

UNIVERSITY OF GOTHENBURG

School of Global Studies



Aligning Fortress Europe with the Rainbow?

The Securitization of Migration and LGBTI
Asylum Seekers in the European Union.

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Abstract

The increase of migration into the European Union, which peaked during the 2015 humanitarian crisis of refugees, has raised concerns about security within nationalist political discourse across the EU. European right-wing populist discourse revolves around a perceived threat to national and European culture and identity, pushing adamantly for restrictions in migration policy, and black-marking asylum seekers as hostile actors. One of the minorities affected by the increased complexity of asylum are LGBTI migrants, whose sole chance at being granted asylum status consists of a credibility assessment of their testimony. Indeed, political discourse on migration now dominates debates and media coverage throughout the 28 member states, polarising the public opinion on a threat to European values and identity, and reiterating the need for increased border control and stricter migration management.

This paper suggests that this prioritization of home security has manifested itself profusely in European migration policy, hindering asylum-seeking. Through a critical discourse analysis, this thesis sets out to assess *how migration is securitized in the political discourse on immigration in the EU*, and *how LGBTI applications are assessed in EU asylum law*. Applying securitization and queer migration theory, this thesis explores the relationship between LGBTI rights, migration and security, presenting the incongruencies between pro-LGBTI rights stances and migration restrictive policies by European actors. The findings advanced in this thesis conclude that the EU is currently struggling to reconcile principles and security, to balance its founding values regarding plurality and human rights, all the while managing migration and border control.

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“No one leaves home unless home is the mouth of a shark.”

~Warsan Shire

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Abbreviations

CDA	Critical Discourse Analysis
CEAS	Common European Asylum System
CJEU	Court of Justice of the European Union
EU	European Union
FSS	Feminist Security Studies
ICJ	International Court of Justice / International Commission of Jurists
ILGA	The International Lesbian, Gay, Bisexual, Trans and Intersex Association
IOM	International Organization for Migration
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
PSG	Particular Social Group
QD	Qualification Directive
UNHCR	United Nations High Commissioner for Refugees

1. Introduction

Despite efforts to regulate migration through treaties such as Schengen (1985), the Dublin Regulation (1997) and the Common European Asylum System (1999), the European Union has faced severe difficulties in coping with the influx of migrants. The humanitarian crisis of refugees in 2015 struck the European Union hard, exposing the flaws in the European asylum systems and authorities, showing a struggle and incapacity to manage and absorb the increase of migrants (Marin 2013; Moreno-Lax 2018, 131).

The migrant crisis, along with global terrorism, exacerbated nationalist discourse across the European Union, black-marking asylum seekers as hostile agents (Seilonen 2016, 75; Huysmans 2000, 762). European right-wing populism sprung from the concerns about a perceived threat to national and European culture and identity, pushing for restrictions on EU migration law (Roos 2013; Jünemann, Fromm, and Scherer 2017). This prioritization of border control and home security manifested itself profusely in European asylum law, setting focus on making the system less penetrable for migrants (Seilonen 2016). Seeking asylum has become harder in Europe, and one of the minorities affected by the increased complexity of asylum are LGBT migrants (Seilonen 2016; Stenman 2015).

In February of 2019, a 67-year-old gay man living in the UK faced deportation to Malaysia, where homosexuality is illegal, after his asylum application was denied. The judges on the case deemed his claim of being gay as not credible and not genuine, because he had been previously married to a woman and currently had no partner¹. This and several other cases of deportations of LGBTI asylum applicants have caught the international media's attention, due to the questionability of the methods of verifying a person's sexual orientation, as well as the disregard of the risk of deporting queer asylum applicants to their states of origin, where their identity makes them subject to oppression and can put their lives at risk (Meaker 2017).

The EU's incapacity to equipose its fundamental values and manage migration constitutes the core of the research problem this master's thesis seeks to provide answers for. This question is approached as two intertwined dilemmas. The first dilemma is the struggle of the European Union to reconcile principles and security, to balance its founding values regarding plurality and human rights, and in this particular case, to include and improve LGBTI rights in asylum processes (Börzel et al 2016; Frank 2012; Kysel and Podkul 2016, 191).

¹ See more on metro news: "Pensioner faces deportation because he is "not gay enough": <https://metro.co.uk/2019/02/22/pensioner-faces-deportation-not-gay-enough-8709350/>

The second dilemma is the incongruence in the asylum granting process itself, where there is a requirement to emphasize stereotypical traits of the claimants' identity in order to be considered legitimate (Heller 2009, 297; Hanna 2005). The asylum law system requires that the asylum seeker's credibility for asylum be established with respect to the grounds on which they solicited asylum, and that there is a motive for persecution in the applicants' country of origin (Frank 2005; Landau 2004; Fiddian-Qasmiyeh et al 2014).

In other words, LGBTI candidates for asylum or refugee status need to make a convincing case that they are "gay enough", that their gender identity or sexual orientation would put them in a position of danger if they returned (Kahn and Alessi 2018). After this process, which in asylum law is called credibility assessment, applications for refugee status are often denied due to the incredulity regarding the claims of the applicants (Kagan in Heller 2009, 301). It is paradoxical that a persecuted minority seeking refuge from oppression encounters the opposite sort of oppression along the asylum-seeking process. As queer theorist Kenji Yoshino explains, "The asylum context is likely the only legal setting where LGBT people face demands to reverse-cover, or put on view, their sexual identity" (Yoshino 2006, 93).

With the goal of tackling these matters of contention, this paper will approach migration, queerness and security through an analysis of the relationship between the securitization of migration in the European Union and asylum practices regarding LGBTI applicants. After the introductory chapter, an exhaustive literature review on security, gender studies and migration will situate the state of affairs of this topic in research. The use of queer migration theory and securitization theory as a theoretical framework will position and support the discussion and conclusions of the research conducted. The critical discourse analysis performed on legal and political documents will present the results on LGBTI asylum practice in the EU, as well as political discourse on immigration. After the presentation of the findings in the result section, these will be analysed and discussed applying theoretical perspectives and concepts, answering the research questions that have been posed.

1.1. Background

As of March 2019, 70 UN member states criminalise consensual same-sex sexual acts. 68 of them have laws explicitly criminalising consensual same-sex sexual acts and 2 more criminalise such acts de facto (ILGA 2019, 15). Of these, 31 States punish homosexuality with imprisonment of up to eight years, while the remainder of 26 members impose harsher sentences, which go from ten years, to life imprisonment or the death penalty². A study conducted by ILGA, *State-sponsored homophobia 2019*, concluded that currently six UN Members even impose the death penalty on same sex relations. In Asia these countries are Iran, Saudi Arabia and Yemen, while in Africa it is a penalty in Nigeria, Sudan and Somalia (ibid, 16). However, the death sentence is a possible punishment for LGBTI citizens in Mauritania, United Arab Emirates, Qatar, Pakistan and Afghanistan, as well as in some regions of Indonesia (ibid).

In 2006, the International Commission of Jurists gathered in the Indonesian city of Yogyakarta and elaborated the Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity. Adopted in 2007, the Yogyakarta principles specify and interpret the applicable International Human Rights Law rules in the context of sexual orientation and/or gender identity. In Principle 23, regarding international protection, the Yogyakarta Principles refer to the right to request asylum establishing that:

“Everyone has the right to seek and enjoy in other countries asylum from persecution, including persecution related to sexual orientation or gender identity. A State may not remove, expel or extradite a person to any State where that person may face a well-founded fear of torture, persecution, or any other form of cruel, inhuman or degrading treatment or punishment, on the basis of sexual orientation or gender identity” (2007, 27).

Despite their non-binding nature, the Yogyakarta principles currently have a big influence on international regulations regarding the protection of the rights of LGBTI + people, particularly in European Law. It should be noted that, in many cases *soft laws* such as these principles have great practical importance in International Law since, besides acting as legal instruments of promotion, they are catalysts for new legally binding future standards and conventions on Human Rights Law. These principles indeed set an important course of action regarding the treatment of LGBTI people, as they encourage that:

“States shall:

² See Appendix: World Map of sexual orientation laws.

Review, amend and enact legislation to ensure that a well-founded fear of persecution on the basis of sexual orientation or gender identity is accepted as a ground for the recognition of refugee status and asylum;

Ensure that no policy or practice discriminates against asylum seekers on the basis of sexual orientation or gender identity;

Ensure that no person is removed, expelled or extradited to any State where that person may face a well-founded fear of torture, persecution, or any other form of cruel, inhuman or degrading treatment or punishment, on the basis of that person's sexual orientation or gender identity.” (2007, 27)

In International Law, asylum is established as a fundamental right, and granting it is an international obligation, first recognised in the 1951 Geneva Convention on the protection of refugees. In 1999, the European Union created the Common European Asylum System (CEAS), which aims to improve the current legislative asylum framework and practices within Member States. The *raison d'être* of the CEAS is that EU Member States have “a shared responsibility to welcome asylum seekers in a dignified manner, ensuring they are treated fairly and that their case is examined to uniform standards so that, no matter where an applicant applies, the outcome will be similar” (CEAS 2019).

Within the CEAS framework, the Dublin Regulation (Regulation No. 604/2013) determines which EU Member State is responsible for the assessment of an asylum application. The Dublin Convention entered into force in 2013, and therefore had a major impact in the examination of asylum requests during and after the 2015 humanitarian migration crisis. It follows the EURODAC Regulation, which has as its core purpose the identification of asylum seekers, through a fingerprint database which determines the country where the person was first registered and cross-checks it with European law enforcement to identify registered subjects of criminal investigations. This employment of biometric identifiers in the asylum procedure responded directly to the security concerns of EU Member States in 2015, aiming to contain irregular migration and security threats such as terrorism.

The Asylum Procedures Directive sets the common procedures of EU Member States regarding asylum granting or denial, striving for efficiency and fairness in asylum assessments throughout the European territory. The work of this directive includes setting a time-limit for the examination of applications, training decision makers and ensuring access to legal assistance, providing adequate support to those in need of special guarantees and providing clearer rules on appeals in front of courts or tribunals (CEAS 2013). Furthermore, the 2013 CEAS Reception Conditions Directive was instituted to guarantee that asylum seekers awaiting

a decision on their application be provided certain necessities such as food, housing, health care and education for minors.

This thesis will examine the procedures for LGBTI migrants in European Asylum Law, contrasting these aforementioned objectives of the CEAS with the de facto assessment of asylum applications in Member States. Looking at how LGBTI asylum applications are assessed in the EU will show the shortcomings of the European asylum system, and will highlight the areas where change is needed for a fairer and more human treatment of those who seek asylum out of fear of persecution.

1.2. Aim and research questions

The aim of this thesis is to examine European political discourse that securitizes migrants, and to explore the relationship of this discourse to LGBTI asylum in the EU. Therefore, the research questions that this essay seeks to answer are:

- How is migration securitized in the political discourse on immigration in the EU?
- How are LGBTI applications assessed in EU asylum law?
- What does this assessment reveal about the relationship between LGBTI people, migration and security?
- What are the dissonances, if any, in discourse surrounding LGBTI rights?

1.3. Delimitations

The present study focuses on asylum for people who fear persecution because of their sexual orientation and/or gender identity, what is known in asylum law as membership of a particular social group. Because of this focus, this thesis does not include a study of other categories such as fear of persecution because of race, religion, nationality or political opinion³. It also does not include in the analysis members of a particular social group beyond LGBTI people, such as ethnic groups or social classes. In so doing, the scope of this thesis remains narrow enough in order to include two theoretical approaches: queer migration theory and securitization theory.

³ As categorised by the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees.

Further, this thesis does not focus on state homophobia, and thus will not research in depth the situation of LGBTI asylum seekers in their countries of origin, or the legal status quo in European states. The key element for this study is their status once they apply for asylum, not the background that pushes them to do so. I have, however, included ILGA's map of laws around the world in the Appendix section, which I will refer to sometimes and the reader can consult in case of doubt.

While considering the method for this thesis, I evaluated the possibility of conducting interviews with LGBTI asylum applicants. However, I deemed it unfeasible and ethically challenging, as many of these applicants are in fact deported, and trying to contact them could compromise their safety. Moreover, most of the LGBTI people who are granted asylum have had traumatic experiences that I am not equipped to handle, as I explain further in the ethical considerations section.

Furthermore, with the purpose of narrowing the scope of analysis, this paper takes the European Union as the space within which LGBTI asylum seekers and political discourse interact in the analysis. Limiting the approach to the European Union allows boundaries to be set for the scope of the thesis, as well as provides a thread and common system that links both legal and political migration discourse. Therefore, even though some brief mentions will be made of non-European Union states, the analysis remains anchored in the context of the European Union.

Lastly, the political documents that I will analyse will be those pertaining to Fortress Europe, the discourse that securitizes migrants. I therefore will centre the analysis on the discourse by political parties or politicians who align with this stance of restricted immigration. Evaluating Brussels' pro-immigration discourse spans the time and length of the analysis, as well as the research questions and theoretical approach regarding the securitization of migration.

1.4. Relevance to Global Studies

The global trend of incremented border security and the rejection of multicultural approaches to integration in political discourse are shaping both politics and policies in a local and regional level. The particular focus of this thesis on the rejection of LGBTI asylum requests following the securitization of migration demonstrates the changes in the European region. This shift in the regional dynamic towards notions such as fortress Europe reflect both a local and a global

pattern (Jünemann et al, 2017). Global Studies, as a multidisciplinary approach, fosters the tools to analyse the interconnectedness of migration and security in all three levels: global, regional and local. In so doing, this thesis connects the domains of migration theory, queer theory and security theory through a unique approach to the analysis of asylum seeking in the European Union in the context of a securitized migration.

2. Previous Research

Introduction

This chapter reviews the existing literature on security, securitization, gender, sexuality and queer migration to evaluate the existing body of academic knowledge on security and migration in the European Union and LGBTI migration. The outcome of this analysis is threefold; first, the literature review critically assesses the evolution and current state of thinking on these topics in the migration scholarship; second, it highlights the main debates and trends in this field by synthesising the key sources, and third, it identifies the research gap which this thesis seeks to contribute to.

The main reason behind the inclusion of the analysis of securitization of migration in an analysis of LGBTI migration is to show how both security and migration policy in the European Union would benefit from a LGBTI inclusive perspectives. Whereas a feminist perspective reveals the different realities and experiences of those who seek asylum depending on their gender, a queer approach would take that one step further and bring to the table issues for sexualized minorities in the asylum-seeking process that have been long overlooked.

The focus on feminism is essential in migration and security, as it has encouraged both domestic and foreign policy to recognise the agency of migrant women and the need to empower them. However, the field would highly benefit from a more exhaustive consideration not only of gender, but also of sexuality and race. Acknowledging the faults in the asylum system in its failure to include a gender-sensitive approach, and perceiving the currently invisible difficulties migrants experience due to their gender and sexuality, would lead migration academics and practitioners towards a more holistic and therefore better fitted understanding and processing of asylum seekers in particular, and of migration in general.

This broad-ranging review of previous research and theoretical perspectives is organised in two themes. The first theme consists of migration and security in the European Union, as it covers the securitization of migration, the endeavours to build and maintain the so called “Fortress Europe”, with the changes in migration discourse after the humanitarian crisis

of refugees in 2015. The second theme comprises the existing literature on gender and sexuality in migration and queer migration theory.

2.1. First Theme: Security, Gender in Security Studies, Fortress Europe and Migration Discourse

Since the outset of security studies during the Cold War, this sub-discipline of International Relations has evolved considerably. Traditional approaches to security were dominated by realism, in their focus on nuclear deterrence and the state as a central actor, theories developed by political scientists like Thomas Schelling and Henry Kissinger, a significant upholder of Realpolitik. In traditional realist security, a threat was always external and of military nature, and therefore could only be countered through military action. However, after the Cold War, the field evolved to see the inclusion of further interdisciplinary interpretations on security, drawn from constructivism, peace studies and critical theory, shifting away from traditional security studies and giving more relevance to the non-military elements of security (Collins 2007, 168). Security challenges such as intra state ethnic violence, environmental threats and economic threats pushed for a broadening of security.

During the 90s, critical security studies, drawing from the Frankfurt School, emerged as a rejection of realist security studies, and academic debates split into different streams of thought. One of them was the Welsh School of Aberystwyth, known as emancipatory realism, to which Richard Wyn Jones and Ken Booth were key thinkers. Another was the Paris School, inspired in postmodernist theory, with Didier Bigo as a leading academic in this Foucauldian approach to security. However, with the development of its securitization theory, the Copenhagen School stood out and emerged divergently to the Welsh and the Paris Schools.

Through the contributions of these schools to critical security studies, human security discourse emerged, and the first discussions surrounding gender and security began to take place (Buzan and Hansen 2009). Security before and during the Cold War was mainstream, male-streamed, and bore no consideration for gender. Human security, looking at non traditional aspects of security, included gender security in the consideration of security threats to women. The act of bringing in the concern about gender in international security and peace studies was the origin to considerable tensions within the IR realm in the 1980s (Buzan and Hansen 2009, 138).

