen and its standards of recognizability. According to authorities' expectations, only applicants who could identify with the neoliberal sexual citizen, a westernized, male, middle-class subject who is out and proud for his (homo)normalized sexual identity, could be believed as credibly queer. Furthermore, as this study showcases, attachment and familiarization with the commodified, westernized queer lifestyle does not only render applicants recognizable and illegible by the authorities, but, as [Ahmed \(2010\)](#) would argue, is what produces and promises their happiness, as future sexual citizens. According to Nancy, for instance, working class applicants who have not come in touch with the hegemonic, westernized, queer culture and they do not speak English, tend to be more confused about their sexual identity, struggle with themselves and be depressed and unhappy with their queerness:

Indeed, there are cases where the applicant does not have a westernized profile, and they may not have an educational background or speak English. In such cases, applicants often have feelings of self-denial. They are telling us: I know that I am not normal, I don't want to be like that, I would like to have an affair with the opposite sex. In such cases, applicants have less possibilities to be considered credible and in case we consider them eligible for asylum it is much more difficult for us to justify the decision.

According to authorities' affective expectations, queer performances need to comply with a discursively narratable believability and recognizability under the white-saviourism discourse which not only regulates who deserves be saved as 'genuine' queer, but simultaneously defines who deserves to be happy. According to some of the participants' views, coming in touch with the western queer culture, the culture of sexual politics and rights is what could liberate subjects from pain and suffering, and a western liberal democracy is the only place where queer subjects could feel safe, proud and happy. This is how, as [Ahmed \(2014, 2017\)](#) would argue, asylum apparatus constitutes an

imperial archive of unhappiness where the gendered, classed and racialized other is registered as lacking the qualities and the features to be happy. Queer refugee is represented as the one who have struggled against their oppressive background and whose happiness is being directed towards the inclusive, tolerant, diverse Europe which promises to save unhappy racialized queers from their barbaric societies, cultures and religion. This way, norms of intelligibility not only produce credible queer identities, but impose an epistemologically violent framework which predefines acceptable queerness as a proximity to whiteness, as a proximity to happiness (Ahmed, 2010).

However, some of my interlocutors deconstruct this idea of white-centred, queer happiness in Greece. As their contact with the applicants shows, coming out as a queer refugee in Greece does not always correspond to finding a queer heaven. Instead, asylum seekers regularly face racism, discrimination, violence and humiliation. During the research, some of my interlocutors described a very harsh reality and a discriminatory Greek society towards queer refugees. However, as they observed, applicants in their effort to be assimilated to the national imaginary for a progressive queer-friendly Greek society, consciously hide discrimination, humiliation and human rights violations that they had experienced in Greece, aiming to a more favourable treatment by the authorities during their asylum claim's assessment. As Lydia emphasized:

Asking applicants about how they feel in Greece is hypocritical. We represent Greek authorities and they are having an interview for asylum. What are they going to say? The majority of them is telling me that they feel better in Greece, which I don't think that reflects the reality. I remember the case of a trans woman from Morocco. When she arrived in the island, she was placed in a tent next to the police, to be protected. When other applicants were passing by, they were spitting on her and they were laughing at her. Greek Police's reaction to such acts was to throw her out during the night, to throw out her clothes, destroy her tent and keep laughing at her by just joining other applicants in an unlawful, racist, unacceptable behaviour. This was something that this woman never mentioned in her interview for asylum. Instead, she answered me that in Greece she is feeling better because she can go out without needing to hide herself for being a trans woman.

According to Sophia, this narrative about Greece as a safe place, not only does not correspond to Greek society's stance towards queer refugees, but it silences discriminations towards queer subjects in general: 'In most of the cases, when we ask about their lives in Greece, the reaction is too enthusiastic. They tell us, here we can express ourselves, human rights are respected, everything is fine. The image they describe does not correspond to Greece's stance towards LGBTIQ people, not to mention towards LGBTIQ refugees'.

According to my interlocutors' accounts, in order for their gender and sexuality to be deemed credible, applicants need to fit in a globalized queer identity. Trying to perform this strictly defined identity, applicants face a double challenge: not only do they need to assimilate their experiences to a neoliberal sexual citizenship apparatus, which corresponds to the western-centric assumption around coming-out, sexual freedom, the right to choose, and public visibility, but they also need to transform the reality that they face in

Greece in order to fit into a ‘queer-paradise’ discourse, by leaving out all the inequality and discrimination they have experienced due to intersectional forms of racism. As Ahmed (2010) would argue, in asylum process, in order to be recognized as credible, applicants need to erase *unhappy stories of racism* in Greece and reproduce *happy stories of diversity*. This is what Saleh and Tschalaer (2023), drawing on Puar’s (2018) analysis of how neoliberal sexual politics situate queerphobia as the problem of the other, have described under the schema of *erased racism* in the asylum countries and *constructed queerphobia* in countries of origin. Thus, asylum seekers, in order to be believed, are found in a struggling situation to emphasize, on the one hand, what they may have never experienced in their perceived homophobic and oppressive countries of origin, and, on the other hand, to erase and hide experiences of racism and discrimination in Greece. This is how violently sexual citizenship, as defined in neoliberal democracies, contributes to the production of new ‘others’ and becomes the basis for the nation-state to justify its exclusionary practices through the inclusion of the favoured sexual citizens in the national imaginary (Duggan, 2002; Puar, 2018; Sabsay, 2012).

