

Information for gays, lesbians, bisexuals, and transgender persons

If you are gay, lesbian, bisexual, or a transgender person and have sought asylum, the Swedish Migration Board would like to inform you of your rights. The risk of persecution due to your sexual orientation can lead to your being given refugee status, regardless of whether it is the state, your family, or other people threatening you.

In accordance with the Convention relating to the Status of Refugees, Swedish law and EU regulations, you are a refugee if, for example, you have well-founded reasons to be afraid of persecution due to your sexual orientation or other affiliation to some social group.

Persecution can, for example, come from the authorities in your country of origin, but it can also come from people or groups in your surroundings. It may be that the authorities in your country cannot or will not protect you against persecution. You can read more about asylum, the law, and your rights and obligations under several of the headings on our web site.

For the Migration Board to get an adequate basis for a decision, it is important that you report your situation in detail as early as possible, and what you are afraid will happen to you if you return to your country of origin.

EXAMPLES OF REASONS

- Threats or violence of a serious nature from your family, the state, or other persons can be grounds for asylum.
- If legislation, general rules or public opinion entails you being subjected to serious offences due to your sexual orientation – for example fines, severe assaults against your life and health, through being denied education or withheld the right to choose a profession or the right to health care – you can be entitled to asylum.
- The risk of such offences that can be regarded as persecution owing to your being gay, lesbian, bisexual, or a transgender person can lead to refugee status.

DURING YOUR TIME IN SWEDEN

If you have sought asylum along with your family and are afraid that others will find out what you were subjected to in your country of origin, seek advice and support. Contact your case officer if you want further information on confidentiality rules, for example.

You always have the right to contact Non-Governmental Organizations that work with gay, lesbian, bisexual, and transgender rights. The more information you have on your rights and possible alternatives, the easier it will be to decide what you want to do.

GOOD ADVICE IN THE ASYLUM INVESTIGATION

Submit your passport or other identification document as quickly as possible so that the Migration Board knows who you are.

No one but you knows as much as you do why you left your country. It is therefore important that, right from the beginning, you report everything that happened to you in your country and what you are afraid will happen if you return. It could be a matter of mistreatment, for example, or threats or other persecution. It is important that your reasons for asylum are brought up early on in the process. The Migration Board can then properly assess your reasons and you can get a quicker response to your application.

We who work at the Migration Board are sworn to secrecy – we cannot talk about who you are or your reasons for asylum with anyone else. The obligation of secrecy means that your information may only be given to persons who, according to law, have the right to obtain it. Even interpreters, legal counsels, and others who work with asylum seekers are sworn to secrecy. They may not, for example, speak of your name, your address, or why you have sought asylum.

If possible, you should submit documents that support your fears. It could be a certificate from your country of origin, threat letters, photographs, doctor's certificates or something else that supports your story.

You are responsible for showing your need for protection and how the situation in your country of origin affects you. Your legal counsel and the Migration Board also have an obligation to investigate how the situation for LGBT people looks in your country of origin. It is a good idea for you to keep copies of all documents from the Migration Board and your legal counsel, and that you understand what is written about you and the situation in your country.

GOOD TO KNOW

- You have the opportunity to express your preference regarding the sex of your interpreter, case officer, and legal counsel so that you feel comfortable.
- You have the right to meet your legal counsel and case officer alone, without other fellow applicants.
- You have the right to health examinations and health care that cannot wait, free of charge.
- You always have the right to contact Non-Governmental Organizations to get advice and support.