However, Feminist International Relations has developed lavishly since questions such as Cynthia Enloe's "Where are the women?" sparked feminist scholars to re-examine the axes

of IR through a gendered lens, separately from human security. The evolution of Feminist IR shifted the focus away from the IR classic dualism of public/private, masculine/feminine, protector/protected, and perpetrator/victim (Williams 2017). Instead, feminist scholars, following Enloe, started to pose questions such as how women's experiences are marginalised, what women do in security, how women's lives are insecure, etc (Enloe 1989).

Some notable criticism of the absence of gender in security, which laid the groundwork for feminist security studies, came from Lene Hansen, figure of the Copenhagen School, who stood out within the scholarship for her feminist critical security approach. The relevance of her work in feminist security resides in the defence of the idea that gender does not only concern the individual sphere, but it is also a matter of survival and of collective security, as “the security of particular individuals is deeply embedded in collective constructions of subjectivity and security” (Hansen 2000, 287). This notion drew partly from Jean Bethke Elshtain's “Women and War” (1987), inasmuch as Elshtain posed the question on how gendered subjectivities are mobilized in and against war (Elshtain in Hansen 2000, 287). Hansen also drew notably from Judith Butler's work, particularly from her theory of performativity, and from Butler's premise that the body acts “in excess of, in and through speech”, Hansen raises a parallelism with securitization theory inasmuch as both bodies and security threats exist and perform dependently on speech, which invokes them into being (Butler in Hansen 2000, 301).

Through her endeavour for the inclusion of gender perspectives in security, Hansen's analysis not only sets the basis for a feminist theorization of securitization theory, but also represents an important contribution to the development of the scholarship of Feminist Security Studies (FSS). FSS appeared as a separate subfield of gender in human security, seeking an answer to Enloe's “Where are the women?”. FSS, as characterized by Laura Sjoberg,

“reformulates mainstream approaches to traditional security issues, foregrounds the roles of women and gender in conflict and conflict resolution, and reveals the blindness of security studies to issues that taking gender seriously shows as relevant to thinking about security. (...) gender analysis is necessary, conceptually, for understanding international security, important for analysing causes and predicting outcomes, and essential to thinking about solutions and promoting positive change in the security realm”. (Sjoberg 2009, 184)

Eric Blanchard stresses the vitality that FSS should emphasize the *feminism* over the focus on *security*, which he considers “so fetishized in the post 9/11 “global war on terror” era”

(Blanchard 2003; True 2012, 194). This disagreement represents the tension within FSS between, in Carol Cohn's words, "Feminist Security" Studies or Feminist "Security Studies" (Cohn 2011). FSS is criticized by authors such as Jacqui True for its biased favouring of gender in military security issues and insufficiently addressing the political economy aspect of security, which reveals more realities for security gender analysis, such as violence against civilian women in conflict, the root causes of gendered economic inequalities and other parts of the narrative which military security does not acknowledge (True 2012, 194-195).

This criticism supposes a turn back of feminist security scholars to Ann Tickner's formulation of security from a feminist perspective in 1992 based on structural violence in both wartime and peacetime, and accounting for women's experiences of violence (Tickner 1992). Laura Shepherd engages in the critical perspectives of FSS and poses questions of positionality within FSS and evolution towards intersectionality and "the inclusion of all feminist voices intradisciplinary debates in an effort to engage both each other and the mainstream" (2013, 437). Moreover, the development of Queer IR as a step ahead of critical IR and feminist IR theory situated Cynthia Weber as a leading scholar in critical IR, taking feminist security further and exploring how other gendered and sexualized bodies are objects and subjects of security.

The understanding of the evolution of gender in security is relevant to the theory of this thesis, particularly to the discourse that securitizes gendered and sexualized bodies. Next, I will examine the previous research on securitization as developed by the Copenhagen School.

Securitization

The term, coined by Ole Waever in 1993, together with Barry Buzan's book "People, States and Fear: The National Security Problem in International Relations" (1983), put the Copenhagen School of Security on the table by coalescing constructivism and classical realism in its analysis of International Relations. The book "Security: A new framework for analysis" (1997), written by Buzan, Waever and de Wilde, considered the vade mecum of the Copenhagen School, brought forward the notion that security is intersubjective (Buzan et al. 1998).

The novelty of the Copenhagen School research resided not only in the "securitization paradigm" as problematized by Waever, but also in the analytical tool of dividing security into sectors: namely military (state) security, political security, societal security, economic security and environmental security (Buzan et al. 1998, 31). In such division, previously developed by Buzan in the article "New Patterns of Global Security in the Twenty-First Century" (1991), "the

five sectors do not operate in isolation from each other. Each defines a focal point within the security problematic, and a way of ordering priorities, but all are woven together in a strong web of linkage” (Buzan 1991, 433).

Through the inclusion of these categories in a field that had been dominated by the category of military threats alone, Buzan offered a new perspective on the security puzzle, contributing with an essential piece to the handling of national and international security concerns (Stone 2009, 10). Moreover, Buzan’s analysis of the complexities of “macro-securitization” rendered particularly relevant to the biggest security crisis in the Western world in the 21st century: the War on Terrorism.

A line of critique of securitization theory calls out on the undertheorized concept of *desecuritization*, and the moral and ethical dimension in the process of securitization (Taureck 2006, 56). Outspoken critics on this line are Claudia Aradau and Jef Huysmans. Aradau and Huysmans interpret securitization a *technique of government* in its fabrication of an existential threat (Aradau in Taureck 2006, 56). As such, Huysmans develops that there is a “normative dilemma in speaking and writing security”, as the securitization analyst “cannot escape from the fact that its own security writing risks to contribute to the securitization of an area” (Huysmans 1995, 8; 1999, 18).

Huysmans is also notable for his work on the securitization of migration, “analysing how migration has developed into a security issue and (...) how the European integration process is implicated in it” (Huysmans 2000, 1). His research revolves around the security logic in policies on migration and asylum, and the part that the European Union plays in the securitization of migration (Huysmans 1995; Huysmans 2000). However, this has also earned Huysmans criticism, as some may interpret his work to mean that the securitization of migration occurs mostly in Europe, despite the extensive research on securitization in the US. For that reason, other authors situate the securitization of migration as a phenomenon of “Western societies”, or as a “global phenomenon” (Ceyhan and Tsoukala 2002; Tirman 2006).

Fortress Europe and migration discourse

Based on the central position that the securitization of migration takes for this paper’s theoretical framework, it is essential to examine the term *Fortress Europe*. First coined during the Second World War, it emerged as part of Nazi propaganda to refer to the areas occupied by Germany in continental Europe, *Festung Europa*, as opposed to unoccupied British territory across the channel. It then became commonly used by allied strategists and historians in their

lingo to name the territories of the Axis Powers. However, the meaning changes when pairing the concept of Fortress Europe with the post war, present day context. Currently, Fortress Europe refers to the status quo of immigration in the European Union, especially regarding the European Union's management of its borders. It is a heavily politically charged term, which peaked due to the 2015 humanitarian refugee crisis, and it is used with different connotations.

The term Fortress Europe is used pejoratively by critics of the manner in which Europe and/or the European Union control their borders and restrict mobility through physical *borders* -such as the Ceuta and Melilla enclaves-, as well as *bordering* practices through immigrant surveillance, detentions and deportations, three different processual concepts which have evolved in migration practices since the 1990s (Brambilla 2015, 14). The term Fortress Europe is shaping migration discourse throughout Europe, as will be examined in the analysis section.

On the other hand, this concept is positively employed to describe a desideratum, the aspiration that the European Union –or Europe- will indeed become a metaphorical fortress impermeable to immigration. With these connotations, it is used by right-wing populist parties, media and society in Europe, and has become a recurrent topic in nationalist debates in, for instance, Austria, by the Freedom Party of Austria, Sweden, by the Swedish Democrats, Germany and Switzerland.

Annette Jünemann, Nikolas Scherer and Nicolas Fromm analyse the failures of migration policy in Europe, particularly in the Southern Mediterranean in regards to the 2015 crisis. These experts problematize that EU migration policy is "based on flawed assumptions", as the state shortfalls in policy making and implementation when it does not acknowledge the agency of migrants (Jünemann et al. 2017, 2-3). In their analysis of the EU migration regime, Jünemann, Fromm and Scherer observe the concept of deterrence as a key element in migration policies and practices of the EU, especially in the Southern region, and they provide a clear view that EU migration policies differ in theory and in practice (Jünemann et al. 2017, 2).

Through their theoretical explanation that social constructivist approaches show that "agents and structures codetermine each other", they acknowledge that "the Euro-Mediterranean migration regime is shaped both by a multitude of actors (political institutions, non-governmental organizations, individual migrants etc.) and by specific structures" (Jünemann et al. 2017, 4-5). This analysis suggests a better understanding of migration for more suitable migration policies, and it provides a novel approach in the analytical framework, as it

explicitly rejects considering “the state as the *only* decisive actor in shaping migration dynamics”, advocating for the recognition of the agency of migrants (Jünemann et al. 2017, 3).

As migration spans national borders and affects several realms like economy, society and culture, the state should not be considered as the only actor in the decision-making process within migration. Furthermore, this standpoint of studying migrants as actors has two consequences: it acknowledges their agency and it recognises their political relevance. Neglecting the agency of migrants only creates a blind spot in analysis and policy-making. This approach also opens the door to debate on whether migration scholarship has the limitation of being too state centred, and that it might ought to go beyond the analysis of governmental policies to get a more complete picture of migration.

Through an analysis of the legal framework for asylum law, Parastou Hassouri examines incongruences in the system, common notions in migration discourse, and policies and criteria that determine refugee status and resettlement (Hassouri 2017). He conducts a strong exploration of the principle of non-refoulement, which will render useful later on in the analysis. Hassouri stresses how migrants are not *illegal* but that they arrive *by illegal means*, and that accessing Europe in a legal manner is not an option as it is nearly impossible for non-western migrants (Hassouri 2017, 20). Moreover, he goes into depth in the topic of internal protection or flight alternative, in the cases where the 1951 Convention considers the asylum seeker could have moved to a safe area within the war-affected country. This is a rare consideration in the migration literature reviewed, but it is a relevant piece of the puzzle to understand asylum law and how the 1951 Convention acts as customary law.

Lastly, the analysis of previous research and theoretical perspectives would not be complete without the examination of the dichotomy in EU values and migration mentioned in the introduction. Jan Claudius Völkel explores this dichotomy and understands it as fundamentally different in its prioritisations: the European Commission has focused more on the humanitarian aspect of crisis management, while the governments have focused on the security aspect (Völkel 2017, 83). He argues that "there is a fundamental difference between migration-related practices (mainly pleaded by the EU member states in the Council of Ministers) and migration-related discourse (mainly pleaded by the European Commission and the European Parliament)", and stresses the importance of value-based decision-making (Völkel 2017, 84). Linking this to securitization, Völkel states that "an abandonment of the

securitised perception of irregular immigration is needed to achieve both more security and more safety" (Völkel 2017, 83).

In closing, this section of the theory section has analysed the different stances and the current state of affairs in security, gender in security, securitization, migration discourse and the discussions on migration terminology. This theoretical examination has set the basis for the upcoming section, the theoretical review of gender in migration, the development of the study of sexuality, and queer migration.

2.2. Second Theme: Gender and Sexuality in Migration

Since their conception, both migration and security theories have traditionally used a heteronormative lens when studying migrants (Mole 2018, 1). Neither the security nor the migration scholarship took into consideration the existence of non-gender conforming or non-heterosexual migrants, largely overlooking the issues asylum seekers from this community undergo, and continuing to reinforce stereotypical and inaccurate depictions of mobility for queer migrants (Luibhéid 2008; Swiebel 2009). Emerging from sexuality and migration studies, queer migration theory is a new and fast-growing scholarship that seeks to theorise the gaps that the conventional migration scholarship neglected (Luibhéid 2008, 169).

In order to provide a fair analysis of LGBTI asylum in the European Union, this paper develops the theoretical notions and perspectives that revolve around gender and sexuality in the migration scholarship. With this intention, this thematic section will review the status of gender and migration, sexuality and migration, and queer migration theory.

Gender and sexuality in migration:

Contemporary research on sexuality and migration stems from the development of a gender perspective in migration. As Eve Kosofsky Sedgwick stated, "the question of gender and the question of sexuality, inextricable from one another though they are in that each can be expressed only in terms of the other, are nonetheless not the same question" (Sedgwick 2003, 31). The focus on sexuality as a separate object of study to gender raised since the mid 90s in response to historical and political events, and as an alternative to address issues that gender studies failed to provide an assessment of. According to anthropology professor Martin Manalansan (2006), the most memorable historical developments for sexuality studies in migration were the AIDS pandemic in the 80s, third-wave feminism and the development of lesbian and gay studies. These developments unveiled the limitations of the analysis of gender as mere models of heteronormativity and sexual reproduction (Manalansan 2006). In such

spirit, the study of sexuality challenged prevailing notions in gender and migration studies, partly by re-examining them through the lens of queer studies.

The 1990s brought an alternative framework, in which sexuality should take its own investigative path whilst maintaining a dialogue with critical approaches to gender (Rubin in Manalansan 2006, 226). Through this theoretical separation of gender and sexuality, gender theorists such as Gayle Rubin aspired for research to explain dynamics of sexual oppression through different approaches to patriarchy and the traditional roles of males and females (Manalansan 2006, 227). This is key to fill in the gaps of gender theory, for as Foucault states, sexuality is “an especially dense transfer point for relations of power” (1980, 103).

Indeed, the biggest blind spot in the study of gender in migration is the limitation to the study of women, and the omission of other sexualized and gendered bodies. The 21st century has seen the blooming of research on female migrants, female integration in the labour force, family reunification, women and girl empowerment and discrimination. Academic, governmental and NGO reports have sought to address the issues of women in migration and acknowledge the patriarchal hierarchies of male dominance internationally. Evidently, this research is essential in the quest for equality, but it propagates the notion that the study of gender equals only women, leaving out issues of masculinity and femininity, gender identity, and sexuality outside heteronormativity, shading the matters of contention for LGBTI migrants.

Moreover, gender studies, as well as feminism, has been for the most part biased by the focus on white, western women, and the patriarchal dynamics that affect them. In rebellion to this narrow view of women’s issues, feminist currents such as postcolonial feminism and critical race and whiteness studies, have focused their efforts in responding to other realms which gender studies neglected, such as matters of race and class, arguing for the intersectionality of feminism and the relevance of black feminism in the context of a globalizing world. The emergence of postcolonial feminism from the failures of Western feminism owe their success to the work of Audre Lorde in “The Master's Tools Will Never Dismantle the Master's House” (1983), Chandra Mohanty with “Under Western Eyes: Feminist Scholarships and Colonial Discourses” (1988) and Ethel Crowley, with “Third World Women and the Inadequacies of Western Feminism” (1991).

Among the eminent authors in Critical Race and Whiteness Studies stand Sara Ahmed, who focuses on white space, embodying diversity as a black woman and “unhappy racism”; Peggy McIntosh, who wrote on the hypervisibility of blackness; Ruth Frankenberg, who

develops the dimensions of privilege, whiteness as a standpoint and whiteness as cultural practice, and also examines essentialist racism, colour-blindness and race cognizance; and lastly bell hooks, who focuses on the intersectionality of race, capitalism and gender. These authors truly are noteworthy for their work in intersectional feminism, and their contributions to the understanding of race and class in gender studies.

Notwithstanding these authors' work to address inequalities beyond the concerns of white western women, these critical theories do not acknowledge how the construction of heteronormativity normalises practices and institutions that privilege heterosexuality and discriminates those who misfit this mould, which is where queer theory comes into play. As Luibhéid writes, "focusing on sexuality—as it articulates gender, race, class, and culture—promises to broaden the scholarship on immigrant family, community, and culture while challenging the implicit heterosexist norm that currently structures much of that work" (2004, 230).

2.3. Standing on the shoulders of giants: gaps in the literature

This review of previous research and existing theoretical perspectives has highlighted the junctions of theories and concepts where they address the distinct issues regarding queerness and migration. The research reviewed emphasises the increasing interest in sexuality and gender studies, in matters of contention for LGBTI migrants, and dissonances in migration discourse and queerness. Authors like Gayle Rubin, Jasbir Puar, Lisa Duggan and Eithne Luibhéid have provided rich a theoretical basis to anchor the theoretical framework in.