Conclusions

Through analysing caseworkers’ accounts, this article discussed the Greek national state’s expectations on a credible account in queer asylum claims. According to the research material, credibility criteria move mainly towards two directions: First, applicants are expected to bear and perform a sexual and gender identity which is universal, well-structured, fixed, narratable and visible in the public sphere. Second, applicants are expected to move linearly from ‘queerphobic, conservative and intolerant’ societies, where they could only bear feelings of self-denial, stigma and difference, towards the ‘Greek queer heaven’, where they could be free, out, happy and proud for their sexual identity. These essentialist, homonormative and orientalist expectations have already been highlighted in queer migration literature (Akin, 2019; Danisi et al., 2021; Dustin and Ferreira, 2021; Giametta, 2017; Hertoghs and Schinkel, 2018; Jansen, 2019; Murray, 2014a, 2014b, 2020; Saleh, 2020; Shakhsari, 2014; Tschalaer, 2020; Zisakou, 2021). As the analysis of caseworkers’ accounts demonstrates, in order to be deemed as ‘genuinely’ queer, applicants should be readable through the lens of neoliberal sexual politics and homonormativity. This homonationalist perception on ‘sexual diversity’, as also other researchers have pointed out in their research (Akin, 2019; Danisi et al., 2021; Dawson and Gerber, 2017; Giametta, 2017; Lewis, 2014; Murray, 2014a, 2014b, 2020; Nasser-Eddin et al., 2018; Shakhsari, 2014; Shuman and Bohmer, 2014; Tschalaer, 2020), discriminates against the racialized, gendered and classed ‘others’ who do not consume the queer culture as produced in the free market of global North and remain illegible and unintelligible by dominant Eurocentric and capitalistic models of recognizability. According to participants’ narratives, in the Greek asylum apparatus, queer subjects, who cannot fit in normative understandings of citizenship, race, class, gender and sexuality, are deemed the ‘bogus’ claimants and are rendered deportable, as those who pretend queerness and whose aim was to misuse the asylum system.

During the study, my interlocutors described these expectations as part of a very fragmented, and malfunctioning administrative asylum system, especially in border procedures, where European security and stability, threatened by the racialized, gendered and classed ‘bogus sexual other’ need to be safeguarded at any cost. Many of the research participants shared their frustration and feelings of abandonment by a system, which has the ‘rejection of asylum claims as its main priority’. Even though these (anti)migratory, administrative practices, under an orientalist approach, which represents Greece as a Balkan, Southern European state, well-known for its violent ‘policy of deterrence’ at its sea borders, could be considered as Greek particularity, a comparative analysis of research conclusions with the relevant literature and research in Europe demonstrates that the Greek system is not an exception to the EU’s homonormative, exclusionary and assimilationist asylum policies (Akin, 2017, 2019; Danisi et al., 2021; Fassin and Salcedo, 2015; Giametta, 2017; Gordon-Orr, 2021; Hertoghs and Schinkel, 2018; Jansen, 2019; Lewis, 2014, 2019; McNeal and Brennan, 2021; Saleh and Tschalaer, 2023; Tschalaer, 2020). This could be attributed not only to the typical/legal reason that Greece, as an EU country is bounded by the CEAS and its interpretation, but mainly to the substantive/political reason that the so-promoted queer inclusivity in Europe, as Puar (2018) would argue is intermediated by systemic and systematic exclusions and the fear for the racialized, classed and gendered, dangerous, pervert and ‘bogus sexual other’. Hence, as this research concludes, the implementation of these exclusionary, assimilative, epistemically violent asylum mechanisms, illustrates how sexual politics and queer rights are instrumentalized by Greek/European neoliberal policies, as a self-justificatory apparatus, in order to reproduce a notion of sexual citizenship premised upon racism, sexism, class exploitation and contribute to further securitization at Europe’s borders. This is how queerness, to paraphrase Puar (2018), in the Greek/European asylum apparatus constitutes not only a racialization process but, in particular, a border-making mechanism.

Following the analysis of participants’ accounts, this research draws further attention to how sexual truth and truthful queerness, as border-making mechanisms, are discursively produced in the Greek asylum apparatus. According to research conclusions, which resonate with a growing literature on queer asylum, applicants’ truth, experiences and feelings, at odds with authorities’ expectations, are neither fixed and immutable, nor can be objectively assessed. (Akin, 2019; Berg and Millbank, 2009; Fassin and Salcedo, 2015; Ferreira, 2023; Hertoghs and Schinkel, 2018; Giametta, 2017; Lewis, 2013; Murray, 2014a; Murray, 2018; Prearo, 2021; Shakhari, 2014). Based on my interlocutors’ accounts, the so-called ‘objective and impartial’ assessment is a complex and multifaceted process which cannot be approached monolithically. Engaging with post-structuralist, feminist and queer literature, this study concludes that caseworkers’ assessments could not comply with a model of legal security, repetitiveness and predictability. On the contrary, objectivity and impartiality, as Mahmood (2009) would argue, are not ahistorical, context-free essences but instead, gain their particular meaning and are being simultaneously discursively and affectively produced in the spatiality and temporality of the asylum context. Furthermore, although asylum system’s objectivity is founded on monolithic, simplistic dichotomies and dilemmas, reproducing not only the idea of a timeless, tangible, discursively narratable truth but also the idea of a coherent,