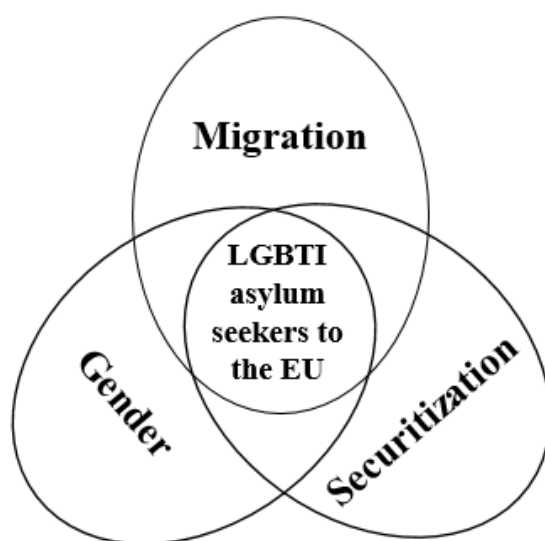
The previous literature shows that current research is still inadequately undeveloped in terms of queer migration in Europe, as most researchers of queer migration theory focus on US questions. It is thus appropriate to attend to these questions of international migration and sexuality in this thesis, through the study of LGBTI asylum seekers to the European Union. This thesis seeks to respond to that gap, to complete this thematic rift between the theoretical perspectives, also drawing from the afore reviewed work on security and migration. The absence of LGBTI in asylum and security literature is problematic, insomuch as it limits the understanding of the issues that LGBTI asylum seekers face, hindering the development of appropriate case handling and effective policy making.

With this spirit, in the theory chapter, queer migration theory will compose the theoretical framework for the analysis, together with securitization theory and theoretical concepts such as the securitization of migration, homonationalism and homonormativity. In so

doing, the theoretical framework will provide the most appropriate theoretical approach to the topic at hand, allowing to dissect queer migration in the EU from different approaches.

3. Theoretical Framework

The present thesis approaches the object of study, asylum seeking to the European Union on the basis of sexual orientation and/or gender identity, from three different theories: migration theory, gender theory (queer theory) and security theory (securitization theory). The junction of gender and migration theories, queer migration theory, is the main theoretical tool upon which this study is based. Securitization theory, and more specifically feminist securitization theory, will highlight the nuances of the migration discourse status quo in the European Union. In the following figure, the reader can appreciate the visual representation of how these three theories converge and compose the analysis. The Venn diagram shows how the intersection of the three carries the analysis of how securitization affects LGBTI asylum seeking into the EU.



3.1. Securitization Theory

The intellectual foundation of securitization theory is that by labelling a security issue as such, it becomes one. Issues are not security issues by themselves, and securitization is thus a *speech act*, “the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects” (Wæver 1993; Wæver 2004, 13). Applying Buzan and Wæver’s securitization theory to analyse migration is pivotal to the essence of this thesis: migration per se is not a threat to security: it is constructed into one through speech acts in both

security and politics. Migration is thus not intrinsically threatening to states: it is securitised, labelled into being through the categorisation of it as an existential threat.

Drawing from Buzan's work, I argue that the securitization of migration cannot be examined as an exclusively military security issue in its nature, as it is multidimensional, for it concerns not only the security matters of nations, but it is also securitised in different questions within society, economy and politics. Migration is "speeched" into a threat in all different realms of the state. It is labelled into being a threat to national identity, to cultural traditions and values, to the dominant religion, and even to economic prosperity. Securitization as a *speech act* will be examined in depth later on, as it is the driving force of conducting discourse analysis as a method.

Furthermore, dealing with migration as a merely security concern shifts the focus away from the fact that it is human beings that are being managed to suit a political agenda. As Buzan elaborates, "the security act is negotiated between the securitizer and the audience... but the securitizer can obtain permission to override rules that would otherwise bind it" (1998, 26). In such manner, "existential threats... legitimize the breaking of the rules", and so mistreatment, abuse and violations of human rights, which are commonly strongly disapproved of in society, are swept under the rug as a matter of extraordinary emergency measures to ensure state security, in a dynamic in which migrants are securitised into existential threats (Buzan 1998, 25; Floyd 2016, 679).

A Feminist Stance within Securitization Theory

Fusing a feminist perspective into securitization theory expands the ontological scope of the study, shifting the focus to the individual LGBTI migrant and the LGBTI community as the ultimate benchmark of security. Feminist securitization theory wherefore exposes "how the nation-state's pursuit for national security and stability, manifested through the securitization of migration, can in itself be constitutive of insecurity and violence, both physical and structural in its form" (Luthman 2017, 17).

A feminist approach is important not only to understand the struggles of LGBTI people as asylum seekers, but also to detect the nuances of how states in the European Union perceive gender and how they translate this understanding into state decisions on asylum. Moreover, the gender perspective that feminist securitization theory and queer migration theory provide is essential to understand how gender influences the asylum-seeking process for LGBTI migrants and their non-conforming gender performances and identities.

Because this analysis is focused on speech acts and discourse, it becomes of particular importance to have an awareness of the presence of racism, xenophobia and islamophobia in both migration discourse and the asylum system in the European Union. A holistic approach is thus required to avoid reproducing colonial discourse on LGBTI migrants, and particularly to avoid the reductionism of female identifying LGBTI asylum seekers as mere “victims” or “repressed” people from the “Third-World” (Luthman 2017, 17).

3.2. *Queer Migration Theory*

Stemming from migration and queer theory into an interdisciplinary approach, Queer Migration Theory seeks to address these dilemmas and contribute to the debates that pertain queerness and migration in multiple disciplines. Queer migration, in the words of queer migration theorist Eithne Luibhéid, “is at once a set of grounded processes involving heterogeneous social groups, and a series of theoretical and social justice questions that implicate but extend beyond migration and sexuality strictly defined, and that refuse to attach to bodies in any strictly identitarian manner” (2008, 169). Consequently, queer migration theory, since its commencement in the 90s, theorizes drawing from, on the one hand, migration theory and its study of immigration, integration, transnationalism, diaspora, asylum seekers, etc., and, on the other hand, from sexuality scholarship and its study of the construction and regulation of sexual identities (Luibhéid 2008a, 169; 2008b, 290).

A relevant notion for the upcoming analysis of European values and LGBTI movement is the term *homonationalism*, coined by queer-theorist Jasbir Puar in her 2007 piece “Terrorist assemblages: homonationalism in queer times”. Homonationalism, according to her, refers to the alignment of nationalist parties with LGBTI claims in their discourse against migrants, particularly Muslim and non-western ones, based on the prejudiced notions that they are homophobic. In such, LGBTI rights become a tool to the political use of a xenophobic and racist discourse among far-right parties in the West, in the image that immigrants are a threat to gender and sexuality equality, and that they are, by default, opposed to equal marriage and LGBTI identities, or, in other words, opposed to Western values such as tolerance and progress. This concept will render fruitful in further discussion later in this paper, but in this section of the theoretical review, it unveils an underlying, unaddressed assumption in politics, society and the migration scholarship.

Moreover, queer discrimination within European society, that is, among people who supposedly adhere to those values, is left out, hiding the fact that queer citizens are often times, as Puar and Luibhéid explain, second-class citizens (Luibhéid 2008a, 169). Furthermore, it

neglects that homonationalism reproduces and reinforces racial, gender and socioeconomic hierarchy inequalities insomuch as “queers of colour and those perceived as “foreign” experience heightened surveillance and violence under these nationalist rubrics” (Luibhéid 2008a, 179).

Ironically, there is a complicity within the queer community that has shaken up debate on the relationship between neoliberalism and queerness, particularly in the US. Lisa Duggan pairs the concept of *homonormativity* with “a politics that does not contest dominant heteronormative assumptions and institutions, but upholds and sustains them, while promising the possibility of a demobilized gay constituency and a privatized, depoliticized gay culture anchored in domesticity and consumption (2003, 50). In such manner, through the promise of inclusion in the nation-state, queers support this discourse of homonationalism that deceitfully discriminates them, queers of colour and queer migrants (Luibhéid 2008a, 179; Puar 2007; Duggan 2003, 50).

Nothing further from the reality of migration and queerness, as "national heteronormativity is thus a regime of power that all migrants must negotiate, making them differentially vulnerable to exclusion at the border or deportation after entry while also racializing, (re)gendering, (de)nationalizing, and unequally positioning them within the symbolic economy, the public sphere, and the labour market" (Luibhéid 2008a, 174).

4. Key Concepts

To have an accurate understanding of the terminology during the analysis, we will first define the concepts of “gender”, “sex”, “gender identity”, “sexuality”, “sexual orientation”, “LGBTI”, “asylum-seeker”, “refugee” and “securitization of migration”.

By *gender*, this thesis refers to the social and cultural constructions and manifestations pertaining to masculinity and femininity. By anchoring the concept in Judith Butler’s work on gender performativity, this paper acknowledges that gender is not an inherent identity, but that it is acquired through a process of social conditioning. As Simone de Beauvoir pinpoints it in *The Second Sex*, “One is not born, but rather becomes, a woman” (de Beauvoir 1953). Gender, in Judith Butler’s words, is an aspect of identity gradually acquired (1986, 35). Gender, as drawn from this definition, includes a consideration of the social structures of gender roles, gender expression and gender identity, which span biological sex. Consequently, *Gender*

identity, in this thesis, is anchored in the definition provided by the Yogyakarta Principles⁴, to refer to "each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms" (International Commission of Jurists 2007).

By differentiating gender and sex, and by using gender as an analytical category, this study acknowledges the relational nature of masculinity and femininity in relation to men and women, and the relations of power that underline them. Moreover, this relational understanding of gender is relevant for the analysis of queer migrants, as "migrants often become particularly aware of the relational and contextual nature of gender as they attempt to fulfil expectations of identity and behaviour that may differ sharply in the several places they live" (Donato et. al, 2006, 6).

Gender is different from sexuality and sexual orientation. *Sexuality* is the way humans express and live sexually, and this may be emotionally, socially, biologically, physically, etc. Sexuality is understood as a broad concept, and sexual orientation is a dimension of it. *Sexual orientation*, as defined by the Yogyakarta Principles, is used to refer to "each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender" (International Commission of Jurists 2007). Sexual orientation is usually labelled under the categories of heterosexuality, homosexuality, bisexuality, and asexuality, among others, but some people prefer not to use labels at all, or prefer the umbrella term queerness.

LGBTI is the acronym composed of the initials of the words Lesbians, Gays, Bisexuals, Transgender and Intersex, but it is often written in other ways, such as LGBTI+. The use of the "+" sign after the acronym expresses the inclusion of other realities, like those of queer or asexual people. It is also often written as LGBTQ, where the "Q" stands for the umbrella term Queer. The term LGBTI covers people with non- cis-heteronormative conforming sexual orientations and gender identities, as well as the communities formed by them.

An *asylum-seeker* is a person who, on the grounds of having suffered persecution or out of fear of suffering persecution, flees their country and seeks international protection through

⁴ Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity, 2006.

asylum in another country. Once their application has been reviewed, if they are granted asylum, this person becomes an asylee or a refugee. A *refugee*, according to the 1951 Refugee Convention⁵, is thus “someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion” (UNHCR 1951, 3). Therefore, *asylum-seeker* and *refugee* are not interchangeable terms, as one refers to a migrant before their application for protection has been processed, and a refugee refers to a migrant who has already gotten that protection status and fits the 1951 criteria.

Lastly, by *securitization of migration*, this thesis refers to the process whereby migration is constructed into a threat through speech acts in both security and politics. This is anchored in Ole Wæver’s definition of securitization, “a discursive process by means of which an actor (a) claims that a referent object is existentially threatened, (b) demands the right to take extraordinary countermeasures to deal with that the threat, and (c) convinces an audience that rule-breaking behaviour to counter the threat is justified. Thus, it implies from definition that Migration, by virtue of its nature, is seen as a security issue, which needs to be dealt with urgency without undergoing any democratic procedures” (Wæver 1993, CARFMS 2019). Migration is thus not intrinsically threatening to states or regions: it is securitised, labelled into being through its categorisation as an existential threat.

5. Methods

To understand how migration is securitized in political discourse, and evaluate the relationship of LGBTI asylum seeking with this securitization of migration, as posed by my research questions, a qualitative method was the best fitting choice. The research topic requires such approach, since it needs to grasp, describe and explain social and political phenomena and concepts, which a quantitative analysis would fail to provide. However, determining the particular qualitative method required deciding on an approach to the research questions.

Regarding the choice of method, different alternatives were evaluated for this study. In order to analyse how the discursive construction of Fortress Europe is related to asylum policies and asylum seekers in the European Union, specifically LGBTI applicants, it was key to make use of a methodology that makes visible the interconnectedness of the phenomena (Fairclough 1985, 747). The research questions demanded that the analysis goes beyond discourse and that

⁵ Convention and Protocol Relating to the Status of Refugees, 1951, it defines the term ‘refugee’ and outlines the rights of the displaced, as well as the legal obligations of states to protect them (UNHCR).

it analyses these prevailing social problems from other angles, employing a critical lens. As Teun van Dijk remarks,

“Beyond description or superficial application, critical science in each domain asks further questions, such as those of responsibility, interests, and ideology. Instead of focusing on purely academic or theoretical problems, it starts from prevailing social problems, and thereby chooses the perspective of those who suffer most, and critically analyses those in power, those who are responsible, and those who have the means and the opportunity to solve such problems”. (van Dijk in Wodak and Meyer 2001, 1)

Provided that the material to be analysed were mainly judicial and political documents, alternative methods within discourse and text analysis were considered. While content analysis was an option, its approach to the analysis of documents and texts seeks to quantify content in terms of predetermined categories, and this research is more concerned with the social dimensions of the text, which are not quantifiable (Bryman 2013, 288). As the main object of study is discourse, different approaches within the discourse analysis group were considered. Nevertheless, having decided that a critical approach was essential left the option of critical discourse analysis framework as the most fitting, as opposed to just discourse analysis without the dimension of underlying power or social dynamics.

However, within CDA, Laclau and Mouffe’s discourse theory, which carry out systematic, empirical studies of language use, were not useful for the linguistic and textual aspect of the documents to be analysed (Ibid). Therefore, Fairclough’s approach, which is a text-oriented form of discourse analysis, was the most suitable option. CDA, as mapped out by Fairclough, engages in concrete, linguistic textual analysis of language use in social interaction (Phillips et al. 2002, 34). As such, CDA solves the possible shortcomings of discourse analysis alone, allowing for a text analysis which focuses on the written language and not the discourse at large (Fairclough 1992, 72; Phillips et al. 2002). The critical component of discourse analysis detects underlying societal power dimensions through the critical deconstruction of texts (Fairclough 2013, 178). Fairclough’s CDA as a framework provided tools to better evaluate and assess the social reality deriving from the legal documents examined, better sustaining the analysis than DA alone.

In such manner, CDA will provide a holistic analysis of different aspects of both the securitization of migration and queer asylum in the EU, and allow for a return to the research questions. With the purpose of analysing the discursive practices of securitization in political parties in Europe and exploring the phenomenon of *pinkwashing*, CDA as a method provides the toolbox to link the securitization discourse to a larger trend, as it regards discourse as “a

social practice that is in a dialectical relationship with other social dimensions” (Phillips et al. 2002, 55).

5.1. Critical Discourse Analysis (CDA)

CDA is an interdisciplinary approach to the study of discourse, which views language as a form of social practice. CDA is therefore concerned with how power is exercised through language. Norman Fairclough assumes that any form of language is a communicative event. Fairclough’s model of CDA assumes that language helps create change and can be used to change behaviours. Language is thus seen as a power tool, which incorporates the critical aspect of the method.

In CDA theory, discursive practices are analysed as part of a contribution to the “constitution of the social world”, like identities and social relations (Jørgensen and Phillips 2002, 54). My literature review shows that, for this topic, Fairclough’s perspective on how new forms of politics are shaped by discursive practices in the media constituted a more suitable toolbox than Laclau and Mouffe’s more poststructuralist approach (Marianne and Phillips 2011, 55). Based on the analysis of the already existing literature within the queer migration and security scholarships, I deemed CDA to be the best method to not only analyse discourse, but also link them to the social practices that endow and reproduce them.

Another reason that Fairclough’s CDA was selected rather than traditional discourse analysis was that CDA acknowledges the notion that there is a pre-existing material reality, demanding that this discourse be analysed within a context of social structures, which can, at the same time, arise from power dynamics (Reed 2000 in Bryman 2013, 537). Therefore, CDA and its “interest in the semiotic dimensions of power, injustice, abuse, and political-economic or cultural change in society” were a more suitable fit (Fairclough in Jørgensen and Phillips 2011, 361).

This methodology acknowledges that Fairclough’s CDA has been vastly criticized and written about. Discourse differs from culture to culture and therefore the method might not be as applicable in all cases. It also acknowledges that much of CDA consists of what is not written or said, what is missing or implied in the discourse, which is a difficult nuance to grasp in a method. However, CDA is the most suitable method for the analysis, because it analyses what the discourse sender seeks to convey to the recipients, and what behaviour it wants and expects from the recipients. Moreover, the choice of method was made in full awareness that CDA is inherently political. CDA, as Alan Bryman synthesizes it, “emphasizes the role of language as

a power resource that is related to ideology and socio-cultural change” (2016, 536). CDA is understood as political:

“In the name of emancipation, critical discourse analytical approaches take the side of oppressed social groups. Critique aims to uncover the role of discursive practice in the maintenance of unequal power relations, with the overall goal of harnessing the results of critical discourse analysis to the struggle for radical social change” (Jørgensen and Phillips 2011, 62).

Therefore, this thesis is political inasmuch as it advocates for LGBTI and asylee rights and social equality, calling for socio-cultural and power structure change. Discourse functions ideologically, as “discursive practices contribute to the creation and reproduction of unequal power relations between social groups - for example, between social classes, women and men, ethnic minorities and the majority” (Jørgensen and Phillips 2011, 61).

5.2. Data Collection

With the intention of providing fruitful discussion with queer migration theory and securitization theory, I decided to use diverse sources as content to analyse. In so doing, I divided the results in two parts or discourse groups.

- The first group consisted of more legal and policy discourse and content regarding LGBTI asylum status in European asylum law. Since it is unfeasible to collect and examine all material regarding legal and policy discourse in the EU, I focused on the documents pertaining the Qualification Directive 2004/83/EC by the Council of the European Union, which established the minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted. These documents include the Council Directive itself, a Judgment by the Court of Justice of the European Union (CJEU), a Press Release also by CJEU, Annotated Comments by UNHCR, Joint Observations by Amnesty International and the ICJ, and Written Observations by UNHCR.
- The second group sought to include explicit securitization of migration discourse, and thus comprised political speeches and documents I collected that referred to migration or asylum with a negative connotation. The primary sources here were speeches, posters, letters and interviews made by Donald Trump, Nigel Farage, Viktor Orbán and his party, Mark Rutte and his party and Marine Le Pen.

I used these documents as my primary sources, which I retrieved from the CJEU website, the Council of the European Union, UNHCR, Amnesty International, as well as through newspapers, YouTube, and the websites of the political parties involved. All sources are duly accounted for in the references in their own section, primary sources. I have included the original and translated documents and speeches in the Appendix section, which the reader can consult. As my secondary sources, I have used peer reviewed academic articles and books, as well as other reports by international organisations.

Because discourse analysis is not based on quantitative data but on language and meaning, source criticism during the data collection was necessary. Analysing the *validity* and *reliability* of qualitative data is less common than in quantitative research, but it is nonetheless relevant for the present study. For example, the arguments presented from the analysis of speeches would not be as valid if not presented within the context of the literature review, which provides reliability because it positions the state of knowledge, and the results can refer back to them. Likewise, the use of videos, tweets and interviews as primary sources is not as reliable as legal documents published by an international body such as the CJEU. For this reason, a concern for this paper has been to balance out these shortcomings and to situate the results from these sources well within the theory, so that the arguments are well sustained, valid and reliable.

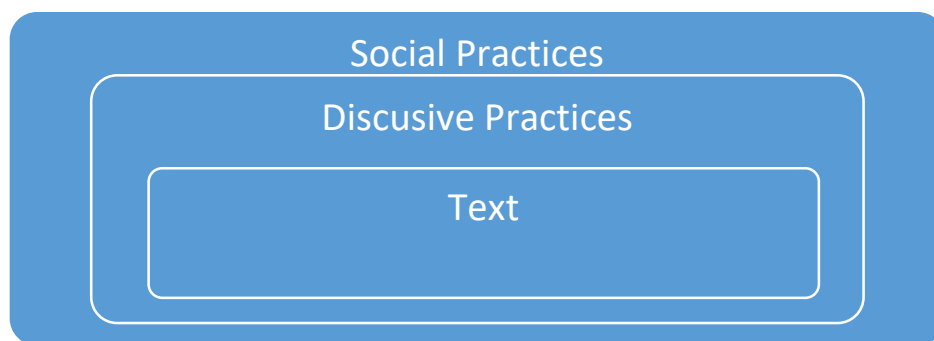
5.3. Data Analysis

To analyse the material, I applied Fairclough's model of CDA as a method, which contains three dimensions:

1. The first dimension is *text*. Text can be a speech, image, writing or a mixture of all three. The text dimension consists of an analysis at word level. Through the choice of certain words, an attitude to the subject is manifested. The analysis of the textual dimension contains similar elements to content analysis methods, but it is different in its conjunction with discursive practices and social dimensions, which other text analysis methods do not examine.
2. The second dimension is *discursive practice*. Discursive practice involves the production and interpretation of texts. Text is subject to interpretation, because language is not neutral: it contains values, attitudes and assessments (Fairclough 2013). Here, the analysis takes place at the text level, and it looks at intertextuality, whether the speeches draw on previous ones, and interdiscursivity, when different discourses and genres are used within one discourse (Fairclough in Jørgensen and Phillips 2011, 74).

3. The third dimension is *social practice*, and it is about the standards or organisation of society and social structures. This consists of an analysis on the norm level. Language creates opinions and characterizes our attitudes, and it creates social relationships and practices (Fairclough 2013). Languages are associated with power: the language and choice of words forms the context of social community (Ibid).

The analysis of text and discursive practices will be presented in the results section, whereas the social practice dimension will be the backbone of the analysis and discussion. The following graph visually describes the three dimensions and levels of analysis within CDA.



5.4. Reflections and Ethical Considerations

The research approach on migration can also be done qualitatively, particularly when searching for explanations or solutions, for example looking at statistical data on countries of origin of LGBTI applicants, number of asylum applications or percentage of those applications that are on the grounds of queer identity (Tonkiss 2004, 377). Nevertheless, when tackling how immigration is securitized and constructed through discourse, a qualitative approach is more suitable. One must, however, take into consideration that interpretative approaches involve bias, and research such as this paper could not be replicated as, for example, a numerical analysis of asylum seekers in the EU. Moreover, the choice of method presented a pitfall: legal discourse and political discourse are very different from each other, and a comparative analysis and interpretation of both was challenging insomuch as the text and discursive practices present different formats. Nevertheless, in awareness of this, I focused on the common element of both, social practices, which is why the results are divided in two subgroups and the analysis is conducted together.

Also, LGBTI refugees and asylum seekers are, comparatively, in a vulnerable starting point in society. The reticence and decision not to conduct interviews was largely based on the delicacy of the topic of persecution in their countries of origin, of traumatic experiences at

home, along the journey and during the asylum process. Moreover, if I had interviewed LGBTI refugees and asylum seekers, it would have needed to be the ones that had been indeed granted asylum or refugee status in the EU. I judged it unfeasible to conduct interviews with deported applicants.

Furthermore, migrants, regardless of their gender identity or sexual orientation, have to deal with cultural alienation, racism, and all sorts of barriers. From my position of relative privilege, being a white European gender-conforming woman, I could miss or underestimate the nuances in the narratives of people with a non-conforming gender identity or a different sexual orientation. The traumatic experiences of LGBTI asylum applicants are not only marked by persecution and oppression in their home countries, but also upon arrival, and it is important to keep in mind the ethical dimension of who the research verses on or affects. After these considerations, I deemed it more suitable to conduct a critical analysis of migration discourse instead.

On the other hand, in CDA, the major ethical compass to follow is to not twist words into a new meaning that could be fitting for the interest of the research, but making sure that discourse is analysed in a holistic way. Overall, the strongest ethical aim of the method, I find, is to remain loyal to CDA's pursuit of "beneficially transforming social and political systems to make them more equal and democratic" (Graham 2018, 186). Lastly, I paid due attention to the fair English adaptation of the documents, but evidently some nuances might still be lost in translation.

6. Results

In this chapter I will present the critical discourse analysis performed on the material described in the methodology chapter. I have conducted the analysis in two parts. First, I will present the results of CDA on securitization of migration political documents in the EU, followed by the results of EU policy and legal discourse on LGBTI Asylum rights. With this I strive to present recurrent features of both sets of documents through the analysis of the text and discursive practice dimensions as modelled by Fairclough.

In the posterior analysis and discussion section, I will examine the social practice dimension of both sets of documents, highlighting the dissonance between the promotion of LGBTI rights in the European Union and the simultaneous rejection of migrants whom those rights seek to protect. The discussion of the results will, together with the theoretical input, answer the research questions of this thesis: How is migration securitized in the political

discourse on immigration in the EU? How are LGBTI applications assessed in EU asylum law? What does this assessment reveal about the relationship between LGBTI people, migration and security? What are the dissonances, if any, in discourse surrounding LGBTI rights?

6.1. Immigration as a security threat in political discourse

The following analysis and the text excerpts all are made by political parties or their members. Some of the sources are campaigns and it is thus recommended to look at the Appendices for a better understanding of the format, context of the sentences in the text and linguistic nuances.

Text

The results present three prominent themes that will enrich the analysis and the application of securitization theory. Firstly, the discourse performs a constant *categorization* of migrants through a discursive othering, reifying the discourse of “us” and “them”, which is in turn consumed and interpreted as “us” *versus* “them”.

Categorization of migrants

A clear example of categorization of migrants as a threat is the letter sent directly to Hungarian households by the Prime Minister, Viktor Orbán⁶, as part of the campaign against Brussels’ pro-immigration stance.

”I am writing to inform you about the **worrying** developments of the migration crisis. Brussels has not learned anything from the **horrible terror attacks** of the past years. **They** want to bring even more migrants to Europe. (...) **We Hungarians** decided not to turn **our** homeland into an immigrant country. We want to **defend our security** and **our Christian culture**. That is why we have built the fence, and this is why **we protect our borders**” (Viktor Orbán 2019)

In this document, there is a differentiation of EU citizens and immigrants, and thus a categorization of immigrants. As such, all documents analysed comprise an explicit categorization of EU citizen-migrant, us-them, self-other. In this linguistic process, legal ways of migration and illegal ways of migration are amalgamated together indistinctly, so even when the discourse is referring to the intake of refugees by the European Union, they refer to migrants in general.

⁶ See Appendix 5.

In the statement by the Hungarian Prime Minister, there is also a categorization of us vs them in Hungarians vs the EU. The campaign of the Hungarian government, first in the poster showing EU Commission President Jean-Claude Juncker and Hungarian-American George Soros⁷, which states:

“You, too, have a right to know what **Brussels** is preparing to do” (Fidesz Billboard 2019)

This speech confronts immigration restrictive parties with pro-immigration parties in the European Union and refers back to the defence of nationalist values and hostility of migrants towards them, which I will present now.

Defence of values and perceived hostility

The findings reveal that these political statements and speeches that oppose immigration tend to refer to the values of the country and culture, establishing a difference between the values of the European self and those of the migrants. In most documents, these values are explicitly described:

“**They** have come to our country for that **freedom**. People who do not want to adapt, give up on our habits and **reject our values**. They harass homosexuals, scare women in short skirts or turning ordinary Dutch people into **racists**. I understand very well that people think: if you **fundamentally reject our country**, I prefer you to leave. I also have that feeling. Do it normally or go away” (Mark Rutte 2017)

“We will have to actively **defend our values**” (Mark Rutte 2017)

This discourse portrays migrants, “they”, as a hostile figure in a progressive society, a threat to the liberal ideals of the host society. Particularly interesting is the presentation of “un-adapted” immigrants as the active agents of racism, “turning ordinary Dutch people into racists”, dismissing the accountability for racism in society. This representation as a threat induces the language such as “defend”, which implies an attack, or “oppose the occupation” in the following Marine Le Pen statement, which also implicitly refers to the practice of Islam in France⁸.

“I reiterate that a number of territories, more and more numerous, are subject to **religious laws** that replace the laws of **the Republic**. Yes there is occupation and **there is illegal occupation**. (...) I did say that it was not a military occupation (...) I wanted to glorify the spirit of **resistance** that makes it necessary to **oppose the occupation** of the territory” (Marine Le Pen 2010)

⁷ See Appendix 4.

⁸ See Appendix 3.

In the cases where LGBTI people are mentioned, they are discoursed as a group being threatened by immigration and their dissonant values⁹:

“In our country you are free and you are treated equally. There was no doubt about this for a long time. **We** proudly gave the world a good example, by introducing gay marriage as the very first country. The Netherlands made it clear that you can love who you want. That you can show that love. And that is very normal. But slowly, **doubt has crept** into our society. Still, by far the majority of Dutch people find it normal when you are gay. Fortunately, that has not changed. Yet gays no longer dare to walk across the streets hand in hand everywhere. Because **they have often experienced abuse, threats and even violence**” (VVD 2017)

"I hear more and more testimony about the fact that in some neighbourhoods, it is not good to be a woman, nor **homosexual**, nor Jewish, nor even French or white" (Marine Le Pen 2010)

In such manner, the discourse is aligning with the defence of LGBTI rights and categorizing the migrants as the hostile subject that represents a threat to queer identities.

Discursive linking of migrants to criminal activity

The third pattern the results show is a discursive linking of migrants to criminal activity, heightening the discursive creation of a threat and even a profiling of young, male migrants.

“Here’s the bottom line: We’ve got to keep our country **safe**. You look at what’s happening. We’ve got to keep our country safe. (Applause.) You look at what’s happening in Germany. You look at what’s happening last night in Sweden. Sweden? Who would believe this? Sweden? **They took in large numbers. They’re having problems** like they never thought possible.” Donald Trump 18 February 2017

“Pro-rata, Sweden have taken more **young, male migrants** than any other country in Europe and there has been a **dramatic** rise in sexual crime in Sweden, so much so that Malmö is now the **rape capital of Europe** and some argue even the rape capital of perhaps the world and the Swedish media frankly just don’t report it.” Nigel Farage 20 February 2017

Trump’s statement caused a turmoil, as nothing extraordinary had in fact happened in Sweden the previous night and he was not referring to any specific event. Nevertheless, this polemic allegation did result in an internet trend named #lastnightinsweden where his statement was dismissed with humorous content of ordinary events in Sweden and satirical responses to Trump. Concerning Farage’s unsubstantiated statement, sexual crime in Sweden “has in fact declined from its peak in 2010, before the recent large increases in refugees. It is not possible to connect crimes to the ethnicity of the perpetrators as such data is not published” (BBC 2017).

⁹ See Appendices 1 and 2.

However, through the discursive elaboration of a threat to be “safe” from and values to “defend”, migrants are linguistically linked to criminality, to be a cause of insecurity, the source of increased crimes such as rape cases in Malmö.

Discursive practices

Who are these speeches, statements and documents consumed and interpreted by? Although largely picked up on by media and subsequently read by civil society, some of the statements are directly targeted at the population of the countries those parties operate in, like Viktor Orbán’s letter delivered to houses in Hungary and Mark Rutte’s letter “to all Dutch people”. One common element I have found is that all documents are intended to be consumed by those who also perceive immigration in the same way as the authors of the discourse, namely voters of their parties and the general public who might share their same concerns. As most political statements, these have also been contested by other parties in the respective countries and within the European Union structure, but that is a debate that spans our research question and is, therefore, not included.

How are the documents consumed and interpreted? Since the material contains documents from various political figures and countries, intertextuality is not a pattern in them, and there is no manifest intertextuality whatsoever.

In sum, the results of political documents and speeches opposing immigration suggest the following discursive elements: first, a categorization of migrants, where migrants are “othered”, and refugees, illegal and legal migrants are problematized indistinctly. Second, a defence of the values of the host society vs those of the migrants: there is a perceived hostility towards progressive values. Third, a rhetorical practice of connection of migrants to criminal activity.

6.2. Asylum claims on the grounds of fear of persecution on the grounds of sexual orientation and/or gender identity

The material analysed consists, as aforementioned, of a series of documents related to the Qualification Directive 2004/83/EC published in April 2004 on the minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection. This Directive, set forth by the Council of the European Union, is a prominent document in asylum law of the EU, and has set the basis for most subsequent legal and policy work on qualification criteria for asylum.

However, ambiguity in the legal discourse led the Court of Justice of the European Union (“CJEU”) to elaborate a judgment - Joined Cases C-199/12, C-200/12 and C-201/12, X, Y and Z v Minister voor Immigratie en Asiel (“XYZ”)¹⁰ - interpreting the Qualification Directive 2004/83/EC in the cases of asylum applicants fleeing persecution on the basis of their sexual orientation and/or gender identity. The trigger for the solicitation of interpretation were the following asylum claims in The Netherlands, as accounted for in the press release:

“X, Y and Z are nationals of Sierra Leone, Uganda and Senegal respectively. They seek refugee status in the Netherlands, claiming that they have a well-founded fear of being persecuted in their countries of origin by reason of their sexual orientation. (...) The national court asks the Court of Justice whether third country nationals who are homosexuals may be regarded as forming a ‘**particular social group**’ within the meaning of the directive. Furthermore, it wishes to know how the national authorities should assess **what constitutes an act of persecution** against homosexual activities in that context, and whether the criminalisation of those activities in the applicant’s country of origin, which may lead to imprisonment, amounts to persecution”. (CJEU 2013, 1)

The main matters of contention during this process were fear of persecution and membership of a particular social group, and what constitutes each of them. Therefore, this critical discourse analysis examines the documents related to this case, and scrutinises the points of convergence of fear of persecution and membership of a particular social group.