unified, conscious decision-maker who is in a position to assess and verify this ‘truth’, caseworkers’ accounts deconstruct and destabilize this neoliberal, identitarian, positivistic approach. As observed through this research, participants’ views, opinions and assessments were modifiable, multidimensional and, often, contradictory, while factors such as their sexuality, political ideology, educational background and years of experience could only partially explain and justify their assessments. There were participants, for example, who, on the one hand, argued that credibility assessment should set more and stricter requirements to prevent system’s abuse by ‘bogus’ claimants, while, on the other hand, they emphasized that the asylum system reproduces exclusions, and forces applicants to invent and construct reasons of fleeing their countries that could fit into the refugee definition. Hence, this research concludes that credibility assessment constitutes a complex and fragmented legal process. This process is simultaneously regulated by strict and essentialist – though constantly changing – national and European legal provisions, as well as (homo)nationalist, (anti)migratory official and unofficial policies, intermediated by caseworkers’ subjectivity and positionality, under the pretext of objectivity and impartiality.

And so, instead of perceiving decision-makers as a disembodied, unified, coherent, monolithically defined entity of state representatives, this research focused on their performative, embodied practices, which sometimes critique, resist, challenge and call into question this regulatory mechanism, which seeks to ascertain applicants’ sexual truth. This situated knowledge and critique, from below, highlights that this exclusionary, discriminatory, assimilative process is in need of fundamental, structural changes. Greek authorities’ necropolitical practices to distinguish the ‘real’ from the ‘bogus’ queer refugee, constitute a form of epistemic violence that has tangible consequences on asylum seekers’ bodies since those who cannot be assimilated by the authorities’ homonationalist expectations are rendered disposable subjects and deportable to their countries of origin. As Foucault (1980: 57) has simply put it, ‘there is nothing more material, physical and corporal than the exercise of power’. Thus, aim of this paper was not only to contribute to an academic discussion of mechanisms of power. In necropolitical times at Europe’s borders, where control, surveillance, securitization and scrutinization are normalized and migration and solidarity are penalized, claiming and fighting for a fairer asylum system is a commitment that brings together empirically involved and situated research and activist political work. For this reason, although the objective of this article was not to suggest direct, policy-oriented solutions, improvements and amendments of what Spivak would define as a ‘structure that you cannot wish to inhabit’ (as quoted in Athanasiou, 2020: 250), I hope that this critique will contribute towards transformative conceptualizations of queerness opened up to what have been epistemologically violently disqualified as ‘bogus’ by the norms that govern intelligibility in the asylum process. Without turning a blind eye to the always restrictive character of the (asylum) law as well as the profound political and economic causes of neoliberal, patriarchal, homonormative understandings of truth and truthful queerness that dominate asylum procedures, my point in this article is that law and its interpretation is not a static symbolic order, but instead, as Butler (2004) points out, is what entails the possibility of future articulation and inclusion of other potentialities. This transformative paradoxical double ‘nature’ of the norms –a norm as

always restrictive, but also as a way to challenge an epistemologically violent normative framework-can be crucial in claiming a more equal and just asylum system; a system that in necropolitical times we do not have the luxury to dismiss. And so, my expectation in conducting this research, was that this critique, along with the burgeoning relevant literature produced by empirically involved and situated academics and researchers, might contribute to the establishment of an asylum procedure where the Refugee Convention and the CEAS will be interpreted through a more critical, feminist and queer approach.

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ORCID iD

Sophia Zisakou  <https://orcid.org/0000-0003-0041-4468>

Data Availability Statement

The [dataset](#) includes semi-structured interviews with asylum caseworkers. Interviews were recorded upon participants' consent and, following the transcription of the interviews, files were destroyed. Requests to access these datasets should be directed to the author at: sophia.zisakou@soclaw.lu.se

Notes

1. Joint cases C-199, C-200 and C-201/12 *X, Y and Z v Minister voor Immigratie, Integratie en Asiel* [2013] EU:C:2013:720
2. Joint cases C-148, C-149 and C-150/13 *A, B and C v Staatssecretaris van Veiligheid en Justitie* [2014] EU:C:2014:2406
3. Case C-473/16 *F v Bevándorlási és Állampolgársági Hivatal* [2018] EU:C:2018:36

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Sophia Zisakou is a PhD candidate at the Department of Sociology of Law at Lund University and an asylum lawyer since 2016. Her previous research and current PhD dissertation, entitled ‘Feeling queer, feeling real: Affective economies of truth in queer asylum politics’ are focused on credibility assessment in queer asylum claims in Greece.