Text

In this analysis, the focus in the language revolves around two questions, a) *What constitutes fear of persecution?* And b) *What constitutes membership of a particular social group?* As usually is the case in legal documents, criteria as categories mark a difference in how the law is applied. Discourse on something as seemingly basic as these two qualification criteria highly affects the character of the social structures and cultural processes that CDA stresses so much, as it determines processes and structures regarding how asylum law is written and applied. In such manner, discourse regarding asylum on the basis of fear of persecution for sexual orientation and gender identity is not only constituted but also constitutive, as it is in a *dialectical* relationship with other social dimensions of asylum, shaping and reflecting social structures of *who* is to be protected (Jørgensen and Phillips 2011, 61).

The textual analysis of EU policy and legal documents shows that Asylum law regarding protection for those who fear persecution on the basis of their gender identity and sexual

¹⁰ Ministry of Immigration and Asylum of The Netherlands.

orientation often leaves an opening for the interpretation of the standards for qualification. The analysis of the textual dimension reveals that all documents posterior to the Directive coincide that the discourse conforming “particular social group” and “fear of persecution” is dubious.

“Particular social group”

For example, Article 10 of the Qualification Directive, “Reasons for persecution”, states the criteria for membership of a particular social group as:

“A group shall be considered to form a particular social group where in particular:

- members of that group share an innate characteristic, or a common background that cannot be changed, or **share a characteristic or belief** that is so fundamental to identity or conscience that a person should not be forced to renounce it, **and**
- that group has a **distinct identity** in the relevant country, because it is perceived as being different by the surrounding society.”

(Council of the EU, Article 10(1)(d); bolding applied)

In this case, the linguistic element “and” makes this legal discourse ambiguous. This wording suggests a cumulative criterion, where asylum seekers need to both a) share a characteristic or belief that is fundamental to their identity and conscience **and** b) have a distinct identity, because they are perceived as being different by the surrounding society. According to this wording of the ruling, both conditions need to be met by those claimants who solicit asylum on the basis of membership of a particular social group, which includes sexual orientation and gender identity. However, this raises the issue that the asylum applications of those claimants who do not meet both are to be rejected, creating a breach in the protection of those who fulfil only one criterion.

“Fear of persecution”

Fear of persecution in all documents concurs in meaning but not in criteria. That is, all documents examined produce similar discourse inasmuch as fear of persecution is a fear of one’s life and integrity in a society where one’s identity dissents from the law. However, the language surrounding *what* amounts for a fear of persecution worth conceding asylum for differs largely from the EU judicial bodies to, for example, UNHCR, Amnesty International and the ICJ.

“According to the Minister, although the sexual orientation of the applicants is **credible**, they have not proved to the required legal standard the facts and circumstances relied on and, therefore, have failed to **demonstrate** that on return to

their respective countries of origin they have a **well-founded fear of persecution** by reason of their membership of a particular social group.” (CJEU Judgment 2013, 7)

“As to whether it is reasonable to expect that in order to avoid persecution an asylum seeker should conceal his homosexuality in his country of origin or exercise restraint in expressing it, the Court replies that it is not. (...) Therefore, an applicant for asylum **cannot be expected to conceal his homosexuality** in his country of origin in order to avoid persecution.” (CJEU Press Release 2013, 2)

“The NGOs disagree with the AG concerning question 3), namely that “the criminalisation of homosexual acts does not per se constitute an act of persecution for the purposes of” relevant EU refugee law provisions”. (Amnesty International and ICJ 2013)

When examining the linguistic aspect of the text, the most relevant trend is the *nominalization* that the discourse constantly performs. The documents choose the passive voice over the active voice, which disconnects the involvement of the author with the subject, the asylum seekers, in sentences such as:

“This would include the basis for the claim, such as fear of persecution on account of one’s sexual orientation. However, **it is well recognized** that some applicants will have great difficulty disclosing their sexual orientation, including in particular towards persons in authority such as asylum interviewers or decision makers dealing with applications for international protection” (UNHCR 2013, 10)

The passive construction of the LGBTI asylum seekers and the disconnection of the speaker to the subject results in a *passivization*, which has the effect of removing the agency of the asylum seekers themselves.

Discursive practices

In this level of analysis, discursive practices, in order to analyse *how* the texts are consumed and interpreted, I must first attend to the question of *who* consumes and interprets the texts.

It is interpreted, firstly, by judicial bodies that draw on the text and proceed to build on it through legal interpretation. A clear example of this is the analysed Judgment by the CJEU on whether X, Y and Z as homosexual asylum applicants constitute a particular social group who may be persecuted on account of their sexual orientation. Secondly, it is interpreted by asylum practitioners, such as governments, asylum agents and non-governmental organisations in the way in which the text is interpreted with each specific asylum application. Thirdly, it is interpreted by civil society, for example in how they consider the discourse to protect the rights of asylum seekers or if it aligns with social values on the duty of international protection, or tolerance regarding sexual orientation and gender identity.

When looking at *how* the documents are consumed and interpreted, I dissect them by looking for intertextuality and interdiscursivity. Intertextuality is a main characteristic of the material, as the documents selected were related to each other and built on the Qualification Directive of the Council. Evidently, legal documents and therefore legal discourse draw on one another, building on previous covenants, directives and declarations, hence the explicit constant reference to the directives, judgment and press release in the material analysed. This means that manifest intertextuality, where texts explicitly refer to and cite other texts, is prominent in the results. Interdiscursivity is also a common characteristic of these legal and policy documents.

The way in which the documents analysed are articulated together show that the interdiscursivity occurs mostly in a conventional way, rather than a creative one (Jørgensen and Phillips 2011, 73-74). This means that the articulation of the discourse in these documents does not vary largely, and despite the disagreements on categorisation and terminology, there are no signs of discourse being combined and developed in new interdiscursive mixes. The reference to asylum seekers, aside to the debate on how to categorise their criteria, remains the same throughout the documents, as does the linguistic aspect of the texts. This interdiscursivity in a conventional way manifests the reproduction of the initial discourse, the Qualification Directive, in the subsequent press release, judgment and observations. Moreover, such interdiscursivity is “an indication of, and work towards, the stability of the dominant order of discourse and thereby the dominant social order” (Jørgensen and Phillips 2011, 74).

7. Analysis and Discussion

This analysis examines the *social practices* of the CDA performed, the non-discursive, social and cultural relations and structures that constitute the social matrix of discourse that Fairclough refers to. The political statements analysed show a resonant discourse problematizing migration. Through the politicizing of migration as a social, economic and cultural encumbrance, the discourse justifies the need for use of language that portrays migrants as a threat.

As the Copenhagen school suggests in its conception of securitization theory, this *problematization* of migration into the European Union should not be viewed as a debate on whether security is objective or subjective, but rather that security is a *speech act* which constructs migration to be a threat. In this speech act, securitization discourse, the question of whether the threat is real or not, is made redundant. It is no longer a matter of whether migration

is intrinsically threatening to states: it is securitised, labelled into being through the categorisation of it as an existential threat. The problematization of migration, in terms of Foucault's analysis of how and why someone or something becomes a problem, is done through the linguistic choices that categorize migrants and justify the use of security language. This speech act that the discourse performs socially constructs migration as a threat, and in so doing links migration and asylum seekers to security.

7.1. The referent object: discursively categorizing migrants as a threat

In the securitization process performed in the discourse, there is an actor performing a securitizing speech act, and an audience to whom this act is directed to, which I have examined in the discursive practices section of the results (Peoples and Vaughan-Williams 2010, 78). However, there is also the referent object, which is what needs to be protected from said threat, which in this case are European society and values. Examples of this referent object discursive practice are “We Hungarians decided...”, “our Christian culture”, “religious laws that replace the laws of the Republic”, and so on and so forth.

This analysis has found a common pattern in the political statements and documents, the categorization of migrants. How can one feel threatened by someone perceived to be the same as them? Fortress Europe cannot happen if the electorate empathises with the ones who are intended to be left out. The first step in securitizing discourse is breaking that connection, that feeling of solidarity that one might have with migrants. In the discourse, this is done by othering immigrants and asylum seekers, discursively separating “them” from “us”, heightening their cultural, social and religious differences so that there is little to relate to. Examples of this othering practices discursively elaborating the referent object are “**They** give up on our habits and reject **our** values”; “if **you** fundamentally reject **our** country, I prefer you to leave”; “**We**’ve got to keep **our** country safe”.

This practice is very effective, insomuch as “They” puts distance between the immigrant and the European citizen. “They” does not separate individual migrants, but instead categorizes irregular and regular migrants, refugees and economic migrants all in the same box, and problematizes them indistinctly.

7.2. Migrants as criminals

In the documents analysed, the concept of migration is constantly linked rhetorically to criminal activity and thus to security. Through the use of language such as “They took in large numbers”; “keep our country safe”; “look at what’s happening”; “They’re having problems” (because of

taking in refugees), “dramatic rise in sexual crime”; “occupation”; “illegal occupation”, the speech act places a stress on problems, on threats. A problem requires a solution. An occupation requires a fight back. “Defend” is an answer to an offence. This language exacerbates the aforementioned categorization of “they” and “us”, except it pushes it one step further, and through this construction of migrants as criminals that threaten “our” safety, now the discourse has situated “them” *versus* “us”.

7.3. Defence of European values and perceived hostility

The third theme the results show is a concern in political discourse on immigration that manifests a threat to values. Something remarkable in this is the portrayal of national and European values as homogeneous, assuming a collective stance: “The Netherlands made it clear that you can love who you want”, “We proudly gave the world a good example”, “We Hungarians decided not to turn our homeland into an immigrant country”.

Nevertheless, this speech act, which situated the referent object in a united sense of what European nations’ values are, also discursively constructs migrants as hostile to these values. Unsubstantiated claims that associate language such as “our security” and “our culture” with “defend” and “protect”, project an assumption that migrants do not align with these values, that they do not share concerns for society, security and European beliefs.

Through the construction of a threat to values, the discourse aligns with causes that are pre-supposed to be alien to migrants. Some revolve around Christian values and traditions. Some speeches and statements, one might argue, advocate for women’s freedom, such as Farage’s statement on increase in sexual crime, although the motivation behind this is not explicitly a feminist concern but rather an overt accusatory statement on young, male migrants.

7.4. Pinkwashing political discourse on immigration

Other documents and statements align with the LGBTI community, and justify the securitization of migration on the basis of a threat to liberal values in a society that accepts and protects queer people:

“They harass homosexuals, scare women in short skirts or turning ordinary Dutch people into racists. (...) Still, by far the majority of Dutch people find it normal when you are gay. Fortunately, that has not changed. Yet gays no longer dare to walk across the streets hand in hand everywhere. Because they have often experienced abuse, threats and even violence”

This, I argue, is a *pinkwashing*¹¹ of securitization discourse that is worth being examined in further research. This “cause marketing” that securitization of migration discourse performs seeks to promote a friendliness with the LGBTI cause in order to conceal or downplay the negative angle of making migration a problem. In such demonstration of tolerance and openness to the LGBTI cause, Fortress Europe protects European queers from the hostile, homophobic immigrant.

This pinkwashing phenomenon is also relevant in the lens of Puar’s concept of *homonationalism*. Homonationalism, applied here, perfectly seizes the alignment of nationalist parties with LGBTI claims in their discourse against migrants, based on the prejudiced notions that they are homophobic. In this chain of reasoning, there is a categorisation of *us vs them*, which is, unfortunately, frequent in migration discourse. However, the peculiarity of this homonationalist logic is that queers are *us* and migrants are *them*; queers are citizens and migrants are not; queers do portray our European or Western values, where migrants are a threat to the alleged homogeneity of them.

On the contrary, this dialectic is fallacious inasmuch as it omits the following misconceptions: firstly, it operates on the premise that there is a homogeneous set of European or Western values, a common moral compass that guides every Westerner’s conduct in society. Not only is this speaking in generalities, but it is historically erroneous in its exclusion of social differences among distinct nations, ethnicities and social groups in Europe. Secondly, this discourse feigns that “queers are citizens”, and “migrants are heterosexuals”, failing to include the reality that there are migrants who identify as LGBTI, and migrants who indeed subscribe to values in favour of gender and sexuality equality (Luibhéid 2008a, 169). Moreover, as Luibhéid points out, “dominant nationalisms, not only in the global north but also in the south, selectively use LGBTQ issues to reposition themselves within transnational circuits, global hierarchies, and dominant relations of rule” (Luibhéid 2008, 179). This constitutes a blindness to the vulnerability of LGBTI asylum seekers, as I will proceed to analyse next.

7.5. Persecution based on sexual orientation and gender identity: membership of a particular social group

This section of the analysis refers to my research question, “*How are LGBTI applications assessed in EU asylum law?*” One of the main aspects when considering the validity of a request

¹¹ Pinkwashing is drawn from the term whitewash, originating in 1992 by Breast Cancer Action to denounce companies that profited off the message of support of breast cancer. Nowadays, it is used mostly in an LGBTI rights context, often applied to the case of Israel’s promotion of the LGBTI cause.

for international protection is to determine the persecutory nature within the claims of the applicant. As the Qualification Directive analysed builds on, acts involving persecution subject to international protection must be sufficiently serious in their nature and/or of a reiterated character to be considered as a serious violation of fundamental human rights. These acts of persecution also include cases of discrimination, when the degree to which rights are violated is of a magnitude comparable to the violation of the right to life or the perpetration of torture or inhuman or degrading treatment and, therefore, amount to persecution situations. However, it must be borne in mind that LGBTI applicants may not have yet suffered violations of human rights or discrimination equivalent to persecution, but there might be, nonetheless, a well-founded future fear of being subjects to persecution upon a possible return to their country of origin. Therefore, asylum law in the EU considers that these possible future repercussions also constitute acts of persecution.

As the results of LGBTI asylum claims in European Asylum Law show, these applications are considered when they meet two criteria: fear of persecution and membership of a particular social group. However, the results also show ambiguity in the language which is used to define these criteria, which seems to be a recurring issue in procedures determining asylum.

Indeed, the very concept of persecution does not appear formally defined in the 1951 Convention. Despite this, in 1992 UNHCR¹² elaborated a description of persecution as “a threat to life or freedom on account of race, religion, nationality, political opinion or membership of a particular social group”, and recognised that “other serious violations of human rights – for the same reasons – would also constitute persecution” (UNHCR 1992).

As observable, sexual orientation and gender identity are not explicitly indicated as grounds for persecution, but are de facto processed as grounds of membership of a particular social group. When looking at the discourse surrounding membership of a particular social group in the Qualification Directive by the Council of the EU, the results show a consideration for a shared “characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it” and “has a distinct identity in the relevant country, because it is perceived as being different by the surrounding society” (2004, Article 10). UNHCR¹³ describes a particular social group as:

¹² UNHCR: Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. Paragraphs 51-54.

¹³ UNHCR Guidelines on International Protection: “Membership of a particular social group” within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees.

“A group of persons who share a common characteristic other than their risk of being persecuted, or who are perceived as a group by society. The characteristic will often be one which is innate, unchangeable, or which is otherwise fundamental to identity, conscience or the exercise of one’s human rights” (UNHCR 2002, Paragraph 11)

However, I argue that this definition can lead to numerous confusions based on the element of social perception. For instance, building the classification criteria on the premises of "difference" may be dangerous, since it can represent a step back in the advances achieved by LGBTI people in terms of their equality, inclusion and normalization in society.

In addition, this assumption incorporates the notion of "perception", linked to stereotypes, assumptions or visible signs of one’s queer identity, which can undermine and hinder international protection procedures. Therefore, it is necessary to highlight the need for decision-makers to avoid any kind of stereotyped and homogeneous notion about the behaviour of LGBTI asylum seekers, since not all people self-perceive or behave according to clichés. Moreover, as the fear of persecution criteria well entails, on numerous occasions queer applicants might hide these stereotyped characteristics in their countries of origin out of fear of possible discrimination and persecution.

7.6. “Not gay enough”: Credibility assessment in LGBTI asylum claims

Credibility is a central issue in the assessment of asylum-seeking claims in general, and specifically in claims of fear of persecution on the basis of sexual orientation or gender identity. Because the events in the claims of the LGBTI person most often cannot be corroborated, asylum decision-makers must rely solely on the claimant’s word, and their statements –whether written or in an interview- are their sole source of evidence¹⁴.

The analysis of the results shows that discourse surrounding credibility have a dubious expectation of how credibility is to be assessed. For example,

“28- According to the Minister, although the sexual orientation of the applicants is **credible**, they have not proved to the required legal standard the facts and circumstances relied on and, therefore, have failed to demonstrate that on return to their respective countries of origin they have a well-founded fear of persecution by reason of their membership of a particular social group” (CJEU Judgment 2013, 7)

The judgment of whether a person’s claims are true or not is often made by questioning whether that person is indeed member of this particular social group (Kagan 2003, 367). A highly

¹⁴ UNHCR 2008 Guidance states that “Where the applicant is unable to provide evidence as to his or her sexual orientation, and/or there is a lack of sufficiently specific country of origin information, the decision-maker will have to rely on that person’s testimony alone. If the applicant’s account appears credible, he or she should, unless there are good reasons to the contrary, be given the benefit of the doubt.”

worrisome credibility assessment practice were the medical examinations used in some European countries¹⁵, using psychological evaluations such as the “draw a person in the rain” and the Rorschach and Szondi tests and even tests, such as phallometric testing¹⁶, to examine how the claimant responded to pornographic images (Spijkerboer and Jansen 2011, 47). In January 2018, the European Court of Justice banned the practice of psychological and physical tests to prove asylum seekers’ queerness¹⁷.

Even with these tests banned in the European Union, the interview element in credibility assessment has proven to be polemic. Cases of deportations of LGBTI asylum seekers because the authorities did not believe they were queer have caused an uproar in human rights organisations across Europe. One of these cases, for instance, involved an 18-year-old homosexual man who feared persecution if returned to Afghanistan, where homosexuality is illegal. The Austrian authorities, in their denial of asylum, claimed that the shy nature of the man clashed with the “rather social” nature of gay people, and that he was “not gay enough” because he did not “act” or “dress” like a homosexual (DW 2018).

Credibility assessments are an imperfect system for processing LGBTI asylum claims, particularly in the European context of increased immigration, which pushes for fast-track reviews of applications and therefore leaves no margin for a fair, sufficient examination of each particular asylum case.

Firstly, credibility assessments are often based on flawed, stereotypical assumptions of what constitutes the behaviour or the identity of that particular social group. As Spijkerboer and Jansen explain, there is no uniform way of being an LGBTI person¹⁸ (2011, 47). LGBTI identities are diverse even within European countries, so the expectation of one homogeneous LGBTI group behaviour is senseless, as LGBTI asylum seekers may manifest different traits resulting from their diverse cultural, societal, religious, political and educational backgrounds. There is thus a need for an objective credibility assessment in asylum application requirements,

¹⁵ Austria, Bulgaria, the Czech Republic, Germany, Hungary, Poland, Romania and Slovakia.

¹⁶ European Fundamental Rights Agency 2010: “The practice of ‘phallometric testing’ for gay asylum seekers” <https://fra.europa.eu/en/news/2011/practice-phallometric-testing-gay-asylum-seekers>

¹⁷ Read more here: “European Court of Justice Bans Homosexuality Tests for Asylum Seekers”: <https://www.ejiltalk.org/european-court-of-justice-bans-homosexuality-tests-for-asylum-seekers/>

¹⁸ UNHCR 2008 Guidance: “In the assessment of LGBT claims, stereotypical images of LGBT persons must be avoided, such as expecting a particular “flamboyant” or feminine demeanour in gay men, or “butch” or masculine appearance in lesbian women. Similarly, a person should not automatically be considered heterosexual merely because he or she is, or has been, married, has children, or dresses in conformity with prevailing social codes. Enquiries as to the applicant’s realization and experience of sexual identity rather than a detailed questioning of sexual acts may more accurately assist in assessing the applicant’s credibility”.

that ought to not discriminate based on stereotypical expectations of gender roles and expression (Kagan 2003).

Second, LGBTI asylum applicants might struggle with self-identification: there are LGBTI international protection applicants who, despite having been persecuted for their sexual orientation and/or gender identity, do not identify with any of the letters that make up this acronym at the time of formalizing the request or conducting the interviews to receive protection (Shidlo and Ahola 2012). Sometimes, this is caused by ignorance of the LGBTI+ terminology.

Third, although self-identification is a first step in advancing the procedure, it must be borne in mind that the social and cultural background of the applicant may affect the way in which he identifies himself. There are people who, because of their history of fear of persecution, may feel inhibited from disclosing their true identity to decision makers. Likewise, it is common for them to experience psychological issues such as shame, self-denial, isolation, internalized homophobia, and self-hatred (Shidlo and Ahola 2012, 9). On top of this, LGBTI applicants have traumatic experiences caused by the persecution that provoke post-traumatic stress disorders, with consequences ranging from amnesia, to the blocking of traumatic memories or a permanent state of alert (ibid). For this reason, the shame and the attempts to conceal the identity of the applicants, I argue, should be seen as characteristics that constitute in themselves basic indicators for the credibility of the claim of an LGBTI person.

Fourth, it is necessary to consider the particular difficulties that LGBTI people face in their relationship with state entities, such as, for example, the anti-LGBTI attitudes from police officers in their countries of origin, or the lack of empathy by state officials (Diaz Lafuente 2014).

Fifth, not all members of a particular social group are subjects of persecution and, moreover, it is not necessary that they have to know or associate among themselves to constitute that particular social group (Weßels 2011, 13).

As manifested by the results, it is important for practitioners to have clear legal paths and no room for protection gaps. Credibility assessment still requires much improvement, and a way towards a fairer assessment of LGBTI claims may be, for instance, a gender sensitive approach and training of asylum practitioners, or the abolition of practices that violate the right to privacy. In these cases, the benefit of the doubt should be given to the applicant, a *prima facie* LGBTI protective approach should be applied. Further, a more unified European practice

in asylum law regarding credibility would ensure a human rights concordant regional practice, avoiding malpractice and human rights violations during the credibility assessments.

7.7. Concealing LGBTI identities: the discretion requirement

The discretion requirement, also referred to as concealment requirement, is often used in the assessment of risk of persecution on the grounds of sexual orientation and gender identity. Through the discretion requirement, the safety or risk of persecution of LGBTI asylum applicants is assessed on the basis of whether they could avoid persecution by being “discreet” about their sexual orientation or gender identity. If the concealment of their identity is deemed to be sufficient to avoid persecution, the applicants may be deported back to their countries of origin. Even though it is not a legal basis in asylum granting, it is a common malpractice in the European Union, as only a few European states have abolished this method.

According to Thomas Spijkerboer and Sabine Jansen, this practice is problematic for two reasons: firstly, expecting people to refrain from the manifestation of their inherent sexual orientation or gender identity is to deny them the legitimate exercise of their fundamental human rights; secondly, forcing queer people to stay in the closet is unsafe, as their identity might be made public against the person’s will, a risk that cannot be avoided (Spijkerboer and Jansen, 8). A person’s sexual orientation might be made public and denounced to the authorities by a neighbour, a relative or even a sexual partner. One clear example of this risk of being called out is the case of the two gay men in the province of Aceh, Indonesia. They were reported by a neighbour to the Islamic religious police after he saw them having sex and recorded them, and both men were sentenced to public caning¹⁹.

The legal case analysed in the results show that the CJEU does take a stance on concealment:

“As to whether it is reasonable to expect that in order to avoid persecution an asylum seeker should conceal his homosexuality in his country of origin or exercise restraint in expressing it, the Court replies that it is not. (...) Therefore, an applicant for asylum **cannot be expected to conceal his homosexuality** in his country of origin in order **to avoid persecution**.” (CJEU Press Release 2013, 2)

Nevertheless, these considerations are not common practice in European law. From my perspective, this constant risk of being outed constitutes in itself a permanent risk of persecution, and the expectation of an LGBTI person to hide, conceal or cover their identity is

¹⁹ “No place to hide for LGBT people in Indonesia’s Aceh province”: <https://www.bbc.com/news/world-asia-40024204>

a violation of their fundamental human rights. Discretion reasoning in LGBTI asylum claim assessment predates off a gap in asylum law, instigating a faulty evaluation of risk of persecution for LGBTI asylum candidates, and should thus be abolished by all European states, not only by a few. In light of the fact that persecution still happens despite efforts of concealing one's identity, queer theorist Kenji Yoshino argues that the demand of covering traits or behaviours that are constitutive of identity, such as sexual orientation and/or gender identity, is tantamount to a demand of conversion, something unthinkable in progressive European minds (Yoshino 2002, 769).

7.8. Covering and reverse-covering

The analysis of these social practices in asylum reveals that the asylum process for LGBTI asylum candidates poses incongruent, unrealistic demands on the person. In essence, credibility assessments and discretion reasoning require two opposite behaviours from the asylum seekers. On the one hand, credibility assessments expect an exaggerated manifest of one's LGBTI identity, a comfort in one's skin with an identity that one cannot be ashamed to show, or otherwise that very identity is questioned. On the other hand, concealment requires the claimant to hide those traits, to keep one's identity to oneself and to merely survive in one's discriminatory environment.

Yoshino (2006) identifies these conflicting demands as a paradigm and analyses two forms of discrimination that queer asylum seekers experience: covering and reverse-covering demands²⁰. Covering occurs when people “individually and collectively downplay characteristics identifying them as members of oppressed and marginalized groups” (Yoshino in Heller 2009, 295). In contrast, “reverse-covering occurs when an individual is compelled to display or perform stereotypical aspects of his or her identity” (Ibid). When an LGBTI asylum seeker is expected to conceal their identity in a country that persecutes them or discriminates them, they are being expected to cover. Likewise, when they are compelled to “behave gay”, not be too masculine or too feminine, or fulfil the mental stereotype that the interviewer has, they are being expected to reverse-cover (Heller 2009, 297).

These performative behaviour demands are inconsistent, and they constitute an added oppression on an already discriminated and vulnerable group of people. As Fadi Hanna reflects, covering one's identity is a normal reaction to homophobic discrimination and persecution

²⁰ Yoshino, in his book “Covering: a hidden assault on our civil rights”, relates the paradigm of covering and reverse-covering for queer people, but also for racialized people and women in contexts broader than the asylum system.

(2005, 913). Punishing applicants for not displaying this identity profusely is incoherent and it clashes with the very fundament of seeking asylum based on fear, and the performance-as-identity standard in asylum law dishonours that fundament (Ibid).

Through the lens of queer migration theory, we are able to situate these asylum practices in relation to LGBTI rights. As Luibhéid explains, “Successful asylum claims generally require generating a racist, colonialist discourse that impugns the nation-state from which the asylum seeker comes, while participating in an adjudication process that often depends on constructs of “immutable” identity refracted through colonialist, reified models of culture shorn of all material relations” (2008, 179). These practices do not only affect LGBTI asylum seekers. These dynamics perpetuate power relations and determine the leading discourse. What Luibhéid means is that, in essence, through the select granting of asylum to a few individuals, the system justifies the exclusionary immigration control system, while at the same time favouring the social perception of openness towards the LGBTI cause (Luibhéid 2008, 180).

The “go home and hide” approach that the discretion reasoning responds to infringes the non-refoulement principle²¹, and in so doing it breaches the ethics of international asylum law. Because of this reason, this paper aligns with Hanna’s recommendation that covering demands should *per se* constitute a sort of persecution in asylum law and practice (2005).

²¹ The non-refoulement principle, established as customary international law through the 1951 Convention and the 1967 Protocol, prohibits the practice of return of an asylum seeker to a country in which they are liable to be subjected to persecution.

8. Conclusion

This thesis started off by trying to argue that the European Union stands at a crossroads where its fundamental values and the management of migration are in conflict with one another. I presented two dilemmas, the first one being the struggle of the European Union to reconcile principles and security, to balance its founding values regarding plurality and human rights, and in this particular case, to include and improve LGBTI rights in asylum processes (Börzel et al 2016; Frank 2012; Kysel and Podkul 2016, 191). The second dilemma this thesis examines is the incongruence in the asylum granting process itself, where there is a requirement to emphasize stereotypical traits of the claimants' identity in order to be considered legitimate (Heller 2009, 297; Hanna 2005). The aim of this thesis was to explore the intersection between migration, security and queerness, which was done through a critical discourse analysis of both legal and political documents and speeches relevant to these themes.

The analysis of the two dimensions and its order were strategic, and it served four purposes. First, the asylum section complemented the securitization section inasmuch as it manifested a different scenario than that portrayed by media and political discourse regarding migrants. Second, the analysis of both parts revealed the conflicting nature of European values. Third, this conflicting nature disclosed a large discursive dissonance in the portrayal of European society as a human rights haven, and the discordant reality of denying international protection. Fourth, the analysis of securitization discourse before the analysis of LGBTI asylum rights unveiled a phenomenon that is taking place in political securitization discourse: the pink washing of securitization discourse.

In the analysis section, I returned to the research questions and discussed how the securitization of migration affects the LGBTI asylum-seeking process, exploring the explicit and implicit barriers which work to restrict and complicate the process of seeking asylum in the EU (Luthman 2017, 22). In sum, securitization theory and queer migration theory have allowed me to analyse the results of the critical discourse analysis performed, to reveal the social practices the discourse entails. This has provided me with a rich input of previous knowledge to the analysis, providing answers to the research questions.

First, when examining *how migration is securitized in the political discourse on immigration in the EU*, the analysis found that it is done through the discursive construction of immigrants as “the other”. Securitization as a speech act categorizes migrants indistinctly, builds a wall between a figurative “us” and “them”, and constructs immigrants as a threat, as

hostile to our values, as a hostility to our safety because of their discursive link to criminality. Last of all, through pinkwashing, migration is securitized as a threat to the European LGBTI friendly values, without acknowledging the possibility that some migrants might seek refuge in Europe because of those very values.

Second, analysing *how LGBTI applications are assessed in EU asylum law* showed that LGBTI asylum applications are judged on the basis of two criteria: fear of persecution and membership of a particular social group. However, the practical application of this legal basis differs, and poses procedural incongruences in the asylum system which represent a threat to the safety of LGBTI migrant individuals. Some of these, as analysed, are the demands of concealment, the credibility assessment that violates the person's right to privacy, the fast-track processing of asylum applications which denies applicants a fair chance at asylum, and unrealistic expectations of LGBTI behaviour.

Third, the exploration of *the relationship between queer people, migration and security* revealed inconsistencies and incongruencies in both asylum processes and discourse surrounding them. For example, the legal documents do not regard security discussions, and limit themselves to establishing -or limiting- pathways for LGBTI migrants. On the other hand, in political discourse on immigration, migrants are posed as a threat to security, and as a threat to European LGBTI citizens. Moreover, the documents examined do not pay due consideration to the practices that determine the applicant's credibility, and the intrusiveness of them in their requirement of the applicant to reverse-cover. A last observation of the relationship of queerness, migration and security is the incoherence in the portrayal of the agency of migrants in the documents analysed. For example, nominalization and passivization in the legal discourse delete the agency of the migrant, while securitization in political discourse dichotomizes their agency, both as victims, refugees who need "our" help and as a threat, when portrayed as criminals. Evidently, this discourse perpetuates the conflicts in the perception and management of migration, and it maintains unequal power relations.

Fourth, studying the *dissonances in discourse surrounding LGBTI rights* brought the discussion back to the two dilemmas posed in the background section. European society is a point of contention: a section seeks evolution towards a more just equal regime through the integration of migrants, the inclusion of human rights and LGBTI rights. On the other hand, other sections in Europe long for the return to how society was before, othering migrants and aiming to preserve values intact. The securitization of migration discourse, as we have seen,

bears no consideration for LGBTI migrants, and fails to acknowledge the existence of migrants who ascribe to the LGBTI tolerant standpoint. However, it is worth mentioning that this homonationalist dialectic trend is not ubiquitous, as many, if not the majority, of political nationalist parties that oppose immigration also oppose LGBTI rights. Nevertheless, it was important to the analysis to observe this phenomenon of pinkwashing of securitization of migration discourse.

In conclusion, this study has contributed to a broad range of issues which the discipline of Global Studies is concerned with: namely migration, gender, security, human rights and minority – LGBTI rights. Addressing the gap shown by the literature review, this thesis has contributed to research on securitization and queer migration. The analysis of the findings has shown new patterns in performances by LGBTI asylum seekers, such as covering and reverse-covering, as well as tendencies in migration-restrictive discourse, such as pink-washing, othering of migrants and so on. Securitization really has been under-researched with regard to queer asylum claims, and the analysis has provided a new perspective to contribute to it.

For further research, it would be enriching to examine queer migration and securitization in non-western contexts, particularly in South-South migration, in case studies tied to postcolonial feminism, and in political discourse in the global south. Looking beyond the case of the European Union as a human rights haven, or the West in general as the preferred refuge in migration political discourse, would raise more interesting topics. For example, South-South asylum seeking in the case of Venezuelan asylum seekers in Colombia and Ecuador, or Rohingya Burmese in Bangladesh. It is also necessary to continue to examine queer migration in general, and queer asylum in particular, as not enough attention is paid to their issues. More research on LGBTI migrants would translate into more awareness, ultimately improving the asylum system for this minority and avoiding the unnecessary procedures that they currently must navigate.

References

Primary Sources

Amnesty International, International Commission of Jurists. “Joint Observations on sexual orientation and the Qualification Directive”. October 18, 2013. Retrieved from: <https://www.asylumlawdatabase.eu/en/content/amnesty-international-and-international-commission-jurists-joint-observations-sexual>

AP News. “You, too, have a right to know what Brussels is preparing to do.” February 26, 2019. Retrieved from: <https://www.apnews.com/268b8594525b47828e083e950e2d4ff4/gallery/media:354c8473a8cd46aa8bf23f9a2aee1ed6>

Council of the European Union. “Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted” 29 April 2004. Retrieved from: <https://www.asylumlawdatabase.eu/en/content/en-qualification-directive-directive-200483ec-29-april-2004>

CJEU – Court of Justice of the European Union. “Judgment of the Court (Fourth Chamber): Joined Cases C-199/12, C-200/12 and C-201/12, X, Y and Z v Minister voor Immigratie en Asiel (“XYZ”)” November 7, 2013. Retrieved from: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62012CJ0199&from=EN>

CJEU - Court of Justice of the European Union. “Press Release No 145/13. Judgment in Case C-199/12, C-200/12, C-201/12 X, Y, Z v Minister voor Immigratie en Asiel.” November 7, 2013, Luxembourg. Retrieved from: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2013-11/cp130145en.pdf>

CNN. “Trump: Last night in Sweden” February 19, 2017. Retrieved from Youtube at: <https://www.youtube.com/watch?v=ak3-YHxoKyc>

Farage, Nigel. “Malmö is the rape capital of Europe” February 20, 2017. Retrieved from Twitter at: https://twitter.com/nigel_farage/status/833793147729756161?lang=en

Le Figaro. “M.Le Pen persiste: "il y a occupation"” (M. Le Pen insists : there is occupation). November 12, 2010. Retrieved from: <http://www.lefigaro.fr/flash-actu/2010/12/11/97001-20101211FILWWW00548-mle-pen-persiste-il-y-a-occupation.php>

Orbán, Viktor. "Letter to Hungarian Households", February 26, 2019. Retrieved from: https://g8fip1kplyr33r3krz5b97d1-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/Orban_letter_Dear-Compatriots_20190226.pdf

Rutte, Mark. "Aan alle Nederlanders" (To all Dutch people). January 22, 2017. Retrieved from: <https://www.vvd.nl/nieuws/lees-hier-de-brief-van-mark/>

UNHCR. "Annotated Comments on the EC Council Directive 2004/83/EC of 29 April 2004 on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons who otherwise need International Protection and the Content of the Protection granted (OJ L 304/12 of 30.9.2004)". April 29, 2004. Retrieved from: <https://www.unhcr.org/protection/operations/43661eee2/unhcr-annotated-comments-ec-council-directive-200483ec-29-april-2004-minimum.html>

UNHCR. "Observations in the cases of Minister voor Immigratie en Asiel v. X, Y and Z (C-199/12, C-200/12, C-201/12) regarding claims for refugee status based on sexual orientation and the interpretation of Articles 9 and 10 of the EU Qualification Directive" August 21, 2013. Retrieved from: <https://www.refworld.org/pdfid/5215e58b4.pdf>

VVD. "Heel normal" (Very normal). January 30, 2017. Retrieved from: <https://www.vvd.nl/nieuws/zonder-angst-hand-in-hand-kunnen-lopen-heel-normaal/>

Secondary Sources

ABC News. "Hungary's Orban says EU didn't learn from terror attacks" February 26, 2019. Accessed 10/04/2019 at: <https://abcnews.go.com/International/wireStory/hungary-stepping-campaign-eu-leaders-migration-61322262>

Ahmed, Sara. "A Phenomenology of Whiteness." *Feminist Theory* 8, no. 2 (2007): 149-68.

Ahmed, Sara. "Embodying Diversity: Problems and Paradoxes for Black Feminists." *Race Ethnicity and Education* 12, no. 1 (2009): 41-52.

BBC. "Reality Check: Is Malmo the 'rape capital' of Europe?" 2017. Accessed 10/04/2019 at: <https://www.bbc.com/news/uk-politics-39056786>

Beauvoir, Simone de. 1953. *The second sex*. New York: Knopf.

- Blanchard, Eric m. "Gender, International Relations, and the Development of Feminist Security Theory." *Signs* 28, no. 4 (2003): 1289-312.
- Brambilla, Chiara. "Exploring the Critical Potential of the Borderscapes Concept." *Geopolitics* 20, no. 1 (2014): 1-21.
- Bryman, Alan. *Social Research Methods*. 4.th ed. Oxford: Oxford University Press, 2012.
- Butler, Judith. "Sex and Gender in Simone De Beauvoir's Second Sex." *Yale French Studies*, no. 72 (1986): 35-49.
- Buzan, Barry. *People, states, and fear: the national security problem in international relations*. (1983) Brighton, Sussex: Wheatsheaf Books.
- Buzan, Barry. "New Patterns of Global Security in the Twenty-First Century", *International Affairs*, 67.3 (1991), 433
- Buzan, Barry, Ole Wæver, and Jaap de Wilde. *Security: a new framework for analysis*. Boulder, Colo: Lynne Rienner Pub (1998)
- Buzan, Barry, and Lene Hansen. *The Evolution of International Security Studies*. Cambridge: Cambridge University Press, 2009.
- Börzel, Tanja A., Thomas Risse, and Jon C. Pevehouse. "Regional Human Rights and Democracy Governance." In *The Oxford Handbook of Comparative Regionalism*, The Oxford Handbook of Comparative Regionalism, Chapter 22. Oxford University Press, 2016.
- (CARFMS) Canadian Association for Refugee and Forced Migration Studies. "Securitization of Migration". Accessed March 30th, 2019 at: <http://rfmsot.apps01.yorku.ca/glossary-of-terms/securitization-of-migration/#biblio>
- Ceyhan, Ayse, and Anastassia Tsoukala. "The Securitization of Migration in Western Societies: Ambivalent Discourses and Policies." *Alternatives* 27, no. 1 (2002): 21-39.
- Collins, Alan. *Contemporary Security Studies*. Oxford: Oxford University Press, 2007.
- Cohn, Carol. "'Feminist Security Studies': Toward a Reflexive Practice." *Politics & Gender* 7, no. 4 (2011): 581-86.
- Crowley, Ethel. "Third World Women and the Inadequacies of Western Feminism." *Global Research*. N.p., 8 Mar (2014).

Díaz Lafuente, José. *Refugio y asilo por motivos de orientación sexual y/o identidad de género en el ordenamiento constitucional español*. Doctoral Dissertation. University of Valencia, Spain, 2014.

Donato, Katharine M., Donna Gabaccia, Jennifer Holdaway, Martin Manalansan, and Patricia R. Pessar. "A Glass Half Full? Gender in Migration Studies." *The International Migration Review* 40, no. 1 (2006): 3-26.

Duggan, Lisa. *The Twilight of Equality : Neoliberalism, Cultural Politics, and the Attack on Democracy*. Boston, Mass: Beacon Press, 2004.

DW (Deutsche Welle). "Homosexual Afghan not 'gay enough' for asylum in Austria". August 16, 2018. Accessed 15/04/2019 at: <https://www.dw.com/cda/en/homosexual-afghan-not-gay-enough-for-asylum-in-austria/a-45100651>

Fairclough, Norman L. "Critical and Descriptive Goals in Discourse Analysis." *Journal of Pragmatics* 9, no. 6 (1985): 739-63.

Fairclough, Norman L. *Critical Discourse Analysis: The Critical Study of Language*. Taylor and Francis, 2013.

Foucault, Michel. *The History of Sexuality*. New York: Pantheon Books (1978)

Floyd, Rita. "Extraordinary or Ordinary Emergency Measures: What, and Who, Defines the 'success' of Securitization?" *Cambridge Review of International Affairs* 29, no. 2 (2016): 677-94.

Frank, David John. "Making Sense of LGBT Asylum Claims: Change and Variation in Institutional Contexts." *New York University Journal of International Law and Politics* 44, no. 2 (2012): 485-95

Frankenberg, Ruth. "White Women, Race Matters: The Social Construction of Whiteness". *University of Minnesota Press* (1993).

Hanna, Fadi. "Punishing Masculinity in Gay Asylum Claims." *Yale Law Journal* 114 (2005): 913-2011.

Hansen, Lene. "The Little Mermaid's Silent Security Dilemma and the Absence of Gender in the Copenhagen School." *Millennium: Journal of International Studies* 29, no. 2 (2000): 285-306.

Hassouri, Parastou. "Challenging established categories and exploring intersections. A critical assessment of common notions in migration discourse". In *Fortress Europe? Challenges and Failures of Migration and Asylum Policies*. Wiesbaden: Springer VS, (2017): 11-22.

Heller, Pamela. "Challenges facing LGBT asylum-seekers: The role of social work in correcting oppressive immigration processes" *Journal of Gay and Lesbian Social Services*, 2009: 294-308

hooks, bell. "Representing Whiteness in the Black Imagination". *Cultural Studies*. (1992): 338-346.

Huysmans, Jef. "Migrants as a Security Problem: Dangers of "Securitizing" Societal Issues". In Robert Miles and Dietrich Thraenhardt, eds, *Migration and European Integration: The Dynamics of Inclusion and Exclusion*, (1995): 53–72. London: Pinter

Huysmans, Jef. "Language and the Mobilization of Security Expectations: The Normative Dilemma of Speaking and Writing Security". *ECPR Joint Sessions: Redefining Security*. (1999)

Huysmans, Jef. "The European Union and the Securitization of Migration." *JCMS: Journal of Common Market Studies* 38, no. 5 (2000): 751-77.

International Commission of Jurists. 2007. "Yogyakarta Principles: Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity." Yogyakarta: International Commission of Jurists.

Jünemann, Annette, Fromm, Nicolas, Scherer, Nikolas, and Springer Fachmedien Wiesbaden GmbH. "The Kaleidoscope of Migration: Theoretical Perspectives and Conceptual Considerations". In *Fortress Europe? Challenges and Failures of Migration and Asylum Policies*. Wiesbaden: Springer VS, (2017): 1-7.

Kagan, Michael. "Is truth in the eye of the beholder? Objective Credibility Assessment in Refugee Status Determination" *Georgetown Immigration Law Journal*, 2003: 367-415

Kysel, Ian M, and Jennifer Podkul. 2016. "The Impact of Externalization of Migration Controls on the Rights of Asylum Seekers and Other Migrants." *Jmhs* 4 (4):190–220.

Landau, Joseph. 2004. "'Soft Immutability' and 'Imputed Gay Identity': Recent Developments in Transgender and Sexual-Orientation-Based Asylum Law." *Fordham Urban Law Journal* 32 (2):237.

- Lorde, Audre. "The Master's Tools Will Never Dismantle the Master's House." *This Bridge Called My Back*, edited by Cherrie Moraga and Gloria Anzaldua, State University of New York Press, (2015): 94-97.
- Luibhéid, Eithne. "Heteronormativity and Immigration Scholarship: A Call for Change." *GLQ: A Journal of Lesbian and Gay Studies* 10, no. 2 (2004): 227-35.
- Luibhéid, Eithne. "Queer/Migration: An Unruly Body of Scholarship." *GLQ: A Journal of Lesbian and Gay Studies* 14, no. 2 (2008a): 169-90.
- Luibhéid, Eithne. "Sexuality, Migration, and the Shifting Line between Legal and Illegal Status." *GLQ: A Journal of Lesbian and Gay Studies* 14, no. 2 (2008b): 289-315.
- Luthman, Iris. "The Gendered Implications of Securitized Migration: A qualitative look at how the securitization of migration affects women's experiences of seeking asylum in one of the world's most gender equal countries". *Independent thesis Advanced level*. Uppsala University, (2017).
- Manalansan, Martin F. "Queer Intersections: Sexuality and Gender in Migration Studies." *International Migration Review* 40, no. 1 (2006): 224-49.
- Marianne, Contributors, and J J Phillips. 2011. "Laclau and Mouffe 's Discourse Theory." In *Discourse Analysis as Theory and Method*, 24–58. London: SAGE Publications.
- Marin, Luisa. "Protecting the EU's Borders from... Fundamental Rights? Squaring the Circle between Frontex's Border Surveillance and Human Rights." In *Freedom, Security and Justice in the European Union: Internal and External Dimensions of Increased Cooperation after the Lisbon Treaty*, 75-99. Springer New York, 2013.
- McIntosh, Peggy. "White privilege: unpacking the invisible knapsack." *Independent School*, Vol. 49, No. 2 (1990): 31-35.
- Mohanty, Chandra. "Under Western Eyes: Feminist Scholarship and Colonial Discourses." *Feminist Review*, 0, no. 30 (1988).
- Mole, Richard. "Sexualities and Queer Migration Research." *Sexualities* 21, no. 8 (2018): 1268-270.

- Moreno-Lax, Violeta. "The EU Humanitarian Border and the Securitization of Human Rights: The 'Rescue-Through-Interdiction/Rescue-Without-Protection' Paradigm." *JCMS: Journal of Common Market Studies* 56, no. 1 (2018): 119-40.
- Peoples, Columba and Vaughan-Williams, Nick. *Critical Security Studies: An Introduction*. Vol. 9780203847473. Taylor and Francis, 2010.
- Phillips, Louise, Marianne W Jørgensen, Marianne Jørgensen, and Louise Phillips. 2011. "Critical Discourse Analysis." In *Discourse Analysis as Theory and Method*. London: SAGE Publications.
- Puar, Jasbir K. *Terrorist Assemblages: Homonationalism in Queer times*. Next Wave. Durham: Duke University Press, 2007.
- Roos, Christof. *The EU and Immigration Policies. Cracks in the Walls of Fortress Europe?* 1st ed. London: Palgrave Macmillan, 2013.
- Sedgwick, Eve Kosofsky. "Epistemology of the Closet." In *Epistemology of the Closet*., Queer Theory and the Jewish Question (2003) 41-63. 2003.
- Seilonen, Josi. "Fortress Europe – a Brief History of the European Migration and Asylum Policy". *Thesis*, University of Helsinki, 2016.
- Shepherd, Laura J. "The State of Feminist Security Studies: Continuing the Conversation." *International Studies Perspectives* 14, no. 4 (2013): 436-39.
- Shidlo, Ariel and Ahola, Joanne. "Mental health challenges of LGBT forced migrants" in *Sexual orientation and gender identity and the protection of forced migrants*, Forced Migration Journal n42, 2012.
- Sjoberg, Laura. "Introduction to Security Studies: Feminist Contributions." *Security Studies* 18, no. 2 (2009): 183-213.
- Spijkerboer, Thomas and Jansen, Sabine. "Fleeing Homophobia. Asylum Claims Related to Sexual Orientation and Gender Identity in Europe" Vrije Universitet Amsterdam, 2011.
- Spijkerboer, Thomas. "Gender, Sexuality, Asylum and European Human Rights." *Law and Critique* 29 (2). Springer Netherlands, 2018, 221–39.
- Stone, Marianne. "Security according to Buzan: A comprehensive Security analysis." *Security Discussion Papers Series 1*, GEEST (2009).

Stenman, Sebastian. "HBTQ-Migration: En Kvalitativ Studie Om Verksamheter i Europe Som Riktat Sig till Nyanlända Hbtq-Personer [LGBTQ Migration: A Qualitative Study about Initiatives in Europe That Are Aimed at Newly Arrived LGBT People]." *Thesis*, University of Gothenburg, 2015.

Swiebel, Joke. "Lesbian, Gay, Bisexual and Transgender Human Rights: The Search for an International Strategy." *Contemporary Politics* 15, no. 1 (2009): 19-35.

Sylvester, Christine. "Tensions in Feminist Security Studies." *Security Dialogue* 41, no. 6 (2010): 607-14.

Taureck, Rita. "Securitization Theory and Securitization Studies." *Journal of International Relations and Development* 9, no. 1 (2006): 53-61.

Tickner, J. Ann. *Gender in International Relations Feminist Perspectives on Achieving Global Security*. New Directions in World Politics. New York: Columbia University Press, 1992.

Tirman, John. "Immigration and Insecurity: Post-9/11 Fear in the United States". *Cambridge: MIT Center for International Studies* (2006).

Tonkiss, Fran. "Content and discourse analysis" in Seale, Clive. *Researching Society and Culture*. 4.th ed. Los Angeles, Calif.: SAGE, 2018.

True, Jacqui. "Securitizing Feminism or Feminist Security Studies?" *International Studies Review* 14, no. 1 (2012): 193-95.

UNHCR. "Guidelines on International Protection No.9." Geneva, 2012. Retrieved from: <https://www.unhcr.org/509136ca9.pdf>

UNHCR. "Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees" Geneva, January 1992. Retrieved from: <https://www.unhcr.org/4d93528a9.pdf>

UNHCR, "The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol", Geneva, September 2011. Retrieved from: <https://www.unhcr.org/1951-refugee-convention.html>

Völkel, Jan Claudius. "When Interior Ministers play diplomats. Fatal ambiguities in Europe's securitised migration policy". In *Fortress Europe? Challenges and Failures of Migration and Asylum Policies*. Wiesbaden: Springer VS, (2017): 83-103.

Wæver, Ole. *Identity, Migration and the New Security Agenda in Europe*. London: Pinter, 1993.

Wæver, Ole. "Securitization and Desecuritization" in Lipschutz, Ronnie D., and Adlai Stevenson Program on Global Security. *On Security*. Chapter 3. New Directions in World Politics. New York: Columbia University Press, 1995.

Wæver, Ole. *Aberystwyth, Paris, Copenhagen: New Schools in Security Theory and the Origins between Core and Periphery*. Montreal: ISA Conference, March 2004

Weber, Cynthia. "Why Is There No Queer International Theory?" *European Journal of International Relations* 21, no. 1 (2015): 27-51.

Weber, Cynthia. "Queer Intellectual Curiosity as International Relations Method: Developing Queer IR Theoretical and Methodological Frameworks." In *Queer International Relations*, Queer International Relations, Chapter 2. Oxford University Press, 2016.

Weßels, Janna. "Sexual orientation in refugee status determination" *Working Paper Series No 73*. Refugee Studies Centre, 2011.

Williams, Kristen P. "Feminist Security Studies" in *Oxford Bibliography*. Last modified April 27th 2017. Accessed April 1st, 2019 at: <http://www.oxfordbibliographies.com/abstract/document/obo-9780199743292/obo-9780199743292-0205.xml?rskey=pcQBwS&result=1&q=feminist+security+studies#firstMatch>

Yoshino, Kenji. "Covering (discrimination and Gay Assimilation)." *Yale Law Journal* 111, no. 4 (2002): 769-939.

Yoshino, Kenji. *Covering: the hidden assault on our civil rights*. New York, Random House, 2010.

Appendices

APPENDIX 1: THE NETHERLANDS: VVD (People's Party for Freedom and Democracy)

Campaign by the Dutch ruling party, VVD (2017)²²



30 JANUARI 2017

Zonder angst hand in hand kunnen lopen. Heel normaal.

Gewoon kunnen zijn wie je bent. In Nederland vinden we dat al heel lang heel normaal. Of je nu man bent of vrouw, wit of zwart, hetero of homo. In ons land ben je vrij en word je gelijk behandeld.

Lange tijd was daar geen twijfel over. Trots gaven we de wereld het goede voorbeeld, door als allereerste land het homohuwelijk in te voeren. Nederland maakte duidelijk dat je mag houden van wie je wilt. Dat je die liefde mag laten zien. En dat dat heel normaal is.

Maar langzaam maar zeker is er twijfel in onze samenleving geslopen. Nog steeds vinden verreweg de meeste Nederlanders het normaal als je homo bent. Dat is gelukkig niet veranderd. Maar toch durven homo's niet meer overal hand in hand over straat te lopen. Omdat ze te vaak scheldpartijen, bedreigingen en zelfs geweld hebben meegemaakt.

Dat is niet normaal. In Nederland moet je zonder angst jezelf kunnen zijn. Zonder angst kunnen laten zien van wie je houdt. Zonder angst samen over straat kunnen lopen. Laten we dat met z'n allen heel duidelijk blijven maken.

²² Source: VVD's website. Accessed at: <https://www.vvd.nl/nieuws/zonder-angst-hand-in-hand-kunnen-lopen-heel-normaal/>

Translation from Dutch to English:

Being able to walk hand in hand without fear. Very normal.

Just being able to be who you are. In the Netherlands we have found that to be quite normal for a long time. Whether you are a man or a woman, white or black, straight or gay. In our country you are free and you are treated equally.

There was no doubt about this for a long time. We proudly gave the world a good example, by introducing gay marriage as the very first country. The Netherlands made it clear that you can love who you want. That you can show that love. And that is very normal.

But slowly, doubt has crept into our society. Still, by far the majority of Dutch people find it normal when you are gay. Fortunately, that has not changed. Yet gays no longer dare to walk across the streets hand in hand everywhere. Because they have often experienced abuse, threats and even violence.

That is not normal. In the Netherlands you must be able to be yourself without fear. Being able to show who you love without fear. Being able to walk on the street without fear. Let us all continue to make it very clear.



Being able to walk
hand in hand without
fear.

Very normal
Not normal

APPENDIX 2: THE NETHERLANDS: Prime Minister Mark Rutte (VVD)

Letter to all Dutch people from Prime Minister Mark Rutte (2017)²³



Aan alle Nederlanders,

Er is iets aan de hand met ons land. Hoe komt het toch dat we als land zo welvarend zijn, maar sommige mensen zich zo armzalig gedragen? Mensen die in toenemende mate de stemming in ons land aan het bepalen zijn. Die bereid zijn om alles waar we als Nederland zo hard voor hebben gewerkt, omver te gooien. Dat laten we toch niet gebeuren?

Verreweg de meesten van ons zijn van goede wil. De stille meerderheid. We hebben het beste met ons land voor. We werken hard, helpen elkaar en vinden Nederland best een gaaf land. Maar we maken ons wel grote zorgen over hoe we met elkaar omgaan. Soms lijkt het wel alsof niemand meer normaal doet.

U herkent het vast wel. Mensen die zich steeds associëler lijken te gedragen. In het verkeer, in het openbaar vervoer en op straat. Die van mening zijn dat ze altijd maar voorrang hebben. Die afval op straat dumpen. Die conducteurs bespugen. Of die in groepjes rondhangen en mensen treiteren, bedreigen of zelfs mishandelen. Niet normaal.

We voelen een groeiend ongemak wanneer mensen onze vrijheid misbruiken om hier de boel te verstieren, terwijl ze juist naar ons land zijn gekomen voor die vrijheid. Mensen die zich niet willen aanpassen, afgeven op onze gewoontes en onze waarden afwijzen. Die homo's lastigvallen, vrouwen in korte rokjes uitjouwen of gewone Nederlanders uitmaken voor racisten. Ik begrijp heel goed dat mensen denken: als je ons land zo fundamenteel afwijst, heb ik liever dat je weggaat. Dat gevoel heb ik namelijk ook. Doe normaal of ga weg.

Dit gedrag mogen we nooit normaal vinden in ons land. De oplossing is niet om dan maar groepen mensen over één kam te scheren, uit te schelden of hele groepen simpelweg het land uit te zetten. Zo bouwen we toch geen samenleving met elkaar? De oplossing is vooral een mentaliteitskwestie. We zullen glashelder moeten blijven maken wat normaal is en wat niet normaal is in dit land. We zullen onze waarden actief moeten verdedigen.

In Nederland is het namelijk normaal dat je elkaar de hand schudt en gelijk behandelt. Het is normaal dat je van hulpverleners afblijft. Dat je leraren respecteert en mensen niet sard met vloegjes. Het is normaal dat je werkt voor je geld en het beste uit je leven probeert te halen. Elkaar helpt als het even moeilijk gaat en een arm om iemand heen slaat in zware tijden. Het is normaal dat je je inzet en niet wegloupt voor problemen. Dat je fatsoenlijk naar elkaar luistert. In plaats van elkaar te overschreeuwen als je het ergens niet mee eens bent.

De komende tijd is bepalend voor de koers van ons land. Er ligt slechts één vraag voor: wat voor land willen we zijn?

Laten we ervoor strijden dat we ons thuis blijven voelen in ons mooie land. Laten we duidelijk blijven maken wat hier normaal is en wat niet. Ik weet zeker dat we dit voor elkaar gaan krijgen. Dat we alles wat we met elkaar bereikt hebben samen overeind houden. U, ik, wij allemaal. Laten we samenwerken om dit land nóg beter te maken. Want echt, we zijn een ontzettend gaaf land. Ik zou nergens anders willen wonen. U wel?

Mark Rutte

VVD Normaal. Doen.

Praat vanavond mee om 19.00 uur tijdens een Facebook live sessie op www.facebook.nl/vvd

²³ Source: VVD's website. Accessed at: <https://www.vvd.nl/nieuws/lees-hier-de-brief-van-mark/>

English translation:

To all Dutch people,

Something is wrong with our country. How is it that we as a country are so prosperous, but some people behave so poorly? People who are increasingly determining the mood in our country. Who are willing to overthrow everything that we, the Netherlands, have worked so hard for. We will not let that happen?

By far the majority of us are of good will. The silent majority. We have the best with our country. We work hard, help each other and find the Netherlands quite a cool country. But we are very concerned about how we interact with each other. Sometimes it seems like no one is doing normal anymore.

You will probably recognize it. People who seem to behave more and more asocial. In traffic, in public transport and on the street. They believe that they always have priority. Dispose of that waste on the street. Those guards spit. Or who hang around in groups and taunt, threaten or even abuse people. Not normal.

We feel a growing inconvenience when people abuse our freedom to mess up things here, while they have come to our country for that freedom. People who do not want to adapt, give up on our habits and reject our values. They harass homosexuals, scare women in short skirts or turning ordinary Dutch people into racists. I understand very well that people think: if you fundamentally reject our country, I prefer you to leave. I also have that feeling. Do it normally or go away.

We should never find this behavior normal in our country. The solution is not just to shuffle groups of people, to scold them or to simply expel entire groups from the country. So we do not build a society with each other? The solution is mainly a mentality issue. We will have to continue to make crystal clear what is normal and what is not normal in this country. We will have to actively defend our values.

In the Netherlands it is normal that you shake hands and treat each other equally. It is normal for you to stay away from emergency services. That you respect teachers and do not start people with vlogjes. It is normal that you work for your money and try to get the best out of your life. Each other helps if things go that hard and an arm hits someone in difficult times. It is normal that you bet and do not run away from problems. That you listen to each other in a decent way. Instead of shouting each other if you do not agree with something.

The coming time is decisive for the course of our country. There is only one question: what kind of country do we want to be?

Let's struggle to keep us at home in our beautiful country. Let us continue to make clear what is normal and what is not. I am sure we will do this for each other. That we can keep up everything that we have achieved together. You, me, all of us. Let's work together to make this country even better. Because really, we are a very cool country. I would not want to live anywhere else. You?

APPENDIX 3: FRANCE: Marine Le Pen (Front National)

News Article on Marine Le Pen's Interview with AFP (2010)²⁴

English Translation:

M.Le Pen persists: "there is occupation"

Marine Le Pen reiterated today to AFP her comments on the "street prayers" of Muslims she had described the day before "occupation" in a parallel with the Second World War, stating that it did not speak of a "military occupation".

"I reiterate that a number of territories, more and more numerous, are subject to religious laws that replace the laws of the Republic. Yes there is occupation and there is illegal occupation," said the daughter of Jean-Marie Le Pen, whose remarks caused an uproar in the political class.

Yesterday evening, during an internal campaign speech in front of the members FN Lyon, she had evoked the Second World War to denounce the "street prayers" of Muslims in some cities. "I'm sorry, but for those who like to talk a lot about the Second World War, if it's about talking about occupation, we could talk about it, because this is an occupation of the territory" she had said.

"Certainly there are no tanks, there are no soldiers, but it is an occupation all the same and it weighs on the inhabitants," she added during this speech. "I did say that it was not a military occupation (...) I wanted to glorify the spirit of resistance that makes it necessary to oppose the occupation of the territory. This has been the case in all our history," she told AFP Saturday.

"I hear more and more testimony about the fact that in some neighborhoods, it is not good to be a woman, nor homosexual, nor Jewish, nor even French or white", continued the one who hopes to take the head of the FN and succeed his father at the party congress in Tours (January 15-16).

According to her, "the UMP, the PS, the Greens, it is they who show their true face, that of gravediggers of the French Republic. I put the finger where it hurts. And this truth returns the political class to its renunciation, its blindness, its cowardice," continued the one who hopes to take the head of the FN and succeed his father at the party congress in Tours (15-16 January).

²⁴ Source: News article in Le Figaro on Declarations from Marine Le Pen to News Agency AFP. Accessed at: <http://www.lefigaro.fr/flash-actu/2010/12/11/97001-20101211FILWWW00548-mle-pen-persiste-il-y-a-occupation.php>

APPENDIX 4: HUNGARY: Fidesz – Hungarian Civic Alliance

Poster of a campaign by the Hungarian Government (2019)



"You, too, have a right to know what Brussels is preparing to do."

APPENDIX 5: HUNGARY: Viktor Orbán (Prime Minister)

Letter sent to households by the Hungarian Government (2019)

Dear Compatriots,

I am writing to inform you about the worrying developments of the migration crisis.

Brussels has not learned anything from the horrible terror attacks of the past years. They want to bring even more migrants to Europe. The bureaucrats are now preparing to encourage immigration with new measures. Following the implementation of the migrant visa and the migrant bank card, more money would be given to György Soros's organizations that support migration. They still want to distribute immigrants in Europe with mandatory quotas.

We Hungarians decided not to turn our homeland into an immigrant country.

We want to defend our security and our Christian culture. That is why we have built the fence and this is why we protect our borders. However, the bureaucrats in Brussels do not want to respect our decision. In order to achieve their goal, they want to break the resistance of countries opposed to immigration.

You also have the right to know what Brussels is preparing to do. That is why I turn to you now: please read the enclosed leaflet about the next steps planned in Brussels.

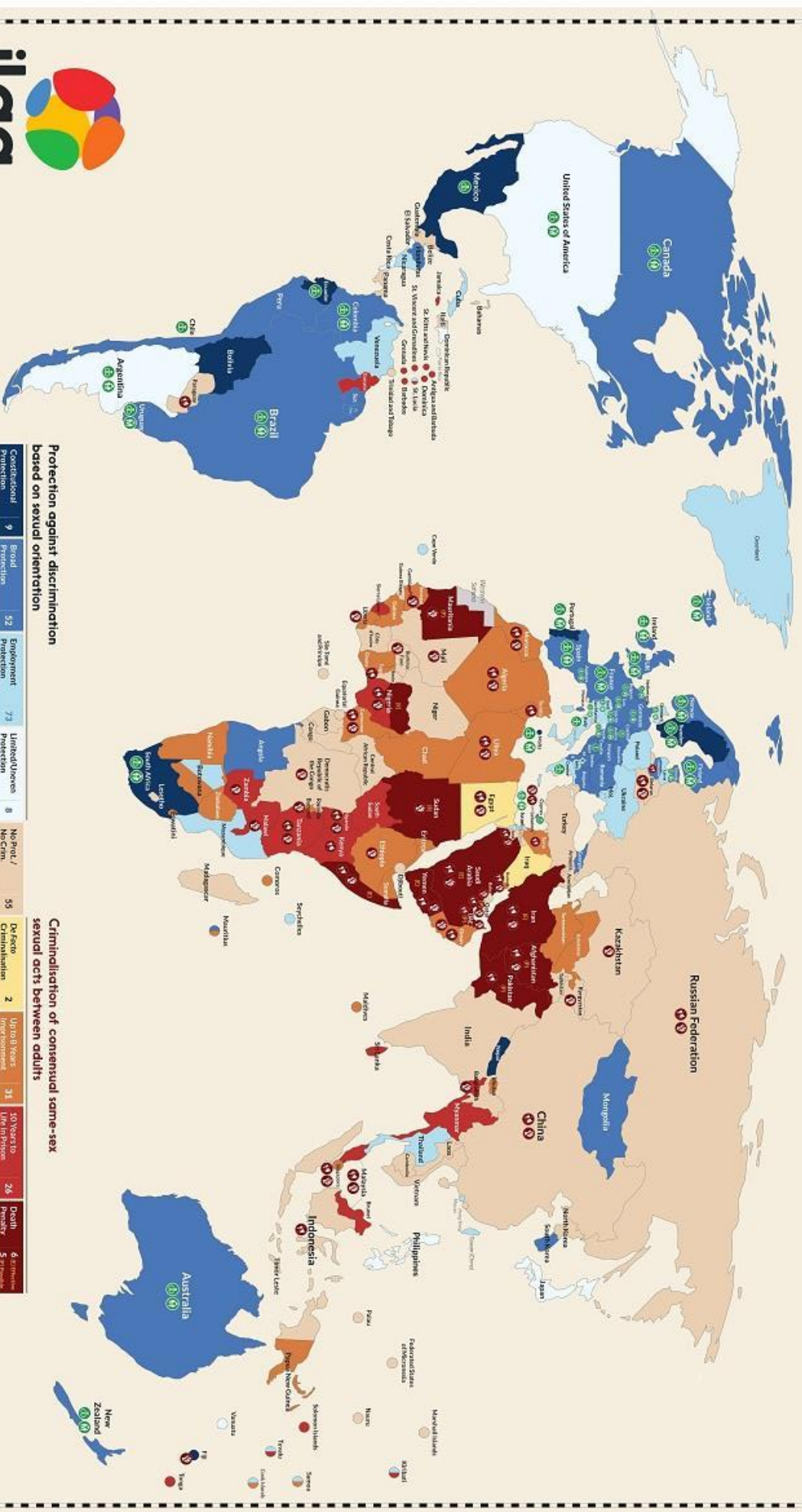
Sincerely,

Viktor Orbán

PM of Hungary

SEXUAL ORIENTATION LAWS IN THE WORLD - 2019

From criminalisation of consensual same-sex sexual acts between adults to protection against discrimination based on sexual orientation



Protection against discrimination based on sexual orientation

Constitutional Protection	9	Equal Protection	32	Employment Protection	73	Unfair Dismissal Protection	8
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Legal recognition of families

- Marriage or other form of legal union for same-sex couples
- Adoption open to same-sex couples

Criminalisation of consensual same-sex sexual acts between adults

De facto Criminalisation	2	Up to 8 Years Imprisonment	31	10 Years to Life in Prison	26	Death Penalty	6
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Legal barriers to the exercise of rights

- Legal barriers to freedom of expression on SOGIESC issues
- Legal barriers to the registration or operation of sexual orientation related CSOs



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